



Commission Members

Deny Dotson
Stephanie Hicks
Clay Mitchell
David Peterson
Jim Wells

CORRECTED

NOTICE OF PUBLIC MEETING

NEVADA COMMISSION for the RECONSTRUCTION of the V&T RAILWAY (“V&T Railway Commission”)

DAY: ~~Tuesday~~ **Thursday**
DATE: June 24th, 2021
TIME: 1:00 pm
LOCATION: Carson City Community Center Robert “Bob” Crowell Board Room
851 E. William St.
Carson City, NV 89701

AGENDA

The State of Nevada and Carson City are currently in a declared State of Emergency in response to the global pandemic caused by the coronavirus (COVID-19) infectious disease outbreak. In accordance with the applicable Directives issued under authority of the Governor’s Declaration of Emergency, including Directive 045, and subject to any potential changes in state or federal mandates or guidelines, face coverings are no longer required to be worn when attending this meeting in person if you have been fully vaccinated against COVID-19, you are not currently experiencing symptoms of illness and you have not tested positive for COVID-19 within 10 days prior to the date of this meeting. If you do not meet all of the foregoing requirements, you must wear a face covering when attending this meeting in person.

Members of the public who wish only to view the meeting but do NOT plan to make public comment may watch the livestream of the V&T Railway Commission meeting at www.carson.org/granicus and by clicking on “In progress” next to the meeting date, or by tuning in to cable channel 191.

The public may provide public comment in advance of a meeting by written submission to the following email address: dpeterson@visitcarsoncity.com. For inclusion or reference in the minutes of the meeting, your public comment must include your full name and be submitted via email by not later than 3:00 p.m. the day before the meeting.

Members of the public who wish to provide public comment via telephonic appearance in lieu of physical attendance may do so during the designated public comment periods indicated on the agenda by dialing the numbers listed below. Please do NOT join by phone if you do not wish to make public comment.

Join by phone:

Phone Number: +1-408-418-9388

Meeting Number: 146 261 1783

1. **CALL TO ORDER**
2. **ROLL CALL AND DETERMINATION OF A QUORUM**
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC COMMENT:**** The public is invited at this time to comment on and discuss any topic that is relevant to or within the authority of this public body.
5. **FOR POSSIBLE ACTION:** Approval of Minutes
 - a. May 18, 2021, V&T Railway Commission FY22 Budget Hearing.
 - b. May 18, 2021, V&T Railway Commission meeting.

CONSENT AGENDA

All matters listed under the consent agenda are considered routine and may be acted upon by the V&T Railway Commission (V&T) with one action and without an extensive hearing. Any member of the commission may request that an item be taken from the consent agenda, discussed and acted upon separately during this meeting. The chairman or the vice chairman retains discretion in deciding whether or not an item will be pulled off the consent agenda.

6. **FOR POSSIBLE ACTION:** Discussion and possible action regarding approval of the V&T statement of accounts payable checks paid May 21, 2021 and June 4, 2021. – **Deny Dotson** (ddotson@storeycounty.org)
Staff summary: The V&T Commission will review the invoice listing for accounts payable checks totaling \$7,044.28 on May 21, 2021 and \$8,708.86 on June 4, 2021.
7. **FOR POSSIBLE ACTION:** Discussion and possible action regarding approval of the adjusted V&T FY20/21 budget report. – **Deny Dotson** (ddotson@storeycounty.org)
Staff summary: The V&T Commission will review a comparative statement of adjusted revenue totaling \$584,859.07, expenses totaling \$470,324.05 and make a determination whether they approve of the report.

(END OF CONSENT AGENDA)

8. **ITEM(S) PULLED FROM THE CONSENT AGENDA WILL BE HEARD AT THIS TIME.**
9. **FOR POSSIBLE ACTION:** Discussion and possible action regarding transfer of funds, from one line-item expense to another, within the FY21 Budget. – **David Peterson** (dpeterson@visitcarsoncity.com) **Staff summary:** *Nevada Department of Taxation allows for budget augmentations under NRS 354.598005; fortunately, the V&T Railway Commission does not need to augment the 20-21 budget, however, it does need to transfer funds from one line-item expense to another. The V&T Railway Commission 20-21 budget was created just as the COVID Pandemic began, because of this, there are line items that were under budgeted as well as over budget. To correct the shortfalls in the 20-21 budget we would like to transfer \$55,000 from Operating Agreements as follows; Repairs & Maintenance (\$5,000) and Service & Supplies (\$50,000).*

