



Nevada Department of Transportation

Board of Directors • Meeting Minutes

May 13, 2024

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, May 13, 2024. 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 Gary Perea, Member Justin Kalb, Member Frank Lepori.

2. Public Comment

There was no public comment.

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

Director Tracy Larkin Thomason first reported that on Monday, April 22, Bright Line West officially broke ground on the nation's first true high-speed rail system, which will connect Las Vegas to Southern California. The Director indicated that the groundbreaking included remarks from US Transportation Secretary Pete Buttigieg, Bright Line founder Wes Edens, Nevada Governor Joe Lombardo, as well as senators and congressmen from both Nevada and California. Director Larkin Thomason further indicated that more than 600 people, including union representatives, project supporters, and state and local officials from California and Nevada attended the event. The Director then played a short clip for the Board. Director Larkin Thomason explained that this is an exciting groundbreaking for NDOT because it is the first one done for a rail.

Director Larkin Thomason next discussed theft reduction as a follow-up to an item presented to the Board in March. The Director explained that the state continues to see very costly and damaging wire theft within the NDOT right of way, noting that vandalism of the highway fiber and the power infrastructure cost Nevada taxpayers millions of dollars annually, and added that just within the department, the Reno district office is currently at half-a-million dollars this year, and Las Vegas is over a million dollars in theft. The Director indicated that this theft jeopardizes NDOT's telecommunications, electrical, and driver information



Nevada Department of Transportation

Board of Directors • Meeting Minutes

May 13, 2024

9:30 AM

networks, and disrupts traffic operations, roadway lighting, and is a direct cost not only to taxpayers, but also to NDOT programs. Director Larkin Thomason explained that in her meeting with the Clark County Commissioner the previous week, NDOT discovered that Clark County is at 2.5 million dollars as a result of loss and wire theft this year.

Director Larkin Thomason discussed ways that NDOT is trying to combat this theft, including burying telecoms as far as six feet deep to prevent illegal access; covering telecom cabinets with heavy access covers; and adding concrete collars to further reduce illegal access and digging into them. The Director noted that these methods have had some success, but that the success is limited. The Director further indicated that in metro areas, there is security patrol to deter the theft, and that NDOT continues to work in partnership with the other law enforcement agencies and recycling centers to educate and hopefully reduce instances of illegal sale and transportation of copper and other wiring. Director Larkin Thomason next discussed the pilot program in place to protect infrastructure on I-15 in Las Vegas, noting that signage and theft prevention systems are being installed at 66 locations along I-15 between Charleston and Flamingo, noting that signs are posted stating that trespassing is prohibited, and the areas are under video surveillance. The Director explained that contractors install monitoring systems, including loudspeakers and cameras monitored by stealth monitoring, and noted that the cameras are aimed towards potentially vulnerable freeway infrastructure, such as cable boxes. The Director informed the Board that if motion is detected, the stealth monitoring staff will be alerted to review the camera feed and if a trespasser is seen in the highway right of way, a loudspeaker is used to alert them that they must leave the area. The Director explained that if the trespasser does not leave, NDOT's contracted uniform security team will be dispatched, and if a crime or other life safety issue is occurring, law enforcement will be notified immediately. Director Larkin Thomason informed the Board that NRS 331.220 does not allow electronic surveillance on state facilities without the knowledge of the person being observed and as such, the Director reiterated that in order to provide notification, NDOT has posted signs that the area is protected by video surveillance. Director Larkin Thomason further noted that the statute does allow surveillance as part of security to protect the safety of persons on the ground. The Director explained that ultimately this is a statewide issue and as such, NDOT will monitor the pilot program and evaluate success based on the reduction of theft and reduced downtime of freeway systems. The Director further noted that NDOT learned in meeting with the southern Nevada partners last week, that they are putting forward a draft ordinance and working with the Department of Public Safety and recycling centers for things like: motor vehicle transport only by seller to purchaser with no shopping cart or walkup transport; lowering to \$30 the threshold above which no cash transactions are available; above the \$30 threshold, only checks or electronic transfers being permissible with payment being delayed a minimum period; a daily limit of no more than one cash transaction below the \$30 threshold; documentation obtained by the purchaser from



Nevada Department of Transportation

Board of Directors • Meeting Minutes

May 13, 2024

9:30 AM

the seller regarding burned metallic wire having been obtained legally; flexibility regarding who can enforce; and the proposition of minimum penalties with a civil infraction option. The Director explained that this has been adopted by the city of Las Vegas, is looking at adoption by all the other agencies in southern Nevada, and has been shared with the Governor's office, as well as with RTC and respective agencies in northern Nevada, where the greatest theft is prevalent.

