

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

May 22, 2019
6:30 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

COMMISSIONERS PRESENT: Chair Barksdale, Commissioners Carlson, deVadoss, Laing, Malakoutian, Morisseau, Moolgavkar

COMMISSIONERS ABSENT: None

STAFF PRESENT: Emil King, Nicholas Matz, Department of Planning and Community Development

COUNCIL LIAISON: Mayor Chelminiak

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER
(6:32 p.m.)

The meeting was called to order at 6:32 p.m. by Chair Barksdale who presided.

2. ROLL CALL
(6:32 p.m.)

Upon the call of the roll, all Commissioners were present.

3. APPROVAL OF AGENDA
(6:32 p.m.)

A motion to approve the agenda was made by Commissioner Laing. The motion was seconded by Commissioner Carlson and the motion carried unanimously.

4. REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS
(6:33 p.m.)

Chair Barksdale took a moment to recognize Commissioner Carlson for finishing his second four-year term. He said during his tenure Commissioner Carlson was involved in working on the 2015 major Comprehensive Plan update, the Downtown Livability Land Use Code update, the Shoreline Master Program, the Eastgate land use and transportation plan policies and code, the East Main Comprehensive Plan policies, and a number of other policy issues and regulatory items. He said he appreciated Commissioner Carlson's inclusiveness in making sure everyone's voice was heard, his balanced approach to discussing items before the Commission, and his ability to keep the broader picture in mind.

Commissioner Carlson said the Commission is the intersection where the members represent citizens and the City Council. He said his experience on the Commission had been wonderful.

Given what is happening in the nation's capital, in Olympia and even on some city councils, the Commission has shown that there can be diversity and different views without divisiveness. The Commission enjoys a high degree of collegiality and a sense of working together toward a better city. In part that is because the members know they will serve for only a temporary period of time, making it necessary to get work done before being replaced by someone else, and because there is a great deal of mutual respect among the members. One can learn much from others even in the face of having a different viewpoint. To a person, Commissioners leave personal agendas outside and focus on getting done the work of the city. The real key to success in government is in fact the Golden Rule, treating colleagues the way one wants to be treated. Bellevue's staff are dedicated to making Bellevue a better city.

With regard to the future, Commissioner Carlson stressed the need to keep an eye on growth. He said economic growth will be pushing two particular issues that matter a great deal to everyone, namely affordable housing and the integrity of single family neighborhoods. He said he hoped the city would continue to channel growth into the ~~D~~downtown, Eastgate and Bel-Red but suggested that will be the next big challenge for the Commission and the Council.

On behalf of the City Council, Mayor Chelminiak thanked Commissioner Carlson for his service. Noting that he got his start in working for the city on the Planning Commission, ~~he the~~ mayor said the Commission has a great deal of ~~e~~ffect on the long-term success, or lack thereof, of the city. He agreed that the city is facing a period of rapid growth that is likely to continue. The Council cannot fully function unless the city's boards and commissions do their jobs in recommending good legislation and ideas. He thanked Commissioner Carlson for his part in making certain that happens.

Commissioner Laing said he had been on the Commission for seven years and had found Commissioner Carlson to be a good friend first and foremost. He said when he joined the Commission it was not a collegial body, and in fact there will far less collegiality on other boards and commissions and even the Council at the time. The one voice that always called for collegiality, for working together and for keeping the big picture in mind was that of Commissioner Carlson.

Commissioner Malakoutian thanked Commissioner Carlson for his service. He said during his year-and-a-half tenure on the Commission he had learned a great deal from Commissioner Carlson. He wished Commissioner Carlson good luck in his future journey.

Commissioner deVadoss concurred. He said he had learned a great deal by watching and listening to Commissioner Carlson over the past five years. He said it would be a very difficult task to replace Commissioner Carlson on the Commission.

Commissioner Morisseau said it had been a real honor and pleasure serving with Commissioner Carlson. She allowed that while she and Commissioner Carlson have not always agreed, on one of the most difficult nights of her time on the Commission Commissioner Carlson showed his care for her as a human being. She said he always listened and she thanked him for that as well as for his service to the city.

