

CARSON CITY REGIONAL TRANSPORTATION COMMISSION POLICIES AND PROCEDURES

Revised 12/10/2012

**CARSON CITY REGIONAL TRANSPORTATION COMMISSION (RTC)
POLICIES AND PROCEDURES**

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REGIONAL TRANSPORTATION COMMISSION

1 Statutory Authority

1.1 Legislative authority

The Carson City Regional Transportation Commission (RTC) was created in accordance with Chapter 277A of the Nevada Revised Statutes (“NRS”) and Chapter 11.20 of the Carson City Municipal Code (“CCMC” or “Code”). The RTC is authorized, among other things, to enter into and execute contracts for the construction of street and highway projects and major maintenance and betterment projects in those cases where funds for such projects have been appropriated by the Carson City Board of Supervisors.

1.2 Delegated authority

In addition to NRS and CCMC authority, the RTC has been delegated certain specific duties and responsibilities by the Carson City Board of Supervisors including the authority to implement and manage street and highway projects, prepare and submit grant requests, oversee public transit operations and maintenance, and other related matters. The basis of this delegated authority is found in an Interlocal Cooperative Agreement included in Appendix A to these policies and procedures. This document is pursuant to the Carson City Boards, Committees, and Commissions Policies and Procedures, approved September 5, 2012, and observes all applicable requisites and future amendments therein.

2 Operational Authority

2.1 Street and highway construction and operations

The RTC is authorized to supervise and administer contracts with consultants for the provision of geotechnical studies and reports, design, right of way acquisition and construction management of projects as well as contracts for the construction of budgeted projects approved by the Carson City Board of Supervisors.

2.2 Transit operations and maintenance

2.2.1 Jump Around Carson (“JAC”) Transit

The Carson City Board of Supervisors has delegated to RTC the authority to provide oversight to the operation of the Jump Around Carson (“JAC”) transit system. This oversight may include contracting with a management company for the daily operations of the JAC transit system, auditing operations and maintenance of such system and providing other services as may be necessary for the successful delivery of services to the community.

2.2.2 JAC Maintenance

The RTC staff will monitor maintenance operations for JAC transit system on behalf of Carson City. Although Carson City will provide major maintenance of the capital equipment owned by Carson City, the transit management contractor engaged by the RTC transit system will be required to monitor equipment maintenance to ensure continued daily service with a fleet of equipment appropriate for the safe and reliable delivery of service.

2.2.3 Transit advertising

A separate transit advertising policy has been developed and is included in Appendix B.

2.3 Coordination with other agencies

The RTC will coordinate the implementation of transportation projects within Carson City and as may be authorized outside of Carson City, including street and highway design and construction and the operation of the JAC transit system. To the extent that transportation planning activities impact the RTC and the JAC transit system, RTC will participate actively in such activities that may be supported or supervised by Commission or Carson City staff.

3 Street and Highway Construction

3.1 Design

The RTC may enter into contracts for the preparation of technical reports, geotechnical studies and reports, acquisition of rights of way, design of projects and capital improvements as authorized by the Board of Supervisors and the RTC either through specific approval or budgetary authority.

3.2 Construction

The RTC may prepare and advertise for bids, recommend award of construction contracts and administer construction management services for projects as authorized by the Board of Supervisors and the RTC through specific approval or budgetary authority.

3.3 Funding and Finance

The RTC is funded through motor vehicle fuel taxes collected county-wide, special ad valorem allocations from Carson City Board of Supervisors, special allocations from public or private sources and special grants-in-aid that may be made for the support of public transportation, street and highway construction or other special capital improvement projects. All such funds are under the direct control of Carson City and may be made available to the RTC through budgetary allocation.

APPENDIX A
INTERLOCAL COOPERATIVE AGREEMENT

INTERLOCAL COOPERATIVE AGREEMENT

An Agreement defining the respective responsibilities of the Carson City Board of Supervisors, the Carson City Regional Transportation Commission and the Carson Area Metropolitan Planning Organization.