Governor Lombardo questioned if the target hardening of a bearing six feet and concrete encasement occurs only after an event takes place or if this is being done proactively.

Director Larkin Thomason explained that NDOT is doing proactive work now and as this has become more prevalent, NDOT has become more proactive in looking at alternative ways to deter it.

Director Larkin Thomason informed the Board that the Governor led the previous month's graduation of the State Certified Public Managers course, which has been offered for 19 years. The Director explained that it is a multi-agency leadership program led by the state that lasts for 18 months to strengthen leadership qualities and create long-term partnership and requires a long-term commitment from the individuals as well as support from the agencies for whom they work. Director Larkin Thomason congratulated NDOT grads and all program graduates.

Director Larkin Thomason noted that the Governor proclaimed May 6 to 10 Nevada State Employee Appreciation Week, and took a moment to acknowledge the diverse workforce at NDOT. The Director also thanked the Governor for recognizing NDOT and the entire state of Nevada team.

Director Larkin Thomason next discussed take your child to work day on April 25, and noted that many NDOT team members brought their children to various educational exhibits across NDOT headquarters. The Director further noted that several departments provided exhibits and hands-on activities, such as the NDOT Drone Technology, which is used to map bridge infrastructure and other inspections. Director Larkin Thomason explained that this is simply another way NDOT is working to interest the next generation in transportation engineering and noted that this is part of NDOT's recruitment program, Catch 'em While They're Young.

Director Larkin Thomason next discussed the Environmental Excellence Awards, noting that one of NDOT's research efforts has received an award on the Wildlife Vehicle Collision Reduction, research led by NDT Research and Environmental Divisions. The Director indicated that the study analyzed the most effective ways to reduce animal vehicle collisions, improve motor safety, and offer safety crossings for Nevada's



Nevada Department of Transportation

Board of Directors • Meeting Minutes

May 13, 2024

9:30 AM

Wildlife. The Director explained that road ecologists and engineers from across North America evaluated research and data to determine the most effective practices to reduce animal visions, collisions, and increase connectivity, and NDOT's was chosen as one of the best. Director Larkin Thomason explained that the goals of the study were to improve how NDOT measures the cost benefit of infrastructure and programs to reduce the vehicle hits with wildlife; test, improve designs, and technologies to reduce the hits; and to share best practices with transportation, land management, and wildlife agencies and their stakeholders. The Director indicated that the award will officially be done on June 5.

Director Larkin Thomason next updated the Board on major projects, beginning with the I-15 Tropicana, noting that NDOT began rebuilding the southern half of the Tropicana overpass the week after the Super Bowl in February. The Director indicated that the deck pours for the southbound flyover to eastbound Trop are happening now, and NDOT will be pouring a huge footing for the I-15 southbound onramp in mid-June.

Director Larkin Thomason informed the Board that the I-15 Charleston Interchange is a project that was particularly hit by the wire theft this year but noted that the barrier rail will be removed from the I-515 mainline by Mid-May and the surface overly is being rubberized so as to begin in early June. The Director indicated that the Charleston Boulevard traffic realignment to a football configuration should now be completed, an open grade on the Charleston Boulevard and Charleston Ramps will be completed by the end of May, and landscape and aesthetic features are ongoing, with substantial completion estimated by mid-July.

Director Larkin Thomason discussed the I-15 North widening from Speedway to the Garnet Interchange, which is the intersection with US 93, indicating that a lane was added in each direction, and the paving is being completed in May and should be complete by the end of June, with the project winding up this summer.

Director Larkin Thomason next discussed the vacancy savings versus outsourcing. The Director explained that NDOT works to achieve the proper balance of staffing between state and contracted employees and noted that the number of positions NDOT has has fallen behind in some of the areas. The Director indicated that NDOT typically uses outsourcing to round out staffing during peak periods or when specialized expertise is needed, but due to vacancies, NDOT has had to rely much more on outsourcing than in the past, approximately 120 million as opposed to the 40 to 50 million in the past. Director Larkin Thomason explained that due to the cost and availability of contract personnel, NDOT is only hiring outsourced employees where it's vital to operations or on the critical path for project delivery, noting that outsourcing is not a viable solution for all functions. As such, the Director explained that existing employees are still



