



# WASHOE COUNTY

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## STAFF REPORT BOARD MEETING DATE: May 24, 2016

CM/ACM KS  
Finance DN  
DA ✓  
Risk Mgmt De  
HR N/A  
Comptroller Ch

**DATE:** April 29, 2016

**TO:** Board of County Commissioners

**FROM:** Dwayne Smith, P.E., Division Director, Engineering and Capital Projects  
Community Services Department, 328-2043, [desmith@washoecounty.us](mailto:desmith@washoecounty.us)

**THROUGH:** Dave Solaro, Arch., P.E., Director  
Community Services Department, 328-2040, [dsolaro@washoecounty.us](mailto:dsolaro@washoecounty.us)

**SUBJECT:** Approve an Interlocal Cooperative Agreement Approving RTC Program of Projects between Washoe County, City of Reno, City of Sparks, and the Regional Transportation Commission (RTC) for projects included in the RTC's Fiscal Year 2017 Street and Highway Program of Projects. (All Commission Districts.)

### SUMMARY

The Regional Transportation Commission (RTC) and the subject local agencies enter into Interlocal Cooperative Agreements for the design, property acquisition (where necessary), construction engineering, and construction of specific projects contained in the RTC's annual Program of Projects.

The 2017 Program of Projects identifies the proposed uses of the net fuel tax revenues for the RTC's upcoming FY 2017 budget. The Program of Projects also describes planned projects, delivery phases and funding from all available funding sources including RTC-5 fuel taxes and bonds, sales taxes, Regional Road Impact Fees, and federal sources. This Program has been developed and prioritized in accordance with priorities established as part of the Unified Planning Working Program, Regional Transportation Plan and the regional road pavement preservation program.

Staff has reviewed the list of recommended regional roadway projects and is in concurrence with those recommendations.

Washoe County Strategic Objective supported by this item: Sustainability of our financial, social and natural resources.

### PREVIOUS ACTION

On April 15, 2016, the RTC Board approved the FY 2017 Program of Projects.

On October 14, 2014, the Board of County Commissioners (Board) approved the FY 2016 Program of Projects.

On October 8, 2013, the Board approved the Interlocal Cooperative Agreement for Projects for FY 2014/2015.

AGENDA ITEM # 5K6

On October 23, 2012, the Board approved the Interlocal Cooperative Agreement for Projects for FY 2013/2014.

On November 8, 2011, the Board approved the Interlocal Cooperative Agreement for Projects for FY 2012/2013.

On October 26, 2010, the Board approved the Interlocal Cooperative Agreement for Projects for FY 2011/2012.

On November 10, 2009, the Board approved the Interlocal Cooperative Agreement for Projects for FY 2010/2011.

On October 28, 2008, the Board approved the Interlocal Cooperative Agreement for Projects for FY 2009/2010.

### **BACKGROUND**

The RTC's Technical Advisory Committee (TAC), which includes planning and public works representatives from Reno, Sparks, and Washoe County, recommends to the RTC Board an annual Street and Highway Program of Projects to be funded using fuel tax funds, sales tax funds and Regional Road Impact Fees. The TAC also recommends amendments to the programs as necessary to meet changing conditions and regional needs. This program identifies specific projects and proposed funding allocations for various activities such as design, construction/right-of-way, construction engineering, etc. Pursuant to the provisions of NRS 373.140, agreements between the RTC, City of Reno, City of Sparks, and Washoe County, are necessary to proceed with the work contained in these programs. The specific agreement brought forward at this time will authorize certain work activities contained in the current Street and Highway Program of Projects.

Staffs from Washoe County, RTC, and the Cities of Reno and Sparks are finalizing the preventative maintenance list of streets to be completed in the next construction cycle. Washoe County streets will be included in that portion of work.

### **FISCAL IMPACT**

There is no fiscal impact associated with the approval of this Interlocal Cooperative Agreement.

