

**PLANNING COMMISSION CONTINUED REGULAR MEETING  
OF OCTOBER 5, 2011 AND OCTOBER 20, 2011  
COUNCIL CHAMBERS, RICHMOND CITY HALL  
450 Civic Center Plaza, Richmond, CA  
November 3, 2011  
6:30 p.m.**

**COMMISSION MEMBERS**

Charles Duncan, Chair	Sheryl Lane, Vice Chair
Jeff Lee, Secretary	Carol Teltschick-Fall
Ben Choi	Andrés Soto
Roberto Reyes	

The continued regular meeting was called to order by Chair Duncan at 6:33 p.m.

Vice Chair Lane led in the Pledge of Allegiance.

**ROLL CALL**

**Present:** Chair Duncan, Vice Chair Lane, Secretary Lee; Commissioners Choi, Reyes, Soto, and Teltschick-Fall

**Absent:** None

**INTRODUCTIONS**

**Staff Present:** Lamont Thompson, Hector Rojas, Richard Mitchell, Mary Renfro, and Carlos Privat

**MINUTES** - None

**CONSENT CALENDAR**

Chair Duncan noted Item 1 was the only Consent Calendar item. He asked whether members of the public, staff or the Planning Commission wished to remove that item. Mr. Thompson reported that staff received a letter via email on October 27, 2011 from an individual who commented on the health effects of the monopine and expressed concerns.

Chair Duncan confirmed there were no public members, staff or Commissioners who wished to remove Item 1 from the Consent Calendar, and he suggested a motion to approve it.

<b>ACTION: It was M/S (Soto/Reyes) to approve the Consent Calendar, consisting of Item 1; which carried unanimously.</b>
--

**Consent Calendar Item Approved:**

- 1. PLN11-065: Metro PCS Wireless Facility and Monopine** - PUBLIC HEARING to consider a request for Conditional Use Permit and Design Review Permit to install a new Metro PCS Wireless Facility and Monopine antenna in the El Sobrante area of the City of Richmond at

5500 Valley View Road (APN: 435-180-008). Planned Area District. Pandal Perminders, owner; Metro PCS/MTT LLC, applicant. Planner: Lamont Thompson. Tentative Recommendation: Conditional Approval.

Chair Duncan said items approved by the Commission may be appealed in writing to the City Clerk by Monday, November 18, 2011, by 5:00 p.m. and as needed, announced the appeal process after each affected item.

### **Brown Act – Public Forum**

Patricia Jones, Richmond, asked the Commission to work with City staff to bring a grocery store to Richmond. She lives near the Safeway which no longer exists, and she thinks the City deserves to have a real grocery store. She reminded all Commissioners that friends and neighbors are counting on the Commission to send recommendations to the City Council that are progressive, protect the environment and benefit the majority of the community.

Norman LaForce, Chair, West County Sierra Club, reported that Sylvia McLaughlin is being honored for 50 years for her work in creating *Save the Bay*, and he voiced support for protecting the North Richmond shoreline as an open space and recreation designation in the General Plan, which Sylvia fought for when she began the organization in the 1960's.

- 2. PLN09-137: Richmond General Plan 2030 - PUBLIC HEARING** on the August 2011 Draft Richmond General Plan and proposed Final Environmental Impact Report (FEIR). PUBLIC HEARING on the August 2011 Draft Richmond General Plan and proposed Final Environmental Impact Report (FEIR). Staff's recommended Planning Commission actions include a recommendation from the Planning Commission to the City Council for certification of the FEIR and adoption of the General Plan. Planner: Hector Rojas.

Chair Duncan provided an overview of meeting procedures for speaker registration and public hearing functions, stating tonight is a continuation of the General Plan session initiated on October 6 and includes consideration of remaining chapters of the General Plan not previously discussed. He said the North Shore issue will not be addressed tonight, as it was acted upon on previous last meeting. At the conclusion of October 6 General Plan meeting, all members of the public addressed the Commission and the testimony was completed. Because all speakers were accommodated the Chair continued the hearing until October 20<sup>th</sup> at which point the Commission addressed the first four chapters of the General Plan. The Housing Element is being processed on a separate track.

Tonight the Commission will address Chapters 6 through 15 in the same format as last meeting. Because the public comment portion of the hearing is closed, there will be no speakers or public comment. The Commission will deliberate and the only discussion will be among Commissioners, and questions from Commissioners will be directed to the Planning Department staff. At this point, the Commission will continue deliberation on PLN-09137; the Richmond General Plan for the Year 2030.

The Planning Commission's actions tonight will be as follows:

- The Commission will forward to City Council for its considerations any modifications to the draft General Plan proposed by a majority of the Planning Commission;
- Craft modifications in the form of a motion;
- The Planning Commission will discuss and vote on each one individually;

- For the modification or addition to be passed onto the City Council as a recommendation it must have a majority vote;
- Consider the items in the order of the General Plan elements as follows:
  - No. 6 Community Facilities and Infrastructure
  - No. 7 Conservation, Resources, and Open Space
  - No. 8 Energy and Climate Change
  - No. 9 Growth Management
  - No. 10 Parks and Recreation
  - No. 11 Community Health and Wellness
  - No. 12 Public Safety and Noise
  - No. 13 Arts and Culture
  - No. 14 Historic Resources
  - No. 15 The National Park
- The Commission will recommend that the City Council adopt the Draft General Plan as amended by the recommendations of the Planning Commission in one final vote that is a resolution.
- If not all additions and modifications are covered by 10: 30 p.m. tonight, the hearing will be voted to either be continued to a date certain or extend it to a later hour.

Chair Duncan reiterated that the Item is not subject to appeal because it is a recommendation to the City Council and not a project approval.

Commissioner Soto referred to the Commission not entertaining further discussion on the North Shoreline issue, and he questioned the grounds for this. Chair Duncan replied that the Commission completed its discussion on Item 4, and voted on it at the last meeting. The Commission is now at Item No. 6.

Commissioner Soto believed that the Commission must still pass a motion that adopts the plan as amended with all of the constituent-included parts, and he thought discussion was not closed, given the desire of Commissioners. Chair Duncan asked for a legal opinion.

Assistant City Attorney Carlos Privat stated at the last meeting, the Commission discussed the North Shore and no decision was made because two motions failed. Because no recommendation has been made, it is still open for discussion at the pleasure of the Commission. If, at the conclusion of the entire consideration of the General Plan, there is no consensus on the North Shore, it would go forward as if to say there is no recommendation and it would be staff's recommendation. But since the Commission is not at the conclusion of the entire General Plan discussion and that particular component of it was not moved on in a final way, the Commission could discuss it again tonight.

Commissioner Soto confirmed that if the Commission takes no specific action on the North Shore but adopts the Land Use Element in its entirety, the staff recommendation would stand. He indicated he did not wish to discuss it at this time.

Secretary Lee questioned if the Commission could also go back and discuss other issues in other chapters already discussed at the previous meetings. Mr. Privat said no; the only reason the Commission can for the North Shore component is because no decision was made on it; however, the other chapters of the elements were voted upon by the Commission.

## **Chapter 6 - Community Facilities and Infrastructure**

Commissioner Reyes referred to page 6.14; Community Action CF1-A; the second sentence in the first paragraph; to highlight that the public library is a high priority and add “Recommend restoration of the public library system and improvements and identify funding mechanisms and partners and implementations.”