This Agreement is dated this 6th day of September, 2012, by and between Carson City, the Carson City Regional Transportation Commission and the Carson Area Metropolitan Planning Organization. It amends the initial agreement in this regard, dated March 14, 2007, by adding paragraph 7 to "CAMPO AGREES;" paragraphs 14 and 15 to "REGIONAL TRANSPORTATION COMMISSION AGREES;" and deleting language at paragraph 3 and adding and deleting language at paragraph 5 and adding paragraph 12 to "CITY AGREES."

WITNESSETH

Whereas, Carson City (hereinafter "City") is a general purpose municipal government responsible for the exercise of statutory duties established under state law and municipal ordinance and is governed by a duly elected Board of Supervisors, and

Whereas, the Carson City Board of Supervisors (hereinafter "Supervisors") is authorized by state statute to delegate specific duties and responsibilities to other agencies and entities through execution of an interlocal agreement, and

Whereas, the Carson City Regional Transportation Commission (hereinafter "RTC") is a duly constituted special purpose agency responsible for certain specified duties and responsibilities as defined in Nevada Revised Statute and may enter into interlocal cooperative agreements for the exercise of assigned responsibilities, and

Whereas, the Carson Area Metropolitan Planning Organization (hereinafter "CAMPO") is a special purpose organization created through federal regulation, and

Whereas, the parties to this Agreement desire to clearly define and identify the respective responsibilities of each agency or organization as relates to transportation planning, street and highway construction and maintenance, provision of public transportation services, and other tasks, activities and responsibilities necessary for the execution and support of the aforementioned transportation related activities.

Now, Therefore, in consideration of the premises and the covenants herein contained, it is agreed as follows:

CAMPO AGREES

1. To operate and manage the Metropolitan Planning Organization program for the Carson City area as designated by the Bureau of the Census and the Governor of the State of Nevada.
2. To conduct the transportation planning process as required by federal regulation and to perform other regional transportation planning activities as may be necessary to maintain federal planning certification including but not limited to the preparation and approval of a Unified Planning Work Program, Regional Transportation Plan and the

respective modal elements, Transportation Improvement Program, Short-Range Transit Plan, and other plans and documents as may be necessary.

3. To coordinate the transportation planning process and the development of necessary documents with other City departments, the Nevada Department of Transportation (NDOT), Douglas and Lyon Counties and other public and private agencies or interests (such as Washoe County, Storey County, agencies which are members of the Tahoe Compact, Federal Highway Administration, Federal Transit Administration, and other Federal agencies).
4. To prepare and submit necessary planning documents as may be required from time to time including grant applications, requests for reimbursement, and other necessary and appropriate documentation to City, state and federal funding agencies to ensure full reimbursement for all eligible planning, operations and capital expenses.
5. To satisfy federal requirements regarding involvement of Native American tribal groups in the transportation planning process.
6. To utilize professional, technical and clerical staff provided by City and Supervisors in the exercise and execution of functional responsibilities of CAMPO and to reimburse City for such staff support as defined in this Agreement or as may be agreed from time to time.
7. To act as the designated recipient and grantee of Federal Transit Administration (FTA) Section 5307 funds for the Carson City urbanized area – as well as other FTA funds through NDOT – for the purpose of delivering public transportation projects.

REGIONAL TRANSPORTATION COMMISSION AGREES

1. To prepare, monitor, and manage the development of plans, specifications, contract documents, right-of-way acquisition and construction necessary for the timely and efficient implementation of regional, street and highway projects authorized by City and Supervisors.
2. To provide policy direction for street maintenance activities for the Street Operations Division of Public Works, including recommending annual budget requirements to City and Supervisors.
3. To award and execute street and highway contracts. Such authority includes the ability to approve street and highway contracts that include RTC and/or street funds, and also other funds including, but not limited to, water and sewer funds, provided that those other funds were previously budgeted by the City.
4. To provide City and Supervisors with periodic reports on project progress, expenditures and status of project or operating budgets.
5. To operate Jump Around Carson (JAC) transit services on behalf of City and Supervisors within the scope of budgetary approval as may be authorized on an annual basis. Such operational authority will include overseeing day-to-day operations and considering and approving budgets, services, operating schedules, fare structure, agreements with other agencies, and other matters necessary to the full and functional management and operation of the system. Operational authority also includes the authority to award and execute transit contracts and amend existing transit contracts.
6. To collect operating and special revenues from daily operation of JAC and deposit such revenues with City either directly or through a management company.
7. To coordinate the maintenance of JAC equipment with City Fleet Maintenance Division and to timely notify City of issues related to the on-going maintenance of the JAC equipment.