Nevada Department of Transportation

Board of Directors • Meeting Minutes

May 13, 2024

9:30 AM

experiencing some problematic understaffing. Director Larkin Thomason next explained that the balance between outsourcing the ability to hire state employees is also impacted by economic factors such as pay offered by competing employers and the supply of skilled workers. The Director noted that employee raises and benefits are expected to help in retention and recruitment, but NDOT is still having a lot of trouble getting any professional help, engineering help, traffic engineers, or civil engineers. Director Larkin Thomason explained that due to the temporary nature of the jobs and the required level of skill, the outsourced personnel cost significantly more than state employees, and as a rule, they tend to be 30 to 45 percent higher than what the state offers. The Director noted that while NDOT does have vacancy savings, this is insufficient to cover the increases in the need for contracted personnel. The Director explained that NDOT's budget for vacancy savings is in a different budget category than that for contracted positions, thus noting that savings in one area does not necessarily offset outsourcing in other areas.

Director Larkin Thomason concluded her report by noting that NDOT ADC and some of the Board members will be meeting in the near future to discuss some construction issues and different operations that are happening in the field.

Member Justin Kalb asked for confirmation that the overspend spent on outsourcing reduces the revenue that the department has to spend on projects.

Director Larkin Thomason confirmed that this is correct.

Member Justin Kalb questioned if anything could be done with the \$30 million worth of surplus for employees that is unused.

Director Larkin Thomason explained that Category 01 is set by the state and is based on the number of full-time employee positions, and also covers some overtime, and noted that when there are savings, that overage remains in Category 01 and is used to pay for things like overtime. The Director explained that Category 06 is the capital improvement program and Category 04 is the operating fund, which is used for things like augmenting maintenance crews or payroll. The Director explained that these are not interoperable categories.

Assistant Director of Administration, Felicia Denny, explained that the Category I budget, which is personnel, which includes payroll and benefits for employees, for this fiscal year is 170 million and although approximately \$30 million in savings are projected in that category, the approximately \$19 million in raises given during the last legislative session was not added into the budget. Ms. Denny further explained the



Nevada Department of Transportation

Board of Directors • Meeting Minutes

May 13, 2024

9:30 AM

longstanding policy of the Governor's Finance Office calculating vacancy savings for all the various agencies, and there was a little over 12 million this year taken of to arrive at the \$170 million budget. Ms. Denny explained that this is standard practice that allows agencies to utilize that money for other things. Ms. Denny concluded by noting that although not as much is being spent on personnel, there is not additional cash in the budget to apply towards the other contract employees and as such, it is a balancing act.

Member Justin Kalb asked for confirmation that if a position is outsourced that would normally be filled by NDOT, this means that it cannot be coded to Category 01.

Director Larkin Thomason confirmed that this was correct.

4. Consideration of Approval of the April 8, 2024, Nevada Department of Transportation Board of Directors Meeting Minutes. – *For Possible Action*

Motion: Approve the April 8, 2024, NDOT Board of Directors Meeting Minutes
By: Lt. Governor Stavros Anthony
Second: Member Virginia Valentine
Vote: Passed unanimously

SEC .2. CONSENT AGENDA: Items No. 5 and No. 6

Governor Lombardo explained that items 5 and 6 will be taken together unless any of the Board members wish to hear an item separately.

Contracts over \$40,000,000 or 20% over the engineer's estimate from January 12, 2024, through February 8, 2024

There are no contracts.

Agreements over \$10,000,000 from January 12, 2024, through February 8, 2024

5. Agreement 626-17-067, Amendment 02, with AURIGO SOFTWARE TECHNOLOGIES, INC., for an additional five years of licensing and support of the enterprise system overall, which currently includes the use of three active modules and eventual use of the additional five modules at various stages of the project lifecycle, Carson City, Nevada. -- *For possible action*



Nevada Department of Transportation

Board of Directors • Meeting Minutes

May 13, 2024

9:30 AM

Right-of-Way

6. SUR 21-11 - Disposal of a portion in the southwest corner of SR28 and Lakeshore Boulevard, Incline Village, Washoe County, Nevada. – *For possible action*

Motion: Approve Consent Agenda Items 5 and 6
By: Lt. Governor Stavros Anthony
Second: Member Virginia Valentine
Vote: Passed unanimously

