



Nevada Department of Transportation

Board of Directors • Meeting Minutes

September 11, 2023

9:30 AM

Meeting Location:

1263 South Stewart Street
Third Floor Conference Room
Carson City, Nevada 89712

123 East Washington Avenue
Building B
Las Vegas, Nevada 89101

1951 Idaho Street
Conference Room
Elko, Nevada 89801

SEC 1. OPENING

1. Welcome/Call to Order/Roll Call

Governor Lombardo called the meeting to order on Monday, September 11, 2023, at 9:30 a.m. A roll call was conducted, and a quorum was established.

In attendance: Governor Joe Lombardo, Lieutenant governor Stavros Anthony, Controller Andy Matthews, Member Virginia Valentine, Member Stephen Ascuaga, Member Justin Kalb, and Member Gary Perea.

2. Public Comment

There was no public comment.

3. Receive Director's Report – *Informational Item*

Director Tracy Larkin Thomason began the report by introducing Scott Hein, NDOT's new Assistant Director of Engineering. The Director explained that he was most recently the Chief of Roadway Design Engineer, started with NDOT in 2000 for a total of 23 years, and has replaced Sajid Sulahria, who is now a Deputy Director.

Director Larkin Thomason next discussed honoring the officers killed in the line of duty on state highways, noting that the naming of highways after these fallen officers in memoriam will now be an official practice. The Director honored the following five (5) officers at today's meeting: NHP Officer Micah David May, NHP Officer Benjamin Michael Jenkins, Bureau of Indian Affairs Captain Jack Lee Spencer, Sr., NHP Officer Carlos J. Borland, and Bureau of Indian Affairs, Creighton Travis Spencer. Director Larkin Thomason next invited NHP Officer Lieutenant Colonel Mleczko, and Nevada Bureau of Indian Commission Executive Director Stacey Montooth to speak about these officers.

NHP Lieutenant Colonel Martin Mleczko, started by thanking Governor Lombardo, and NDOT Board of Directors for the creation of the honorary roadway signs immortalizing the sacrifice of the fallen officers, noting that they serve as a powerful reminder of the selflessness and dedication of troopers and symbolize not only the lives lost, but the unbreakable bond between law enforcement and the communities they



Nevada Department of Transportation

Board of Directors • Meeting Minutes

September 11, 2023

9:30 AM

serve. Lieutenant Colonel Mleczko concluded by noting the signs speak volumes about the unity and strength of the state of Nevada.

Stacey Montooth, Nevada Indian Commission (NIC) Executive Director, thanked the Governor, the Director of NDOT, Commissioner Tammy Tiger, the NDOT Comms Team, and Assemblyman P.K. O'Neill. Director Montooth noted these highway signs will remind the tribes there are people in the world willing to give up their lives for the protection of Indian Country, noting the Indian Community refers to these people as warriors. On behalf of the NIC and its tribal citizens, Executive Director Montooth expressed sorrow as well as appreciation to NDOT for the commemorative road signs.

Governor Lombardo asked Executive Director Montooth if she would like to say anything regarding the funeral.

Executive Director Montooth said, the funeral of Officer Francone, who served the state, multiple counties, and three tribal nations, was killed in the line of duty. On behalf of the NIC and its three tribal nations, Director Montooth expressed appreciation to the Francone family, to the Pyramid Lake Tribal Police Department, to Chairman Phoenix, and to the Governor for recognition by lowering the flags.

Director Larkin Thomason continued the Director's Report by discussing the end of the federal fiscal year, and the redistribution of approximately \$46 million of additional funding to NDOT. The Director noted that this funding is going directly to the Henderson Project.

Director Larkin Thomason next discussed the US 50 Project, noting that the online public survey is now live. The Director indicated that the survey was posted on September 1, 2023, and will be available until September 30, 2023. The Director indicated that mailers were distributed to more than 4,000 Tahoe Basin residents, as well as emails, and the survey was publicly announced to the media. Director Larkin Thomason explained that the website has also been updated with all the comments received throughout August.

Director Larkin Thomason next informed the Board that the I-515 Northbound Charleston work has begun as of this month. The Director noted that the concrete work will be completed this week, and then there will be a major traffic shift, which will be to the outside of the I-15, beginning in October. The Director indicated that the project is on schedule, is approximately 52 percent complete, and scheduled to finish in about a year.

Director Larkin Thomason next indicated that the part-time shoulder lane was initialized on Labor Day weekend on southbound I-15 at the Nevada-California border, to approximately six miles into the



Nevada Department of Transportation

Board of Directors • Meeting Minutes

September 11, 2023

9:30 AM

Agricultural Stations in California, explaining that the shoulders are now open to drivers on Sundays and Mondays to help relieve the congestion along that area. The Director noted that this past Labor Day weekend was a weekend of heavy storms, which may have caused lighter than normal traffic, and that there was some confusion about how to use the shoulders. Director Larkin Thomason informed the Board that the bottleneck appears to have moved from Nevada to Mountain Pass in California.

Governor Lombardo asked if NDOT has received an update since California's last update regarding the project.

Director Larkin Thomason indicated that they have completed their part, that the Agricultural Stations are now open on the weekends, but California is still looking to do some additional truck climbing lanes.

Director Larkin Thomason next discussed the Downtown Access Project, noting that the in-person meeting was held on August 29, 2023, and informed the Board that the virtual public meeting will be open until this coming Friday, after which NDOT intends to publish the Notice of Intent in the fourth quarter of the year and hopefully have the preferred identified alternative by the beginning of 2024.

Director Larkin Thomason next provided an update on the maintenance crews around the state, noting that from January to June, NDOT put out 32 emergency contracts (District 1 is from Tonopah down to Las Vegas, District 2 is the Lake Tahoe to Reno and a little past Lovelock, and District 3 being Elko, Ely, and Winnemucca) at the cost of just under \$40 million. The Director explained 18 contracts are completed, and 14 continue to be in progress.

Director Larkin Thomason next discussed the damage from Tropical Storm Hilary, with areas of note being Mount Charleston; SR 157, Kyle Canyon; SR 156, Lee Canyon; and SR 158, Deer Creek Road. The Director indicated that NDOT has an emergency contract out for \$8 million to repair 156 and 157. Those repairs will continue through the month of October. The Director noted that there is currently one lane open for residents and emergency responders only, and the mountain is closed to everyone else through the end of the month. The Director next indicated that Deer Creek Road is still under evaluation for how best to handle the extensive damage.

