

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 10/06/08		Item Number: <u>A-1</u>	
AGENDA ITEM: Adoption of Comments Submitted by Staff on October 1, 2008 to the Los Angeles County Regional Planning Commission Regarding the Draft Baldwin Hills Community Standards District, Version dated September 25, 2008.			
Contact Person/Dept.: Charles Herbertson/Public Works; Sherry Jordan, Community Development		Phone Number: 310-253-5635; 310-253-5746	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: Interested parties, Cable crawler; and Master E-Mail Notification List (10/01/08). Published in the Culver City News (10/02/08)			
Department Approval: Charles Herbertson (10/02/08)		City Attorney Approval: Carol Schwab (by H. Baker) (10/02/08)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (10/02/08)		City Manager Approval: Jerry B. Fulwood (10/02/08)	
<u>RECOMMENDATION:</u> Staff recommends the City Council discuss and adopt the comments submitted by staff to the Los Angeles County Regional Planning Commission on October 1, 2008, regarding the September 25, 2008 Draft Baldwin Hills Community Standards District ("County CSD"). <u>BACKGROUND:</u> On September 22nd the Council approved the preliminary comments submitted by staff on September 10th to the County of Los Angeles Regional Planning Commission regarding the County CSD, Versions dated August 14, 2008 and September 4, 2008. On September 25th the County released a third version for the County Regional Planning Commission's consideration at their October 1st meeting. <u>DISCUSSION:</u> Due to the extremely short period of time for review of the County CSD prior to the County Planning Commission's consideration of this matter (a period of three business days), staff submitted "preliminary" comments on the September 25th version of the County CSD at the County Planning Commission hearing of October 1, 2008 (Attachment No. 1), which comments were submitted subject to the City Council's final review and approval.			

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Staff included a cover letter, signed by the City Manager, explaining to the County Planning Commission that the comments were preliminary in nature due to the compressed review period and the difficulty in reviewing and commenting upon a document that is constantly evolving and changing, and which differs greatly from the applicant proposed Community Standards District ("PXP CSD") evaluated in the Draft Environmental Impact Report (DEIR).

As discussed in detail in the comments, although an improvement from the PXP proposed CSD, the County CSD still needs to be revised. The County CSD fails to incorporate the mitigation measures proposed by Culver City in our August 19, 2008 comments to the DEIR and our comments to Versions 1 and 2 of the County CSD submitted on September 10, 2008. Moreover, the County CSD fails to include as mitigation measures the full scope of the mitigation measures proposed by the DEIR and earlier versions of the County CSD. The County CSD further fails to incorporate many of the other feasible mitigation measures proposed by other public agencies, private and non-profit entities, and individuals. While the most recent version of the County CSD has added some important mitigation measures, including ones proposed by Culver City, it remains in many respects less protective of the public health, safety, and the environment than earlier versions.

Given the County's substantial revisions to the PXP CSD, as set forth in the County CSD, we feel the County must revise and recirculate the DEIR to address these issues. Completion and potential approval of the County CSD should not be made without adequate environmental review as required by CEQA.

The Regional Planning Commission public hearing on October 1st was continued to October 8th. It is assumed that at a minimum a fourth version of the County CSD (the Regional Planning Commission's adopted version, including any changes it recommends) will be released before the County Board of Supervisors' consideration of the matter on October 21, 2008.

FISCAL ANALYSIS:

There is no fiscal impact to the Council's adoption of the attached comments. For the Council's information, a July 3rd City-wide public notification was produced at a direct cost of \$14,637.08 (which amount was taken from appropriated reserves). In addition, notification for tonight's meeting and prior Council meetings and workshops relating to this matter were published in the Culver City News at a cost of \$936. Further, the City's contract amount for Aspen Environmental Group to assist staff in the review of the DEIR and County CSD (as well as revisions to the City's current oil well regulations) is \$148,770. Also, on tonight's agenda, there is a request for an amendment to the existing contract with Aspen for an additional not-to-exceed

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amount of \$28,796. Additionally, the City Attorney's Office has an allocation of \$50,000 for services with its environmental legal counsel, Greenberg Glusker to assist with analyzing the DEIR and County CSD and will likely be coming forward to Council in the very near future for additional funding in this regard.

ATTACHMENTS:

1. October 1, 2008, cover letter and attached comments to the Los Angeles County Draft Baldwin Hills Community Standards District, version dated September 25, 2008.

MOTION:

That the City Council:

Adopt the preliminary comments submitted by staff on October 1, 2008, to the County of Los Angeles Regional Planning Commission regarding the Los Angeles County Draft Baldwin Hills Community Standards District, Version 3 Dated September 25, 2008.