8. To approve expenditure of funds for the provision of JAC service to service providers, suppliers, and others providing management, materials and supplies or special services to JAC, RTC and/or Carson City in the provision of public transportation service within the approved budget and submit authorization for such payments to Carson City for processing and payment.
9. To prepare equipment and material specifications for acquisition and/or purchase of capital equipment, materials and supplies, or other necessary items and to provide said material specifications and requests for acquisition of materials to City for procurement.
10. To provide City and Supervisors progress and productivity reports on the performance of JAC.
11. To provide CAMPO and/or City with appropriate grant applications, grant reimbursement requests, monthly and/or quarterly reports and summaries supporting reimbursement requests and coordinate operations with CAMPO and/or City so as to allow timely submittal of required federal documents and reimbursement requests.
12. To coordinate with other public transportation providers in the region and as necessary consider and approve service changes, schedule modifications, fare adjustments, service connections with other providers and other matters related to the operation of the JAC service.
13. To issue requests for proposal, request for qualifications, project proposals, project bids and quotations and other matters necessary and appropriate for the expeditious exercise of the responsibilities as granted herein.
14. To approve an annual public transportation operating and capital budget utilizing local, state and federal funds; and to otherwise provide for the public transportation needs of the community.
15. To review proposed Right of Way abandonments within Carson City and make recommendations to the Board of Supervisors for the disposition of such property.

CITY AGREES

1. To approve an annual street and highway capital improvement budget and street maintenance budget and to allocate necessary funds and issue and refund bonds for the construction and maintenance of streets and highways deemed appropriate and necessary by the Supervisors to efficiently provide for the transportation needs of the community.
2. To hereby authorize the RTC to act on behalf of the City and Supervisors in carrying out the full intent of the budget authority for street and highway projects and street maintenance projects by completing project design and right-of-way acquisition either in-house through appointed staff or consultants, calling for bids, awarding of bids, execution of contracts, and supervising all project activities including right-of-way appraisal, acquisition, construction, including resolution of condemnation and pursuit of eminent domain proceedings if necessary.
3. To allocate necessary match funds for the operation of JAC.
4. To authorize RTC to act in behalf of City and Supervisors in the day-to-day operation and oversight of JAC and the street maintenance operation function of the Public Works Department based on the approved budget and policies established by City and Supervisors.
5. To provide necessary staff support to CAMPO, RTC and street operations for the work contemplated in this Agreement including professional, technical, clerical, purchasing and procurement, legal services, human resource and other required support for the


timely execution of the work contemplated in authorized street and highway project budget, street operations budget, or operation of JAC.

6. To provide appropriate documentation of RTC, street operations and CAMPO costs incurred for eligible reimbursable staff expenses.
7. To maintain JAC vehicles and to provide RTC with maintenance reports and cost information including requests for reimbursement for maintenance services or other eligible expenses.
8. To provide financial accounting services to RTC and CAMPO and to provide periodic financial reports.
9. In the discretion of the Supervisors, to procure materials, equipment and to facilitate the acquisition of such materials as requested by RTC as may be necessary to provide for the continued efficient and effective operation of JAC.
10. To authorize RTC and CAMPO to carry out activities essential to the efficient and effective implementation of transportation planning, street and highway project development and maintenance and implementation and provision of public transportation. This authority includes calling for bids, proposals, statements of qualification, and the preparation, award, and execution of agreements and contracts providing such agreements and contracts are consistent with existing policy and budgets approved by Carson City.
11. To provide legal services to CAMPO and RTC including exercise of eminent domain and other legal processes necessary for the timely implementation of street and highway projects and operation of the JAC service.
12. To administratively hold title to property on behalf of CAMPO, the grantee – including vehicles, equipment and real property that is acquired with FTA assistance and used in public transportation service – and to relinquish such title to CAMPO in the event this Agreement is terminated.