Director Larkin Thomason informed the Board that Tropical Storm Hilary also hit the center of the state, with the loss of road on 376 in Beatty, just north of Tonopah. The Director explained maintenance forces have done the temporary repairs, and NDOT is looking to go in long-term with more permanent fixtures.



Nevada Department of Transportation

Board of Directors • Meeting Minutes

September 11, 2023

9:30 AM

Director Larkin Thomason next discussed the Presidential visit, and the toll this took on resources, noting that each of his four trips in and out of the state took between 60 and 75 people to block the roadways. The Director explained NDOT has a special coding for compensation of time spent, and indicated NDOT spent more than 1,700 hours of staffing time and 150 hours of planning.

Director Larkin Thomason discussed Burning Man, noting that the Playa, which is normally a very dry, silty area, became a wet mucky mess, the majority of which was handled by the tribe and by Burning Man, but noted NDOT provided brooms to assist in cleaning debris and assisted NHP and tribal police with road closures.

Director Larkin Thomason next described the flooding around the state from the last rainstorm that started on Labor Day weekend. The Director explained that SR 160, Charleston, and I-15 flooding, along with other areas, was dealt with by maintenance and indicated that NDOT does have a few emergency contracts going out, mainly to restore the shoulder lines. The Director explained that the majority of the damage has been the undercutting of the roadways on the side.

Controller Andy Matthews asked how far into the cleanup and restoration effort the state is in terms of the aftermath of the Labor Day flooding.

Director Larkin Thomason indicated that the major contracts, like Mount Charleston, will take until the end of the month, that 158 will likely take a year to determine as it is so undermined underneath that a portion of the mountain needs to be rebuilt. The Director noted that some quick material and quick paving has been done, but that the next several months through the next year will be spent evaluating to see if NDOT needs to go in to do a heavier permanent paving package. The Director further noted that this evaluation is a case-by-case basis.

Director Larkin Thomason next provided an overview of the impact of outsourcing, noting that from 2021 on, NDOT has been slowly outsourcing more and more of the work due to multiple things such as increased workload and vacancies. The Director noted that the number has gone from 36 million to about 140 million, the majority of which is in augmenting construction crews. The Director discussed the large projects, including: the Downtown Access Project; the Henderson Bowl; Phase B of the Spaghetti Bowl in Reno; and the I-80 widening going out to TRIC. Director Larkin Thomason next discussed contract employees, noting that manpower is being contracted out not only for crew work, but for things like payroll, administrative services, and additional permitting. The Director noted that this has gone from about \$900,000 to approximately \$2 million.



Nevada Department of Transportation

Board of Directors • Meeting Minutes

September 11, 2023

9:30 AM

Governor Lombardo asked who would be reimbursing the state for the Presidential visit.

Director Larkin Thomason indicated her understanding is reimbursement would come from the US Government.

Governor Lombardo noted traditionally the state is not reimbursed and that rather, this is a cost that is incurred, that there is a code, and that the money is actually encumbered via the budget for these types of visits.

Governor Lombardo next discussed the criticism faced by the state as a result of declaring emergencies and asked that NDOT's Public Information Office be more aggressive in distributing photos so people have a better understanding why an emergency was declared when there are not necessarily any issues in their particular location.

4. Presentation on Fiscal Year 2024 Annual Work Program and 2023-2026 Statewide Transportation Improvement Program (STIP). – Informational Item

Deputy Director Darin Tedford explained that NDOT is updating the STIP and provided the Board with a presentation of the one-to-four-year outlook for Department Projects, as well as the current year's Annual Work Program. Deputy Director Tedford indicated that a list was presented, that the list is online, and NDOT went through a public comment period. Deputy Director Tedford reminded the Board that the STIP, and the Annual Work Program are based on a prioritization process of six goal areas by scale and importance. The first and second of which are enhancing safety and preserving infrastructure. Deputy Director Tedford further indicated that for any project NDOT develops and delivers, there is weighted criteria, which is then followed by the harmonization process ensuring NDOT is utilizing all available funding, as well as factoring in phased work. Deputy Director Tedford indicated that NDOT has several performance targets, both the Federal Highway Administration and with State Legislation; and as such, studies those performance targets to ensure that the program address or reaches to address those. Deputy Director Tedford added that NDOT also looks at geographic distribution.

Deputy Director Darin Tedford presented the Board with anticipated NDOT funding for three fiscal years, including this one, and noted that NDOT has a fairly set but climbing amount of federal funding based on the Bipartisan Infrastructure Law, which started with a lower amount, and increases over the five-year period of the bill. Deputy Director Tedford discussed the importance of being prepared to spend any August redistribution money by having projects ready to go.



Nevada Department of Transportation

Board of Directors • Meeting Minutes

September 11, 2023

9:30 AM

Deputy Director Darin Tedford reiterated that the STIP is a four-year program, and that the Annual Work Program is all of NDOT's projects and includes everything that is federally, or state funded. Deputy Director Tedford confirmed that NDOT did have a 14-day public comment period from August 21, 2023, to September 3, 2023, but did not receive any comments during that period. Deputy Director Tedford indicated that while this is an information-only item, Consent Agenda Item 18 will require a vote and includes all the projects NDOT intends to put out, depending on changes in engineer's estimate versus the low bids or changes in project timing. Deputy Director Tedford added that there are extra projects on that list in readiness for August redistribution.