Commissioner Moolgavkar said as a rookie on the Commission the highest compliment she could pay to Commissioner Carlson was to say she hoped someone with the skills, personality and demeanor could be found to take his place.

A group photo was taken.

Mayor Chelminiak reported that the Council passed the East Main Comprehensive Plan amendments. He said discussions on the principles and the guidance to be given to the Commission will be taken up soon. One Councilmember made the suggestion to consider keeping the matter with the Council but a vote on that approach has not yet been taken.

Commissioner Laing stated that Mayor Chelminiak gave a keynote closing presentation earlier in the day in which he emphasized the need to be bold, to look ahead and to not abandon plans too soon.

5. STAFF REPORTS
(6:49 p.m.)

Strategic Planning Manager Emil King called attention to the Commission calendar included in the packet. He noted that there were some open dates that likely will become populated as the Council gives direction.

6. ORAL AND WRITTEN COMMUNICATIONS
(6:49 p.m.)

Ms. Fiona Coffield, address not given, thanked Commissioner Carlson for his service on the Commission along with his insights and goals. She agreed with the need to keep in mind the many people who live in Bellevue as growth occurs.

7. PUBLIC HEARING
(6:51 p.m.)

A. Threshold Review Public Hearing: 2019 Annual Comprehensive Plan Amendments

Senior Planner Nicholas Matz brought to the Commission the last of the four threshold review public hearings on the 2019 proposed Comprehensive Plan amendments. He noted that the recommendations of the Commission go before the Council in the form of resolutions. The Council will act on the recommendations in the form of adopting the 2019 work program.

Mr. Matz said the application before the Commission was Vision Zero for Gun Safety, a proposal to amend the Human Services Element of the Comprehensive Plan. The proposal would have ramifications for the entire city, but at the threshold review stage the focus must be on the criteria in determining whether or not the issue should be advanced for further review and evaluation. The proposed amendment addresses the topic of public health, which is a legitimate topic in the Comprehensive Plan, one that is addressed in the Human Services Element and other portions of the plan. He stressed the need to retain a focus addressing the issue as a matter of public health and to avoid straying to other ~~related~~ issues.

Mr. Matz said the Human Services Element clearly defines human services needs in the community and sets out goals that are intended to meet those needs. The third goal of five is that community members should have a safe haven from all forms of violence and abuse. The Human Services Needs Update is a functional plan that helps to implement the element, but it is not a policy document. As a functional plan, it exists to guide and fund decisions made by the Council and others based on adopted policy. The proposal rests in part on the fact that policies related to Vision Zero for traffic safety are already adopted and integrated throughout the Comprehensive

Plan.

The Commissioners were reminded that updates to the Comprehensive Plan are limited to an annual process, and the proposed recommendations ultimately form the work program.

Mr. Matz said the application proposes policy amendments to the Human Services Element to establish a public health framework that would strive to achieve zero deaths and serious injuries from gun violence in Bellevue by 2035; conduct a comprehensive risk review and assessment of risks to especially vulnerable residents and workers; work with neighboring jurisdictions to develop and implement regional best practices on prediction, risk avoidance, counseling using data-driven enforcement; and seek the means to implement gun safety strategies supporting a safe city and promoting healthy living through a sense of safety.

Commissioner Carlson asked where things currently stand in Bellevue in terms of deaths and serious injuries from gun violence. Mr. Matz said staff has not been able to research that in light of keeping the focus within the framework of the public health question.

Mr. Matz briefly reviewed the threshold review decision criteria and the staff finding regarding each. Of the eight criteria, he pointed out that three do not apply in the case of the proposal, specifically the criteria regarding compliance with the three-year limit rule, the criteria regarding geographic scoping, and the criteria that state law or a court of administrative decision requires the proposed Comprehensive Plan amendment.