Commissioner Teltschick-Fall questioned how the system would be restored and suggested “full functionality” be added to clarify. Commissioner Reyes explained that library functions were reduced due to economic impacts.

**ACTION: It was M/S (Reyes/Soto) to amend Community Action CF1-A on page 6.14, second sentence in the first paragraph; to highlight that the public library is a high priority and add “Recommend restoration of full capacity (as amended) of the public library system and improvements and identify funding mechanisms and partners and implementations;” which carried unanimously.**

Commissioner Reyes referred to the final paragraph on page 6.14; CF1-A; and he asked language after the word “Create” to “Create, maintain and make available a property and facilities database to the public.”

**ACTION: It was M/S (Reyes/Choi) to revised CF1-A on page 6.14 to read ““Create, maintain and make available a property and facilities database to the public;” which carried unanimously.**

Commissioner Soto referred to page 6.15 under Action CF1-.F; Public Utilities Revitalization, second paragraph; “Work with PG&E and the pipeline franchise holders to update gas and fuel line maps.” He asked to add the sentence: “and require PG&E and pipeline franchise holders to make necessary repairs at their expense where flaws are identified.”

Ms. Renfro supported such language because in this policy document, no conditions can be imposed; however, it states “work with to update and to require repairs and improvements as identified...” Commissioner Soto said it relates to the San Bruno situation and PG&E is now trying to pass off the cost to ratepayers when it is their responsibility under existing rates. Ms. Renfro said to use the word “require” in a policy document is strong, but not necessarily here. Secondly, the City does not always have the jurisdiction to do so because those things are regulated by statewide entities, but to the extent they can, it can state ‘require’.

**ACTION: It was M/S (Soto/Reyes) to add a sentence on page 6.15 under Action CF1-.F; Public Utilities Revitalization, second paragraph; “Work with PG&E and the pipeline franchise holders to update gas and fuel line maps and require PG&E and pipeline franchise holders to be responsible for the costs of making identified at their expense where flaws are identified;” which carried unanimously.**

## **Chapter 7 – Conservation, Resources and Open Space:**

Commissioner Soto stated this is a very important and critical piece of the overall General Plan and that discussion of the North Shore should reflect the contents of this chapter, in particular, but he had nothing to add.

## **Chapter 8 – Energy and Climate Change:**

Chair Duncan stated Commissioner Reyes and he have slightly different versions of the same revision. He referred to the CBE letter of April 21, 2011 with the additional comments that were turned into the Commission for the April 6<sup>th</sup> meeting. CBE is responding to Policy EC1.1; Leadership, and they are asking to add “Action and Advocacy.” Their letter includes EC1.D; Major Industrial Commercial projects, and they have substantial additions for Action EC1.A; Climate Action Plan. Chair Duncan said he expunged those portions that refer to certain dates in EC1.1; Leadership and EC1.A; Climate and Action Plan.

Action EC1.D is a difficult one which has to do with requirements the City would place on industry. It is not within the Commission’s purview to place certain restrictions on industry because there are certain governing agencies above the City that have purview over those requirements. The last bullet point in EC1.D has to do with emission credits and offsets, which he is vehemently opposed to, the problem being that the State is moving in a direction of allowing offsets. Ms. Renfro clarified for Commissioners that the section begins at EC1.4.

Commissioner Reyes said he would like to include the entire recommended CBE action dated April 21, 2011. He said this community, the Bay Area and the State have all made advances in how it will meet certain reductions in toxics and GHG emissions. He supported advocacy and leadership and the Climate Action Plan is needed, but this part is a recommended action (EC1.D) does include the usage of credits which cannot be allowed. He asked for a second to his motion for discussion.

Commissioner Soto said obviously the City does have regulatory capacity through Conditional Use Permits. He asked if this could be applied in this case such as cap and trade language. Chair Duncan added that because the State is moving in the direction toward cap and trade, he whether or not the City has the ability to get around this through its permitting mechanisms.

Ms. Renfro said she was primarily concerned about the deadline and the dates should be removed. She said the document is a policy document, the statement is strong and a message toward the air quality regulators. To the extent it might not be enforceable it would not wind up in an unenforceable provision. Staff would not put it in the ultimate ordinance, and this is more or less an action to develop an ordinance, and provisions of the ordinance should seek to achieve the following, which is fine because it is not a commitment to legislation that is not enforceable or outside the City’s purview. Portions of local regulation are completely pre-empted but other portions are not, and to the extent the City is not pre-empted, it would be an interesting legal battle, but if the federal government were to allow offset credits and the City regulates where they can be spent, it would be an interesting thing for a local government to say they cannot spend that currency here. She said this is unknown.

Commissioner Soto asked if the motion could be made and in the process, if it was determined something that would be unenforceable, it would simply not be adopted. Ms. Renfro agreed and said if the motion passes as the language is crafted, it would relay that to the extent that it is legally possible, it will make an ordinance that will not allow other people’s ‘dirt’ to come to Richmond.

Mr. Rojas recommended this is an issue more appropriately discussed in a larger format and be analyzed completely, and that there be public outreach and discussion. As part of the Climate Action Plan action, the wording in the action might be modified to basically study or to the extent feasible, identify what regulatory capacity the City has to stop the cap and trade system to be

implemented in Richmond. He thinks the Commission is jumping to a conclusion before understanding everything at play. These are issues he finds in most of the CBE letters—they assume a certain threshold or action will be enough to be able to reduce emissions from existing sources and industry. There might a plethora of actions that are needed to address the issue of existing industrial emissions and to say that this action alone would provide a solution, he would be wary of saying this is the only solution. He therefore recommended modifying the language in the Climate Action Plan action to state these are all issues and ideas that need greater public discussion and analysis.

Vice Chair Lane clarified with Mr. Rojas that the bullet points could be included, but that they be included in the Climate Action Plan action. Mr. Rojas referred to page 8; Action EC1.A; second sentence, it basically outlines components of the action plan. What the Commission and CBE are talking about is EC1.D. Every time the City gets a project, it requires the best equipment possible. While this is a great solution, it will not be the only solution. As part of the Climate Action Plan, mitigations are going to be discussed and that would be part of it. However, this is not the only part of the equation that addresses that.

Commissioner Teltschick-Fall said she feels the Commission is getting off target that with cap and trade approval, the City would be left in the unfortunate situation of accepting waste that was not dumped in other places. She would like to support stronger and more specific language to that effect. She said it could be placed in the first paragraph under Climate Change Mitigation or Mitigation Strategies in the third paragraph to state “must” or “shall” instead of “should” include. Ms. Renfro suggested stating “The Climate Action Plan shall include mitigation strategies”. On the other paragraph, she thinks the word “should” may be more legally defensible.

Commissioner Teltschick-Fall suggested strengthening the ‘should’ to ‘must or shall’ on Action EC1.A on page 6.15, and she also asked that the Climate Action Plan include the words “must” or “shall.”

Ms. Renfro supported the first amendment, stating that the Climate Action Plan will include mitigations strategies and there is no legal problem with this. However, the second proposed should be kept at “should” as it may be more legally defensible.

Commissioner Soto said his desire to include language specifically around cap and trade is not just for the policy purpose but it is also setting the tone from the Commission as a public body for the discussion of Climate Action Plan as well other entities outside the City to know what are the Commission’s sentiments are and this way, it must be taken into consideration. He would like to see this kind of language in there to send that message as much to the City Council and others about what the Commission’s thinking is.