5. Presentation on Legislature-Approved Fiscal Year 2024 Vehicle Replacement and Procurement of Vehicles and Non-Rental Equipment. – Informational Item

Assistant Director Jenica Keller, NDOT, explained NDOT tracks and reports on several performance measures annually, noting Performance Measure 9 tracks the replacement of NDOT's aging fleet. Assistant Director Keller indicated the purpose of this performance measure is to improve fleet reliability and Department readiness and effectiveness, as well as to reduce costs associated with downtime and repair needs. Assistant Director Keller explained NDOT currently has slightly more than 2,700 units in its fleet, more than half of which meet replacement criteria. Assistant Director Keller explained the goal of Performance Measure 9 is to reduce the amount of fleet requiring replacement by 1 percent each year until the ultimate goal of 10 percent of the fleet requiring replacement, as per industry standard, is met. Assistant Director Keller explained Consent Agenda Item 19 is seeking approval of this year's replacement, and if approved, the percentage will go from 55 percent to 51 percent. Assistant Director Keller next discussed the classifications of NDOT's fleet, noting that equipment use ranges from light-duty, everyday use to specialized seasonal equipment. Assistant Director Keller noted the replacement criteria includes age and/or miles or hours, and that the different types of equipment have different criteria. Assistant Director Keller explained in the past, the budgeted amount was \$7.5 million, but this year, the budget has been increased to approximately \$29 million, thus allowing the department to focus on equipment related to ensuring all routes are operational rather than focusing on smaller pieces of equipment. Assistant Director Keller next provided the Board with a snapshot of NDOT's performance over the last five years, noting good progress was being made by reducing the percent of fleet requiring replacement by 1 percent each year, up until the last couple of years, mostly due to inflation. Assistant Director Keller explained NDOT considers purchasing, renting, or leasing, but typically purchases equipment, as it is in the best financial interest of the state over the lifetime of the piece of equipment, but noted that NDOT does rent some equipment when needed on a short-term basis. Assistant Director Keller further explained NDOT did try the leasing option once, which proved not to be in the state's best financial interest. Assistant Director Keller next provided the Board with an overview of the different classes of equipment, singling out Class 13 vehicles, dump trucks, and noting of the 328 in the fleet, 58 percent meet criteria for replacement, and as



Nevada Department of Transportation

Board of Directors • Meeting Minutes

September 11, 2023

9:30 AM

such, NDOT is seeking to replace 16 of them at a cost of approximately \$400,000 apiece. Assistant Director Keller next discussed Class 35, loaders, more than 50 percent of which also require replacement, and noted NDOT is seeking to replace 14 of them at about \$200,000 apiece, which will move the needle by 11 percent. Assistant Director Keller discussed Class 24, street sweepers, noting 86 percent of the 74 in the fleet meet replacement criteria and NDOT is looking to replace 12 of them at about \$400,000 apiece, improving performance by 16 percent. Assistant Director Keller indicated NDOT has 102 total Class 11, one-ton dump trucks which 26 meet replacement criteria, and NDOT is seeking to replace eight at \$100,000 apiece, improving performance by 7 percent. Assistant Director Keller next discussed what happens with the old equipment following replacement, noting that it is transferred to state purchasing for disposal, where the excess vehicles are sold through local auctions, with the proceeds of those auction sales coming back to NDOT to the State Highway Fund. Assistant Director Keller summarized NDOT is seeking approval to replace 102 vehicles and 24 pieces of non-rental equipment and noted NDOT will be back requesting another 20 million the following year to continue to strive toward the ultimate goal of meeting the replacement percentage of 10 percent.

Governor Lombardo asked about the availability of these vehicles within the defined fiscal year.

Assistant Director Jenica Keller noted this has been a bit of a challenge and introduced Wayne Miller, Equipment Superintendent, to provide more insight.

Equipment Superintendent Miller noted NDOT has been in contact with vendors, and the situation is improving drastically following the supply chain issues during COVID. Equipment Superintendent Miller further noted the loaders and plow trucks are coming faster than anticipated, but some things are still a bit delayed.

Governor Lombardo asked if the inventory is not available and the state goes across the biennium on the budget, will this be able to be carried over.

Equipment Superintendent Miller noted this money, appropriation money, carries into the next fiscal or the fiscal after that if not used in the fiscal year for which it was authorized.

Director Larkin Thomason expressed NDOT's thanks for the budget, noting Nevada had been number 53 in the nation for what was being spent on vehicle maintenance, after the 50 states, Puerto Rico, and Guam.



Nevada Department of Transportation

Board of Directors • Meeting Minutes

September 11, 2023

9:30 AM

Governor Lombardo noted many entities in the state are clamoring for some of the same resources and many are expressing how cumbersome it is to obtain them, and noted the importance of ensuring that money is encumbered and carried over.

Lieutenant Governor Stavros Anthony commended the maintenance yard in Elko, which he recently toured, noting how many of the vehicles were showing wear and tear. The Lieutenant Governor Anthony discussed the new paint operation there to keep the vehicles looking good.

6. Revised minutes for the July 10, 2023, Board of Directors Minutes. – Informational Item

Director Tracy Larkin Thomason informed the Board the public comment responses for these minutes were expanded.

The Governor asked for confirmation that all Members had received the emailed public comments.

The Board confirmed that they had been received.

7. Consideration of Approval of the August 14, 2023, Nevada Department of Transportation Board of Directors Meeting Minutes. – For Possible Action

Motion: Approve the August 4, 2023, NDOT Board of Directors Meeting Minutes
By: Lieutenant Governor Stavros Anthony
Vote: Passed unanimously

SEC .2. CONSENT AGENDA: Items No. 8 through No. 20

Governor Lombardo explained items 8 through 20 will be taken together unless any of the Board members wish to hear an item separately.

Governor Lombardo requested Item 10 be taken separately from the consent agenda.

Contracts over \$5,000,000 from July 14, 2023, through August 17, 2023

8. Contract 3977, Project No. NHP-0191(124), on I-15, from 0.029 miles south of Lamb Interchange to the beginning of asphalt 0.541 miles north of Lamb Interchange and SR 610, Lamb Boulevard, from North Las Vegas Boulevard to I-15, with HOLCIM - SWR, INC., to cold mill, place plantmix bituminous surface with open grade, reconstruct, and concrete spall repair, Clark County, Nevada. – For possible action



Nevada Department of Transportation

Board of Directors • Meeting Minutes

September 11, 2023

9:30 AM

9. Contract 3982, Project No. NHP-015-1(164), on I-15 South, from Sloan Road to just north of Warm Springs, with FISHER SAND AND GRAVEL CO., to widen, construct auxiliary lanes, restripe, cold mill, and place plantmix bituminous surface with open grade, Clark County, Nevada. – *For possible action*

-Item 10 was taken separately from the consent agenda.