END OF CONSENT AGENDA

SEC. 3. ITEMS TAKEN SEPARATELY FROM CONSENT AGENDA

SEC. 4. ADDITIONAL BUSINESS ITEMS

7. **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*

8. **NDOT Research Library Presentation.** – *Informational item only*

Mitch Ison, NDOT Research Librarian, provided the Board with a presentation on the NDOT Research Library. Mr. Ison explained that the library has a broad user base that includes NDOT staff, a large array of stakeholders, Nevada academic institutions, state and local government agencies, and the public. Mr. Ison indicated that this is the only library in the state devoted strictly to transportation. Mr. Ison informed the Board that the library is located in the annex building on the NDOT Headquarters campus and is open from 8:00 to 5:00 Monday through Friday, but not noted that the public needs to make an appointment should they wish to access the library. Mr. Ison explained that the library is one of the three programs in the NDOT research section, and is funded 80 percent by state planning and research funding, and 20 percent state matching. Mr. Ison indicated that he is the only full-time employee. Mr. Ison informed the Board that the library has a special focus on NDOT publications, which date back to when the highway department was created in 1917 right up to today, and noted that everything published by NDOT, whether print or electronic, is archived and made available upon request. Mr. Ison described some of the services offered at the library, including helping with information assistance for presentations or reports. Mr. Ison further



Nevada Department of Transportation

Board of Directors • Meeting Minutes

May 13, 2024

9:30 AM

noted that the library maintains an extensive collection of print and electronic resources, a web-based library catalog that is available from anywhere in the world and is fully searchable, as well as literature searching, which is a very in-depth search for resources on a specific topic of transportation. Mr. Ison indicated that one of the great features offered is interlibrary loan, which allows NDOT staff access to library collections all over the country, including university research libraries, and even the Library of Congress. Mr. Ison explained that in addition to printed materials from interlibrary loan, the library can also borrow electronic articles for people. Mr. Ison next discussed some of the important and authoritative sources offered in the library, including AASHTO books, the ASDM Compass, and the Transportation Research Record. Mr. Ison explained some of the cataloging practices, noting that the library catalogs new materials that are then made available to other libraries, and are listed in an international database, with the end goal being to maintain efficiency for everybody. Mr. Ison further noted that the Library of Congress standards for subject headings and classification are followed so as to maintain consistency and the best possible organization and information for users. Mr. Ison touched upon some of the focus areas in the library, including: NDOT research reports; professional study guides; and a general collection of reference items. Mr. Ison informed the Board of the library's ability to digitize some of NDOT's most historic resources that otherwise would have been available in print format only, thus allowing conservation of the items as well as providing availability of them to anyone anywhere. Mr. Ison provided the Board with his contact information and reiterated that the library is open to anyone at any time, but asked that the general public please make an appointment.

Director Larkin Thomason informed the Board of the enormous benefit Mr. Ison is to the department.

Member Virginia Valentine asked the best way to find the library's website.

Mitch Ison noted that the easiest way would be to type in NDOT research library into a search engine.

9. One Nevada Plan Presentation. – *Informational item only*

Deputy Director Sondra Rosenberg explained that given the recent inflation and continued increased needs in the system, DNOT wanted to bring this topic to the Board's attention mid-year as opposed to in the fall so as to remind everyone of NDOT's process, as well as to take in any feedback or suggestions, changes or improvements. Ms. Rosenberg explained that the One Nevada Transportation Plan was adopted in 2018 and serves as the foundation for NDOT's continuously improving planning process, and established six goals: to enhance safety; preserve infrastructure; optimize mobility; transform economies; foster sustainability; and connect communities. Ms. Rosenberg noted that the process NDOT has developed and continues to evolve is aimed at prioritizing resources at all levels in planning through the use of data sets



Nevada Department of Transportation

Board of Directors • Meeting Minutes

May 13, 2024

9:30 AM

such as crash data, mapping of current proposed activity centers, or from input from the public or other stakeholders. Ms. Rosenberg explained that the needs are then verified for alignment with the goals, and then moved into concept development, which are then evaluated by a committee to determine which should move forward to projects. Ms. Rosenberg noted that once the process becomes about the actual projects, it becomes much more quantitative and includes a set of criteria to measure alignment with goals.

