



Nevada Department of Transportation

Board of Directors • Meeting Minutes

January 11, 2021

9:30 A.M.

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**Meeting Location:** Live streamed via Blue Jeans in accordance with Governor Sisolak's March 22, 2020 emergency directive which suspends the requirements that there must be a physical location designated for meetings of public body where members of the public are permitted to attend and participate in-person so long as participation is available.

**1. Welcome/Call to Order/Roll Call**

Governor Sisolak called the meeting to order on Monday, January 11, 2021. A roll call was conducted, and a quorum was established.

Present: Governor Steve Sisolak, Lt. Governor Kate Marshall, Controller Catherine Byrne, Member Virginia Valentine, Member Justin Kalb, Member Stephen Ascuaga.

**2. Public Comment #1**

There were no public comments regarding items on the agenda.

**3. Consideration of Annual Appointment of a Vice Chair to the Transportation Board of Directors pursuant to NRS 408.016(4). (For Possible Action)**

**Motion:** Appoint Lieutenant Governor Kate Marshall as Vice Chair to the Transportation Board of Directors  
**By:** Controller Catherine Byrne  
**Vote:** Passed unanimously



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4. Consideration of Approval of the December 14, 2020 Nevada Department of Transportation Board of Directors Meeting Minutes. (For possible action.)

There were no corrections or changes in the Minutes.

**Motion:** Approve the December 14, 2020 Nevada Department of Transportation Board of Directors Meeting Minutes

**By:** Member Stephen Ascuaga

**Vote:** Passed unanimously

5. Receive Director's Report (Informational Item)

Director Swallow began the director's report with a discussion of safety. Director Swallow informed the Board that 2020 was a deadly year on Nevada roadways with statewide fatalities increasing by 3 percent over 2019, including a 20-percent increase in unrestrained motorist fatalities and an 18-percent increase in pedestrian fatalities. Director Swallow updated the Board on an incident with a bicyclist brought to the Board's attention at the previous meeting. At the time, it was not believed to have happened due to impairment. Subsequently, NDOT learned that the driver of the truck that hit the cyclist had been impaired and has since been arrested for DUI. Director Swallow informed the Board of an accident on December 30th at Fort Apache and Furnace Gulch Avenue in Southwest Las Vegas where a Dodge Charger struck a Hyundai Accent. Investigators believe the 19-year-old driver of the Dodge Charger was speeding and also showed signs of impairment at the scene. The driver was arrested on suspicion of DUI. The driver of the Hyundai was initially taken to Spring Valley Hospital and later died while being transferred to Sunrise Hospital. Director Swallow offered NDOT's condolences to all families who lost loved ones in 2020.

Director Swallow next reported on the adjustment and impact of the state's vehicle traffic during the COVID pandemic, which directly impacts funding. Director Swallow reported to the Board that traffic along I-15 from Los Angeles to Las Vegas did not experience the usual spikes in visitor traffic during the holiday season in December. Traffic was down on I-15, east of Las Vegas, but to a lesser extent. Director Swallow further indicated that traffic at Primm was down over 19 percent and down 31 percent on US-50 at the south shore of Lake Tahoe for the month of December. Traffic on I-80 near Elko, however, was up four-and-a-half percent compared with the estimated monthly average from December 2019. Truck traffic on I-80 averaged at or above 2019 levels in many locations.