11. Contract 3989, Project No. SPF-093-5(028), on US 93 and SR 233, with INTERMOUNTAIN SLURRY SEAL, INC., for chip seal, double chip seal, and border sign packages, Elko and White Pine Counties, Nevada. – *For possible action*
12. Contract 815-23, Project No. SP-000M (329), at Quinn River and Orovada Maintenance Stations, with MKD CONSTRUCTION, INC., for fuel site upgrades, Humboldt County, Nevada. – *For possible action*

Agreements over \$300,000 from July 14, 2023, through August 10, 2023

13. Agreement 109-23-803, with APPLIED PAVEMENT TECHNOLOGY, INC., to administer the Local Technical Assistance Program (LTAP), statewide, Nevada – *For possible action*
14. Amendment 02, Agreement 483-19-050, with EST COMPANIES, LLC, for continued preventative maintenance and repair services for the Department's Automatic Paving Equipment Cleaning System, Fallon and Tonopah, Nevada. – *For possible action*
15. Amendment 03, Agreement 128-21-802, with PARAMETRIX, INC., for continued development of the Nevada State Freight Plan, statewide, Nevada. – *For possible action*

Right-of-Way

16. ABD 22-10 -- Resolution of Abandonment of a portion of land along US 95 at the Durango Drive Interchange, Clark County, Nevada. – *For possible action*
17. SUR 21-13 - Disposal of an excess parcel of land located at the southwest corner of Nevada State Route 431 and US Route 395A, Washoe County, Nevada. – *For possible action*

General Administration

18. Consideration of approval of the Fiscal Year 2024 Annual Work Program and acceptance of an amendment
-



Nevada Department of Transportation

Board of Directors • Meeting Minutes

September 11, 2023

9:30 AM

to the 2023-2026 Statewide Transportation Improvement Program (STIP). – *For possible action*

19. Consideration of approval of Legislature-Approved Fiscal Year 2024 Vehicle Replacement and Procurement of Vehicles and Non-Rental Equipment in Accordance with NRS 408.389. – *For possible action*
20. Contracts, Agreements, and Settlements/Judgements – Pursuant to NRS 408.131 the Board may delegate authority to the Director which the 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. – *Informational item only*

Motion: Approve Consent Agenda Items 8, 9 and 11 through 20
By: Lieutenant Governor Stavros Anthony
Vote: Passed unanimously

END OF CONSENT AGENDA

SEC. 3. ITEMS TAKEN SEPARATELY FROM CONSENT AGENDA

10. Contract 3983, Project No. NHP-0191(104), on US 395, north of Reno, from McCarran to Golden Valley Structure, with Q&D RHB, a Joint Venture, to construct northbound and southbound auxiliary lanes, southbound travel lane, braided ramp at Panther Valley Interchange, and pavement rehabilitation, Washoe County, Nevada. – *For possible action*

Deputy Director Darin Tedford informed the Board that each time a contract is put out, an engineer's estimate is developed based on the best information available from recent projects of similar scope and magnitude. Deputy Director Tedford explained this is a big project to add a southbound lane in North Reno from Golden Valley down to McCarran, and that it will redo the entire roadway, widen multiple bridges, and braid the ramp from North Virginia on-bound on and Golden Valley off to alleviate some of the traffic conflicts there. Deputy Director Tedford explained NDOT ended up with an engineer's estimate of about \$158 million, but once opening bids, the lowest bidder came in at \$230 million. Deputy Director Tedford explained NDOT met with the lowest bidder to try and understand why the two estimates were so far apart. Deputy Director Tedford explained that Q&D and RHB met with NDOT and explained the complication of building this project under traffic that could not be moved as there is not an easy bypass or detour route. Deputy Director Tedford further indicated this job would require five or six traffic control supervisors rather than the usual one or two due to the complexity of maintaining the traffic. In addition, Deputy Director Tedford explained the rising cost of fuel translates into the price of the asphalt, and



Nevada Department of Transportation

Board of Directors • Meeting Minutes

September 11, 2023

9:30 AM

inflation translates into the price of the concrete. Deputy Director Tedford noted the production rate of the construction will also be impacted by the challenge of getting the trucks onto and off of the job in traffic control for the traveling public, along with the challenges of getting the contractor's equipment in and out, delivering materials, and hauling materials away from the job. Deputy Director Tedford referred back to the widening of the bridges, noting there are three pairs of existing bridges that will be widened to accommodate the new lanes and drilling new piles, developing the tie-in, and widening those structures is complicated. Deputy Director Tedford next discussed the requirement of barrier rail wherever there are more than two inches of longitudinal drop off, noting there are new concrete barrier rail crash requirements that will come online in 2025, in the middle of the project, and will require a contractor to either buy 40,000 feet of new rail or build it, either of which is expensive. Deputy Director Tedford indicated NDOT would like this project done as soon as possible, so requirements including working six days a week and potentially nights to complete on time add to the expense. In summary, Deputy Director Tedford indicated the discrepancy arises from the complexity of the project, the timing, and the location. Deputy Director Tedford informed the Board NDOT will take into account these items in future project development in hopes of being able to provide a better engineer's estimate in the future.

Member Justin Kalb asked how projects like this affect the STIP budget.

Deputy Director Darin Tedford explained this project is \$70 million more than anticipated, so some of the projects will need to be pushed off the end of the list. As such, NDOT is anticipating some delays to some of the projects in its program but still trying to estimate, keep them all prioritized, and get them done as soon as possible.

Member Stephen Ascuaga noted this is a sizable investment for the community in Reno, Sparks, Washoe County, and is a huge improvement for the growing community to the north that will serve this area extremely well. Member Ascuaga further noted the number-two bid for this project was only about 3 percent different from the number-one bid, which helps to illustrate that this is a fair bid.

Governor Lombardo further noted the importance of pulling this type of item out for discussion for transparency and public understanding.

Motion: Approve Consent Agenda Item 10 Contract 3983
By: Governor Joe Lombardo
Vote: Passed unanimously



Nevada Department of Transportation

Board of Directors • Meeting Minutes

September 11, 2023

9:30 AM

SEC. 4. ADDITIONAL BUSINESS ITEMS

21. **Executive Session:** Receive information from legal counsel regarding potential and existing litigation involving a matter over which the Transportation Board of Directors has supervision, control, jurisdiction, or advisory power and to deliberate toward a decision on the matter (Note: This item may be closed to the public pursuant to NRS 241.015(3)(b)(2) in order to discuss legal matters.). –*For possible action*

There was no executive session.