Deputy Director Rosenberg next indicated that each year NDOT prioritizes its work program that comes to the Board for approval along with its state transportation improvement program, which is approved by the Federal Highway Administration, and is expected to last at least four years so as to meet federal and state requirements. Ms. Rosenberg explained that the work program is updated annually and noted that the Board technically approves the one-year program of projects, but NDOT brings the Board the four years for the awareness. Ms. Rosenberg next explained that in order to prioritize projects, NDOT uses MODA, Multi Objective Decision Analysis, which includes defining criteria; establishing scales; developing project lists; and weighting the criteria. Ms. Rosenberg indicated that projects are then scored based on those criteria and weights and normalized by cost so as to provide a ranked list of projects. Ms. Rosenberg explained that next NDOT applies harmonization so as to factor in things that can't be readily used in the MODA tool, such as funding categories and eligibilities, project readiness, geographic distribution, and performance goals, all steps that are used to develop the work program and STIP. Ms. Rosenberg indicated that NDOT is working towards being able to do this more frequently as sometimes unforeseen needs arise, but for the moment, the formalized process is fairly time consuming and done annually. Deputy Director Rosenberg next discussed the criteria in weighting. Ms. Rosenberg demonstrated all of the criteria used to weight and score the projects. Ms. Rosenberg next provided the Board with a list of the range of projects evaluated the previous year. Ms. Rosenberg next discussed the unprecedented inflation in highway construction, noting that this makes the process to prioritize the program that much more important. Ms. Rosenberg informed the Board that with essentially flat state funding and the modest increase in federal funding, the number of projects NDOT will be able to deliver each year will begin to decrease. Ms. Rosenberg concluded by informing the Board that the process is underway for the 2025-2028 STIP and work program, and that NDOT intends to come back to the Board in August in conjunction with its public comment period, as well as in September for approval.

Member Gary Perea asked how NDOT came up with the weighting formula, and noted his surprise that safety is not weighted more heavily.

Deputy Director Sondra Rosenberg indicated that a number of different workshops were held several years in the past with many of the different divisions as well as the director's office. Ms. Rosenberg noted that



Nevada Department of Transportation

Board of Directors • Meeting Minutes

May 13, 2024

9:30 AM

safety is the highest weight, but all weights are fairly close and indicated that if increasing the weighting from safety, that will decrease the weighting in another area or areas. Ms. Rosenberg did inform the Board that the weighting can be changed should the Board wish to choose a different set of weighting.

Governor Lombardo questioned if this plan is a living document.

Deputy Director Sondra Rosenberg confirmed that it is a living document and that even though it is a four-year program, a formal update is done every year, and amendments are made throughout the year. Ms. Rosenberg noted that the constraint on the STIP side is fiscal constraint with all of the federal fund sources that cannot be over programmed.

Member Frank Lepori asked about the money allocated to design and questioned if the state is currently overdesigning with the \$70 million paid to outsource rather than doing the work on the roads.

Deputy Director Sondra Rosenberg explained that the One Nevada process does not separate design from construction but rather looks at the whole project and how that project ranks, but noted that NDOT is continuously looking at how much is being spent on design or project development versus on construction.

Scott Hein, Assistant Director of Engineering, informed the Board that NDOT has reviewed its processes for design development and is looking at the consultant help and attempting not to have too many projects for which the build can't be afforded.

Director Larkin Thomason added that although safety does have its own category, this does not preclude safety from being a portion of the ranking in all the other categories. The Director added that there are also projects that are exclusively safety related. Director Larkin Thomason next indicated that NDOT does need to keep some projects on the books ahead of time so that if something fails or a grant opportunity arises, another project can be moved into place.

- 10. 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.



Nevada Department of Transportation

Board of Directors • Meeting Minutes

May 13, 2024

9:30 AM

- 11. 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.

Elisabeth Lernhardt informed the Board that Highway 50 is still not safe due to not only speed, but also erratic driving behavior and disregard of traffic rules. Ms. Lernhardt expressed appreciation for the increased presence of law enforcement in the recent weeks, as well as the Warrior Way traffic light, but indicated that locals are concerned about parking alongside Highway 50 during peak summer holidays, particularly in the vicinity of the Zephyr Cove Resort. Ms. Lernhardt opined that the recent announcement by the Forest Service about their plan to enlarge the resort by 150 parking sites and 80 camping sites on the west side of Highway 50 is bound to increase traffic and illegal parking. Ms. Lernhardt indicated that residents are worried that creating this new attraction will cause a similar explosion of visitors as the Sand Harbor Trail did for Incline, where visitors nearly doubled from 2021 to 2023. Ms. Lernhardt explained that traffic now backs up on 28, sometimes all the way to the intersection with Highway 50. As such, Ms. Lernhardt requested that NDOT engage with the Forest Service to rethink this project, noting that Tahoe is suffering from over-tourism and does not need more attractions. Ms. Lernhardt concluded her statement by indicating her belief that developing one of the last natural beaches would be a tragedy for wildlife and visitors, and would take away the current free beach access and impose a fee.

There was no additional public comment.

12. Adjournment – For Possible Action

Motion: Adjournment
By: Controller Andy Matthews
Second: Lt. Governor Stavros Anthony
Vote: Passed unanimously


Sajid Sulahria, Deputy Director
Secretary to the Board of Directors