

**RESOLUTION NO. 97-11**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND  
ADOPTING A MITIGATED NEGATIVE DECLARATION (SCH# 2011082062) AND  
APPROVING THE CITY OF RICHMOND BICYCLE MASTER PLAN (PLN09-  
115) AND CITY OF RICHMOND PEDESTRIAN PLAN (PLN09-062)**

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**WHEREAS**, LSA Associates Inc., located in Richmond, CA, was selected through a Request for Proposals (RFP) process to complete Environmental review of the City of Richmond Bicycle Master Plan (Exhibit A), the City of Richmond Pedestrian Plan (Exhibit B) and the Harbour Way and the Carlson Boulevard projects (Exhibit C); and

**WHEREAS**, the Bicycle Master Plan provides an overall vision for the future of bicycling in Richmond, with specific policies and programs to achieve this vision: and

**WHEREAS**, the Pedestrian Plan identifies strategies that will improve streets, sidewalks and surroundings to calm traffic, invite people of all ages and abilities to walk, and provide positive places for association and community interaction; and

**WHEREAS**, staff presented the draft plans to the City Council on March 22, 2011 for comments, and on December 2, 2010 staff presented the draft plans to the Planning Commission for comments; and

**WHEREAS**, in enacting this resolution, it is the intent of the City Council to encourage healthy, active living; reduce traffic congestion; improve air quality; and improve the safety and quality of life of Richmond residents by providing safe, convenient, and comfortable routes for walking, bicycling, and public transportation; and

**WHEREAS**, the promotion of transportation improvements that are planned, designed and constructed to encourage walking and bicycling increase the safety, health and overall welfare of residents of and visitors to Richmond; and

**WHEREAS**, the 1994 Richmond General Plan Circulation Element Policy CR1.C calls for the development of Bicycle and Pedestrian Plans and Policy CR2.2 states "Promote mixed-use urban streets that balance public transit, walking and bicycling with other modes of travel"; and

**WHEREAS**, the health, safety and welfare of the residents of and visitors to Richmond will be enhanced by the adoption of a policy that promotes a complete transportation system that meets the needs of all transportation users; and

**WHEREAS**, the City Council of the City of Richmond desires to establish a clear policy ensuring the needs and considerations of adjacent land users and all transportation users, including but not limited to pedestrians, bicyclists, transit users, people with disabilities, the elderly, emergency responders, motorists, and freight providers, are met; and

**WHEREAS**, the preparers of the Draft IS/MND believe that the Draft IS/MND meets the adequacy standard identified in the California Environmental Quality Act (CEQA), even though comments have been submitted on the Draft IS/MND that seek a more exhaustive analysis of project-related impacts. Except for the Harbour Way and Carlson Boulevard projects, specific projects specified in the Bicycle Master Plan and Pedestrian Plan were examined at a programmatic level. Section 15168 of the CEQA Guidelines allows for use of a programmatic environmental review document, as long as "[s]ubsequent activities in the program [are] examined in light of the program [document] to determine whether an additional environmental document must be prepared." This approach, described on page 2 of the Draft IS/MND, would be applied to projects not subject to detailed analysis in the Draft IS/MND; and

**WHEREAS**, no new impacts have been identified in responding to comments submitted on the Draft IS/MND beyond those impacts already identified in the Draft IS/MND; and

**WHEREAS**, recirculation of the Draft IS/MND is not required. Per CEQA Guidelines Section 15073.5, recirculation of a Draft IS/MND prior to adoption is required only when “the document must be substantially revised after public notice of its availability has previously been given pursuant to Section 15072, but prior to its adoption.” A “substantial revision” is defined as:

- (1) A new, avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance, or
- (2) The lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required.

**WHEREAS**, no substantial revisions as defined in CEQA Guidelines Section 15073.5, including new impacts and mitigation measures, have been added to the Draft IS/MND after publication of the Notice of Availability. Therefore recirculation of the Draft IS/MND is not required.

**WHEREAS**, the City Council has conducted a properly noticed public hearing pursuant to California Government Code Section 65090 and has duly considered all written and verbal testimony presented during the hearing.

**WHEREAS**, by the agenda report in support of this resolution (Agenda Report), the City Council has been provided with additional information upon which the findings and actions set forth in this resolution are based.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Richmond does hereby find the above recitals are true and correct and have served, together with the Agenda Report, as the basis for the findings and actions set forth in this Resolution.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the City Council of the City of Richmond, does hereby adopt the Mitigated Negative Declaration for the City of Richmond Bicycle Master Plan, City of Richmond Pedestrian Plan, Harbour Way project and Carlson Boulevard project and adopt and approve the Bicycle Master Plan and Pedestrian Plan.

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I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond, California at a joint meeting thereof held November 1, 2011 by the following vote:

Ayes: Councilmembers Beckles, Ritterman, Rogers, Vice Mayor Butt and Mayor McLaughlin.

Noes: Councilmembers Bates and Booze.

Abstentions: None.

Absent: None.

DIANE HOLMES  
Clerk of the City of Richmond

Approved:

GAYLE MCLAUGHLIN  
Mayor

Approved as to form:

RANDY RIDDLE  
City Attorney

State of California            }  
County of Contra Costa        }        : ss.  
City of Richmond               }

I certify that the foregoing is a true copy of Resolution No. 97-11, finally passed and adopted by the City Council of the City of Richmond at a joint meeting held on November 1, 2011.