22. **Public Comment:** A period devoted to comments by the general public about matters relevant to the Board's jurisdiction will be held. No vote may be taken upon a matter not listed on the posted agenda. Comments will be limited to three minutes. Please clearly state your name and SPELL your last name for the record. If any of the Board wishes to extend the length of a presentation, this will be done by the Chair, or the Board by majority vote.

Director Tracy Larkin Thomason indicated seven comments were received prior to Friday and sent out to Board members. The Director noted seven additional comments were received over the weekend and will be sent out.

Lori Rodriguez, thanked the Board for passing Agenda Item 10, noting there are currently places with no shoulders and no way for emergency vehicles to get around. Ms. Rodriguez requested that the part-time shoulder lane that says Sunday-Monday be changed to Sunday & Monday due to the smaller font that could easily be misunderstood to mean Monday through Sunday.

Christopher Ireland, explained that she did not understand why so many people were petitioning NDOT not to experiment with solutions for the Highway 50 East Shore Safety problem, noting she lives right off that highway and has firsthand experience with continual crashes and near crashes. Ms. Ireland indicated an issue after she reached out to a number of the people who expressed reticence to this program and talked with them and was surprised at the range of misinformation people had. As a result, Ms. Ireland hosted a survey and received 175 responses with the following information: the vast majority of people would like to get information on Highway 50 East Shore Plan directly from NDOT; 80 percent of the community would like email communication directly from NDOT while currently only 4 percent receive email communication. Ms. Ireland noted that the 76 percent gap is being filled with word of mouth and social media, both of which are notoriously inaccurate. As such, Ms. Ireland requested that NDOT get the information out better to people to counter the misinformation.



Nevada Department of Transportation

Board of Directors • Meeting Minutes

September 11, 2023

9:30 AM

Melanie Chaska, expressed her gratitude for the stoplight at Warrior Way to facilitate turning in and out of the school safely. Ms. Chaska discussed that no one driving in the area adheres to the 45-mile-per-hour speed limit and as such, this is a dangerous area, and requested the speed limit be either dropped or enforced.

Beth Wallace, Zephyr Heights, noted she has questions she feels NDOT needs to address to the residents and commuters along the corridor related to the recent US 50 survey. Ms. Wallace indicated the belief that the survey would be for residents and commuters, but is also open to all locations in California, and questioned how that would be taken into consideration when results are tabulated, noting that response as a resident in the area should be given more weight than that of a casual visitor, and asked how NDOT would be able to differentiate between a daily driving resident or commuter and those using the highway for biking or walking. Ms. Wallace asked what proposal NDOT has for this trial demonstration, and how data will be collected for the busiest times of year, summers and holidays, or during the winter when one lane of the highway is blocked with snow. Ms. Wallace further questioned how long the trial would last, and how traffic accident data and speed monitoring would take place. Ms. Wallace questioned how NDOT would monitor how many responses or surveys are taken, noting that she herself, as an experiment, took it four times and it was accepted every time. Ms. Wallace asked was assurance residents have that special interest groups will not share the survey link and encourage multiple responses. Ms. Wallace questioned when NDOT would provide residents with an evacuation plan in the event of a fire or an emergency during the trial period. Ms. Wallace closed with a quote from NDOT: "The concept of lane reduction has received mixed feedback. Many are passionately opposed to any changes while others plead for something to be done to improve safety." Ms. Wallace indicated her belief that NDOT has misrepresented and misunderstood the passion of the community, noting that after reading all 1500 public comments, she understood that all residents and commuters are pleading to have NDOT improve safety, but that most do not agree with the continued emphasis on lane reductions as the answer.

Philip Schloss, Stateline, noted his belief that the Governor had said in January that the road diet would be off the shelf until the end of his term, noting that three times residents have said no to this plan and are not being heard. Mr. Schloss expressed the residents' concerns about getting out of the area in the case of a wildfire, noting that a survey showed 80 percent of residents share this concern. Mr. Schloss suggested starting a fast-moving fire when the lanes are reduced to see how that turns out and noted that Douglas County Sheriff Coverley has just purchased a system of communications in the case that residents need to evacuate to help people know where to go. Mr. Schloss reminded the Board that Member Ascuaga, the Lieutenant Governor, and Member Kalb indicated back in July that there should be a discussion of this should the July demonstration be cancelled, which it was, and no discussion took place. Mr. Schloss asked for clarification as to whether this is on or off the shelf during the Governor's term, and asked the Board to



Nevada Department of Transportation

Board of Directors • Meeting Minutes

September 11, 2023

9:30 AM

motion to stop the study and any further demonstrations until such time as the Board gives direction to move on it.

Dana Tibbitts, Cave Rock, indicated her belief there is a number of problems with this project, noting that technical analysts and engineers on the East Shore have been reviewing the accident data for five years of accident reports, 415 accidents, noting that the 30-percent estimate quoted by NDOT for accidents related to speed is inaccurate as only 17 accidents have been for unambiguous speed, with another 33 for probable speed or speed for conditions, equaling a total of 50 accidents, far less than the 141 proposed by NDOT's percentage claim. Ms. Tibbitts thus noted that the solutions created are based on wrong information and are going to fail to create the safety options wanted at the lake. Ms. Tibbitts mentioned there have been six to seven fatal crashes over five years, all but one of them related to impaired drivers and noted this is a similar pattern for the level-A injury crashes. As such, Ms. Tibbitts questioned the road diet with a possible bike lane properly improving outcomes for those drivers. Ms. Tibbitts reported that in the public request for data, 1,067 comments were reviewed and identified as raising concern to the number of lanes, with a strong favoring of 10-1 for the four-lane option. Ms. Tibbitts indicated that 87 percent of all three rounds supported a four-lane evacuation route and only 9 percent favored reducing to the two-lane option with a center-lane turnout. Ms. Tibbitts reiterated that starting with the wrong numbers leads to ending up with the wrong solutions.