Mr. Matz recognized that the issue of gun safety has many complex facets that are relevant to the city and its residents and businesses. He stressed that the sole basis for the evaluation, however, were the threshold review decision criteria and said the recommendation of the staff was not based on any externalities. It follows that any related issues implied or stated that reach beyond the criteria are better suited for discussion and action in other venues. The Commission acts in a policy advisory capacity to the City Council to determine if the city's Comprehensive Plan goals, policies and land use regulations and ordinances first implement the Growth Management Act and second promote orderly and coordinated development within the city. Neither the threshold review decision criteria nor the Commission's advisory role to the Council provide for adjudication of Second Amendment issues in connection with a privately initiated Comprehensive Plan amendment framed as a public health proposal.

Mr. Matz said the recommendation of the staff was that the proposal does not meet all the threshold review criteria and should not be included in the work program. The staff found that the applicant has identified through the proposed policies a problem whose impacts can be measured locally, with a policy framework for future actions through other means, which is appropriately addressed in the Comprehensive Plan, thus Criterion A is met. However, the application raises policy issues that are more appropriately raised in other work programs, thus Criterion C is not met. The necessary civic engagement and consensus requires more resources and time and time than is available through the annual Comprehensive Plan amendment process, thus Criterion D is not met. The proposal establishes a significantly changed condition where the Comprehensive Plan does not address keeping communities safe from violence while stating that public health policy can do exactly that, thus Criterion E is met. There is a lack of information to determine consistency with the Countywide Planning Policies, state or federal law, or the Washington Administrative Code, thus Criterion G is not met. All of the threshold review decision criteria must be met in order to advance an application into final review.

The Commissioners were informed that to date a total of 48 public comments had been received.

All but two of them were strongly in favor of the application, and 31 of the comments were submitted by the applicant. It was noted that the applicant made additional reference material available regarding gun issues in the nation and the state, as well as about local efforts and impacts in other communities. The applicant has been persistent in sharing concerns about the widespread trauma that gun violence causes locally, regionally and nationally. His comments have underscored his personal belief that action on arresting the trauma needs to be done immediately. He has also reached out to various other city agencies, the King County Council and other legislative bodies. Most of the comments received express strong support for the proposal as a matter of public good. One comment asked only for information, and the comment strongly opposed to the application noted a personal combat record and stated the belief that the information provided in support of the proposed amendment was in error.

(7:10 p.m.)

Commissioner Moolgavkar asked if the proposal was based on passage of Vision Zero for traffic deaths and serious injuries. Mr. Matz said he would not characterize the proposal as being based on that, but the applicant has suggested that addressing the issue of preventable violence for one matter of Comprehensive Plan policy could also be considered for another.

Commissioner Moolgavkar asked why it was not felt there is not sufficient time to address the gun safety issue within the annual Comprehensive Plan amendment process when there was enough time to address the issue of vehicular deaths and serious injuries. She also asked if silence under the Growth Management Act means something cannot be done. Mr. Matz said prior to coming to the Commission, there was a growing body of knowledge that it was possible to address deaths and serious injuries from traffic, and there was a fully movement and supporting organizations in place. The dialog and conclusions reached by other jurisdictions as a matter of planning policy for public health were much more fully formed and ready to go. While there was not necessarily agreement as to the details, there was a recognized body of knowledge that could be brought forward for review. It was thus not necessary to revisit the entire conversation about whether or not the issue should be addressed at all, and it fit into the city's annual Comprehensive Plan amendment process.

With regard to the question relative to silence by the Growth Management Act, Mr. Matz said there likely are conversations that could take place around policy interpretation. The silence is in the limits bringing the issue forward as a matter of public health under the decision criteria. To go beyond that would exceed the mandate and would stray into the area of non-public health and other issues. The Growth Management Act is silent on the aspect of being safe from all forms of violence and how it can be realized through gun policy and legislation.

Commissioner deVadoss expressed the belief that the proposal is overreaching. The Second Amendment certainly is outside the scope of the Planning Commission, he stated, which is charged with dealing with land use and zoning issues.