Ms. Renfro said a key flexibility clause that the drafter included is “at a minimum the ordinance *should* require...” which is somewhat non-committal in terms of the ordinance. In the policy document, the Commission is setting forth the specific things it wants the ordinance to achieve, but the word *should* does not cross the legal line, and this is where the drafters were careful.

Chair Duncan questioned what the Commission wished to do. Mr. Rojas recommended the numbering be changed to EC1.D and not bump up another action because it would affect other references in the General Plan.

MOTION: It was M/S (Choi/Soto) to adopt CBE's additions to EC1.1, EC1.D, and is adopting Action EC1.A; Climate Action Plan, expunging all dates and timelines.

Ms. Renfro noted that the motion is to remove all dates, and if dates are removed from the first paragraph, the sentence proposed to be added is completely meaningless. One concern that staff had in looking at that sentence which read "The plan will seek to achieve the 1990 emissions rates by 2020 and an 80% reduction in 1990 emissions by 2050..." Part of this is that it may be inconsistent with state law and the City would be pre-empted from doing this. Without further analysis, it might not be achievable and too specific. What it states in the General Plan is "develop a plan for reducing GHG emissions to meet State requirements." The language is so specific is that it may not be achievable and contrary to State law. She felt the Commission was aiming to revise the first paragraph sentence to, "Develop a plan for reducing greenhouse gases to exceed State requirements".

Commissioner Soto questioned the other language that seems to have a specific intent of "coordinated transition to fossil engine production use towards energy systems, etc." Ms. Renfro said this is vague enough to be defensible and not expose the City to the question of attempting to regulate in an area reserved to the State or federal government.

Chair Duncan questioned and confirmed that Commissioner Reyes was in agreement with the revised language not to exceed State or federal requirements, and not include the sentence with all of the numbers in it in the first paragraph.

Commissioner Teltschick-Fall questioned whether it was going beyond what was originally intended. She asked if a statement could be included along the lines of mitigation plans shall not allow cap and trade programs to target Richmond.

**ACTION: It was M/S (Choi/Duncan) to adopt the recommended language for EC1.D, including EC1.1, EC1.A; Climate Action Plan, with amendments discussed and expunging all dates and timelines; which carried unanimously.**

Commissioner Soto referred to action EC1.A.; in the third paragraph it states, "The Climate Action Plan shall include mitigation strategies for addressing the sources of greenhouse gas emissions in the community." He asked that it includes language, "specifically industry and commerce", and conclude within ..."government operations." Commissioners then clarified proposed amendments and the proposed motion with Ms. Renfro.

**ACTION: It was M/S (Soto/Duncan) to amend action EC1.A; third paragraph in addition to the amendments proposed by CBE; that "The Climate Action Plan shall include mitigation strategies for addressing the sources of greenhouse gas emissions in the community specifically within industry and commerce and within government operations"; which carried unanimously.**

Vice Chair Lane referred to EC3.2; Energy, Efficiency and Conservation, and she asked that it be better connected to Richmond's local workforce programs. She proposed a sentence which states: "The City will collaborate with local workforce development agencies and organizations to train and employ local residents to work on such things as retrofitting green buildings, infrastructure and install energy-efficient equipment, etc."

Commissioner Soto asked for clarification as to where the amendment should be included, and confirmed it should be added after the semicolon after “offices”, where it states “equipment and home and offices;” Vice Chair Lane agreed.

**ACTION: It was M/S (Lane/Reyes) to amend EC3.2; Energy, Efficiency and Conservation; to add after the semicolon after “offices” and “equipment and home and offices” to state “The City will collaborate with local workforce development agencies and organizations to train and employ local residents to work on such things as retrofitting green buildings, infrastructure and install energy-efficient equipment, etc.” which carried unanimously.**

Vice Chair Lane referred to EC4.1; Misuse and Infill Development, and motioned to include verbiage that speaks to protecting existing affordable housing and improving any displacement of renters and low-income communities; and, to require owners to comply with state and federal toxic site remediation.

Commissioner Soto supported and seconded the motion and asked for an amendment to read, “To protect existing affordable housing, improving any displacement of renters and low income residents (and not communities), to which Vice Chair Lane agreed.

**ACTION: It was M/S (Lane/Soto) to amend EC4.1 to state, “To protect existing affordable housing, improving displacement of renters and low-income residents, and to require owners to comply with state and federal toxic site remediation; which carried by majority voice vote (Lee voted no).**

Vice Chair Lane referred to EC4.5; Local Food System, and motioned to include an addition to the area where it states, “Support local agricultural on vacant land as appropriate and identified sites for urban agricultural development”. Secretary Lee supported this amendment and seconded the motion.

Mr. Rojas noted that action HW2.D; a bullet point reads, “identify adequate sites to expand the number and frequency of farmers markets through Richmond” which could easily be tweaked to include sites for urban agricultural. The Commission supported this amendment, as well.

**ACTION: It was M/S (Lane/Lee) to amend EC4.5; Local Food System, to read, “Support local agriculture and identify sites for urban agricultural development;” which carried unanimously.**

Secretary Lee referred to EC4.E, final line in that section after “Cutting Boulevard” and motioned to add “east of Harbour Way South.” Chair Duncan seconded the motion.

Commissioner Soto said his question involves “evaluating feasibility that have excess capacity such as Cutting Boulevard; it has been determined there is no excess capacity of Cutting Boulevard west of Harbour Way South.” Ms. Renfro said this has not been settled and has been the subject of an incredible amount of discussion by the Council regarding excess capacity there might be in the vicinity of the Port or of any industrial user. Mr. Rojas added that any plans the City adopts must be consistent with the General Plan. Therefore, if the Commission passes a Pedestrian and Bicycle Master Plan and it is found that the rewording of this would be inconsistent with the Pedestrian Plan, they would need to be amended to reflect what is in the General Plan.

Commissioner Soto said if the Commission takes no action on the recommendation and it is shown later to be incompatible with the Bicycle and Pedestrian plan as written, it is fine. But if action is taken to accept the recommendation and it was out of conformity, he clarified the Pedestrian and Bicycle Plan would return to the Commission and City Council for amendment.

Secretary Lee explained he was familiar with the plan and the area is huge and it functions fine as is. As described in the General Plan, it is the western sub-area and primarily an auto and heavy truck-oriented maritime and water related industrial segment. So, it is something that is fine as is, and he did not believe it should be included in more important things down on Cutting.

Mr. Rojas clarified that the sentence specifically reads, "Evaluate the feasibility of" and it does not reduce the lanes. What is in the pedestrian plan are simply conceptual ideas that have been evaluated and could work, but his understanding of what happened at the City Council what was made clear was that once the City has the money to do such an implementation, there would be committee input, outreach and environmental review for that so that it is not something for specific ideas or are already determined for action. There are basically alternative that work to be proposed in the future and if they carry traction they will be carried forward, but this alone does not say they will reduce lanes, but rather "evaluate the feasibility of doing so".

Mr. Mitchell suggested another idea; to take Cutting Boulevard out and simply state "Evaluate the feasibility of reducing the number or width of travel lanes on key mixed use streets that may have excess capacity and then using the capacity and/or regain with for wider sidewalks and for bicycle lanes." Secretary Lee and Chair Duncan supported this.