Janet Murphy, stipulated that under Open Meeting Law under public comment in 241, she has the right to request that all of her comments be on record, and was exercising that right for herself and for anyone else that she legally could. Ms. Murphy thanked the Board for holding off on the experiment and reiterated the fact that there is an alternative plan that purports to keep the four lanes, but narrow them, and provide a center lane for turning off and off the highway. Ms. Murphy indicated that reducing the lanes reduces speed, and having a center lane reduces crashes, both objectives NDOT keeps stipulating that they are trying to meet. As such, Ms. Murphy advocated for the alternative Tahoe Douglas District plan and questioned why the Board has not looked at this plan, noting that at the county commissioner meeting, Deputy Director Tedford had commented that the alternative plan would achieve the objectives. Ms. Murphy conceded that the center lane in some of the areas were narrow due to the fact that they wanted a bike lane, and noted that this is achieved in her alternative plan with a bike lane on both sides of the highway, either three or four feet, because of the requirement to stay within the asphalt footprint as guided by NDOT, who will not expand the additional area that they have, up to 60 feet of easement. Thus, Ms. Murphy indicated that if you take out the bike lane or you add the three-to four feet on each side of the highway, as incorporated in the alternative, the center lane can be widened, and all goals can be achieved. Ms. Murphy requested that the Board look at the alternative plan, reiterating the fact that the sheriff, the chief of the fire department, and many of the residents want the four lanes. Ms. Murphy further noted that



Nevada Department of Transportation

Board of Directors • Meeting Minutes

September 11, 2023

9:30 AM

the sewer line is in the slow lane on both sides and noted that a square peg cannot be fit into a round hole, and that if NDOT wants to achieve safety, then the alternative plan should be considered.

Elizabeth Lernhardt, Zephyr Cove, requested that her comments be included on the record. Ms. Lernhardt noted that the Maui fires are an unfortunate reminder of what happens when officials and the public ignore warnings, indicating that fire happens, but disaster is manmade, like in Paradise, California, which was organized evil by unaccounted public officials that caused the loss of life and the destruction of property. Ms. Lernhardt indicated that as long as TRPA, NDOT, bikers, and special interest groups insist on getting their way over public safety, these evacuation disasters will continue, and that it is time to shift the public perception of cause and guilt to the real source for the disasters: the person who insists on putting their own shortsighted, recreational, or financial demands over public safety. Ms. Lernhardt questioned why there could not be a bike path separate from the lane reduction, just like on the west shore. Ms. Lernhardt noted that first responders have condemned the road diet as it clearly jeopardizes response times, and questioned where the wreaths are from the Bicycle Coalition for the Paradise victims, and where are the city council members being held responsible. Ms. Lernhardt indicated that the special interest groups simply turn to another resort town to incur the same damage. Ms. Lernhardt discussed insurance companies cancelling policies, noting that this is accelerating in California, forcing the state to self-insure for fire and questioned if Nevada is going to do the same, or if Nevadans are going to be left without homeowners' insurance. Ms. Lernhardt commented that Darin Tedford's promises to the Douglas County Board of Commissioners being ignored by NDOT is intentional lack of transparency and insubordination and indicated that the local residents are not deceived by Delphi meetings or surveys trying to manipulate public opinion. Ms. Lernhardt concluded her comments by informing the Board that they have the power and responsibility to stop this road diet bottleneck.

Brett Tibbitts, Cave Rock, objected to the comment that those at the lake are uninformed, noting that rather, they are very well informed and have filled this room for public comment three times. Mr. Tibbitts indicated that NDOT refuses to meet with the residents because they know that the overwhelming majority oppose this plan. Mr. Tibbitts indicated that the survey put out by NDOT has no controls over who can complete it and as such, is biased because, "If you're against NDOT's plans, you're against any change." Mr. Tibbitts implored the Board to tread the survey and see how awful it is for the residents. Mr. Tibbitts noted that the residents want increased highway patrol, but that NHP is there 0 percent of the time except in the case of an accident. Mr. Tibbitts noted that this is wrong, and the residents are getting tired of it. Mr. Tibbitts addressed the governor personally, indicating that Douglas County is comprised of his people, and that he is losing their support due to this project. Mr. Tibbitts noted that the people of Douglas County are looking to the governor for direction, that right now there is no difference between Lombardo's NDOT and Sisolak's NDOT, and that the people expect better.



Nevada Department of Transportation

Board of Directors • Meeting Minutes

September 11, 2023

9:30 AM

There was no additional public comment.

23. Adjournment – *For Possible Action*

Governor Lombardo adjourned the September 11, 2023, Nevada Department of Transportation Board of Directors Meeting.

Motion: To adjourn the September 11, 2023, NDOT Board of Directors Meeting
By: Lieutenant Governor Stavros Anthony
Vote: Passed unanimously



Nevada Department of Transportation

Board of Directors • September 11, 2023

Public Comment

Public Comment received by 4:00 P.M. (Pacific Time) on the business day prior to the meeting.

Ellie Waller 9/5/23, Where's the TRANSPARENCY NDOT purports? Community members in the Tahoe Township as well as commuters from the Valley need to be heard not just the bicycle coalition and other out of state tourists, etc. that don't live here and experience the day-to-day impacts. The previous "Listening Tours" responses compiled did not distinguish local versus visitor input to the process. Stakeholder input has not been published as requested to better understand issues that the local first responders and sheriff might have assessed. Have the Board of County Commissioners or County Manager, Douglas County been informed about this Wood Rodgers survey on behalf of NDOT? The Douglas County Manager responded 9-5-23 that they were not notified of the survey and release date I am asking Douglas County staff to PLEASE post on your website.

Philip stump 9/7/2023, I am in favor of reducing the speed limit in our area. Like much of the area along the lake, 35 to 40 mph speed limits would be more appropriate for the higher density residential south of Cave Rock. I am not in favor of reducing the number of traffic lanes without very careful testing. We saw how bad it can be when we cut off one lane near Kahle for recent construction work. I don't know if the impacts further north on Highway 50 would be material, but testing would be a good way to determine that.

Roberta Rosenberger 9/7/2023, Drivers use the stretch of Hwy 50 between the lights at Zephyr Cove Resort and Round Hill as a speed track. There is a blind curve for many of us at the Presbyterian Center. At a minimum, the speed limit should be strictly enforced on this stretch of road, much like you do at Lake Village (where there is an extra turn lane and NO blind curve.)