Mayor Chelminiak added that Vision Zero for traffic safety was predicated on policy that was first adopted by the City Council in December 2015. The following change to the Comprehensive Plan was initiated by the Council, which is a very important distinction.

A motion to open the public hearing was made by Commissioner Laing. The motion was seconded by Commissioner Carlson and the motion carried 6-1, with Commissioner deVadoss voting against.

Mayor Chelminiak urged the audience to show respect during the public testimony when differences of opinion are expressed and to abstain from cheering, booing or clapping.

Mr. Vernon Schragg, 1106 108th Avenue NE, said he is a former Army combat veteran who was honored for his service. He said he has dealt with the issue of gun safety for a long time. He urged the Commissioners to consider that the decision they would make could be the most important ever. Lives matter, people matter, children matter as does honesty and caring. It would be great if the Commission were to choose to make Vision Zero work for the good of the community. He said he prayed the Commissioners would be able to go home knowing they did the right thing. The number of gun violence deaths in the United States will exceed 40,000 during 2019, and some of them could happen in Bellevue. A Bellevue teen was murdered just a few weeks ago, shot to death in a city park. Bellevue's official top priority, public safety, should be honored by choosing to save lives. The Commission should not act in a way that will put Vision Zero aside for another three years. King County leaders have taken responsibility by agreeing to help Bellevue go forward for gun safety. The Kirkland City Council has also offered to work with Bellevue on the topic. Land use policies did not get in their way. The Bellevue City Council has just sat on the issue, however. The Commission should choose to stand up for gun safety and make it a priority. The Commissioners should stand up for their neighbors and not act like judge and jury for those who will die from gun shots in the next three years. School-aged children should know that the Commission believes they matter. The city's official analysis should be carefully considered. It is not complete and it contains fatal flaws so it should not be foolishly rubber stamped. The Commission should vote to overrule the fatally flawed recommendation. The Commission should pass the issue on the Council with a recommendation to move forward with getting public town halls going. The Commissioners should act in full public view and transparency for the record. The 2019 vision priorities do not contain a single word about public safety. If the Human Services Commission was briefed on the issue, what they had to say should be made known. The Council's highest priority has been stated to be public safety and lists life as the highest priority. The mayor has stated his unacceptability of hate crimes. It should not be said if it is not going to be fixed. Doing nothing is worse than saying it. Killings, shootings, suicides and murders all have consequences for public safety. The Commission should get real and do its job. Taxpayers annually pay some \$100 billion to fix the problem. That is enough money to fix all of the school funding in the entire United States. It is not the Planning Commission's job to take on the risk; it is the job of publicly elected officials to do so. The Commission's votes will be part of the public record, and every vote should be made to count for everyone. King County and Kirkland are way ahead of Bellevue. Gun violence is already a disaster. It should be made a priority for Bellevue in 2019. A simple majority vote will help to move the issue forward. The Council could have already implemented the issue when it worked on Vision Zero for traffic safety, but that was not done. The Council should stand up in front of the voters and take a vote on gun safety as well. The flawed planning recommendation sets a dangerous precedent for Bellevue's comprehensive planning, especially for school safety, public safety and city codes. He called for a collective moment of silence for the children who have died and who are fighting harder than the adults ever will for their own safety and lives.

(7:24 p.m.)

Mr. Allan Silverman, a resident of the Bellettini Retirement Home, said he is 87 years old, a Korean War vet, and a member of Grandparents Against Gun Violence. He impressed on the Commission the importance of the proposed amendment to him and other residents of the Bellettini Retirement Home. The Commissioners were asked to remember two names: Kendrick Castillo and Reilly Powell. Kendrick was an 18-year-old leader of his robotics team near Denver. He could have gone on to invent all kinds of things. Reilly was an outstanding sportsman and a

leader in his class who was killed at just 21 years of age. In both cases, they recognized the threat of impending death to themselves and others, but rather than wait for help, they rushed the shooters. Reilly was hit twice but continued to run after the gunman. It was not until a third bullet was fired at close range that Reilly went down. After tackling both shooters, other students joined in disarming them. The acts of heroism saved many lives.