### **RECOMMENDATION**

It is recommended the Board of County Commissioners approve an Interlocal Cooperative Agreement Approving RTC Program of Projects between Washoe County, City of Reno, City of Sparks, and the Regional Transportation Commission (RTC) for projects included in the RTC's Fiscal Year 2017 Street and Highway Program of Projects.

### **POSSIBLE MOTION**

Should the Board agree with staff's recommendation, a possible motion would be: "Move to approve an Interlocal Cooperative Agreement Approving RTC Program of Projects between Washoe County, City of Reno, City of Sparks, and the Regional Transportation Commission (RTC) for projects included in the RTC's Fiscal Year 2017 Street and Highway Program of Projects."

**INTERLOCAL COOPERATIVE AGREEMENT  
APPROVING RTC PROGRAM OF PROJECTS**

This Agreement is made and executed this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between the Board of Commissioners of Washoe County, Nevada, hereinafter referred to as "County", the City Council of Reno, Nevada, hereinafter referred to as "Reno", the City Council of Sparks, Nevada, hereinafter referred to as "Sparks", and the Regional Transportation Commission of Washoe County, hereinafter referred to as "RTC".

**WITNESSETH:**

**WHEREAS**, on April 15, 2016, the RTC approved the FY 2017 Program of Projects listed on Exhibit A attached to this Agreement. Each project on Exhibit A is referred to herein as a "Project" and all of such Projects are collectively referred to herein as the "Projects".

**WHEREAS**, the Projects will require pavement maintenance, rehabilitation, reconstruction, new construction or engineering and environmental analysis, and may require the acquisition of real property through consensual agreements with the owners or through eminent domain proceedings; and

**WHEREAS**, pursuant to the requirements of NRS 373.140, NRS 377A.080 and the Regional Road Impact Fee (RRIF) Program, the County, Reno, Sparks, and RTC desire by this Agreement to authorize the Projects and to set forth each entity's respective responsibilities with respect to the Projects.

**NOW, THEREFORE**, pursuant to the provisions of NRS 373.140, NRS 377A.080, NRS Chapter 277A, and the RRIF Ordinances/Manuals, and in consideration of the mutual promises contained herein and for other good and valuable consideration, it is hereby agreed by and between the parties hereto as follows:

**I. APPROVAL OF PROJECTS**

A. Reno, the County and Sparks hereby approve each and every Project and authorize the RTC to design, survey, engineer, acquire through purchase or eminent domain real property for, and construct, each of the Projects. Approval for any Project for any fiscal year shall be approval for all continued work by or on behalf of the RTC on that Project for any later fiscal year.

The RTC may expend money from one or more than one of the Regional Street and Highway Fund (the "Fuel Tax Fund"), the Transportation Sales Tax Fund (the "Sales Tax Fund") or the Regional Road Impact Fee Fund (the "RRIF Fund") on each Project as listed on the column next to the Project on Exhibit A. The cost of each Project is estimated by the RTC as shown on Exhibit A. These costs are only estimates and the RTC may expend additional monies from any one or more of the Fuel Tax Fund, the Sales Tax Fund or the RRIF Fund on each Project as such additional expenditures are reviewed and approved by the RTC Staff and/or the RTC Board of Commissioners pursuant to the RTC's policies and procedures.

B. Reno, the County and Sparks hereby authorize the RTC to adopt an appropriate resolution of condemnation and initiate and prosecute to judgment such eminent domain proceedings as may be necessary for the acquisition of such property within their respective jurisdictions as the RTC deems necessary for the construction and/or maintenance of any Project and, if prudent, future expansions of each Project identified by the Regional Transportation Plan.

