



REGIONAL TRANSPORTATION COMMISSION

Metropolitan Planning • Public Transportation & Operations • Engineering & Construction

Metropolitan Planning Organization of Washoe County, Nevada

January 15, 2021

AGENDA ITEM 3.14

TO: Regional Transportation Commission

FROM: Brian Stewart, P.E.
Director of Engineering

Bill Thomas, AICP
Executive Director

SUBJECT: Administrative Settlement with Virginia Reno Partners, LLC for APNs: 020-111-03, 020-111-65, 020-111-36 and 020-111-37 for the Virginia Line Northbound Peppermill Station Project

RECOMMENDATION

Approve an administrative settlement authorizing the RTC to acquire property (APNs: 020-111-03, 020-111-65, 020-111-36 and 020-111-37) from Virginia Reno Partners, LLC in the amount of \$497,825 above the appraised value of \$1,502,175, for a total purchase offer of \$2,000,000 (*For Possible Action*).

SUMMARY

In December 2020, the RTC presented a purchase offer to the Virginia Reno Partners, LLC (the “Owner”) for APNs 020-111-03 and 020-111-65, based upon the just compensation amount of \$1,502,175 (as appraised to include damages). Those two parcels are needed to construct the Virginia Line Northbound Peppermill Station Project. The offer was rejected by Virginia Reno Partners, LLC and negotiations continued including numerous discussions with the Owner’s representative over issues and concerns. Primarily, the issue was that the Owner had to acquire those two parcels and two other parcels (APNs 020-111-36 and 020-111-37) to complete its acquisition for a proposed commercial business that was then later denied permitting by the City of Reno. The Owner refused to sell only the two parcels that RTC offered to purchase. Instead, the Owner offered to sell all four parcels for \$2,168,640. Considering potential delay and legal costs that would be necessary for condemnation proceedings, RTC Staff accounted for costs to demolish and to conduct site remediation on one of the additional parcels and then provided an offer of \$2,000,000 for all four parcels. The Owner accepted.

The proposed settlement is contingent upon approval by the Board and concurrence from the Federal Transit Administration, as necessary. Should the Board decline to approve the proposed settlement, RTC will continue to attempt to negotiate for the purchase of the property until a complaint in eminent domain is filed with the court. Thereafter, the RTC will continue to attempt

to negotiate a resolution that is fair and equitable, but resolution through court proceedings as opposed to a purchase agreement may become necessary.

FISCAL IMPACT

The costs to acquire the subject property interests have been budgeted.

PREVIOUS ACTIONS BY BOARD

November 20, 2020 Approved Interlocal Cooperative Agreement between the Board of Commissioners of Washoe County, the Regional Transportation Commission of Washoe County and City of Reno Program of Projects, to include the Virginia Line Northbound Peppermill Station Project.

ADDITIONAL BACKGROUND

Federal Transit Administration (FTA) concurrence that the RTC RAPID Virginia Line Northbound Peppermill Station project be considered a Categorical Exclusion (CE) under 23CFR771.117(d)(1) in August 2020. Consistent with RTC's 2040 Regional Transportation Plan (RIP) and FY 2020-2024 Regional Transportation Improvement Program (RTIP), RTC is planning to construct of a full-sized northbound RAPID station on South Virginia Street between Gentry Way and Hubbard Way, sidewalk improvements compliant with the ADA, and extension of a bus-only lane. The existing bus stop does not provide full ADA accessibility or sufficient seating capacity. RTC began operating RAPID transit in this corridor in 2009.