



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: May 3, 2022

Subject: Reimbursement Agreement with IPT Richmond DC III LLC for the Chesley Avenue Traffic Calming Improvements, North Richmond area.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a reimbursement agreement with IPT Richmond DC III LLC in the amount of \$267,950.65 for offsite roadway improvements that serve developments within the North Richmond Area of Benefit, in accordance with the County's Traffic Fee Credit and Reimbursement Policy and Government Code Sections 66484 through 66489, North Richmond area. (District I)

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

FISCAL IMPACT:

100% North Richmond Area of Benefit funds.

BACKGROUND:

Under the County's Traffic Fee Credit and Reimbursement Policy, approved by the Board of Supervisors on June 5, 2007 ("Reimbursement Policy"), a developer that constructs offsite transportation improvements meeting certain requirements may receive a credit for

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **05/03/2022** ☒ 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: May 3, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Jeff Valeros,
925.313.2031

cc:

the cost of those improvements toward the amount of area of benefit fees the developer is required to pay for its development project.

On May 8, 2018, the Board of Supervisors approved Development Plan (DP) 14-3041 authorizing IPT Richmond DC III, LLC (“Developer”) to construct one warehouse building totaling 492,873 square feet, located at 500 Pittsburg Avenue, in the North Richmond area. Condition of Approval (COA) No. 47 in the development plan required the Developer to construct an offsite truck traffic

BACKGROUND: (CONT'D)

calming improvement within any of several specified roadway corridors, one of which is Chesley Avenue. In connection with the approval of DP 14-3041, the Board of Supervisors adopted a mitigated negative declaration to satisfy the requirements of the California Environmental Quality Act.

The North Richmond Area of Benefit (NRAOB) project list includes, as one of its projects, the installation of a speed table and related roadway improvements on Chesley Avenue, between Fred Jackson Way and the Union Pacific Railroad to deter semitrucks from taking this residential route (“Project NR 15”). The Developer selected Project NR 15 to meet the Developer’s obligations under COA No. 47. The construction of the project included a speed table in the form of a raised crosswalk, required pavement reconstruction on the 5th and 6th Street intersections with Chesley Avenue, and a bulb out and ADA curb ramp on the 6th Street intersection. Public Works staff have confirmed that all of this work is within the scope of Project NR 15 in the NRAOB fee program.

The offsite transportation improvements that comprise Project NR 15 will serve transportation needs within the NRAOB beyond those attributed to the Developer’s development. Public Works Department staff have determined that the Developer-constructed offsite improvements meet the requirements of the Reimbursement Policy and, therefore, are eligible for credit or reimbursement toward the Developer’s NRAOB fee obligation. Public Works staff also determined that, although the Developer’s cost to construct Project NR 15 (\$267,950.65) exceeds the project cost listed in the NRAOB development program report, the costs the Developer incurred were reasonable given increases in construction costs. Public Works staff have confirmed that those costs were necessarily incurred by the Developer to complete Project NR 15. Because the Developer has already paid all of its NRAOB fees for the development (\$2,660,251), the cost of the Project NR 15 improvements (\$267,950.65) will be reimbursed to the Developer from NRAOB fee revenues under the reimbursement agreement.

CONSEQUENCE OF NEGATIVE ACTION:

If the reimbursement agreement is not approved, the developer will not be reimbursed for the cost of constructing the offsite improvements.

ATTACHMENTS

Reimbursement Agreement

Exhibit A

Exhibit B

NR AOB Nexus Study Proj. List