Ms. Margie Davidson, also a resident of the Bellettini, said she is 94 years old and a member of Grandparents Against Gun Violence. She said she is part of the Greatest Generation which has been through wars of all kinds. Gun violence is unbearable. The Sandy Hook school shooting ten years ago involved a single mad-man shooting a lot of students and six teachers. She said that event never leaves her mind as her own great grandchildren are now enrolled in elementary schools. She said she does not want them to have to learn to duck and hide. They should be free like she was as a young student. The gun violence issue is not being taken as seriously as it should be. She challenged the Commissioners to make Bellevue a model of gun safety by going beyond the limits and the boundaries that have been described. She said she and her husband came to Bellevue 40 years ago after finding Bellevue listed in a book as a wonderful place to live. It has been just that, but someone should explain why the right to have a gun supersedes the right of innocent people to live. Something needs to be done to take the guns away.

Ms. Melissa Klausen, 10485 NE 6th Street, said she is part of the group of active seniors who participate in local activities. She said the members all care about their world and they vote. She said she is proudly the mother of two, the grandmother of two, and the great grandmother of one. She said she attended Bellevue schools from kindergarten to high school. She encouraged the Commissioners to add their support to the gun safety movement by adding words of support and action to the mission plans for the future of Bellevue. Support should be added to every pertinent document generated. Gun safety is certainly a national issue, but as the saying goes all politics is local. Accordingly, local government is where gun safety begins. King County and Kirkland have taken a stand on gun safety for their neighborhoods, the same should be done in Bellevue. The Bellevue city government should be working to create a community in which her children, grandchildren and great grandchildren can visit her and know that their safety is being taken seriously. When faced with insurmountable obstacles, baby steps should be taken to achieve the goal, inching forward bit by bit. That is the approach the city should take in working toward making the community safer in regard to gun safety. The first step should be to add supporting statements to documents that indicate a vision for the future of Bellevue relative to gun safety.

Ms. Judy Barnes, a resident of the Bellettini Retirement Home, said at 85 she is also a member of Grandparents Against Gun Violence. She said she raised five children in the area and never thought when sending them off to school that she was sending them someplace that was not safe. Her children grew up safe and now have children of their own. They should not have to look at their children and worry about their safety when sending them off to school. Many of the students who have attended schools where shootings have occurred are fed up with the adults not doing anything, not responding the way they should. The kids are having to step out and do what the adults are supposed to be doing. It is up to the adults, not the children, to set up safe situations. Children need to be children, and they need safe places in which to do that. Every child should look to their parents and ask if they are making things better.

Ms. Beth Silverstein, 1610 105th Avenue SE, said she has a daughter who graduated from Bellevue High School. Quoting Paragraph 2 of Resolution 9035, Vision Zero for Traffic Safety, she pointed out that the life, safety and health of residents, employees and visitors to Bellevue is the City Council's highest priority. She asked if anyone had changed their mind about what the Council calls its highest priorities to believe that life, safety and health are no longer paramount.

| She said before the Commission was the opportunity to approve an amendment that would begin a conversation and the work necessary to ensure that the life, safety and health of all Bellevue residents continues to be paramount. It is not complicated, costly or difficult. It is not a Second Amendment issue, rather the proposal seeks to open a conversation about gun violence and how to mitigate it. It is not a big ask. Speaking out for what is right demands bravery, and doing what is right when those around do otherwise also requires bravery. She said her friend Jack Berman who was working pro bono the day he was killed in 1993 was brave. Peter Gold, a classmate of her oldest daughter was bravely helping a woman escape an assault the night he was shot in New Orleans in 2017. Rebecca Eldermier was a classmate of her son's who was bravely breaking up with her boyfriend in 2015 when she was murdered. Her brother-in-law Steven Silverstein~~ine~~ was bravely working in his hospital pharmacy when he was shot at in November 2018 in Chicago. She said each person in her family has been touched personally by gun violence. She said her youngest child is 21 and asked the Commissioners how many of them when they were 21 knew someone who had been shot, adding that her daughter knows three, including one who was murdered. While those shootings occurred elsewhere, that does not mean there is no gun violence in Bellevue. Since the proposed amendment was submitted in January, there was a shooting at Kelsey Creek, a homicide in Goldsmith Park, numerous shots have been fired in Crossroads, and other crimes involving firearms have been committed. Across the bridge in Seattle there have been much-publicized shootings in just the last few weeks. It does not have to be that way given that the life, safety and health of residents, employees and visitors to Bellevue is the City Council's highest priority. The Commission can begin an important work together if it will show courage in passing the proposed ordinance.