10. **FOR POSSIBLE ACTION:** Discussion and possible action regarding the ratification of a Confidentiality Agreement signed/dated September 9, 2020, by the former V&T Railway Commission Chair, with Rail Events. – **Allyson Bolton** (admin@vtrailway.com) **Staff summary:** *This item ratifies a Confidentiality Agreement signed/dated September 9, 2020, by the former V&T Railway Commission Chair, with Rail Events.*
11. **FOR POSSIBLE ACTION:** Discussion and possible action regarding the authorization for the V&T Commission Chair to approve an Event Agreement and associated agreements for Polar Express (PEX), with Rail Events. – **David Peterson** (dpeterson@visitcarsoncity.com) **Staff summary:** *This item will authorize the V&T Railway Commission Chair to approve an Event Agreement and associated agreements for PEX, with Rail Events.*
12. **FOR POSSIBLE ACTION:** Discussion and possible action regarding approval of Contract No. FY21-C005 with C.J. Wilson, LLC/DBA: Lollipop Productions, for a total not to exceed amount of \$72,331.00. – **David Peterson** (dpeterson@visitcarsoncity.com) **Staff summary:** *C.J. Wilson, LLC/DBA: Lollipop Productions will provide design, casting and production of the North Pole experience for Polar Express, upon approval of the Commission through December 31, 2021.*
13. **FOR POSSIBLE ACTION:** Discussion and possible action regarding approval of Contract No. FY21-C006 with Virginia Truckee Railroad, for a total not to exceed amount of \$40,000.00. – **David Peterson** (dpeterson@visitcarsoncity.com) **Staff summary:** *Virginia & Truckee Railroad Co., Inc. will provide construction and maintenance of the North Pole for Polar Express, upon approval of the Commission through January 31, 2022.*
14. **FOR POSSIBLE ACTION:** Discussion and possible action regarding the Second Amendment of the Independent Rail Bike Rides Service Agreement dated August 1, 2020 with Freedom Rail, to include monthly ticketed passenger counts and revenue reports. – **David Peterson** (dpeterson@visitcarsoncity.com) **Staff summary:** *The Second Amendment of the Independent Rail Bike Rides Service Agreement dated August 1, 2020, with Freedom Rail, adds that the Contractor will provide monthly ticketed passenger counts and revenue reports to the V&T Railway Commission.*
15. **FOR POSSIBLE ACTION:** Discussion and possible action regarding approval of SOQ #2021-001 for V&T Railway external audit services, – **David Peterson** (dpeterson@visitcarsoncity.com) **Staff summary:** *This request invites qualified individuals and/or firms of Certified Public Accountants to submit Statement of Qualifications (SOQ) to audit V&T Railway's financial statements for the fiscal years ending June 30, 2021, June 30, 2022, June 30, 2023, June 30, 2024 and June 30, 2025.*
16. **FOR POSSIBLE ACTION:** Discussion and possible action regarding approval of the request made by E720 to use a portion of the designated Eastgate Depot Expansion Site for construction of a vehicle parking area to provide vehicle parking for special events to be held on Commission Property at the Eastgate Depot, subject to BLM approval, obtaining NDEP air and water quality permits as well as Carson City Special Event Permitting and a Grading Permit as necessary. No fiscal impact to Commission. – **Ken Dorr** (ken.dorr@gmail.com) **Staff summary:** *This proposal will allow E720 to construct a portion of the parking area previously planned by the Commission to support the Eastgate Station Expansion on property granted to the Commission by the Bureau of Land Management under an Amendment to ROW Grant Serial Number NVN 060566 on August 07, 2012. This permission will also allow E720 to utilize the future Eastgate Expansion Lead Track embankment for pedestrian and Golf Cart type vehicle access to and from the current Eastgate Depot.*