## **II. RTC DUTIES**

RTC agrees to perform the followings tasks and the County, Reno and Sparks hereby authorize the RTC to do so:

A. Provide all required services, including but not limited to design, environmental assessments and studies, surveying, construction engineering, construction management and quality assurance inspection, utilizing RTC staff and/or qualified consultants;

B. Obtain appraisal reports for any property being considered as necessary for the implementation of any Project and, if prudent, future expansions of the Project identified within the Regional Transportation Plan, conduct preliminary negotiations with the owners in an effort to arrive at a mutually agreeable purchase price and negotiate, execute and close contracts to purchase the property;

C. Offer not less than the appraisal value for the property and property rights deemed necessary for a Project and, where the prospect of reaching a mutually agreeable purchase price appears unlikely following reasonable negotiations, cause the RTC Board of Commissioners to adopt a "Resolution of Condemnation" finding that particular properties are necessary to the

success of a Project and authorize legal counsel to seek acquisition through eminent domain proceedings;

D. Coordinate all activities related to a Project including, but not limited to, advertising, receipt and review of construction bids, and execution of a contract with the contractor submitting the lowest responsive and responsible bid;

E. Maintain necessary files on each Project;

F. Pay all authorized Project costs from the Fuel Tax Fund, the RRIF Fund or the Sales Tax Fund. Payments for construction or engineering services will be paid to the contractor or consultant upon receipt of a claim or claims which have been certified as a true and correct account of the expenses incurred as a result of or in conjunction with the provisions of a contract entered into as a result of this Agreement. All submitted claims will have supporting documents attached which substantiate the basis of the claim. Such claim or claims shall be reviewed and approved in accordance with the policies and procedures of the RTC; and

G. Not permit the payment of non-reimbursable or non-payable items established by the policies and procedures of the RTC.

### **III. COUNTY'S, RENO'S AND SPARK'S DUTIES**

The County, Reno and Sparks shall do the following:

A. Cooperate with RTC and its consultants in all phases of each Project located within their respective jurisdictions;

B. Assist the RTC in communicating with the public regarding the Project(s) located within their respective jurisdictions;

C. Accept ownership of and maintain each Project located wholly or partially within their respective jurisdictions upon completion of construction;

D. Upon notification from the RTC, require utilities having franchise agreements that require relocation to relocate their facilities prior to award of the Project in accordance with the franchise agreement; for utilities that do not address the issue of relocation in the franchise

agreement, require relocation of the subject facilities prior to the award of the Project if state law provides authority to do so; and

E. Coordinate development and administration of the Project with the RTC.

This Agreement is effective from and after the date first above written.

APPROVED AS TO LEGALITY AND FORM

BY: \_\_\_\_\_  
RTC GENERAL COUNSEL

**REGIONAL TRANSPORTATION COMMISSION  
OF WASHOE COUNTY**

BY: \_\_\_\_\_  
NEOMA JARDON, CHAIR

State of Nevada  
County of Washoe

This FY 2017 Interlocal Cooperative Agreement was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by Neoma Jardon, as Chair of the Regional Transportation Commission of Washoe County.

\_\_\_\_\_  
Notary Public

**BOARD OF COMMISSIONERS,  
WASHOE COUNTY, NEVADA**

By: \_\_\_\_\_  
CHAIRMAN

ATTEST:

APPROVED AS TO FORM AND CONTENT:

BY: \_\_\_\_\_  
WASHOE COUNTY CLERK

BY: \_\_\_\_\_  
ATTORNEY

**CITY COUNCIL OF RENO, NEVADA**

By: \_\_\_\_\_  
MAYOR

ATTEST:

APPROVED AS TO FORM AND CONTENT:

BY: \_\_\_\_\_  
RENO CITY CLERK

BY: \_\_\_\_\_  
DEPUTY CITY ATTORNEY

**CITY COUNCIL OF SPARKS, NEVADA**

BY: \_\_\_\_\_  
MAYOR

ATTEST:

APPROVED AS TO FORM AND CONTENT:

BY: \_\_\_\_\_  
SPARKS CITY CLERK

BY: \_\_\_\_\_  
DEPUTY CITY ATTORNEY

**EXHIBIT A**

**RTC PROGRAM OF PROJECTS 2017**



**PROPOSED RTC FISCAL YEAR (FY) 2017 PROGRAM OF PROJECTS (POP)  
PAVEMENT PRESERVATION AND CORRIDOR IMPROVEMENT PROJECTS**