**ACTION: It was M/S (Lee/Duncan) to amend EC4.E, final line, to remove "Cutting Boulevard" and add "east of Harbour Way South." The paragraph should read, "Evaluate the feasibility of reducing the number or width of travel lanes on key mixed use streets that may have excess capacity and then using the capacity and/or regain with for wider sidewalks and for bicycle lanes;" which carried unanimously.**

### **Chapter 8 – Energy and Climate Change:**

Commissioner Soto referred to page 8.14 under Policy EC1.2; it states "Encourage residents and businesses through incentives to reduce their carbon footprint by raising awareness of the impact of climate change, etc."

**ACTION: It was M/S (Soto/Reyes) to amend Policy EC1.2 on page 8.14; "Encourage residents and businesses through incentives to reduce their carbon footprint by raising awareness of the impact of climate change...;" which carried unanimously.**

Commissioner Soto referred to page 8.16, action EC1.C; Public Transit Options, to explore strategies to address affordability, access and safety. He proposed language to state, "Prioritize transit and street improvements and increase mobility for low-income, youth; seniors the disabled, and other vulnerable residents to ensure equitable access." He referred to "collaborate with regional and Contra Costa Transportation agencies to restore service levels and to maintain and enhance service within the City and regions." However, transit service has been cut back to the point where some communities are not served.

MOTION: It was M/S (Soto/Reyes) to amend EC1.C; Public Transit Options; after the word "to", add "Restore service levels and to maintain and enhance service within the City and region."

Delete the sentence that states, “~~Explore strategies to address affordability, access and safety~~” and insert, “Prioritize transit and street improvements that increase mobility for low income, youth, seniors, disabled, and other vulnerable residents to ensure equitable access.”

Commissioner Teltschick-Fall said she does not want to take out the general intent to address affordable, access and safety for all transportation modes, and she asked for further amendment to the comprehensive language while also prioritizing improvements for the vulnerable, and suggested, “*Prioritize strategies and improvements that address the affordability, access and safety with special attention to ensure underserved, disabled, vulnerable communities are served.*”

Commissioner Soto said the only thing missing in his motion was a reference to safety. Commissioner Reyes suggesting spotlighting affordability, as well. Commissioner Teltschick-Fall suggested adding another prioritizing statement to read, “Prioritize strategies and improvements that address affordability, access and safety.” And then continue with, “Prioritize transit and street improvements that increase mobility for low income, youth, seniors, disabled, and other vulnerable residents to ensure equitable access.”

Chair Duncan questioned whether there was anything in the amendment that was in conflict with basic services which are required under the Circulation Element. Commissioner Soto questioned whether this should also be included in the Circulation Element. Mr. Rojas said at the bottom of the action it states, “See also CR1.B and HW.4C and noted this affects the same action and these will be amended, as well.

**ACTION: It was M/S (Soto/Lee) to amend EC1.C; Public Transit Options; “Restore service levels and to maintain and enhance service within the City and region.” Delete “Explore strategies to address affordability, access and safety”, and insert, “Prioritize strategies and improvements that address the affordability, access and safety with special attention to underserved, disabled, vulnerable communities are served. Prioritize transit and street improvements that increase mobility for low-income, youth, seniors, disabled and other vulnerable residents to ensure equitable access;” which carried unanimously (Lee was noted as excused).**

Commissioner Soto referred to page 8.33; EC5.2; first sentence: “Encourage business and industries to hire locally ~~when possible~~ and demonstrate reasons for not hiring local employees.” The next sentence; add a comma after “pollution regulations to limit pollutions and” include the words “decrease harmful impacts from emissions.” The next paragraph; middle line after “support efforts by existing industries” strike the word “by” and insert the words, “to require” support efforts to require existing industries to decrease harmful emissions and impacts”.

**ACTION: It was M/S (Soto/Reyes) to amend EC5.2; first sentence: “Encourage business and industries to hire locally ~~when possible~~ and demonstrate reasons for not hiring local employees.” The next sentence; add a comma after “pollution regulations to limit pollutions and” include the words “decrease harmful impacts from emissions.” The next paragraph; middle line after “support efforts by existing industries” strike the word “by” and insert the words, “to require” support efforts to require existing industries to decrease harmful emissions and impacts”; which carried unanimously (Lee was noted as excused).**

Commissioner Soto referred to Policy EC5.3; Air Quality, and he made a motion to recommend inserting after the word “roadways” to “fully utilize Richmond’s land use authority to regulate industrial and commercial sourced emissions.” The motion was seconded by Commissioner Reyes. Ms. Renfro said there is the local authority to regulate on behalf of the Health, Safety and Welfare which is broader and is called “police power” and she suggested using this term. Commissioner Soto modified his motion to use this language.

**ACTION: It was M/S (Soto/Reyes) to amend Policy EC5.3; Air Quality; inserting a sentence after the word “roadways” to “fully utilize Richmond’s police power to regulate industrial and commercial sourced emissions;” which carried unanimously (Lee was noted as excused).**

Commissioner Soto referred to page 8.37; EC6.3; “Shoreline public access improvements shall be designed to allow future increases in elevation along the shoreline edge to keep up with higher sea level values should they occur. He asked to delete the word “should” and use the word “when” they occur.

**ACTION: It was M/S (Soto/Reyes) to amend EC6.3; to read, “Shoreline public access improvements shall be designed to allow future increases in elevation along the shoreline edge to keep up with higher sea level values when they occur;” which carried by majority voice vote (Teltschick-Fall abstained; Lee excused).**

Chair Duncan confirmed there were no other comments for the Energy and Climate Element.

#### **Chapter 9 – Growth Management:**

The Commissioners had no amendments or comments.

#### **Chapter 10 – Parks and Recreation:**

The Commissioners had no amendments and commented that they liked the chapter.

Commissioners considered voting to accept the chapter and Chair Duncan clarified that the final resolution will incorporate all chapters that have no amendments.

#### **Chapter 11 – Community, Health and Wellness:**

Commissioner Choi commented that he enjoyed this chapter.

Vice Chair Lane agreed, and referred to HW.9.J on Page 11.55; Site Remediation. She motioned to include a statement that addresses accountability for private property owners to pay for clean-up. She made a motion that would “require property owners to comply with for state and federal requirements for site remediation other conditions for improving redevelopment contaminated sites”.

Commissioner Choi seconded the motion. Commissioner Soto suggested substituting or clarifying language. He asked to add after the word “with”, “require property owners to comply with and pay for state and federal requirements for site remediation as conditioned.” Vice Chair Lane concurred with the amendment.

Ms. Renfro noted a misspelling, stating that the “i” should be removed from “Cortese”.

**ACTION: It was M/S (Choi/Soto) to amend HW.9.J; Site Remediation; to read Require property owners to comply with and pay for state and federal requirements for site remediation as conditioned;” which carried unanimously (Lee was noted as excused).**

### **Chapter 11 – Community Health and Wellness:**

Vice Chair Lane referred to page 11.28, HW2.D; Sustainable Urban Agriculture Assessment, and motioned to add an additional bullet point that states, “Conduct an evaluation of land for contamination due to chemicals or other contaminants that can be harmful to a person’s health.” Commissioner Teltschick-Fall seconded the motion.

Commissioner Soto asked for a friendly amendment to the preamble; after the word “fresh fruits and vegetables in the community, insert “especially in existing food deserts”. This would require an additional bullet point which would be to “Identify existing food deserts in the Richmond community.”

Ms. Renfro asked to identify “food desert”. Commissioner Teltschick-Fall agreed with the friendly amendment, but proposed a comprehensive amendment which would also address identifying and eliminating food deserts in the same element and comprehensive to all areas of the element. Chair Duncan suggested studying this in tandem with the proposed motion.

