**REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA**

**AGENDA ITEM**

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<th>Metropolitan Planning Organization</th>
<th>Transit</th>
<th>Administration and Finance</th>
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<tbody>
<tr>
<td><strong>SUBJECT:</strong> APPROVE PURCHASE ORDER</td>
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<td><strong>PETITIONER:</strong> M.J. MAYNARD, CHIEF EXECUTIVE OFFICER REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA</td>
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<td><strong>RECOMMENDATION BY PETITIONER:</strong> THAT THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA (RTC) APPROVE A PURCHASE ORDER TO DYNTEK SERVICES, INC. FOR PROJECT NO. 21-019, FOR THE PURCHASE OF A CORE NETWORK UPGRADE TO THE RTC’S EXISTING MISSION CRITICAL SOFTWARE AND HARDWARE INFRASTRUCTURE, IN THE NOT-TO-EXCEED AMOUNT OF $1,993,105.13, AND AUTHORIZE STAFF TO ISSUE A PURCHASE ORDER (FOR POSSIBLE ACTION)</td>
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<td><strong>GOAL:</strong> SECURE FUNDING FOR EXPANSION, OPERATION AND MAINTENANCE OF SYSTEMS AND ROUTES</td>
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**FISCAL IMPACT:**
Funds in the amount of $1,993,105.13 are budgeted and available in the Highway Improvement Acquisition Fund for Fiscal Year (FY) 2021.

**BACKGROUND:**
Regional Transportation Commission of Southern Nevada (RTC) Information Technology (IT) staff requests approval to issue a purchase order to Dyntek Services, Inc. for an upgrade to the existing mission critical Freeway and Arterial System of Transportation (FAST) core network. This purchase will replace the RTC’s existing outdated end-of-life solution to increase the performance and capacity of RTC IT infrastructure.

Nevada Revised Statute 332.115.1(g), (h), and (i) specify that hardware and software for computers, and maintenance and support for: (1) hardware and associated peripheral equipment and devices for computers; and (2) software for computers are exempt from competitive bidding.

Staff recommends approval.

Respectfully submitted,

M.J. MAYNARD
Chief Executive Officer

RTC Item #42
August 13, 2020
Consent
AGENDA ITEM

SUBJECT: APPROVE AND ADOPT RESOLUTION

PETITIONER: M.J. MAYNARD, CHIEF EXECUTIVE OFFICER
REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA

RECOMMENDATION BY PETITIONER:
THAT THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA (RTC) APPROVE, ADOPT AND AUTHORIZE THE CHAIRMAN TO SIGN RESOLUTION 578 FOR DONATION OF EQUIPMENT TO TOURO UNIVERSITY NEVADA, A NONPROFIT ORGANIZATION (FOR POSSIBLE ACTION)

GOAL: ENHANCE PUBLIC AWARENESS AND SUPPORT OF THE REGIONAL TRANSPORTATION SYSTEM

FISCAL IMPACT:
None

BACKGROUND:
The Regional Transportation Commission of Southern Nevada (RTC) received a request from Touro University Nevada for the donation of one (1) retired vehicle to its organization. The vehicle has exceeded its useful life with the RTC in accordance with Federal Transit Administration service life policy.

The attached documents show Resolution 578 for donation of equipment, information on the vehicle and the request letter addressed to the RTC Board of Commissioners.

The attached Proposal is in accordance with Nevada Revised Statute 277A.250(3), which authorizes the RTC to donate to nonprofit organizations created for religious, charitable or educational purposes or to another governmental entity, to be used for any purpose which shall provide a substantial benefit to the inhabitants of the county.

Staff recommends approval.

Respectfully submitted,

M.J. MAYNARD
Chief Executive Officer

RTC Item #43
August 13, 2020
Consent
RESOLUTION 578

DONATION OF EQUIPMENT

WHEREAS, NRS Chapter 277A.250(3), authorizes the Regional Transportation Commission of Southern Nevada (RTC) to “sell, lease or convey or otherwise dispose of rights, interests or properties.”

WHEREAS, the RTC, through its authority to dispose of property, has a policy to donate commodities, supplies, materials and equipment that the board determines to have reached the end of their useful lives.

WHEREAS, the RTC’s donation policy authorizes the RTC to donate to nonprofit organizations created for religious, charitable or educational purposes or to another governmental entity, to be used for any purpose which shall provide a substantial benefit to the inhabitants of the county; and

WHEREAS, the Transit Department has identified the equipment (See Donation/Salvage Checklist and Title Release Form) that has reached the end of its useful life and has been designated as surplus property; and

WHEREAS, Touro University Nevada, a 501(c)(3) organization, has expressed an interest in obtaining the equipment to expand the mobile outreach initiative.

NOW, THEREFORE, BE IT RESOLVED that the RTC authorizes the Transit Department to declare the equipment as surplus property, and to donate said items, provided the following criteria are met:

1. The equipment has reached the end of its useful life and is documented as surplus property.
2. The equipment will be donated for the purpose of expanding the mobile outreach initiative.
3. An Agreement of Transfer of Property is executed.

PASSED, ADOPTED AND APPROVED this _______day of_________________, 2020.

By:______________________________________________
Larry Brown
Chairman

ATTEST:
______________________________
Marin DuBois
Management Analyst

APPROVED AS TO FORM:
______________________________
RTC Legal Counsel
July 2, 2019

Board of Commissioners  
Regional Transportation Commission of Southern Nevada  
600 South Grand Central Parkway  
Suite 350  
Las Vegas, Nevada 89106-4512

Re: RTC Surplus Property Donation

Dear Commissioners:

I am writing on behalf of the students, faculty and staff of Touro University Nevada regarding your RTC Surplus Property Donation program. It is my understanding that several of your Para-transit vehicles will be retired soon and may be available for transfer to a non-profit agency.