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Director Swallow discussed the \$2.3 trillion COVID-19 relief funding bill and the support NDOT received as a result of these funds. Director Swallow informed the Board that state DOTs nationwide will receive \$10 billion in emergency relief aid specifically to address a shortage of state highway funds due to the reduction in travel during the pandemic. The precise amount allocated to NDOT has not yet been determined, but the funds will be used to prop up necessary projects that were deferred, had funding cut as a result of decreased revenue, or would have funding cut in the coming year because of decreased revenue. Director Swallow indicated that early estimates indicate that Nevada will receive approximately \$90 million, 20 to 25 percent of which will be sub-allocated to the state's large urban areas, with the majority going to southern Nevada. Director Swallow informed the Board that official figures will be available by the end of the month and specifics can be reported to the Board in February's meeting. The funding, which will be determined by federal highways, is 100-percent federal with no match required and is more flexible than typical federal funding. Director Swallow explained that the federal government realizes that state transportation funding is being used to fund things that are not typically eligible, and this federal funding is meant to backstop that loss. Director Swallow explained that the federal support will help NDOT continue to deliver a program that keeps Nevadans safe and connected, provide logistical infrastructure for goods and services, and promote crucial economic activity and workforce development. The bill further includes additional funding for transit, rail, and aviation, but final numbers are not yet available. NDOT is anticipating minimal funding for the rural transit and aviation program. The bill also includes full appropriations for federal transportation funding for existing programs as authorized in the FAST Act extension.

Director Swallow next reminded the Board that the Nevada legislative session is starting soon and NDOT intends to take an active role in educating and supporting lawmakers, the Governor's office, and stakeholders on important transportation issues as they arise. Director Swallow informed the Board that NDOT is sponsoring four bills this session: a.) BDR 345, number 8012, which revises provisions governing the deputy director and chief engineer at NDOT; b.) BDR 346, AB41, supervise provisions related to the operation of certain oversized vehicles, a bill that NDOT is looking to clarify in terms of how oversize vehicles are measured and when larger vehicles than are currently allowed will be permitted; c.) BDR 347, AB53 modifies requirements for callbox systems on certain highways and NDOT is working to ensure that the best technology available is being used for traversing the national network; and d.) BDR 350, 8054 establishes an advisory committee to study issues and make recommendations to state and local agencies to improve traffic safety. Director Swallow explained that NDOT already has a committee like this, but NDOT is looking to elevate the committee's voice to improve state safety outcomes.



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Director Swallow informed the Board that NDOT is closely monitoring developments on two transportation funding bills being sponsored by the Legislative Committee on Energy: the first would amend the state constitution to expand the permissible uses of the state highway fund; the second would require NDOT to commission the study and form a dynamic stakeholder working group to comprehensively assess the future of transportation funding in Nevada. Director Swallow explained that due to the Legislative Committee on Energy's accelerated timeline of just two years, NDOT has already begun the RFP process to identify a vendor to help study the issue and complete background information prior to the start.

Director Swallow informed the Board that the RTC of Southern Nevada in collaboration and long-standing partnership with NDOT, NHP, UNLV, and Waycare received an advanced transportation and congestion management technologies deployment grant in the amount of \$15 million. The monies from this grant will go towards the integrated safety technology corridor project, which will benefit valley residents and tourists by mitigating traffic and enhancing roadway safety along US-95 in the Las Vegas Metro area. The project length is approximately five miles from the Spaghetti Bowl to Summerlin Parkway and is balanced between two direct HOV connections. Technologies include: a.) active traffic management, b.) wrong-way driver mitigation, strategic traffic management sites, c.) high-occupancy vehicle detection, d.) integrated data platform, and e.) interface, data analytics provided by UNLV. RTC of Southern Nevada is the lead agency and will hire and oversee the work of a private-sector consultant with relevant industry experience, which will provide key oversight on planning, design, construction, and operation components. NHP will play a lead role in the strategic traffic management sites and assist with analysis related to wrong-way driver and ATM enforcement. RTC of Southern Nevada has a proven history of helping improve transportation across the region and has seen success when deploying similar projects.

Director Swallow highlighted the impact of NDOT on the workforce and indicated that these numbers are based solely on construction contracts and explained that many more jobs are created and sustained through NDOT's agreements and programs. Director Swallow indicated that infrastructure jobs via construction contracts from October through December represent 1,450 job years. In addition, job years for infrastructure, construction contracts and agreements on today's agenda equal 23, with the Board's approval of the agenda, NDOT will have 1,473 job years supported via construction crew contract.