Commissioner Teltschick-Fall said rather than going into each item, she was going to try and make a motion to recommend to the City Council to have an action to “Establish a task force to craft a Citywide food ordinance to eliminate food deserts, to provide space for and clear labeling of organic foods at the Richmond Farmers Market, to restrict and reduce the proliferation of fast-food restaurants, shops and stops in order to begin implementation of General Plan Goal HW2, General Plan actions HW2.1 through HW2.C and HW2.D on pages 11.16 and 11.26 through 11.28. She noted that Oakland and Berkeley have already crafted food ordinances for their cities. There are so many different food movements here that are trying to get traction and references in the General Plan, and she would like to promote this idea and craft a food ordinance which could provide real enforcement capabilities of policies and actions in the General Plan.

Chair Duncan questioned whether or not there is too much specificity in this idea. Ms. Renfro said her question would be whether it is a policy, goal or action. She likes the fact that it is creating a task force to craft an ordinance, but this would not be a goal but an action. Vice Chair Lane agreed it is an action. Mr. Rojas said it sounds like it is along the goal of expanding access to health food and nutrition choices and it may go under goal HW2, and it would be a new action HW2.E following the action HW2.D.

**ACTION: It was M/S (Lane/Teltschick-Fall) to amend page 11.28, HW2.D; Sustainable Urban Agriculture Assessment, adding an additional bullet point that states, “Conduct an evaluation of land for contamination due to chemicals or other contaminants that can be harmful to a person’s health;” which carried unanimously.**

Commissioner Teltschick-Fall stated that with respect to the Community Health and Wellness Element, she moved to create

**MOTION:** It was M/S (Teltschick-Fall/Lee) to recommend to the City Council to create a new action as HW2E (following HW2.D) to “Establish a task force to craft a Citywide food ordinance to identify and eliminate food deserts, to provide space for and clear labeling of organic foods at the Richmond Farmers Market, to restrict and reduce the proliferation of fast-food in restaurants, shops and stops in order to begin implementation of General Plan Goal HW2, and actions HW2.1 through HW2.C, and HW2.D on pages 11.16 and 11.26 through 11.28.”

Commissioner Soto said it seems like it encompasses a variety of pieces included in the element. He likes the idea for a quality food ordinance, or the “formula restaurant ordinance” which was adopted after the Subway case. He suggested adding to Policy HW2.3; Quality of Restaurant Food, which is a specific item; “To expand the formula restaurant ordinance to neighborhoods with high rates of obesity-related diseases.” He likes all the ideas, but was not sure it all needs to be there. Commissioner Teltschick-Fall said she sees it as the opposite because the quality of restaurant food is one item in the food ordinance, and the food ordinance must be overarching in defining what kinds of foods are legally supported or allowable Citywide. She thinks of it as a stronger and more comprehensive way to get going on many goals and policies.

Vice Chair Lane said she also wanted to add information to HW2.3; Quality of Restaurant Food, but what is being suggested is fine and asked that it be repeated. Commissioner Teltschick-Fall restated the motion as “Establish a task force to craft a Citywide food ordinance to identify and eliminate food deserts, to provide space for and clear labeling of organic foods at the Richmond Farmers Market, to restrict and reduce the proliferation of fast-food in restaurants, in shops and ‘quick-stops’ in order to begin implementation of General Plan Goal HW2, and General Plan actions HW2.1 through HW2.C and HW2.D on pages 11.16 and 11.26 through 11.28.

**SUGGESTED AMENDMENT:** Vice Chair Lane suggested a friendly amendment to add “conduct a community foods assessment which provides data on quality, quantity, price and location of food retail of all kinds.” Commissioner Soto said he worked on this through using a tool created by the State of California and highly encouraged the assessment which evaluated the markets and quality of food. He asked to expand language to specifically target the Farmers Market and amend it to “farmers markets in Richmond”. Commissioner Teltschick-Fall suggested simply wording Vice Chair Lane’s request to “Conduct and publish an inventory of the availability and quality of food Citywide.” Commissioners requested amending the word ‘quick-stop’ to ‘convenience stores’, discussed fast food which may not entirely equate with health and suggested further defining fast food and formula restaurants in the future. Ms. Renfro agreed there is a distinction between the two and currently, ‘formula restaurant’ is only defined by moratorium and is not in the zoning ordinance. Commission Teltschick-Fall added that it is not just the definition of fast food, but also healthy food and supported moving forward. Chair Duncan felt the term, fast food has a definition and certain implications and he suggested using the term, with the ability to amend the plan once it is redefined.

**ACTION:** It was M/S (Teltschick-Fall/Lee) to amend HW2 on pages 11.16 and 11.26 through 11.28, and recommend to the City Council to create a new action as HW2E (following HW2.D) to “Establish a task force to craft a Citywide food ordinance to identify and eliminate food deserts, to conduct and publish an inventory of the availability and quality of foods Citywide, to provide space for and clear labeling of organic foods at farmers markets in Richmond, to restrict and reduce the proliferation of ‘fast-food’ in restaurants, shops and convenience stores; which carried unanimously.

Commissioner Teltschick-Fall proposed a motion for a policy to “establish hard limits for airborne emissions, noise, hazardous materials, water contamination and degradation of biological resources. Existing baseline conditions must be part of any plan to reduce negative impacts and improve health outcomes.” She said her argument for this is throughout the General Plan and policies and actions, reductions and improvements are being called out, as data shows the incidents of increased disease and health problems.

She realizes that the General Plan cannot establish these limits, but the City Council can be asked to establish the limits. This falls under the fact that the City can exercise its land use authority and police power to establish and enforce hard quantitative limits on environmental impacts and that they will complement regional and state requirements thresholds if done correctly. Ms. Renfro stated that in CEQA, thresholds of significance would probably be the mechanism by which the City could refer to as hard, objective criteria establishing thresholds of significance for environmental impacts. There are no local thresholds here and very few cities actually have them.

Chair Duncan questioned where the proposed revision would be located and also asked for a second to the motion in order to further discuss it. Commissioner Teltschick-Fall said she was not sure. Commissioner Reyes seconded the motion.

Mr. Rojas suggested it go under Goal HW9.U; Improve Environmental Quality; as “Establish thresholds of significance for airborne emissions, noise, hazardous materials, water contamination and degradation of biological resources. Existing baseline conditions must be part of the plan to reduce negative impacts and improve health outcomes”.

**ACTION: It was M/S (Teltschick-Fall/Reyes) to add goal HW9.U. Improve Environmental Quality; as “Establish thresholds of significance for airborne emissions, noise, hazardous materials, water contamination and degradation of biological resources. Existing baseline conditions must be part of the plan to reduce negative impacts and improve health outcomes”; which carried unanimously.**

Commissioner Teltschick-Fall suggested the action to formulate a green strategic plan and a strategic industrial land use plan factoring in industry impacts that already exist. Her suggestion is that this could be part of the Climate Action Plan or complementary to the Climate Action Plan. The rest of the wording would be “Set strategy and timeline for meeting requirements of AB 32 and SB 375 with complementary strategies and timelines for reduction of disease causing pollutant in air and water.” The argument here is that they are already working on a green strategic plan, we know GHGs need to be reduced and instead of centering entirely on GHGs, this is an excellent opportunity to also reduce the other disease causing pollutants in air and water because carbon emissions are not the only problem.