Touro University Nevada (EIN# 20-0363127) is a non-profit institution of higher education located here in Southern Nevada. Touro Nevada is home to Nevada’s largest medical school and also offers advanced degree programs in other healthcare and education programs.

Central to Touro’s mission is a commitment to serving the community. Touro operates three mobile healthcare clinics which provide medical care to many of our community’s most underserved populations. This includes our homeless population through partnerships with organizations such as Catholic Charities of Southern Nevada, Veterans Village, and The Shade Tree. We also have a partnership with Nevada HAND to provide medical care to low income seniors at several of their locations throughout the community.

We are requesting a donation of an RTC surplus Para-transit vehicle to help us expand this mobile outreach initiative to other locations throughout the community and also into rural areas of Southern Nevada to possibly include Pahrump, Mesquite, Tonopah and other outlying areas. The vehicle will be used to transport students and faculty to these locations because often times we do not have the ability to transport them in the mobile clinics. This donation would allow us to take the para-transit vehicle out in tandem with the mobile clinic and provide expanded opportunities for students to participate in providing medical services in the community.
This vehicle would also be used during major Touro campus events such as New Student Orientation, Alumni Reunions, and Health Fairs to help transport students and campus visitors from more remote parking locations around the campus. This is needed to ensure the safety and security of our campus community and visitors.

Touro is committed to completing all required paperwork to assure the vehicle is properly conveyed to the university and that it is covered by our institutional insurance. We will also arrange for the transport of the vehicle within ten days of the donation and the vehicle will not be put into service until it has been fully inspected and licensed.

If the Board members have any additional questions about this request, please contact me at 702-777-1775.

We are grateful for your consideration of this request.

Sincerely,

Shelley Berkley
CEO and Senior Provost
Organization Name: Touro University Nevada

Physical Address: 874 American Pacific Drive, Henderson NV 89014

Describe the main purposes your organization will utilize a vehicle donation:

1.) The vehicle will also be used to transport students and faculty to remote areas of Southern Nevada as part of the university's mobile healthcare outreach program.

2.) The vehicle will be used to transport students and campus visitors from remote, less secured parking locations adjacent to the campus facilities during high-volume events.

Where will the donation vehicle be stored/parked?

Inside the Touro University Nevada secure warehouse area.

What specific areas of Clark County will the donation vehicle travel/service?

(provide detail ie. neighborhoods, zipcodes, businesses)

1.) 89101; 89104; 89014; 89030; 89011 - Catholic Charities, Veterans Village, Shade Tree, Nevada HAND, etc. - Mobile Healthcare Outreach

2.)

3.) 89048; 89049; 89024 - Rural Outreach to locations such as Pahrump, Mesquite, Tonopah etc. as part of Mobile Outreach Initiative

4.)

5.) 89014 - Touro University Nevada campus and surrounding areas (remote event parking)
TOURO UNIVERSITY  
% STUART LIPPMANN CONTROLLER  
500 SEVENTH AVENUE  
NEW YORK NY 10018-4502

Employer ID number: 20-0363127  
Form 990 required: YES

Dear Organization:

We're responding to your request dated July 10, 2019, about your tax-exempt status.

We issued you a determination letter in June 2005, recognizing you as tax-exempt under Internal Revenue Code (IRC) Section 501(c)(3).

We also show you're not a private foundation as defined under IRC Section 509(a) because you're described in IRC Sections 509(a)(1) and 170(b)(1)(A)(ii).

Donors can deduct contributions they make to you as provided in IRC Section 170. You're also qualified to receive tax deductible bequests, legacies, devises, transfers, or gifts under IRC Sections 2055, 2106, and 2522.

In the heading of this letter, we indicated whether you must file an annual information return. If you're required to file a return, you must file one of the following by the 15th day of the 5th month after the end of your annual accounting period:

- Form 990, Return of Organization Exempt From Income Tax  
- Form 990EZ, Short Form Return of Organization Exempt From Income Tax  
- Form 990-N, Electronic Notice (e-Postcard) for Tax-Exempt Organizations Not Required to File Form 990 or Form 990-EZ  
- Form 990-PF, Return of Private Foundation or Section 4947(a)(1) Trust Treated as Private Foundation

According to IRC Section 6033(j), if you don't file a required annual information return or notice for 3 consecutive years, we'll revoke your tax-exempt status on the due date of the 3rd required return or notice.

You can get IRS forms or publications you need from our website at www.irs.gov/forms-pubs or by calling 800-TAX-FORM (800-829-3676).

If you have questions, call 877-829-5500 between 8 a.m. and 5 p.m.,
TOURO UNIVERSITY
% STUART LIPPMANN CONTROLLER
500 SEVENTH AVENUE
NEW YORK NY 10018-4502

local time, Monday through Friday (Alaska and Hawaii follow Pacific time).

Thank you for your cooperation.

Sincerely yours,

[Signature]

Teri M. Johnson
Operations Manager, AM Ops. 3
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<th>VEHICLE #</th>
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<th>MSG#</th>
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<th>REASON FOR DISPOSAL</th>
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<td>Glaval</td>
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<td>151,763</td>
<td>1FDFE4F30FDA19849</td>
<td>Deemed obsolete and reached end of useful life in miles</td>
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**APPROVAL FOR DISPOSAL**

I certify that the property noted above is approved for DISPOSAL/DONATION/SCRAPPING.