Except as otherwise expressly provided, this Agreement constitutes the entire contract between the parties hereto and may not be modified except by mutual agreement. This Agreement is effective from the date given above in perpetuity. This Agreement may be terminated in its entirety by any of the parties serving notice of intent to terminate the Agreement.

IN WITNESS WHEREOF, each of the parties has caused this Agreement to be duly executed on its behalf by an authorized representative.

Carson Area Metropolitan Planning Organization



Charles Des Jardins, Chairman

Date Sept. 6, 2012

Carson City Regional Transportation Commission



Shelly Aldean, Chairperson

Date Sept. 9, 2012

Carson City Board of Supervisors



Robert Crowell, Mayor

Date 9/6/2012

APPENDIX B
CARSON CITY REGIONAL TRANSPORTATION
COMMISSION ADVERTISING POLICY

**CARSON CITY REGIONAL TRANSPORTATION COMMISSION
ADVERTISING POLICY**

PURPOSE

The Carson City Regional Transportation Commission (CCRTC) finds that the sale of advertising space on designated CCRTC venues is a practical and desirable means of generating revenue, which assists CCRTC in providing more economical transportation to the citizens in its service area. CCRTC sells advertising space solely for the purpose of raising additional revenue for its operations. CCRTC's advertising spaces are **not** dedicated as a public forum to the promotion or debate of political, social, religious or other unsettled public issues. CCRTC enacts this policy to establish the standards for advertisements acceptable for internal or external display on CCRTC vehicles, property and other designated locations.

POLICY

A. Content CCRTC's advertising spaces may be used only for advertisements:

1. Proposing a commercial transaction involving lawful goods or services in the Carson Area Metropolitan Planning Organization (CAMPO) area; and
2. Promoting, in a secular and non-sectarian manner, the programs of CCRTC and/or other community agencies.

Said advertising shall be subject to the following restrictions:

- a. **CCRTC does not accept any advertising for political, social or religious messages or campaigns; or advertising designed to debate or advocate positions on unsettled issues of public concern.** CCRTC is a governmental entity, providing services to the general public and supported in part by public funds, and should remain neutral in all political contests and all debates involving social, religious and public issues. In addition, history has shown that advertising of controversial issues can generate disputes among passengers, who are often a captive audience, which can impede the efficient operation of transportation services. Controversial advertising can also provoke vandalism of advertising materials and associated CCRTC property. Such advertising, if accepted, can discourage use of CCRTC advertising space by other commercial advertisers who do not desire to be associated with controversial advertisements, with resultant loss of revenue to CCRTC. Therefore, to promote CCRTC's interests, CCRTC will not accept such advertising. For example and illustration only, CCRTC does not accept advertising from any advertiser relating to population control, family planning, reproductive rights,

contraception, abortion or euthanasia. It does not accept advertising criticizing, praising or debating governmental programs, proposals or activities; or relating to drug legalization, gun control, immigration, environmental controversies or similar contentious and unsettled topics of public debate. This list of examples is not intended to be all-inclusive. Advertising containing hidden, obscured or disguised messages, which a reasonable adult person would perceive to relate to an impermissible topic, is not acceptable.

- b. **CCRTC does not accept advertising promoting the use or sale of tobacco or alcohol products.** The corporate name or logo of a tobacco or alcoholic liquor company or product may be used to advertise a separate product, service or event, otherwise acceptable for advertising under this policy, provided such use does not promote the use or sale of tobacco or liquor. CCRTC regularly transports children and teenagers who should not be subjected to advertising of unhealthy or potentially harmful products.
- c. **CCRTC does not accept advertising that fails to conform to community and family standards of decency, dignity, accuracy and good taste.** CCRTC desires to maintain its ridership by not exposing passengers to indecent, distasteful or inaccurate advertising which is difficult to ignore or avoid in the public transportation setting. For example, without excluding other categories, CCRTC does not accept advertising with photographs or depictions of nudity or partial nudity, or advertising incorporating profane, defamatory, sexually suggestive or otherwise offensive language or innuendo that would not be commonly found in a family newspaper.