Mr. Mitchell felt these were very ambitious goals. The City of Richmond does not have the resources to do some of these things. There is any number of potential pollutants, and a conference was held today with the EPA where they learned the science is still being developed on this. While these are good goals, he is somewhat worried about the extent to which a municipality can explore these things without resources and how the City will deliver some of the goals. He suggested clarifying language to indicate, “Work with the EPA or work with the UC California, identify resources to assist with...”

Commissioner Teltschick-Fall questioned how the City got to the point where it was able to do a Climate Action Plan. She feels this could piggyback on that or follow in its footsteps. Mr. Mitchell said the intent of beginning the Climate Action Plan is to use that mechanism to begin to identify objectives. Their first step was to hold a community meeting to scope out what people would like to see. He thinks the process has started and through it, the Commission will begin to broaden the base and attach it to resources. He suggested the work be tied to working with stakeholders because the City does not have the resources to do these things.

Commissioner Teltschick-Fall said the City has funding to do a Climate Action Plan. She would support adding language to identify who the City should call on for resources, and she simply wants to formulate a green strategic plan and a strategic industrial land use plan that factors in industrial impacts that already exist and that will set a strategy and timeline for meeting requirements.

Chair Duncan said there are many things in the commissioner's statements that incorporate specificity. AB 32 may be disappearing, and these are moving targets that in a General Plan that cannot be accommodated for. He suggested Commissioner Teltschick-Fall suggested making her statement more generic and asked to substitute the word "green" with "sustainable." He asked for a second to the motion. Commissioner Soto seconded the motion.

Chair Duncan noted that the Community Action Plan group met and he questioned how the proposed motion dovetails with this and felt it might be redundant. Mr. Rojas said he feels the policies in the Health and Wellness Element and the Conservation Element, referring to page 11, Policy HW9.3 Water Quality, stating it already talks about how much contaminants can go into water supplies. Commissioner Teltschick-Fall said she still felt these were specific about water runoff. Some comments from the public are that the City does not have a strong statement for assessing industrial impacts that already exist and how can it reduce what it has in monitoring new development. She is trying to achieve a larger task force in addressing that, and thinks the City would benefit from a larger plan to reduce disease-causing pollutants in air and water.

Chair Duncan said the City truly does not have the means of doing this and he asked if the proposal could be distilled down a bit, and felt what is being proposed is exactly what the Community Action Plan group is doing and could be part of the Climate Action plan. The fundamental resource is through the umbrella of the Climate Action Plan. Commissioner Teltschick-Fall said while it does need to be feasible, the action itself does not have to include how one is going to do it and it is not stated parenthetically. She said the CAP is all about CO2 emissions and this is about everything else in the air and the water. She proposed a revised motion to "formulate a sustainable strategic plan and a strategic industrial land use plan which factors in industry impacts that already exist, set strategies and timelines for meeting requirements to reduce disease-causing pollutants in air and water."

Ms. Renfro said the CAP is the entire climate, sea level rise, every kind of gas or emission, and from a practical standpoint, many comments have been received on the General Plan as currently proposed, an EIR has been prepared on that, and to add a new plan other than plans contained in it, it is fair to assume it would draw a lot of comment between now and going to the City Council. It could delay the Council's action ultimately on the plan. She felt it might be strategically more feasible to reserve ideas for the Climate Action Plan already underway.

Commissioner Teltschick-Fall said the focus of this is health and disease and not carbon emission and sea level rise. Mr. Rojas questioned if the implication was that there are not

specific water quality standards, and he said there are agencies responsible for enforcement. Commissioner Teltschick-Fall said no; but she would like to recognize the City does not have a comprehensive inventory of industrial pollutants in the City, and there is a need to identify them and reduce them. There is County data that shows the City is in an area of high impact with greater incidents of disease rates than areas where there is no industry.

Chair Duncan suggested re-crafting this that references the Climate Action Plan to state that the Climate Action Plan shall attempt to inventory industrial pollutants in a comprehensive way. He voiced concern that Commissioner Teltschick-Fall was crafting a new law and there are already laws on the books that have it covered.

Commissioner Teltschick-Fall withdrew her motion, stating she was not receiving any traction for the actual purpose of it, which is about health not remedied by reducing carbon emissions.

Commissioner Soto referred to page 11.23 under action HW1.D; Parks Maintenance and Plans; and made a motion to add a sentence at the bottom to read, "Work with WCCUSD to develop community service credit for students for supervised park maintenance programs." He said the purpose for this is that he knows the City is responsible for maintenance of the parks; they are chronically understaffed and with the HEAL project when they did our park conditions survey, one of the ideas we learned from the young people was it would be good for the students to work after school to help clean up the parks as a community service program. He said the motion would be to add a sentence at the end of that paragraph that would say work with WCCUSD to develop community service credit for students for supervised parks maintenance program"

Ms. Renfro stated there are other agencies in addition to WCCUSD that do this and she suggested making it broader, and suggested "work with WCCUSD and other public agencies to..."

**ACTION: It was M/S (Soto/Teltschick-Fall) to add a sentence to the bottom of page 11.23, under action HW1.D; Parks Maintenance and Plans, to read, "Work with WCCUSD and other public agencies to develop community service credit for students for supervised park maintenance programs;" which carried unanimously.**

Commissioner Soto referred to page 11.24, action HW.1.H; Public Safety Guidelines; last sentence at the bottom of the page; "In the review of major projects in high crime areas of the City" he asked to strike "high crime" and include "all". Chair Duncan seconded the motion.

Vice Chair Lane said because this action speaks of setting guidelines, she asked if there is a process that would facilitate that like crime prevention. Mr. Rojas said there is a current process which Ms. Velasco is working on to develop.

Commissioner Choi said he likes the motion because it takes crime fighting to the entire community and not simply limit it to the Iron Triangle.

**ACTION: It was M/S (Soto/Duncan) to amend action HW1.H; Public Safety Guidelines, last sentence; "In the review of major projects in ~~high-crime~~ all areas of the City;" which carried unanimously.**

Commissioner Soto referred to page 11.26 HW2.2; Local Food Systems; and asked to strike the first sentence that states “support local agriculture on vacant land as appropriate” and replace it with “collaborate with local urban agricultural advocates to identify sites with urban agricultural potential”. Similarly, in the next sentence; “Improve access to fresh fruits and vegetables in the community...” add or insert “especially in existing food deserts.” Commissioner Reyes seconded the motion.

Secretary Lee questioned the definition of food desert. Commissioner Soto said there is a general understanding that it is a lack of retail outlets or prepared food outlets that offer healthful foods. Commissioner Teltschick-Fall said there is number based on how far one goes to get to food and it is also a function of how many are within a certain radius. She thinks the County has the definition, and Mr. Rojas agreed to add the term to the glossary.

**ACTION: It was M/S (Soto/Reyes) to amend page 11.26 HW2.2; Local Food Systems; striking the first sentence that states “support local agriculture on vacant land as appropriate” and replace it with “collaborate with local urban agricultural advocates to identify sites with urban agricultural potential”. Add to the next sentence, “Improve access to fresh fruits and vegetables in the community especially in existing food deserts;” which carried unanimously.**

Commissioner Soto referred to the next section below under HW2.2 and the quality of restaurant food. He asked to add a sentence “Expand the formula restaurant ordinance to neighborhoods with high rates of obesity related diseases.” Chair Duncan seconded the motion.