17. FOR POSSIBLE ACTION: Discussion and possible action regarding approval of the Installation of a Single Switch Point Derail at Milepost 7.61 together with Warning/Derail Signage in accordance with the Draft Railbike Block Plan prepared April 22, 2021, and UPRR Standard Drawing 2006 with work to be done by Willaman Railroad Construction on a Time and Material Basis for a Not-To-Exceed Amount of \$14,500. – **Ken Dorr** (ken.dorr@gmail.com) **Staff summary:** *This Item will provide for the installation of a Derail at MP 7.61 located between the US Highway 50 Bridge and the Linehan Road Grade Crossing in accordance with the Draft Railbike Block Plan prepared on 4/26/21 which incorporates the comments and recommendations discussed in the meeting with Chris Groom - FRA Operating Practice Inspector-Region 7, on 4/20/21. This work will also include installation of associated Derail Warning and Yard Limit Signs. This work will be done by Willaman Railroad Construction on a Time & Material Basis for a Not-to-Exceed Amount of \$14,500 in accordance with the Estimate prepared by KL Dorr Consulting, LLC. Solicitation of Bids/Proposals is not required for this work as it does not meet the limits identified by NRS Chapter 332: "Procedures for Solicitations," and the exceptions listed in NRS Chapter 332.115(c): "Additions to and repairs and maintenance of equipment which may be more efficiently added to, repaired or maintained by a certain person."*

18. FOR POSSIBLE ACTION: Discussion and possible action regarding the V&T Railway Commission ethics, conflict of interest, and Open Meeting Law policies. – **Michael Rowe** (michael@rowelawoffices.net) **Staff summary:** *The commission will review and possibly modify the existing conflicts of interest policy and be advised by counsel about the requirements of the Open Meeting Law, NRS 241. The commission may elect to adopt a policy containing the statutory requirements of an open meeting law policy.*

19. FOR DISCUSSION ONLY:

MONTHLY NON-ACTION ITEMS:

- A. Operations Report – Allyson Bolton
- B. Attorney's Report – Michael Rowe
- C. Engineer's Report – Ken Dorr
- D. Upcoming Meeting: *The next V&T Commissioner's meeting is tentatively scheduled for July 22, 2021 at 1:00 pm.*

20. Commissioner Comments or Announcements, and Requests for Information: No action will be taken and no discussion among the members or with staff will take place during this item of the agenda.

21. PUBLIC COMMENT: The public is invited at this time to comment on any matter that is not specifically included on the agenda as an action item. No action may be taken on a matter raised under this item of the agenda.

22. FOR POSSIBLE ACTION: To Adjourn.

****PUBLIC COMMENT LIMITATIONS** – The V&T Railway Commission will provide at least two public comment periods in compliance with the minimum requirements of the Open Meeting Law prior to adjournment. **Public comment will be taken at the beginning of the agenda before any action is taken and again at the end before adjournment.** No action may be taken on a matter raised under public comment unless the item has been specifically included on the agenda as an item upon which action may be taken. The Chair may call for or allow additional individual-item public comment at the time of the body’s consideration of the item when: (1) the comment will be provided from a person who is directly involved with the item, such as V&T staff or an applicant; or (2) it involves any person’s or entity’s due process appeal or hearing rights provided by statute or the Carson City Municipal Code. Comments may be limited to three minutes per person or topic at the discretion of the Chair in order to facilitate the meeting.

Agenda Management Notice - Items on the agenda may be taken out of order; the public body may combine two or more agenda items for consideration; and the public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.

Titles of agenda items are intended to identify specific matters. If you desire detailed information concerning any subject matter itemized within this agenda, you are encouraged to call the V&T Railway Commission. You are encouraged to attend this meeting and participate by commenting on any agenda item.

Notice to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the V&T Railway Commission in writing at PO Box 1711, Carson City, NV, 89702, or by calling (775) 687-7410 at least 24 hours in advance.

To request a copy of the supporting materials for this meeting, contact David Peterson at dpeterson@visitcarsoncity.com or call (775) 687-7410.

The agenda and supporting material are available on the V&T Railway Commission website: <https://vtrailway.com/about/vt-commission/> and at the office of the Carson City Culture & Tourism Authority dba Visit Carson City - 716 North Carson Street, Carson City, Nevada.

If a person willfully disrupts a meeting, to the extent that its orderly conduct is made impractical, the person may be removed or excluded from the meeting. NRS 241.030(4).

This notice has been posted at the following locations:
Office of Visit Carson City NV 716 North Carson Street
City Hall 201 North Carson Street
Community Center 851 East William Street
Community Development Permit Center 108 East Proctor Street
<https://vtrailway.com/about/vt-commission/>
<http://notice.nv.gov>