- B. Evaluation of Advertisements Prior to the commencement date of an advertising contract, all advertisers shall submit a final copy of a proposed advertisement with full text and all illustrations to the Transit Coordinator, through the advertising contractor employed by CCRTC. All tendered advertisements shall be evaluated under this policy and shall be subject to the final approval of the Transit Coordinator. If the Transit Coordinator determines that an advertisement does not conform to this policy, the advertiser will be promptly notified and afforded an opportunity, at the advertiser's expense, to revise the advertisement and eliminate the unacceptable aspects. Submission of proposed advertisements should be made sufficiently in advance of the commencement date of an advertising contract to allow time for this evaluation and revision process.

If an advertiser disagrees with the Transit Coordinator's rejection of a proposed advertisement, the advertiser may seek a review of the decision as provided in Section D, Review/Appeals.

- C. Rate Guidelines CCRTC will establish rates consistent with local advertising rates and those of comparable transit agencies in other markets. These rates will be published and offered equitably to all clients and potential clients, with discounts as set forth below. Basic rates will be established on an annual basis in conjunction with the CCRTC fiscal year budget, effective

annually on July 1 and published therein. Rates may increase, decrease or remain constant, based upon space availability and market demand.

1. Advertisers paying full contract amount in advance are eligible for a 5 percent discount for advertising placed with CCRTC, in addition to any frequency discounts to which they may be entitled.
2. Non-profit organizations may purchase advertising space at 25 percent off the standard rate schedule. Additional frequency and pre-payment rates will also apply. CCRTC, at its discretion and on a space-available basis, may make interior space available at no cost to qualified non-profit or governmental agencies.
3. Recognized advertising agencies and in-house Carson City advertising departments are eligible for a commissionable net rate of 15 percent less than the published gross rate.

Recognized advertising agencies are defined as those agencies which:

- Possess a bona fide business license which identifies the agency
 - Possess a street location business address
 - Disclose their advertising client list to the CCRTC
 - Provide evidence of financial stability, including bank references, credit report or other evidence required by CCRTC
4. CCRTC will consider trade agreements for advertising space when it serves the best interest of CCRTC. This should not exceed 15 percent of available space and should benefit CCRTC in some measurable way (e.g., media trades which extend our media coverage).
 5. CCRTC reserves the right to make advertising decisions which maximize the ad revenues to the organization. This may include special promotional offers. In any case, rates will be offered equitably to all current and recent past advertisers and agencies.

D. Review/Appeals

1. If an advertiser disagrees with the decision of the Transit Coordinator to reject a proposed advertisement, the advertiser may seek a review of the decision by the Transportation Manager. A demand for review must be made in writing to the Transit Coordinator by the close of business of the fifth (5th) working day following receipt of written notice from the Transit Coordinator of the rejection of the advertisement. The advertiser's demand for review must state with particularity the reasons why the advertisement does not violate the advertisement policy and should be allowed.

Upon receipt of a demand for review from the advertiser, the Transit Coordinator shall prepare within five (5) working days a report to the Transportation Manager reflecting with particularity the reasons why the subject advertisement violates the advertisement policy. Both the demand for review and the report of the Transit Coordinator shall be hand delivered to the office of the Transportation Manager by the close of business of the sixth (6th) business day following the submission of a demand for review.

The Transportation Manager shall conduct a prompt review and shall respectfully consider the respective positions of the advertiser and the Transit Coordinator. A written decision of the Transportation Manager shall be issued and mailed to both the advertiser and Transit Coordinator within ten (10) working days of receipt of the documents. Except as provided in paragraph 2, the determination of the Transportation Manager shall be final.

2. Any advertiser who is not satisfied with the decision of the Transportation Manager may within thirty (30) calendar days of the receipt of the Transportation Manager's written decision, appeal that decision to CCRTC. An appeal must be made in writing to the Transportation Manager by the close of business of the fifth (5th) working day following receipt of written notice from the Transportation Manager of the final determination. The advertiser's appeal must state with particularity the reasons why the advertisement should be allowed.

The appeal, and all associated written communications, will be placed on the next regularly scheduled meeting agenda for determination by CCRTC.