\* ACTIVITY CODES

- C = CONSTRUCTION (INCLUDES CONSTRUCTION SERVICES)
- D = DESIGN
- N = ENVIRONMENTAL (NEPA, INCLUDES PRELIMINARY DESIGN)
- P = PLANNING
- R = RIGHT OF WAY

PROJECT (YEAR OF CONSTRUCTION) & TERMINI	PROJECT OBJECTIVE	TOTAL PROJECT ESTIMATE (INCLUDES BUSES)	FUNDING SOURCE	PREVIOUSLY APPROVED		FY 17 POP FUNDS (PROPOSED)		TOTAL FUNDS PROGRAMMED (PROPOSED)
				AMOUNT	ACTIVITY*	AMOUNT	ACTIVITY*	
4TH & PRATER BUS RAPID TRANSIT PROJECT (2016) EVANS TO PYRAMID	CORRIDOR/TRANSIT CAPACITY IMPROVEMENT	\$52,570,000	RTC FUEL TAX RTC SALES TAX CMAQ/STP/TIGER	\$5,850,000 \$6,250,000 \$18,000,000	D, R, C	\$15,100,000	C	\$5,850,000 \$6,250,000 \$33,100,000 \$45,200,000
VIRGINIA STREET BUS RAPID TRANSIT EXTENSION (2017) PLUMB TO LIBERTY & MAPLE TO 19TH	CORRIDOR/TRANSIT CAPACITY IMPROVEMENT	\$60,000,000	RTC FUEL TAX FTA CMAQ	\$598,000 \$5,640,142	D, R	\$5,000,000	D, R	\$5,998,000 \$5,640,142 \$10,640,142
2015 PREVENTIVE MAINTENANCE (2015 & 2016) VARIOUS REGIONAL ROADS	PAVEMENT PRESERVATION	\$5,413,493	RTC FUEL TAX RTC SALES TAX	\$2,000,000 \$3,413,493	D, C			\$2,000,000 \$3,413,493 \$5,413,493
2015 CORRECTIVE MAINTENANCE (2015 & 2016) VARIOUS REGIONAL ROADS	PAVEMENT PRESERVATION	\$4,242,786	RTC FUEL TAX TMWA	\$4,017,786 \$225,000	D, C			\$4,017,786 \$225,000 \$4,242,786
2016 PAVEMENT MAINTENANCE (2016) VARIOUS REGIONAL ROADS	PAVEMENT PRESERVATION	\$3,500,000	RTC FUEL TAX	\$4,242,786		\$3,500,000	D, C	\$4,242,786 \$3,500,000

PAVEMENT PRESERVATION/CORRIDOR IMPROVEMENT SUMMARY	PREVIOUSLY APPROVED	FY 17 POP FUNDS (PROPOSED)	PROPOSED TOTAL
RTC FUEL TAX	\$12,465,786	\$6,500,000	\$6,500,000
RTC SALES TAX	\$9,663,493	\$0	\$0
FEDERAL/OTHER NON RTC:	\$23,267,142	\$15,100,000	\$15,100,000
TOTAL:	\$45,396,421	\$23,600,000	\$68,996,421

PROPOSED RTC FISCAL YEAR (FY) 2017 PROGRAM OF PROJECTS (POP)  
CAPACITY AND CONGESTION RELIEF

- \* ACTIVITY CODES
- C = CONSTRUCTION (INCLUDES CONSTRUCTION SERVICES)
- D = DESIGN
- N = ENVIRONMENTAL (NEPA, INCLUDES PRELIMINARY DESIGN)
- P = PLANNING
- R = RIGHT OF WAY