Commissioner Teltschick-Fall asked to expand that formula to the City. Commissioner Soto said he wanted to hone in specifically on the formula restaurant ordinance that currently only applies to the historic district in Point Richmond, but voiced support to expand it to the entire City.

Secretary Lee said the formula restaurant ban is applicable to the C1 district. He suggested amendment that the C1 district is included in the motion because it identifies subsets of the retail market to attack. Mr. Rojas suggested using “neighborhood commercial” because the zoning code will be updated.

**ACTION: It was M/S (Soto/Duncan) to amend HW2.2 by adding a sentence; “Expand the formula restaurant ordinance to all neighborhood commercial zoned areas of the entire City with high rates of obesity related diseases;” which carried unanimously.**

Commissioner Soto referred to 11.30; HW3.B; Regional Medical Services Coordination. He asked to insert after the “availability of health coverage, insert “lack of obstetrics, gynecology, and birthing facilities in West Contra Costa County”. Commissioner Reyes said he was going to place this after “address key issues including the lack of birthing facilities”. Commissioner Soto agreed it could be placed anywhere in there. Commissioner Reyes seconded the motion.

Commissioner Reyes said he spent 7 years on the Brookside Medical Center Board and they have an extensive prenatal and postnatal program, and it was always difficult to have babies born in Richmond. He welcomes this action with the hopes it will move further.

**ACTION: It was M/S (Soto/Reyes) to amend HW3.B; Regional Medical Services Coordination on page 11.30, to read, “Health Coverage; address key issues including emergency care, availability of health coverage, lack of obstetrics, gynecology, and**

**birthing facilities in West Contra Costa County; continue on medical and other support services... which carried by majority voice vote (Lee abstained).**

Commissioner Soto indicated he had about six more amendments but nothing after this element. Chair Duncan voiced concern with the time of the evening, and suggested continuing.

Commissioner Soto referred to the next page, and said in expanding affordable public transit, the second paragraph states "Public Transit Services should connect major destinations to Richmond including education institutions, community facilities, regional open space areas, and he asked if medical facilities would be included amongst community facilities. If not, he believes they should be included. Mr. Rojas said the terminology is inclusive of medical centers and major destinations.

Commissioner Soto referred to page 11.39; action HW5.A; Inclusionary Housing Ordinance, and he motioned to strike the word "consider" and revise the word "amending" to "amend". The last sentence would read, "Amend the inclusionary housing ordinance." Chair Duncan seconded the motion.

**ACTION: It was M/S (Soto/Duncan) to amend page 11.39; HW5.A; Inclusionary Housing Ordinance; to read, "Amend the inclusionary housing ordinance;" which carried unanimously.**

Commissioner Soto referred to page 11.42; HW6.4; Environmentally Progressive Businesses and Industries; and asked to amend the first sentence: "Encourage business and industries to hire locally ~~when possible...~~" The next sentence; ""Together with regulatory agencies actively work with local industries to reduce harmful emissions and to insure compliance". At the end of that paragraph; "protect the community from environmental hazards, including the cost of the impact studies and remediation." Commissioner Choi seconded the motion.

Commissioner Teltschick-Fall questioned and clarified the motion.

**ACTION: It was M/S (Soto/Choi) to amend page 11.42; HW6.4; Environmentally Progressive Businesses and Industries; and asked to amend the first sentence: "Encourage business and industries to hire locally ~~when possible...~~" The next sentence; ""Together with regulatory agencies actively work with local industries to reduce harmful emissions and to insure compliance". At the end of that paragraph; "protect the community from environmental hazards, including the cost of the impact studies and remediation" which carried unanimously.**

Commissioner Soto referred to page 11.53; HW9.A; Air Quality Monitoring and Reporting Program; and made a motion to insert at the end of the first sentence, "Work with the BAAQMD and other governmental agencies to establish and identify funding for citywide air quality monitoring and reporting program, including known and industrial sources of emissions." Commissioner Choi seconded the motion.

**ACTION: It was M/S (Soto/Choi) to amend page 11.53; HW9.A; Air Quality Monitoring and Reporting Program; "Work with the BAAQMD and other governmental agencies to establish and identify funding for citywide air quality monitoring and reporting program, including known and industrial sources of emissions." which carried unanimously.**

Commissioner Soto referred to page 11.59; HW9.4; Noise Ordinance; sixth line down, it states, “crossings or other sources of brief lout noise” and he asked that the spelling be corrected to read “loud” as well as in other places.

Commissioner Soto referred to page 11.61; HW10.6; Waste Reduction and Recycling; at the end of it, add a sentence that reads, “Develop a comprehensive recycling and composting program for all City facilities”. He said he has noticed that many City facilities and functions do not actively engage in active recycling or composting. Commissioner Teltschick-Fall seconded the motion.

Chair Duncan questioned if the ordinance already requires composting and waste management which perhaps is not being enforced. Ms. Renfro said she was not certain there are programs at City facilities and questioned which department would administer this. Mr. Rojas said the department administering this at City Hall is the Environmental Initiatives within the City Manager’s Office, but he believes it is a program focused at City Hall only.

**ACTION: It was M/S (Soto/Teltschick-Fall) to amend page 11.61; HW10.6; Waste Reduction and Recycling; adding a sentence that reads, “Develop a comprehensive recycling and composting program for all City facilities;” which carried unanimously.**

Commissioner Soto referred to page 11.66, Action HW11.D; Healthy Choices Information Campaign; first sentence “work with Contra Costa Health Services and community stakeholders to identify creative ways to promote healthy lifestyle choices”, and he asked to place a comma after “choices, starting with City facilities and employees.” Commissioner Reyes seconded the motion.

**ACTION: It was M/S (Soto/Reyes) to amend page 11.66; Action HW11.D; Healthy Choices Information Campaign; first sentence “work with Contra Costa Health Services and community stakeholders to identify creative ways to promote healthy lifestyle choices”, and he asked to place a comma after “choices, starting with City facilities and employees;” which carried unanimously.**

Commissioner Reyes referred to HW5.5 on page 11.38; Service for Homeless. It currently reads “Work with social service agencies to provide an integrated system of care for people experiencing homelessness.” He suggested it be amended to read “Work with social services agencies and all federal, state and local jurisdictions to provide an integrated system of care for people experiencing homelessness.” Commissioner Soto seconded the motion.

**ACTION: It was M/S (Reyes/Soto) to amend page 11.38; HW5.5; Service for Homeless; “Work with social services agencies and all federal, state and local jurisdictions to provide an integrated system of care for people experiencing homelessness;” which carried unanimously.**

Commissioner Reyes referred to page 11.40; Action HW5.H; Homeless Plan. He asked to strike “Homeless Continuum of Care Advisory Board” because it no longer exists. He asked to replace it with “Contra Costa County Homeless Programs to develop and implement a plan to provide housing services ~~transition facilities~~ for people facing homelessness.” Chair Duncan seconded the motion.

**ACTION: It was M/S (Reyes/Duncan) to amend page 11.40; HW5.H; Homeless Plan; to strike “Homeless Continuum of Care Advisory Board” because it no longer exists, and asked to replace it with “Contra Costa County Homeless Programs to develop and implement a plan to provide housing services transition facilities for people facing homelessness;” which carried unanimously.**

**BREAK**

Chair Duncan called for a 10-minute break at 9:25 p.m. and thereafter, reconvened the meeting at 9:37 p.m.