Mr. Robert Shay, 610 123rd Avenue NE, said he has lived in Bellevue for 42 years and had served on numerous citizen advisory committees. He said he is a Vietnam War veteran and served a total of six years in the Navy. He said when he took his oath in 1964 he promised to protect and defend the constitution of the United States from all enemies foreign and domestic. The oath did not include an expiration date. He said he is a concealed carry permit holder. Over two million times each year guns are used by citizens to protect themselves, a fact that is rarely reported. The proposed amendment is a breach of both the United States constitution and the Washington state constitution. Much has been said and written about the proposal, but it must be kept in mind that a well regulated militia, being necessary for the security of a free state, the right of the people to keep and bear arms shall not be infringed. He said he is a member of the NRA which is strongly involved in gun safety. There are ways to achieve what the proposal seeks to achieve in line with both the state and federal constitutions.

Ms. Debbie Margolis, 12602 49th Street, said she serves as a GED teacher for Hopelink. She said everyone has seen on television programs that follow up after school shootings. In every case, the people interviewed say they thought it could never happen to them. She said she recently saw a program in which the survivor of a school shooting said she was just waiting, knowing it was going to happen. The country has turned a corner and something has changed. It has gone from a place where no one thinks it could happen in their town to a place where people are waiting for it to happen. Violence is already happening because of the intense anxiety among the population the Commission serves. She said her son attends Tyee Middle School and came home one day and reported that his class had participated in an active shooter drill, something that has become the norm. The class discussed that the kids should stand from tallest to shortest at the door so that if someone were to come in, the biggest kid would be ready to fight back. The teacher talked about the need to keep a bucket of rocks available to throw. The talk about public health should include more than just shootings and should include how to guarantee the safety and wellbeing of all citizens of the city. The proposal asks the Commission to take only a small step, and the Commission should take that step.

Ms. Lisa Wyler, 13421 NE 47th Street, said she is the mother of a high school student and a middle school student. She said the threat of violence is always in her mind. The fact that no one seems to know how big a deal it is is embarrassing. The Commission should consider mental health as well as physical health in considering the proposed amendment.

Ms. Priya Talreja, 4421 138th Avenue SE, said gun safety is something that is always on her mind given everything that is reported in the news. She said she was excited to learn that someone in Bellevue is working to make a change. Some measures must be taken, something that will make the city safer. Gun safety clearly is a public health issue.

A motion to close the public hearing was made by Commissioner Laing. The motion was seconded by Commissioner Carlson and the motion carried unanimously.

8. STUDY SESSION (7:50 p.m.)

Commissioner Laing apologized for having to leave the meeting early. He said he is the father of two elementary school children who also are subject to active shooter training. He said when he was a child in elementary school the kids had to practice crawling under their desks in case of nuclear attack. Now it seems as though things have stepped backward. It is probably just about as futile to expect kids in an elementary school to ward off an attack by an active shooter than it was to think that a desk could stop or protect from nuclear fallout. He said one of his analytical frustrations when the issue was first presented to the Commission involved wanting information. One of the biggest questions is what is not being done by the city. As a working hypothesis, it could be that the city has the most restrictive regulations in place of any jurisdiction in the state, and nothing that has been said says otherwise, though there is also nothing that says that is the case. He said the information gaps and the lack of resources to fill those gaps has left him wanting. He said he concurred with the staff recommendation, primarily on the grounds that the fundamental information needed to move the issue forward is not in hand.