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<tr>
<td>Dan Howland</td>
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<th>DEPARTMENT</th>
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<td>Paratransit &amp; Specialized Services</td>
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**TECHNICAL EQUIPMENT DEPARTMENT**

I certify that the following (if applicable) were removed from the property noted above:

* Orbital Equipment
* Radio Equipment
* Camera Equipment
* Farebox

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<th>NAME</th>
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<tr>
<td>Les Hanson</td>
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**FLEET ADMINISTRATION DEPARTMENT**

I certify that the section/s below (if applicable) were removed/dranked from the property noted above:

- Diesel/Gasoline/CNG Fuel Tanks Drained
- Engine Oil and Differential Oil
- Transmission Fluid
- Hydraulic Fluid/Power Steering
- Coolant
- Refrigerant Recovered
- Hybrid Batteries
- Batteries
- Fire Suppression Bottle(s) Removed
- RTC Livery
- GPS Act Soft
- Fleetwatch

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<tr>
<td>Julio Ortiz</td>
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**FINANCE DEPARTMENT**

I certify that the Certificate of Title for the equipment listed above has been picked up.

**RECEIVED BY:**

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<th>NAME</th>
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<tr>
<td>Randy Brown</td>
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<td>Transit Admin</td>
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**WITNESSED BY:**

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<td>Liza Angela Jee</td>
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<td>Finance</td>
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### Agenda Item

**Regional Transportation Commission of Southern Nevada**

**Agenda Item**

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<th>Metropolitan Planning Organization</th>
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**Subject:** Approve and Adopt Resolution

**Petitioner:** MJ Maynard, Chief Executive Officer

**Regional Transportation Commission of Southern Nevada**

**Recommendation by Petitioner:**

That the Regional Transportation Commission of Southern Nevada (RTC) approve, adopt and authorize the Chairman to sign Resolution 579 for donation of equipment to Capability Health & Human Services, a nonprofit organization (for possible action).

**Goal:** Enhance public awareness and support of the Regional Transportation System

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**Fiscal Impact:**

None

**Background:**

The Regional Transportation Commission of Southern Nevada (RTC) received a request from Capability Health & Human Services for the donation of one (1) retired vehicle to its organization. The vehicle has exceeded its useful life with the RTC in accordance with Federal Transit Administration service life policy.

The attached documents show Resolution 579 for donation of equipment, information on the vehicle and the request letter addressed to the RTC Board of Commissioners.

The attached Proposal is in accordance with Nevada Revised Statute 277A.250(3), which authorizes the RTC to donate to nonprofit organizations created for religious, charitable or educational purposes or to another governmental entity, to be used for any purpose which shall provide a substantial benefit to the inhabitants of the county.

Staff recommends approval.

Respectfully submitted,

M.J. Maynard
Chief Executive Officer

---

RTC Item #44
August 13, 2020
Consent
RESOLUTION 579

DONATION OF EQUIPMENT

WHEREAS, NRS Chapter 277A.250(3), authorizes the Regional Transportation Commission of Southern Nevada (RTC) to “sell, lease or convey or otherwise dispose of rights, interests or properties.”

WHEREAS, the RTC, through its authority to dispose of property, has a policy to donate commodities, supplies, materials and equipment that the board determines to have reached the end of their useful lives.

WHEREAS, the RTC’s donation policy authorizes the RTC to donate to nonprofit organizations created for religious, charitable or educational purposes or to another governmental entity, to be used for any purpose which shall provide a substantial benefit to the inhabitants of the county; and

WHEREAS, the Transit Department has identified the equipment (See Donation/Salvage Checklist and Title Release Form) that has reached the end of its useful life and has been designated as surplus property; and

WHEREAS, Capability Health & Human Services, a 501(c)(3) organization, has expressed an interest in obtaining the equipment to provide safe and reliable transportation.

NOW, THEREFORE, BE IT RESOLVED that the RTC authorizes the Transit Department to declare the equipment as surplus property, and to donate said items, provided the following criteria are met:

1. The equipment has reached the end of its useful life and is documented as surplus property.
2. The equipment will be donated for the purpose of providing safe and reliable transportation.
3. An Agreement of Transfer of Property is executed.

PASSED, ADOPTED AND APPROVED this _______day of_________________, 2020.

By: ____________________________
   Larry Brown
   Chairman

ATTEST:

_______________________________
Marin DuBois
Management Analyst

APPROVED AS TO FORM:

_______________________________
RTC Legal Counsel
Surplus Property Donation

Regional Transportation Commission of Southern Nevada

600 South Grand Central Parkway, Suite

Las Vegas. NV 89106-4512

Dear Board of Commissioners,

Capability Health & Human Services (Capability Health), formally known as Easter Seals Nevada, sincerely appreciates the Regional Transportation Commission’s support of our organization and programs that help more than 2,000 children and adults with disabilities and limitations per year. An essential component of our programs is providing safe and reliable transportation to those we serve in Clark County and, for this, we request the RTC’s support by donating 1 used cutaway bus.

Capability Health (EIN 94-28 15686) is a Las Vegas-based nonprofit 501(c)3 organization that became established in 1976. Our mission: “Capability Health is an innovative healthcare and human services non-profit that serves families and children who have been diagnosed with developmental delays and other disorders and adults with physical and intellectual limitations. Our goal is to enhance the capabilities and enrich the lives of the clients and patients we serve by providing urgently needed healthcare, human services and opportunities for social and community engagement to Nevadans with special needs.”

We live our mission by providing multifaceted services for adults and children through our two Las Vegas campuses, two North Las Vegas locations, and Reno office, as well as community-based locations.
The requested cutaway vehicle will provide adults with disabilities daytime transportation to Las Vegas Valley community sites as part of our Capability & Career Exploration Center and our Enrichment Day Services Program. We currently provide weekday transportation through four aging, high-mileage vehicles (one 15 passenger vehicle and three minivans offering capacity of six passengers each) to the more than 200 people served through these Las Vegas-based and North Las Vegas-based programs. This transportation allows Clark County residents, who rely on Capability Health for services due to physical limitations and disabilities, to become more actively involved and integrated in our community.