Director Swallow informed the Board that January is National Slavery and Human Trafficking Prevention Month with today's meeting falling on National Human Trafficking Awareness Day. Director Swallow informed the



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Board that #wearblueday encourages the public to wear blue, the international color of human trafficking awareness. The blue heart symbolizes human trafficking. Director Swallow explained that most human trafficking occurs via transport, and thus NDOT is taking a more vested interest and position in raising awareness and aiding its prevention. Director Swallow indicated that Nevada is ranked first in the nation for human trafficking per capita. NDOT is in the process of developing and rolling out an agency-wide policy and initiative to address human trafficking and assist in its prevention throughout the state using some of the following measures: a.) education the NDOT team through training; b.) policy and mission declaration statements; installing signs at NDOT public facilities and rest areas; and c.) partnering with internal and external agencies such as the AG's office, DMV, DPS, and truckersagainstrafficking.org. Director Swallow encouraged the Board to visit the Nevada Attorney General's website for more resources and statistics.

Director Swallow updated the Board on the proposed development at McCarran Ridge near Lakeridge in Reno, specifically the role of NDOT in the permitting process and the qualification-based selection questions. Director Swallow reminded the Board that NDOT does not have authority over local land-use decisions. The decisions to approve, deny, or place requirements on developments rests with the local county or city. Although NDOT does not have authority over private developments, NDOT does review the impact of the proposed developments with direct access to state road right-of-way by evaluating and collaborating with local agency and developer to ensure that state road impacts are mitigated in the most effective and safe way possible. As part of the local government permit process, the developer officially begins the NDOT permitting process with a traffic study of impacts to state roads. NDOT uses the access management system and standards, traffic modeling guidelines, and intersection control evaluations to supplement the local agency and federal standards. NDOT can require that the developer construct additional improvements as they become necessary. Although NDOT is a neutral party, NDOT does carefully evaluate and stipulate appropriate mitigations for highway impacts with an ultimate goal of keeping everyone safe and connected. The developer is responsible for mitigating traffic impacts to state roads. Director Swallow emphasized that NDOT's role is limited to where there is direct access to its right-of-way, but NDOT is looking to see where that role may be expanded or made more appropriate to overall safety. Following successful appeal to the city, the development at McCarran and Lakeridge is undergoing additional review within the city's development process. Once the proposal is resubmitted and approved by the city development permitting process, NDOT will be ready to thoroughly review any final traffic studies.

Director Swallow next followed up on cost and negotiation in response to Member Justin Kalb's question at the December meeting regarding whether or not NDOT has ever walked away from a negotiation due to the cost.



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Director Swallow informed the Board that NDOT is required to follow the Brooks Act for qualifications-based selection of architects and engineers. Director Swallow further informed the Board that in the past ten years, there have been six instances where a qualification-based RFP or amendment resulted in the decision to terminate negotiations due to cost issues, four of which have occurred in the last four-and-a-half years. Director Swallow informed the Board that in each circumstance, the department either resolicited the RFP or entered into negotiations with the next highest ranked proposal.

Director Swallow announced the retirement of two NDOT deputy directors: Deputy Director of Project Delivery Cliff Lawson, and Deputy Director of Operations and Maintenance, Tracy Larkin-Thomason. Director Swallow announced that Darin Tedford has been appointed to replace Deputy Director of Project Delivery Cliff Lawson. Mr. Tedford has more than 25 years in experience with the department, where he started as a summer intern in the materials division. He started as a full-time employee at NDOT in 1994 in roadway design and has since worked in signs and striping and the materials division prior to joining the leadership team as Assistant Director of Operations the previous year. Mr. Tedford holds a BS in Civil Engineering from UNR and is a registered professional engineer in Nevada.

Member Virginia Valentine wished Mr. Cliff Lawson and Ms. Tracy Larkin-Thomason luck in their retirement.

At the conclusion of Director Swallow's report, Governor Sisolak suggested that Director Swallow contact Sheriff Lombardo in southern Nevada or the trafficking coalition regarding the posting, or installation, of signs pertaining to human trafficking awareness and prevention.

