



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: January 22, 2019

Subject: Reimbursement Agreement w/MNCVAD-IND Richmond CA LLC for Fred Jackson Way Traffic Calming Improve. & right turn pocket on Parr Blvd., N. Richmond area

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute an agreement to reimburse MNCVAD-IND Richmond CA LLC for roadway improvements that are to be funded with North Richmond Area of Benefit Fees, in accordance with the County's Traffic Fee Credit and Reimbursement Policy and Government Code Sections 66484 through 66489, North Richmond area. (District 1)

DETERMINE that the County's reimbursement for the improvements excludes dedications, setbacks, improvements, and traffic mitigation measures required of MNCVAD-IND Richmond CA LLC's development by ordinance or local standards.

FISCAL IMPACT:

100% North Richmond Area of Benefit fees.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **01/22/2019** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 22, 2019

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Mary Halle, (925)
313-2327

cc:

BACKGROUND:

Development Permit (DP) 16-3023 was approved by the Department of Conservation and Development on December 20, 2016, to construct two commercial buildings totaling 171,630 square feet and 216 auxiliary parking spaces in the North Richmond area. Pursuant to Condition of Approval (COA) #25 in DP 16-3023, the applicant/developer shall construct one offsite truck traffic calming improvement as identified within the August 24, 2016, Preliminary Truck Traffic Calming Assessment for the North Richmond neighborhood.

MNCVAD-IND Richmond CA LLC has chosen, in consultation with County staff, to construct offsite roadway improvements along Fred Jackson Way to satisfy COA #25. This includes traffic calming devices on Fred Jackson Way to deter semi-truck traffic from taking residential routes. Similarly, MNCVAD-IND Richmond CA LLC will construct a dedicated westbound right turn lane on Parr Boulevard at the Richmond Parkway to satisfy COA #24 and Mitigation Measure Traffic-5 per the Mitigated Negative Declaration, which has been approved for this project.

The Public Works Department intends to require similar traffic calming improvements in the area by future developers in the industrial area of North Richmond to assure each new development adequately mitigates the potential increase in truck trips through the center of North Richmond. The right turn pocket from westbound Parr Boulevard to the Richmond Parkway will further deter future truck trips in the core of North Richmond by easing congestion approaching Richmond Parkway.

A Mitigated Negative Declaration indicating no significant environmental impacts was prepared for the project and was filed with the County Clerk on December 20, 2016.

In January 2018, MNCVAD-IND Richmond CA LLC paid the full amount of fees – \$903,615 – as required under the Area of Benefit (AOB) fee ordinance for the North Richmond AOB, Ordinance No. 2017-22. Since the Public Works Department has a Traffic Fee Credit and Reimbursement Policy (Policy) for the North Richmond AOB (AOB), which was approved by the Board of Supervisors on June 5, 2007, and the truck traffic calming and additional intersection improvements are on the North Richmond AOB project list and are intended to be installed utilizing the fees collected for the North Richmond AOB, MNCVAD-IND Richmond CA LLC is entitled to reimbursement of the offsite roadway improvement costs in excess of its fee obligations, as provided for in the Policy.

As stated in Exhibit “A” of the agreement, the reimbursement agreement obligation is effective for a base period of ten years (forty quarters) from the date that the first payment is made under the agreement.

CONSEQUENCE OF NEGATIVE ACTION:

Approval of the reimbursement agreement will allow for improvements to be constructed sooner than expected.