The requested donated vehicle will strengthen Capability Health's capacity to provide this segment of Clark County residents who utilize Capability Health programs with the needed transportation to employment and job training, volunteer opportunities, life-skills learning, and community outings at no out-of-pocket cost.

Capability Health confirms that if RTC donates a vehicle to Capability Health, we will provide proof of insurance and are able to remove the vehicle from RTC vehicle within 10 days after award with a Nevada Department of Motor Vehicle moving permit.

We thank you in advance for your consideration. For additional information, please contact me at (702) 677-8998 or amanda.shipp@capabilityhealth.org.

Sincerely,

Amanda Shipp
Chief Operating Officer

Enclosure: 501(c)3
SURPLUS PROPERTY DONATION PROGRAM
QUESTIONNAIRE

Organization Name:
Capability Health & Human Services

Physical Address:
7281 West Charleston Blvd. Las Vegas, Nevada 89117

Describe the main purposes your organization will utilize a vehicle donation:

1.) Transporting people with disabilities to work

2.) Transporting people with disabilities to volunteer

3.) Transporting people with disabilities to community outings

4.)

5.)

6.)

Where will the donation vehicle be stored/parked?
4336 Losee Road Building B Suite 3 North Las Vegas 89030

What specific areas of Clark County will the donation vehicle travel to?
(provide detail ie. neighborhoods, zipcodes and businesses)

1.) Sephora Distribution Center- Outside RTC service area

2.) Parts for Carts- community worksite

3.) Three Square - Volunteer Opportunity

4.)

5.)
CAPABILITY HEALTH & HUMAN SERVICES
% EAST
7281 W CHARLESTON BLVD
LAS VEGAS NV 89117-1592

Employer ID number: 94-2815686
Form 990 required: Yes

Dear Taxpayer:

We're responding to your request dated Oct. 04, 2019, about your tax-exempt status.

We issued you a determination letter in September 1982, recognizing you as tax-exempt under Internal Revenue Code (IRC) Section 501(c)(3).

We also show you're not a private foundation as defined under IRC Section 509(a) because you're described in IRC Sections 509(a)(1) and 170(b)(1)(A)(vi).

Donors can deduct contributions they make to you as provided in IRC Section 170. You're also qualified to receive tax deductible bequests, legacies, devises, transfers, or gifts under IRC Sections 2055, 2106, and 2522.

In the heading of this letter, we indicated whether you must file an annual information return. If you're required to file a return, you must file one of the following by the 15th day of the 5th month after the end of your annual accounting period:

- Form 990, Return of Organization Exempt From Income Tax
- Form 990EZ, Short Form Return of Organization Exempt From Income Tax
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According to IRC Section 6033(j), if you don't file a required annual information return or notice for 3 consecutive years, we'll revoke your tax-exempt status on the due date of the 3rd required return or notice.

You can get IRS forms or publications you need from our website at www.irs.gov/forms-pubs or by calling 800-TAX-FORM (800-829-3676).

If you have questions, call 877-829-5500 between 8 a.m. and 5 p.m.,
CAPABILITY HEALTH & HUMAN SERVICES  
% EAST
7281 W CHARLESTON BLVD
LAS VEGAS NV 89117-1592

local time, Monday through Friday (Alaska and Hawaii follow Pacific time).

Thank you for your cooperation.

Sincerely yours,

Stephen A. Martin  
Director, EO Rulings & Agreements
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<td>153,709</td>
<td>1FDFE4F35FDA17515</td>
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**APPROVAL FOR DISPOSAL**

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**TECHNICAL EQUIPMENT DEPARTMENT**

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- Orbital Equipment
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- Camera Equipment
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<td>Les Hanson</td>
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**FLEET ADMINISTRATION DEPARTMENT**

I certify that the section/s below (if applicable) were removed/drained from the property noted above:

- Diesel/Gasoline/CNG Fuel Tanks Drained
- Hybrid Batteries
- Engine Oil and Differential Oil
- Batteries
- Transmission Fluid
- Fire Suppression Bottle(s) Removed
- Hydraulic Fluid/Power Steering
- RTC Livery
- Coolant
- GPS Act Soft
- Refrigerant Recovered
- Fleetwatch

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<tr>
<td>Julio Ortiz</td>
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**FINANCE DEPARTMENT**

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<td>Randy Brown</td>
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<th>WITNESSED BY:</th>
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<tr>
<td>NAME</td>
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<td>Liza Angela Jee</td>
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## AGENDA ITEM

**SUBJECT:** APPROVE AMENDMENT

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<th>Metropolitan Planning Organization</th>
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**PETITIONER:** M.J. MAYNARD, CHIEF EXECUTIVE OFFICER  
REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA

**RECOMMENDATION BY PETITIONER:**  
THAT THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA (RTC) RECEIVE NOTIFICATION OF AMENDMENT NO. 3 TO CONTRACT NO. 12-081-A, OPERATION AND MAINTENANCE OF FIXED ROUTE SERVICES - LOT A, BETWEEN THE RTC AND MV CONTRACT TRANSPORTATION, INC, PURSUANT TO NEVADA REVISED STATUTE 332.112, TO ADD A SPECIAL CLEANING AND MAINTENANCE ALLOWANCE TO ADDRESS THE COVID-19 PANDEMIC AND OTHER EMERGENCIES, IN THE NOT-TO-EXCEED AMOUNT OF $130,620.00, FOR WHICH THE RTC WILL USE CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY (CARES) ACT FUNDS (FOR POSSIBLE ACTION)

**GOAL:** SECURE FUNDING FOR EXPANSION, OPERATION, AND MAINTENANCE OF SYSTEMS AND ROUTES

**FISCAL IMPACT:**  
Funds in the amount of $130,620.00 are budgeted and available in the Transit Fund and will be reimbursed by Coronavirus Aid, Relief and Economic Security (CARES) Act grant funds.