PROJECT (YEAR OF CONSTRUCTION) & TERMINI	PROJECT OBJECTIVE	TOTAL PROJECT ESTIMATE	FUNDING SOURCE	PREVIOUSLY APPROVED		FY 17 POP FUNDS (PROPOSED)		TOTAL FUNDS PROGRAMMED (PROPOSED)
				AMOUNT	ACTIVITY*	AMOUNT	ACTIVITY*	
SOUTHEAST CONNECTOR PHASE 2 (2015) SOUTH MEADOWS TO CLEAN WATER	CAPACITY IMPROVEMENT	\$207,205,000	RTC BOND FUEL TAX UTILITY REIMBURSEMENT	\$140,000,000 \$68,006,657 \$1,198,343		\$207,205,000		\$140,000,000 \$68,006,657 \$1,198,343
MCCARRAN/PYRAMID INTERSECTION (2016)	CAPACITY IMPROVEMENT	\$72,345,326	FUEL TAX NDOT/FED	\$3,318,411 \$69,026,915	D, R, N, C D, R, C			\$3,318,411 \$69,026,915
N. MCCARRAN @ N. VIRGINIA INTERSECTION IMPROVEMENT (2016)	CAPACITY IMPROVEMENT	\$4,000,000	RRIF	\$4,000,000	D, C			\$4,000,000
TRAFFIC ENGINEERING SPOT INTERSECTIONS 5 (2016) LOCATIONS TO BE DETERMINED	CAPACITY IMPROVEMENT	\$1,020,000	RRIF	\$1,020,000	D, C			\$1,000,000
BIKE & PEDESTRIAN IMPROVEMENTS 3, 4 & 5 (2016) EVANS - 4TH TO N. MCCARRAN	CAPACITY IMPROVEMENT	\$1,350,000	RRIF CMAQ	\$87,500 \$1,282,500				\$87,500 \$1,282,500
PEDESTRIAN IMPROVEMENTS 2016 & 2017 (2017) SUN VALLEY BLVD	CAPACITY IMPROVEMENT	\$2,000,000	RRIF CMAQ	\$50,000 \$950,000	D, C			\$100,000 \$1,900,000
LEMMON DRIVE SIDEWALK (2017) DELI ST TO SURGE DR (WEST SIDE)	SAFETY	\$346,089	RTC FUEL TAX NDOT TAP	\$1,000,000	D, C			\$17,304 \$328,785
NORTH VALLEYS IMPROVEMENTS (2016) LOCATIONS TO BE DETERMINED	CAPACITY IMPROVEMENT	\$5,692,000	FUEL TAX RRIF	\$250,000 \$442,000	D, C, R D, C, R			\$346,089 \$1,750,000
TRAFFIC ENGINEERING SPOT 6 INTERSECTION IMPROVEMENTS LOCATIONS TO BE DETERMINED	CAPACITY IMPROVEMENT	\$1,000,000	RRIF	\$692,000				\$3,942,000 \$5,692,000
TRAFFIC MANAGEMENT 1 (2016) DESIGN & PILOT PROJECT	INTELLIGENT TRAFFIC SYSTEMS (ITS)	\$993,000	FUEL TAX CMAQ	\$49,493 \$940,367				\$49,493 \$940,367
TRAFFIC MANAGEMENT 2A (2017) FIBER OPTIC CONNECTIVITY AND ITS EQUIPMENT INSTALLATION	INTELLIGENT TRAFFIC SYSTEMS (ITS)	\$1,000,000	RRIF CMAQ	\$989,860	D, C			\$989,860 \$50,000
TRAFFIC MANAGEMENT 2B (2018) FIBER OPTIC CONNECTIVITY AND ITS EQUIPMENT INSTALLATION (WITH POTENTIAL RIGHT OF WAY)	INTELLIGENT TRAFFIC SYSTEMS (ITS)	\$1,000,000	RRIF CMAQ	\$50,000 \$950,000	D, C			\$50,000 \$950,000

CAPACITY/CONGESTION RELIEF SUMMARY	PREVIOUSLY APPROVED	FY 17 POP FUNDS (PROPOSED)	PROPOSED TOTAL
RRIF/FUEL TAX:	\$75,204,061	\$6,167,304	
RTC BONDS:	\$140,000,000		
FEDERAL/OTHER NON RTC:	\$73,398,126	\$3,178,765	
TOTAL:	\$288,602,188	\$9,346,069	\$297,948,257