Commissioner Carlson said he concurred with the staff recommendation as well. He said many understandably assume that more guns equals more violence equals more crime. From 1991 to 2015 there was a 50 percent increase in the number of firearms in the country, yet during that time gun crimes were down by almost 50 percent. The issue is not the presence of guns, rather the issue is who is holding them. There are a number of things that could be done to reduce gun violence. One of them would be to dramatically increase the penalties for stealing a firearm. Another would be to dramatically increase the penalties for selling a criminal a stolen firearm. Yet another is that anyone who has lost the right to possess a firearm but holds one anyway should be sent to prison for two years. None of those are things Bellevue can do. The position of those advocating for the proposal should be delivered to the state legislature. The state has a preemption law, which means it is the state that decides on the regulation of firearms, both in the marketplace and in people's homes. Gun regulation is a state matter and it cannot be dealt with at the city level.

Commissioner deVadoss said he has lived in Bellevue for almost 20 years and has two children who attended Bellevue schools. He said each time there has been a lockdown at a high school he has gone through the experience of fear awaiting the outcome and fearing what will happen next. He said he empathized with every comment made during the public hearing. However, the topic lies outside the scope of the Planning Commission. The issue should be carried to those who do have the authority to deal with it. He said he would support the staff recommendation.

Commissioner Malakoutian thanked the applicant for bringing the matter to the attention of the Commission. He said he did not view it as a Second Amendment issue given that the focus is on safety. He said the argument that the Commission does not have enough information is not valid. If moved forward to final review, the Commission will be supplied with more information. The lack of other policies and regulations on point is also a weak argument for doing nothing. He said he did not agree with the recommendation of the staff.

Commissioner Morisseau also thanked the applicant for taking the time to put together the proposal. She said the fact that the applicant has for some time been working with the staff shows that he cares about the community. She said as a mother who has had to have a conversation with her children about truly understanding what they need to do during an active shooter situation, as someone who has had her home riddled with gun bullets, she can relate to the issue and shares the concerns that have been voiced. She urged the proponents not to give up regardless of how the Commission votes. Change is needed and gun safety should be a priority, but as presented the proposal is not a Second Amendment issue. Even so, the Commission must work within the guidelines, regulations and policies that are in place. It is unacceptable that the Commission must even have a discussion about kids having to worry about their lives when just going off to school. She said she hoped there will be continued conversations with people who support owning a gun and those who do not so that by working together a solution can be identified. Everyone cares about safety and public health and eliminating gun violence. Solutions need to be found sooner rather than later.

Commissioner Moolgavkar thanked everyone who took the time to testify before the Commission. She said she has three young children and as such fully relates to the fears expressed by other mothers. She said she is a strong believer in the process but would not be voting in favor of the staff recommendation. There is not enough information in hand.

Commissioner Malakoutian asked if a vote against the proposal would mean it cannot be brought up again for three years. Mr. Matz said the three-year rule applies only to proposal to amend the Comprehensive Plan for specific properties. It does not apply to citywide proposals.

A motion to accept the staff recommendation to not advance the Vision Zero for Gun Safety proposed Comprehensive Plan amendment to final review was made by Commissioner Carlson. The motion was seconded by Commissioner deVadoss and the motion carried 4-2, with Chair Barksdale and Commissioners Carlson, deVadoss and Morisseau voting for, and Commissioners Moolgavkar and Malakoutian voting against. Commissioner Laing had previously left the meeting.

9. OTHER BUSINESS – None
10. APPROVAL OF MINUTES – None
11. CONTINUED ORAL COMMUNICATIONS – None
12. EXECUTIVE SESSION – None
13. ADJOURN

A motion to adjourn was made by Commissioner deVadoss. The motion was seconded by Commissioner Malakoutian and the motion carried unanimously.

Chair Barksdale adjourned the meeting at 8:09 p.m.