**BACKGROUND:**  
On February 14, 2013, the Regional Transportation Commission of Southern Nevada (RTC) approved Contract 12-081-A, Operation and Maintenance of Fixed Route Services Lot A, with MV Contract Transportation, Inc (MV) for a base contract term of five (5) years, with two (2) two-year options and one (1) one-year option, commencing on July 7, 2013, and was subsequently amended on March 9, 2017 and May 21, 2020.

The current fixed route services contract provides that fixed route vehicles receive a regular cleaning on a daily basis. With the increased number of COVID-19 cases reported in Nevada, the RTC sought to provide the safest environment for customers and operators. Thus, the RTC authorized a special cleaning and maintenance allowance to MV to disinfect vehicles and office space with a disinfectant approved by the Center for Disease Control and to provide other maintenance and support needed to disinfect or otherwise sanitize vehicles and office space during states of emergency and other special conditions. The RTC shall also be able to terminate the temporary reimbursement at its sole discretion upon 24-hour written notice.

This Amendment was made pursuant to Nevada Revised Statute 332.112, which states that contracts necessary to contend with an emergency may be let without complying with purchasing requirements, and if such emergency action is taken by the authorized representative, he or she shall report it to the governing body at its next regularly scheduled meeting.

Respectfully submitted,

M.J. MAYNARD  
Chief Executive Officer

---

RTC Item #45  
August 13, 2020  
Non-Consent
## Agenda Item

### Subject:
Approve Amendment

### Petitioner:
M. J. Maynard, Chief Executive Officer
Regional Transportation Commission of Southern Nevada

### Recommendation by Petitioner:
That the Regional Transportation Commission of Southern Nevada (RTC) receive notification of Amendment No. 5 to Contract No. 12-081-B, Operation and Maintenance of Fixed Route Services - Lot B, between the RTC and Keolis Transit Services, LLC, pursuant to Nevada Revised Statute 332.112, to add a special cleaning and maintenance allowance to address the COVID-19 Pandemic and other emergencies, in the not-to-exceed amount of $130,620.00, for which the RTC will use Coronavirus Aid, Relief and Economic Security (CARES) Act funds (for possible action).

### Goal:
Secure funding for expansion, operation, and maintenance of systems and routes.

### Fiscal Impact:
Funds in the amount of $130,620.00 are budgeted and available in the Transit Fund and will be reimbursed by Coronavirus Aid, Relief and Economic Security (CARES) Act grant funds.

### Background:
On February 14, 2013, the Regional Transportation Commission of Southern Nevada (RTC) approved Contract 12-081-B, Operation and Maintenance of Fixed Route Services Lot B, with Keolis Transit Services, LLC (Keolis) for a base contract term of five (5) years, with two (2) two-year options and one (1) one-year option, commencing on July 7, 2013, and was subsequently amended on March 9, 2017; March 8, 2018; March 14, 2019; and May 21, 2020.

The current fixed route services contract provides that fixed route vehicles receive a regular cleaning on a daily basis. With the increased number of COVID-19 cases reported in Nevada, the RTC sought to provide the safest environment for customers and operators. Thus, the RTC authorized a special cleaning and maintenance allowance to MV to disinfect vehicles and office space with a disinfectant approved by the Center for Disease Control and to provide other maintenance and support needed to disinfect or otherwise sanitize vehicles and office space during states of emergency and other special conditions. The RTC shall also be able to terminate the temporary reimbursement at its sole discretion upon 24-hour written notice.

This Amendment was made pursuant to Nevada Revised Statute 332.112, which states that contracts necessary to contend with an emergency may be let without complying with purchasing requirements, and if such emergency action is taken by the authorized representative, he or she shall report it to the governing body at its next regularly scheduled meeting.

Respectfully submitted,

M. J. Maynard
Chief Executive Officer

RTC Item #46
August 13, 2020
Non-Consent
AMENDMENT NO. 5
CONTRACT NO. 12-081-B
OPERATION AND MAINTENANCE OF FIXED ROUTE SERVICES LOT B

This AMENDMENT is made and entered into as of this 28th day of July, 2020, ("Effective Date"), by and between the REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA, (hereinafter referred to as “RTC”) and KEOLIS TRANSIT SERVICES, LLC (hereinafter referred to as “CONTRACTOR”), collectively referred to herein as the “PARTIES.”

RECLUS

WHEREAS, the PARTIES entered into Contract No. 12-081-B entitled “Operation and Maintenance of Fixed Route Services Lot B” (hereinafter referred to as “CONTRACT”) dated February 14, 2013, subsequently amended on March 9, 2017; March 8, 2018; March 14, 2019; and May 21, 2020; and

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 disease a pandemic; and

WHEREAS, on March 12, 2020, Nevada Governor Steve Sisolak issued a Declaration of Emergency to facilitate the State’s response to the COVID-19 pandemic; and

WHEREAS, on March 13, 2020, President of the United States Donald J. Trump declared a nationwide emergency pursuant to Sec. 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the “Stafford Act”); and

WHEREAS the PARTIES desire to use the authority in Nevada Revised Statute 332.112 for an emergency contract to immediately amend the CONTRACT to permit a special cleaning and maintenance allowance to address the COVID-19 pandemic and other emergencies; and

NOW THEREFORE, in mutual consideration of the mutual covenants, promises, terms and conditions herein, it is mutually agreed by the RTC and the CONTRACTOR to amend the CONTRACT as follows:

AGREEMENT

The Parties, pursuant to Section 525 of the Contract, agree to amend and modify the Contract as follows:

1. SEC. 401 COMPENSATION TO CONTRACTOR

A new Subsection (J) is created and added:

(J). Special Cleaning and Maintenance Allowance. The RTC, at its sole discretion, during states of emergency and other special conditions, may authorize the Contractor to disinfect the assigned Revenue Vehicles and office space with a disinfectant approved by the Center for Disease Control and to provide other maintenance and support needed to disinfect or otherwise sanitize Revenue Vehicles and office space. Upon written authorization from the RTC, the
Contractor will then submit for temporary reimbursement as a part of the invoice process outlined in Section 402 (Invoices and Payment). The Contractor will submit the temporary reimbursement as a separate line item in the monthly invoices. Such temporary reimbursements shall only be valid if first authorized in writing at the sole discretion of the RTC. The RTC shall terminate the temporary reimbursement at its sole discretion upon 24-hour written notice.