Director Swallow thanked Governor Sisolak for his recommendation.

#### **6. Consideration of Approval of Agreements over \$300,000 (For Possible Action)**

Director Swallow discussed the six agreements for the Board's consideration. The first recommended agreement was to HDR Engineering, Inc. for beginning phase 2 of the Reno Spaghetti Bowl, including the completion of a feasibility study for the Nugget Viaduct. The second recommended agreement was to Horrocks Engineers, Inc. to identify the location of utilities in US-50 in the Lake Tahoe area from Stateline to Spooner Summit. The third agreement is recommended to HDR Engineering, Inc. to provide construction engineering augmentation to assist Crew 904 on a previously Board-approved I-80 project near Rye Patch Reservoir in Pershing County. The fourth agreement is recommended to W.H. Consulting, LLC to provide professional



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services to ensure compliance with state and federal regulations, including certified payroll monitoring, labor compliance, and subcontractor compliance. The fifth agreement is recommended to Mandli Communications to provide mobile lidar data processing and instruction to support NDOT's asset inventory and asset management program. The sixth recommended agreement is for additional engineering assistance for the Architecture Division. This will be an on-call agreement enabling three consultants to provide services with Wood Rodgers, Inc., Kimley-Horn and Associates, Inc. and GCW, Inc.

**Motion:** Approve Agreements over \$300,000  
**By:** Lieutenant Governor Kate Marshall  
**Vote:** Passed unanimously

**7. Contracts, Agreements, and Settlements (Informational item only)**

Pursuant to NRS 408.131, the Board may delegate authority to the Director, which a Director may exercise pursuant to NRS 408.205. These items and matters have been delegated to the Director by the Board by resolutions in April 1990 and July 2011.

Director Swallow informed this is an information item only.

There were no questions from the Board.

**8. Nevada Department of Transportation 2020 Annual Report (Informational item only)**

Director Swallow informed the Board that this report is the same as NDOT always does but it has been rebranded as NDOT's Annual Report rather than facts and figures as there is more information in it than just facts and figures. Prior to the start of the legislative session, NDOT will have a smaller document outlining only the facts and figures as a quick reference guide.

There were no questions from Board members.



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9. Public Comment #2

Alita Dupree stressed the importance of NDOT ensuring that Nevada's roads continue to be well-maintained. Ms. Dupree indicated that when she travels, she misses the good roads of Nevada. Ms. Dupree further indicated her support for the 24-hour HOV lane system in Las Vegas, which allows automobiles, buses, RTC vehicles, and paratransit. Ms. Dupree stressed to the Board that many who will be in the next priority group for vaccination are seniors with disabilities who do not have cars. Ms. Dupree indicated that the average monthly cost of maintaining a car in America is approximately \$700 and further indicated that she, herself, does not have a car. As such, Ms. Dupree stressed the necessity of keeping the HOV lane open on a 24-hour basis to free the highways of congestion, especially with the challenges of COVID, emergency situations, and a taxed hospital system, and asked for the Board's support in keeping the 24-hour HOV lane system intact. Ms. Dupree further stated her belief that a rail plan is essential. Ms. Dupree informed the Board that her research indicates that a high-speed rail to California will not be in place in the near future, but did stress to the Board her belief in the importance of a rail system similar to the Acela Express in the northeast corridor in order for the state of Nevada to be multimodal. Ms. Dupree asked for help at the state level to promote options to keep the city of Las Vegas from remaining car-centric and indicated her support of the RTC buses. In addition, Ms. Dupree suggested that bicycles and walking and shareable vehicles also need to have a role.

10. Executive Session

There was no executive session in this meeting.

11. Adjournment

Motion: Adjourn the January 11, 2021 Nevada Department of Transportation Board of Directors Meeting  
By: Member Justin Kalb  
Vote: Passed unanimously

DocuSigned by:

*Cole Mortensen*

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Acting Secretary to the Board of Directors