Jared Southern 9/7/2023, The US 395 North Valleys Improvement Phase 1B is lacking in strength. No bridge replacements are taking place between Parr Boulevard and Golden Valley. This current design fails to provide relief to bottlenecks in both directions. The existing bridges on US 395 provide for no adequate shoulders for emergency vehicles, accident pull offs, and additional lanes of traffic. During Phase 1A there was a new bridge placed at Parr BLVD. However, this bridge only provides for one travel lane on each ramp in each direction. At the top of the ramp there is no traffic control lights. This bridge supports the Washoe County Sheriff's Office and Jail, TMCC, DRI. A developer intends to build a 5000 seat soccer stadium on the West side of at this same intersection. The City of Reno Planning Commission conditionally approved this project this year. In addition, the planned "Pyramid Highway/US 395 Connector" will bring additional traffic to this interchange. Yes, additional bridge structure, and ramp improvements are planned with that project. However, currently as traffic traveling South exits to Parr BLVD, and attempts to turn left to go to school they have to contend with a poor line of sight due to the bridge structure aligned closely to the ramp. Then vehicles have to contend with vehicles crossing the bridge in both directions. Improvements are needed now. As I commute in to work in the morning I see stop and go traffic sometimes from Stead or Red Rock



Nevada Department of Transportation

Board of Directors • September 11, 2023

Public Comment

exit in different weather conditions. Since school has returned to session the morning commute on a beautiful sunny day the traffic backs up to Stead BLVD. Traffic attempting to get off at Golden Valley sometimes backs up to the top of the ramp. When the Lemmon Drive Interchange was underway there were "temporary lights" placed at the Golden Valley Interchange. I would encourage traffic control lights be added in Phase 1B. At the Southbound exit of Business 395/Virginia Street a second exit lane is needed to provide capacity and safety. The evening commute typically brings stop and go movement from Parr BLVD to Lemmon Drive. The bridge at Golden Valley moves from three lanes to two lanes. Even with the new braided ramp, the project falls short of the needed improvements to allow better traffic flow to the North Valleys. As a member of the Ward 4 Neighborhood Advisory Board, I would recommend the Transportation Board take the time to make better choices as they improve the US 395 in the North Valleys. We, the residents of the North Valleys, are greatly appreciative of the efforts to make our community better, safe, and enjoyable. We look forward to the future!

Matt Albanese 9/8/2023, Before someone loses their live again, NNDOT need to immediately. implement a few safety measures. to slow the traffic down A blinking light and turn out to Pine wild Complex is imperative.

Greg Novak 9/8/2023, The disposal of the control of access is not in the best public interest. The four southbound lanes of 395A, S. Virginia Street transition to two through lanes in this area, with high-speed traffic weaving and merging in front of the desired access point. Development is occurring, and more is planned for the Mt. Rose junction. What appears to be a simple surplus property request has related impacts, including probable effects to Steamboat Buckwheat, an endangered plant species. That may negate the validity of the Categorical Exclusion issued by NDOT. It is not clear if the recent NDOT corridor studies or RTC Washoe transportation plan supports this or any new access point - there are planned roadway improvements that may be affected. Similar requests have been made north of the Mt. Rose junction, and denied, due to expected traffic safety impacts. Access control is a key measure that needs to apply to this and other NDOT routes, such as 395 in Douglas County. It is not always inexpensive - and as you have seen, NDOT usually pays much more to acquire it than when it is disposed of. NDOT has the excellent Access Management System and Standards, also part of the cited Stewardship Agreement with FHWA. While NDOT can make this decision, I truly recommend against it, and that you take a closer look first. I helped write the Stewardship Agreement and the Access Management System and Standards. Greg Novak, M.E., P.E.

William Cobb 9/8/2023, The safety of the intersection of Marla Bay-Zephyr Heights with highway 50 needs to be addressed. Ideally a turn lane would be the best solution A 35 mph speed limit from Zephyr Cove to Stateline - either alone or combined with the turn lane - would be helpful. Doing nothing will lead to more and more tragic accidents. Thank you for consideration of these suggestions. William Cobb



Nevada Department of Transportation

Board of Directors • September 11, 2023

Public Comment

Public Comment received after 4:00 P.M. (Pacific Time) on the business day prior to the meeting and prior to 5:00 P.M. (Pacific Time) on the day of the meeting.

Philip Schloss 9/8/2023, At the July BOD, Member Stephen Ascuaga indicated his belief that much more discussion needs to take place prior to any decisions being made regarding the Highway 50 Project, citing [the resident's] valid concerns . . . Member Ascuaga further noted that if there are concerns about EVEN doing this type of [Demonstration] test . . . Lieutenant Governor Stavros Anthony concurred . . . Member Justin Kalb asked" if there would be a Board meeting prior to this testing going into effect. In response to much more discussion needs to take place prior to any decisions being made regarding the Highway 50 Project. Lieutenant Governor Stavros Anthony suggested to put discussion about HWY 50 on August Agenda if July Demonstration was canceled. July Demo was, much more discussion needs to take place prior to any decisions being made regarding the Highway 50 Project has yet to be. Given the increased pace NDOT is going at, suggest the Board keeps to the Governor's promise he made at the January 2023 BOD as that gives the needed for the Board to discuss this project.

Philip Schloss 9/8/2023, Chairman, Board members, when does no mean no!?!? The 2017 Road Diet was presented to the residents of HWY 50 corridor of Lake Tahoe. In 2017 they said NO!! When does No! Mean NO!! In 2022 NDOT has revived this pig with new lipstick. When does NO mean NO! When Gov. Lombardo promised no lane reductions while he is in office, what was the necessity for Vice Director Tedford on Jul 20 appear before the Douglas County Commissioners to explain why NDOT was having a Demonstration that they were notified was going to happen breaking the agreement NDOT signed with the county they do so? Also, if the Governor made a promise of no lane reduction, why did Vice Director Tedford at the July 20 BOCC tell us one lane for a year when the Governor promised 4 lanes until his term was done? Why did Vice Director Tedford say the study would be indefinite which conflicts with the NDOT project and programs web page study timeline shows WINTER 2023/24 Final Document? Is that Mr. Tedford defining indefinite? When doe no mean no! Director Larkin Thomason at the July 10 board meeting report no demonstration project currently being scheduled. Then goes on to say that notice of the survey will be sent to basin residents by mail, email, social media, and partner agencies.??? Really, is she intentional by passing, going behind the back of residents who have real skin in this game? Mr. Tedford said study's will be indefinite, conflict with what Director Larkin just said. When does no mean no! The residents along the HWY 50 fire evacuation corridor have skin in the game, OUR LIVES!! I think we are being blown off wrt NDOT not fully understanding this. Douglas County Sheriff Dan Coverly does. Who would of thought 85 people would have horrible deaths a result of a fast-moving fire in Paradise, CA? Let's not forget the same with Maui, only more horrible deaths, they had only one way out, that one way was blocked. Let's not forget 2 fires in Lake Tahoe within 2 years. Angora fire a prime example of a fire quickly expanding!!! When does NO mean NO!!