All other provisions, covenants and conditions of the original CONTRACT shall remain in full force and effect.

**Miscellaneous**

2. **Effect of this Amendment on the Agreement; Interpretation.** The Parties acknowledge and agree that the Agreement has not been amended or modified in any respect, other than as set forth in Section 1 above. This Amendment does not alter, amend, or otherwise modify the terms and conditions of the Agreement, all of which unmodified terms and conditions shall continue in full force and effect.

3. **Dispute Resolution.** If any dispute arises under this Amendment, then such dispute shall be resolved pursuant to the dispute resolution provisions contained in the Agreement.

4. **Counterparts.** This Amendment may be executed in multiple counterparts including .PDF, and each counterpart when fully executed and delivered shall constitute an original instrument, and all such multiple counterparts shall constitute but one and the same instrument.

5. **Severability.** If any term or provision of this Amendment shall be adjudicated invalid or unenforceable by a non-appealable order of an arbitrator or court of competent jurisdiction, then the remainder of this Amendment, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and each term and provision of this Amendment shall be valid and be enforced to the fullest extent permitted by law.

6. **Conflicts.** The terms of this Amendment shall control over any conflicts between the terms of the Agreement and the terms of this Amendment.

7. **Successors and Assigns.** This Amendment shall be binding upon and inure to the benefit of the Parties hereto and their respective successors and assigns.

8. **Governing Law.** This Amendment shall be governed by and construed in accordance with the laws of the State of Nevada.

9. **No Party Deemed Drafter.** The Parties agree no Party shall be deemed the drafter of this Amendment and in the event this Amendment is ever construed by an arbitrator or court of competent jurisdiction, such arbitrator or court shall not construe this Amendment or any provision hereof against any Party as the drafter thereof. Each Party to this Amendment acknowledges that it has contributed substantially and materially in the preparation and negotiation of this instrument.

10. **Additional Actions and Documents.** The Parties agree to take such additional actions and execute such additional documents as may be necessary or useful to carry out the transactions contemplated by this Amendment.
IN WITNESS WHEREOF, the PARTIES hereto have executed this AMENDMENT as of the Effective Date written above.

KEOLIS TRANSIT SERVICES, LLC

By: ______________________  By: ______________________

ALINE FRANTZEN M.J. Maynard
Chief Executive Officer Chief Executive Officer

REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA

By: _______________________

RTC LEGAL COUNSEL

APPROVED AS TO FORM:
# REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA

## AGENDA ITEM

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<th>Metropolitan Planning Organization</th>
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<td>SUBJECT: APPROVE AMENDMENT</td>
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<tr>
<td>PETITIONER: M.J. MAYNARD, CHIEF EXECUTIVE OFFICER</td>
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<td>REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA</td>
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<tr>
<td>RECOMMENDATION BY PETITIONER:</td>
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<tr>
<td>THAT THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA (RTC) RECEIVE NOTIFICATION OF AMENDMENT NO. 2 TO CONTRACT NO. 19-019, ADA PARATRANSPORT AND SENIOR TRANSPORTATION SERVICES, BETWEEN THE RTC AND MV CONTRACT TRANSPORTATION, INC, PURSUANT TO NEVADA REVISED STATUTE 332.112, TO ADD A SPECIAL CLEANING AND MAINTENANCE ALLOWANCE TO ADDRESS THE COVID-19 PANDEMIC AND OTHER EMERGENCIES, IN THE NOT-TO-EXCEED AMOUNT OF $145,584.00, FOR WHICH THE RTC WILL USE CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY (CARES) ACT FUNDS (FOR POSSIBLE ACTION)</td>
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<tr>
<td>GOAL: SECURE FUNDING FOR EXPANSION, OPERATION, AND MAINTENANCE OF SYSTEMS AND ROUTES</td>
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## FISCAL IMPACT:

Funds in the amount of $145,584.00 are budgeted and available in the Transit Fund and will be reimbursed by Coronavirus Aid, Relief and Economic Security (CARES) Act grant funds.

## BACKGROUND:

On September 12, 2019, the Regional Transportation Commission of Southern Nevada (RTC) approved Contract 19-019, ADA Paratransit and Senior Transportation Services, with MV Contract Transportation, Inc (MV) for a base contract term of five (5) years, with two (2) one-year options, commencing on December 30, 2020, and was subsequently amended on April 30, 2020.

The current paratransit service contract provides that paratransit vehicles receive a regular cleaning on a daily basis. With the increased number of COVID-19 cases reported in Nevada, the RTC sought to provide the safest environment for customers and operators. Thus, the RTC authorized a special cleaning and maintenance allowance to MV to disinfect vehicles with a disinfectant approved by the Center for Disease Control and to provide other maintenance and support needed to disinfect or otherwise sanitize vehicles during states of emergency and other special conditions. The RTC shall also be able to terminate the temporary reimbursement at its sole discretion upon 24-hour written notice.

This Amendment was made pursuant to Nevada Revised Statute 332.112, which states that contracts necessary to contend with an emergency may be let without complying with purchasing requirements, and if such emergency action is taken by the authorized representative, he or she shall report it to the governing body at its next regularly scheduled meeting.