**Chapter 12 – Public Safety and Noise:**

Commissioner Soto referred to page 12.7 and said the section talks about noise conditions and compatibility standards and it breaks out sources of noises such as vehicles, airports, BART; and stationary sources. It states “a variety of stationary sources and noise in Richmond are common to all urban areas such as noise generated by machinery, heating, ventilation, air conditioning, landscape maintenance and activities in Richmond’s industrial area, etc. Occasional outdoor sporting events such as those held at Richmond, Kennedy and DeAnza High Schools can attract large groups of spectators which produce noise which can affect nearby residential areas. He made a motion to add an additional sentence: “The Richmond Rod and Gun Club’s outdoor shooting ranges produce significant shooting noise that can be heard far from its location including residential and recreational areas.” Commissioner Reyes seconded the motion.

Commissioner Soto said he would like to include this because he would like to include the gun club as a stationary source of noise. Commissioner Reyes agreed the club was a regular source of noise, along with other sites that have activities.

**ACTION: It was M/S (Soto/Reyes) to amend page 12.7; Noise Conditions and Compatibility standards; “A variety of stationary sources and noise in Richmond are common to all urban areas such as noise generated by machinery, heating, ventilation, air conditioning, landscape maintenance and activities in Richmond’s industrial area, etc. Occasional outdoor sporting events such as those held at Richmond, Kennedy and DeAnza High Schools can attract large groups of spectators which produce noise which can affect nearby residential areas. “The Richmond Rod and Gun Club’s outdoor shooting ranges produce significant shooting noise that can be heard far from its location including residential and recreational areas;” which carried unanimously.**

**Chapter 13 – Arts and Culture:**

Secretary Lee referred to the letter from the Richmond Arts and Culture Commission and asked for an update from Mr. Mitchell. Mr. Mitchell said in the original drafts of the General Plan, there was a variety of public art pieces that were commissioned for use in the General Plan and in moving through development of the plan and got more in touch with the need for clarity and also when they reformatted the plan and went from the portrait style to landscape style, they moved the location of some of the public art away from dividers where it was thought photographs were needed to provide clarification on the particular section. In subsequent meetings, they discussed the fact that there will be very few paper General Plans in the future. The General Plan will be on the website and the opportunity for its use in displaying public art is well beyond what has been included in the plan. They would like to continue to work with the Commission to

determine how to best develop a portal for the art that was prepared for use in the plan, as well as other public art that depicts life in Richmond as we would like to see it. The original commission was for artists to develop for us sort of mini-visions for how they might see the City and interaction and quality of life in the City. They got the pieces and have continued to look for the best way to display them and he thinks that is still is open question. What they were looking for in terms of the book that is presented to the Commission and to the Council is that they needed to get back to a clearer differentiation between one section of the book and another. So where the art will ultimately land remains to be seen. They will continue to work with the Commission on this.

Secretary Lee said he is trying to find out if they would find that answer okay, or would they still feel slighted or reduced in terms of what was in the General Plan now and what was included in it before. Mr. Mitchell reiterated that what was asked for was input from artists. Where staff put that material must be up to the City in terms of how it meets the objective of the document. It is not a public art document, but a General Plan. They needed to look for a format that staff felt met the best objectives for the plan. Within that format, they think with use of the internet, they will be able to position that and other pieces of art. What they have is the opportunity to showcase a lot of public art as part of the General Plan process, but they are not yet prepared to commit to the specific placement of the art that existed in the earlier drafts.

**ACTION: Commissioner Teltschick-Fall pointed out a formatting error on page 13.7 under the captions of the two photographs at the top of the page; text runs on top of each other.**

Vice Chair Lane reiterated that the Richmond Arts Commission's concerns and said she feels art should be utilized somewhere, given that there was money that went towards it. Commissioner Teltschick-Fall seconded this sentiment. Chair Duncan said he understands Mr. Mitchell's comments, and questioned whether there could simply be an appendix of the graphic images that were included in some of the initial additions of the art. However, the point is well taken that the internet is a broad opportunity. As the General Plan is put up on the internet, that art could be expanded, increased and rotated, so the venue is actually larger than the actual hard copy page. He urged that the art be included and that it simply be a gallery appendix.

**ACTION: Commissioner Soto referred to Arts and Culture on page 13.9, Events and Festival, he asked to include after the Point Richmond Summer Concert Series, "the North Richmond Shoreline Festival" which has just completed its 7<sup>th</sup> annual event.**

#### **Chapter 14 – Historic Resources:**

Commissioner Choi urged that when looking at the cultural and historical resources, it is easy to be overcome by nostalgia. There is a sense that things were better in the old days, but he stressed the point that today, we are making historical resources of tomorrow, and to keep in mind that we are part of history and not imprisoned by it.

Commissioner Soto referred to page 14.5 and said it states that the American period 1846-1895. In 1846 California broke away from Mexico. This is not what happened. He motioned for an amendment to read, "In 1846, the United States instigated a war against Mexico that resulted in the loss of California and several other states in the Southwest United States." Chair Duncan seconded the motion.

ACTION: It was M/S (Soto/Duncan) to amend page 14.5; to delete “In 1846 California broke away from Mexico” and replace it to read, “In 1846, the United States instigated a war against Mexico that resulted in the loss of California and several other states in the Southwest United States;” which carried unanimously.

### **Chapter 15 – The National Historic Park**

The Commission had no comments.

Chair Duncan announced this concludes the Commission’s deliberation on the General Plan, stating they reviewed Items 1-15, excluding Item 5 which is the Housing Element, which will be addressed on a separate track. He clarified that the Commission needs to recommend the General Plan as a whole and asked for individual Commission comments.

Vice Chair Lane said she was happy the Commission has reached this point, thinks the process and the Commission worked well and applauded members in their dialogue even when agreeing to disagree.

Secretary Lee echoed comments, said he thinks Mr. Rojas has done a tremendous job, and after his involvement, the plan was focused and on track.

Commissioner Teltschick-Fall thanked everybody for their hard work and said she feels a lot has been accomplished.

Commissioner Soto thanked staff for their endurance as well as the community. He was part of the GPAC process, appreciates the decorum during deliberations and public input and is glad they got it done.

Commissioner Reyes thanked staff for what is an outstanding document, said he learned a lot when being involved in the REDI group, was disappointed there is no Housing Element and hoped it can be addressed in the near future.

Chair Duncan thanked Mr. Rojas, Mr. Mitchell, Ms. Renfro and Mr. Privat for their outstanding work and a document that shows vision. He said this is a sterling document and very ambitious.

**ACTION: It was M/S (Lane/Soto) to recommend to the City Council the adoption of the August 2, 2011 Draft Richmond General Plan with recommendations by the Planning Commission; which carried unanimously.**

#### **4. Reports of Officers, Board Members, and Staff**

Mr. Mitchell reported that last Tuesday night, the City Council passed the Bicycle and Pedestrian Plans. The first public meeting to scope out the Climate Action Plan took place and was scheduled. The first Technical Advisory Committee meeting of the Livable Corridors Plan was held this week which was the development of a form-based code for key corridors. Today there was a very well-attended and interesting Sustainability Conference where the City hosted the EPA and other regional regulatory agencies in the Richmond Auditorium. He thanked the Commission for the time and energy devoted to the General Plan and said he believes what is being recommended to the City Council is an excellent plan.

Commissioners discussed their Occupy Oakland experiences, congratulated Chair Duncan for his role and job in keeping the Commission focused while still being able to reflect views.

### **Adjournment**

The meeting was adjourned at 10:02 p.m.