If showing up for a flight and the gate agent tells you only one pilot will be flying today to save money. Are getting on? Now another survey, another demo is being proposed!?!? We already know the outcome, a



Nevada Department of Transportation

Board of Directors • September 11, 2023

Public Comment

result of including more with no skin in the game. When does no mean No! Governor, has Director Larkin and Vice Director Tedford not get the memo about your January 20 promise?? With all due respect, I'd hate to think your promises are meaningless. Warm Regards Philip Schloss Resident of Stateline, NV HWY 50 is my fire evacuation corridor.

Philip Schloss 9/10/2023, To support an end to Further Hwy 50 CMP Lane Reduction Studies Reason, THEY eliminate the ability for emergency service vehicles to get around <https://allaspectreport.com/2019/09/20/new-york-city-firefighters-union-calls-out-vision-zero-youre-basically-eliminating-the-ability-for-emergency-service-vehicles-to-get-around/> "Firefighters, paramedics, and police officers in Los Angeles, Santa Monica, Seattle, Oakland, New York, Boston, and elsewhere have confirmed to The All Aspect Report that lane reductions, > > particularly so-called "road diets," < < have increased their response times dramatically. In L.A. Fire Station 62, In 2016 the station's average response time was 6 minutes 38 seconds. So far in 2019 it is 7 minutes 4 seconds.!!! https://videos.files.wordpress.com/ipDL2DiT/venice-blvd-engine-ambulance_hd.mp4 Ms. Tracy Larkin, Mr. Darin Tedford, NDOT Board Members, I hope you take the time to read the article and watch the videos. I hope Ms. Larkin, and Mr. Tedford you take to heart the video which explains the deepest fears of the residents who live along our only escape HWY. STOP PLAYING WITH OUR LIVES. Stop blowing off the potential of a fast-moving fire along HWY 50. like happened in Angora. Caldor, Paradise, Maui.?!!

Jim Porter 9/10/2023, Suicide Lane will be used for passing. Increased Congestion on peak weekends, Traffic lights are better options.

Tami King 9/10/2023, Too much traffic in summers and holidays, Suicide lanes for used passing and extended long turns increase head-on risks. Traffic lights are better solutions.

Janine Nyre 9/10/2023, HWY 50 CMP - East shore Tahoe: The current survey issued by NDOT/Wood Rodgers is highly biased. It demonstrates that neither NDOT nor Wood Rodgers understand the true situation in the Tahoe Basin. Many issues, but most important: Q7 " If reconfiguring the roadway...increases safety..." Please get to the real measures and expected outcomes. Please note that the numbers of fatalities along this corridor are typically below the threshold for reliable statistics. If (per NDOT's data) most serious crashes are due to DUI. If reconfiguring the roadway road reconfiguration reduces fatalities by 1, however, delays due to the road reconfiguration cause 2 deaths due to EMTs not able to get to heart attack victims in time, loss in economic terms of \$2M in local business, personal cost of residents of \$500K. Is that success?? We need a deeper understanding of the true situation. Q11: Transit. Transit WILL NOT HELP 90% of residents. Ask residents if they would use it. If I am 75 years old and live on a 30% grade .25mi from Hwy 50, am I going to take transit to the USPS to check my mail (WE DO NOT GET HOME/NEIGHBORHOOD DELIVERY) if it requires me to wait 1hr after mail is retrieved to get a ride home, only to have to walk .25mi uphill to my house. Not going to happen. Bottom line: YOU do not understand the situation at the Basin.



Nevada Department of Transportation

Board of Directors • September 11, 2023

Public Comment

There are issues. HWY 50 is a SINGULAR arterial. We have no alternatives. This is a unique situation and has not been sufficiently evaluated. EVACUATION ROUTES need to be comprehensively simulated and demonstrated successful under 85% worst case situations.

Elisabeth Lernhardt 9/10/2023, Maui fires are the unfortunate reminder of what happens when officials and the public are ignoring warnings. Fires happen, disasters are manmade! In 2019 they had a fire in Lahaina. As well as in 2018. The problem there is the lack of fuel control uphill from the town, and the fact there are only 2 evacuation routes. Just like in Paradise CA, it was Organized Evil by unaccounted public officials that caused the loss of life and the destruction of property. If this sounds familiar, it is intentional. As long as TRPA, NDOT, bikers and special interest groups insist on getting their way over public safety these evacuation disasters will continue. It is time to shift the perception of cause and guilt to the real source for disasters. Any human who insists putting their short sighted recreational or financial wishes over public safety, is complicit in the deaths of the future disaster victims. Why can there not be a bike path separate from the lane reduction? Is it the Federal Zero Deaths Policy? Another short, sided pseudo solution. First responders have condemned the Road Diet, as it clearly jeopardizes response times. The NY City firefighters Union is for a repealing it. Where are the wreaths laid down by the bicycle coalition for the Paradise victims? Were the City counsel members held responsible? No, the special interest groups simply turn to another resort town to do their damage all over again! Like locusts they leave a path of destruction behind. But the damage to our communities continues. After the burned bodies and structures, come the insurance companies cancelling policies. when Governor Newsom didn't reimburse insurers from the FEMA funds he received. We have seen this accelerating in California, where even reinsurance companies like Lloyds of London have pulled out. It forced the State of CA to self-insure for fire. Is Nevada going to do the same? Are Nevadans going to be left without homeowners insurance. Why does Darin Tedford make promises to the Douglas County Board of Commissioners, and NDOT completely ignores them? This is intentional lack of transparency and insubordination. Whatever the reason for this agency deceptive behavior, the local residents are not deceived by Delphi meetings or surveys trying to manipulate public opinion! You have the power and responsibility to stop this and the Road Diet Lane reduction.

DocuSigned by:

Jeff Lerud, Deputy Director
Secretary to the Board of Directors