Respectfully submitted,

[Signature]

M.J. MAYNARD
Chief Executive Officer
AMENDMENT NO.2
CONTRACT NO. 19-019
ADA PARATRANSPORT AND SENIOR TRANSPORTATION SERVICES

This AMENDMENT is made and entered into as of this 4th day of August, 2020, (“Effective Date”), by and between the REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA, (hereinafter referred to as “RTC”) and MV CONTRACT TRANSPORTATION, INC. (hereinafter referred to as “SERVICE PROVIDER”), collectively referred to herein as the “PARTIES.”

RECITALS

WHEREAS, the PARTIES entered into Contract No. 19-019 entitled “ADA Paratransit and Senior Transportation Services” (hereinafter referred to as “CONTRACT”) dated September 12, 2019, subsequently amended on April 30, 2020; and

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 disease a pandemic; and

WHEREAS, on March 12, 2020, Nevada Governor Steve Sisolak issued a Declaration of Emergency to facilitate the State’s response to the COVID-19 pandemic; and

WHEREAS, on March 13, 2020, President of the United States Donald J. Trump declared a nationwide emergency pursuant to Sec. 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the “Stafford Act”); and

WHEREAS the PARTIES desire to use the authority in Nevada Revised Statute 332.112 for an emergency contract to immediately amend the CONTRACT to permit a special cleaning and maintenance allowance to address the COVID-19 pandemic and other emergencies; and

NOW THEREFORE, in mutual consideration of the mutual covenants, promises, terms and conditions herein, it is mutually agreed by the RTC and the SERVICE PROVIDER to amend the CONTRACT as follows:

AGREEMENT

The Parties, pursuant to Section E-28 of the Contract, agree to amend and modify the Contract as follows:

1. **SEC. B-3 PRICES/COSTS/DELIVERABLES**

   A new Subsection (d) is created and added:

   **(d). Special Cleaning and Maintenance Allowance.** The RTC, at its sole discretion, during states of emergency and other special conditions, may authorize the Service Provider to disinfect the assigned Revenue Vehicles with a disinfectant approved by the Center for Disease Control and to provide other maintenance and support needed to disinfect or otherwise sanitize assigned Revenue Vehicles. Upon written authorization from the RTC, the Service Provider
will then submit for temporary reimbursement as a part of the invoice process outlined in Section B-4 (INVOICES). The Service Provider will submit the temporary reimbursement as a separate line item in the monthly invoices. Such temporary reimbursements shall only be valid if first authorized in writing at the sole discretion of the RTC. The RTC shall terminate the temporary reimbursement at its sole discretion upon 24-hour written notice.

All other provisions, covenants and conditions of the original CONTRACT shall remain in full force and effect.

Miscellaneous

2. Effect of this Amendment on the Agreement; Interpretation. The Parties acknowledge and agree that the Agreement has not been amended or modified in any respect, other than as set forth in Section 1 above. This Amendment does not alter, amend, or otherwise modify the terms and conditions of the Agreement, all of which unmodified terms and conditions shall continue in full force and effect.

3. Dispute Resolution. If any dispute arises under this Amendment, then such dispute shall be resolved pursuant to the dispute resolution provisions contained in the Agreement.

4. Counterparts. This Amendment may be executed in multiple counterparts including .PDF, and each counterpart when fully executed and delivered shall constitute an original instrument, and all such multiple counterparts shall constitute but one and the same instrument.

5. Severability. If any term or provision of this Amendment shall be adjudicated invalid or unenforceable by a non-appealable order of an arbitrator or court of competent jurisdiction, then the remainder of this Amendment, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and each term and provision of this Amendment shall be valid and be enforced to the fullest extent permitted by law.

6. Conflicts. The terms of this Amendment shall control over any conflicts between the terms of the Agreement and the terms of this Amendment.

7. Successors and Assigns. This Amendment shall be binding upon and inure to the benefit of the Parties hereto and their respective successors and assigns.

8. Governing Law. This Amendment shall be governed by and construed in accordance with the laws of the State of Nevada.

9. No Party Deemed Drafter. The Parties agree no Party shall be deemed the drafter of this Amendment and in the event this Amendment is ever construed by an arbitrator or court of competent jurisdiction, such arbitrator or court shall not construe this Amendment or any provision hereof against any Party as the drafter thereof. Each Party to this Amendment acknowledges that it has contributed substantially and materially in the preparation and negotiation of this instrument.

10. Additional Actions and Documents. The Parties agree to take such additional actions and execute such additional documents as may be necessary or useful to carry out the transactions contemplated by this Amendment.
IN WITNESS WHEREOF, the PARTIES hereto have executed this AMENDMENT as of the Effective Date written above.

MV CONTRACT TRANSPORTATION, INC.

By: ______________________

By: ______________________

MARIE GRAUL
Chief Financial Officer

REGионаL TRANSPORTATION
COMMISSION OF SOUTHERN NEVADA

By: ______________________

By: ______________________

M.J. Maynard
Chief Executive Officer

APPROVED AS TO FORM:

By: ______________________

RTC LEGAL COUNSEL
REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA

AGENDA ITEM

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<tr>
<td>PETITIONER: M.J. MAYNARD, CHIEF EXECUTIVE OFFICER</td>
<td>Regional Transportation Commission of Southern Nevada</td>
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<tr>
<td>RECOMMENDATION BY PETITIONER:</td>
<td>THAT THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA (RTC) APPROVE THE RISE (RESOURCES, INVOLVEMENT, SUPPORT, EDUCATION) SMALL AND DIVERSE INCLUSION PROGRAM AND ADOPT A PROGRAM PARTICIPATION GOAL (FOR POSSIBLE ACTION)</td>
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<td>GOAL: ENHANCE PUBLIC AWARENESS AND SUPPORT OF THE REGIONAL TRANSPORTATION SYSTEM</td>
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FISCAL IMPACT:
None

BACKGROUND:
The Fuel Revenue Indexing (FRI) program has helped put 78 local small businesses to work through jurisdiction and contractor efforts since it began in 2014. As a result of this success, Regional Transportation Commission of Southern Nevada (RTC) staff is proposing an enhanced small and diverse business inclusion program for all fuel-tax funded projects managed by the RTC. The program, titled Resources, Involvement, Support, Education (RISE), would include a goal for both local small and local diverse business participation of eight percent on construction and two percent on professional services.

The RTC Board of Commissioners will receive a presentation for program approval and adopt a resolution for the participation goal.

Respectfully submitted,

M.J. MAYNARD
Chief Executive Officer

RTC Item #48
August 13, 2020
Non-Consent
Resolution No. 582

RTC Board Resolution Supporting Local Small and Diverse Business Inclusion on All RTC-Funded Projects

WHEREAS, the Regional Transportation Commission of Southern Nevada (RTC) is committed to supporting economic vitality and ongoing job creation in existing and new areas of employment for generations to come; and

WHEREAS, the construction and infrastructure industry, and the local small and diverse businesses that support it, are essential elements of Clark County's economy; and

WHEREAS, the initial funding of Fuel Revenue Indexing projects built 225 roadway projects, created more than 8,000 jobs and put 78 local small businesses to work; and

WHEREAS, Clark County's businesses, industries, elected officials and citizens supported the 10-year extension of Fuel Revenue Indexing on November 8, 2016; and

WHEREAS, funding from the RTC is being used to develop critical transportation infrastructure in Clark County; and

WHEREAS, all transportation infrastructure projects funded locally through fuel tax and sales tax dollars have the ability to provide contracting and job opportunities for local small and diverse businesses throughout Clark County; and

NOW, THEREFORE, BE IT RESOLVED, that the RTC Board of Commissioners encourages continued job and contracting opportunities for local small and diverse businesses, and the RTC Board of Commissioners adopts a local small and diverse business goal of 8 percent of construction and 2 percent of professional services dollars spent on each infrastructure project in Clark County, Nevada funded by the RTC.

PASSED, ADOPTED AND APPROVED this 13th day of August, 2020.

By: ______________________________
Lawrence L. Brown, III
Chairman

ATTEST:

__________________________
Marin DuBois
Management Analyst

APPROVED AS TO FORM:

__________________________
RTC Legal Counsel
SUBJECT: PASSENGER RAIL PROJECT PRESENTATION

PETITIONER: M.J. MAYNARD, CHIEF EXECUTIVE OFFICER
REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA

RECOMMENDATION BY PETITIONER:
THAT THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA (RTC)
RECEIVE A PRESENTATION ON AN INTERCITY PASSENGER RAIL SERVICE PROJECT
CONNECTING SOUTHERN NEVADA AND CALIFORNIA

GOAL: ENHANCE MOBILITY BY IMPROVING TRANSPORTATION CHOICES AND
FACILITATING MULTI-MODAL CONNECTIVITY

FISCAL IMPACT:
None

BACKGROUND:
The Regional Transportation Commission of Southern Nevada (RTC) Board of Commissioners (Board) will
receive a presentation on an intercity passenger rail service project connecting Southern Nevada and
California. The system will principally follow the route of Interstate-15 between Las Vegas and Southern
California, providing a car-free and environmentally friendly transportation option for travelers between the
two major markets. Representatives from the project will provide an overview to the RTC Board.

Respectfully submitted,

M.J. MAYNARD
Chief Executive Officer
**REGIONAL TRANSPORTATION COMMISSION**  
**OF**  
**SOUTHERN NEVADA**

**AGENDA ITEM**

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<td><strong>PETITIONER:</strong> M.J. MAYNARD, CHIEF EXECUTIVE OFFICER</td>
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<tr>
<td>THAT THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA (RTC) RECEIVE INFORMATION FROM LEGAL COUNSEL REGARDING POTENTIAL AND EXISTING LITIGATION INVOLVING A MATTER OVER WHICH THE RTC 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 Nevada Revised Statute 241.015(3)(b)(2) in order to discuss legal matters.) (FOR POSSIBLE ACTION)</td>
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<td><strong>GOAL:</strong> ENHANCE PUBLIC AWARENESS AND SUPPORT OF THE REGIONAL TRANSPORTATION SYSTEM</td>
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**FISCAL IMPACT:**

None

**BACKGROUND:**

Nevada Open Meeting Law allows the Regional Transportation Commission of Southern Nevada (RTC) Board of Commissioners (Board) to conduct a closed session to receive information from its attorney regarding potential or existing litigation involving a matter over which the RTC Board has supervision, control, jurisdiction, or advisory power and to deliberate toward a decision on the matter.

Respectfully submitted,

M.J. MAYNARD  
Chief Executive Officer

RTC Item #50  
August 13, 2020  
Non-Consent
REGIONAL TRANSPORTATION COMMISSION
OF
SOUTHERN NEVADA

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<tr>
<td>THAT THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA (RTC) CONDUCT A COMMENT PERIOD FOR CITIZENS PARTICIPATION</td>
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FISCAL IMPACT:
None

BACKGROUND:
In accordance with State of Nevada Open Meeting Law, the Regional Transportation Commission of Southern Nevada (RTC) Board of Commissioners shall invite interested persons to make comments. For the initial Citizens Participation, the public should address items on the current agenda. For the final Citizens Participation, interested persons may make comments on matters within the RTC Board of Commissioners’ jurisdiction, but not necessarily on the current agenda.

No action can be taken on any matter discussed under this item, although the RTC Board of Commissioners can direct that it be placed on a future agenda.

Respectfully submitted,

M.J. MAYNARD
Chief Executive Officer

mld