

Culver CITY

INTEROFFICE MEMORANDUM

DATE: 01/11/10
TO: Honorable City Council Members
FROM: Mark Scott, City Manager
SUBJECT: RECOMMENDATIONS RE PUBLIC NOTIFICATION AND PUBLIC INVOLVEMENT IN THE DEVELOPMENT PROCESS

Background

On January 11, per City Council direction, staff has agendized a discussion of the Public Notification and Community Input process as it relates to development applications. The topic was last addressed by the City Council at a Town Hall meeting on March 30, 2009. At that meeting, Assistant City Manager Martin Cole and Community Development Director Sol Blumenfeld jointly presented a staff recommendation for an enhanced notification/public input process. Following staff's presentation, approximately 15 speakers added comments, followed by numerous City Council comments. Ultimately, staff was directed to obtain input from the new City Manager and to bring the matter back for City Council action at a subsequent meeting. While staff acknowledges that we have missed the follow-up date, we are pleased to bring the matter back for City Council review at this time.

Attachments 1 and 2 are summaries of follow-up items prepared by staff following the March 30 Meeting:

Attachment 1 is a list of follow-up items addressed to the City Council by Martin Cole in an email dated April 21, 2009. Most of these items have been achieved. They include:

- Full page newspaper ads – Staff ran several full-page ads. In addition to the full page ads in both of the local newspapers, staff has also included a similar ad in the quarterly *Culver City Living*. Staff has been carefully monitoring the telephone calls to the City Clerk's Office in response to these ads. While interested community members may have signed themselves up for the E-Mail notification list(s) via the City's website (individual subscribers have risen from approximately 700 in May, 2009 to 1030 on January 7, 2010), the City Clerk's Office has received no telephonic responses to these ads.

- Sign-up lists on Service Counters – This was done immediately. There has not been significant response to these, but staff will update the effort and try to make it more visible.
- Channel 35 slideshow – Has been implemented. Slides of public notification will be added by the end of February.
- Notice to current users to confirm ongoing interest in receiving notices – I am advised that there was objection to the initial format of this message received from Council members and it was not implemented in that format. However, an e-mail was sent to all subscribers informing them of the improved notification categories and the ability of subscribers to tailor their subscription to their needs.
- Organization of Master Email list into more recognizable categories – Implemented.
- Determine interest of local newspapers in running (at no charge) tentative lists of upcoming agenda items – This has not been implemented. First response from newspapers was not favorable, and staff is concerned about reliability of tentative lists of future agenda items.
- Improved speaker card format – The speaker card was amended to clearly provide for a space for community members to provide their e-mail address. All e-mail addresses provided have been entered into the public notification system in the broadest notification category. Staff prepared a draft format of a further improved speaker's card concurrently with the agenda format updates, but could do this sooner.
- Enhanced Public Notification section on staff agenda reports – Achieved using the improved notification categories presented to the City Council on March 30, 2009.

Attachment 2 is a copy of a May 5, 2009 memorandum to the City Council. The memorandum summarizes the comments and recommendations made at the March 30 meeting, enhancing or exceeding those recommended by staff during their presentation. Since the memo was done, staff believes it has implemented Items 1, 2, 3, 4, 5, 6, 7, 9, 10, and 13. That leaves the following items that staff has not addressed:

- Item 8 – Use Notification process/involvement from other cities
- Item 11 – If developer meets with staff, community should have equal meetings
- Item 12 – Set up advisory committee to review notification details

- Item 14 – Set up computer in back of City Council Chamber to allow notification sign-ups
- Item 15 – Provide tentative agenda to The Wave newspaper. (My guess is that this should have said all local newspapers?)

With respect to Item 8, as presented to the City Council on March 30, 2009, Culver City's notification process generally exceeds the processes used by other cities. Based upon a comment made at the March 30, 2009 meeting, staff reviewed the websites of the cities of Santa Barbara and Santa Monica. While the information available from those two cities is in a different format, similar information for Culver City projects is available on the City's website.

It is a challenging goal to achieve a one for one parity of the number of meetings between staff and the developer and between staff and the public. The improved procedure has significantly increased the number of required opportunities for public involvement and input. Staff will provide further details on this subject at the City Council meeting.

In regard to an advisory committee, staff is always happy to address the interests of local citizens. We feel it is unnecessary to appoint a formal group to help staff implement notification process. From my own experience as both a Community Development Director and a City Manager, I know that there are times, especially on potentially controversial projects, that staff needs to facilitate active community and interest group participation from start-to-finish on development review process. As the City Council is aware, I am anxious to address ongoing, active community participation through neighborhood associations, neighborhood watch groups and, especially, through a General Plan Update process. I do not feel there is a one-size-fits-all solution to project processing. I think it has to be tailored and it has to rely on an open, reliable relationship between staff and any affected neighborhood. We are not a large City. I believe our time will be best spent opening up that dialogue and trust relationship.

Item 14 calls for installation of a computer in the back of the City Council Chamber so that members of the community can personally input their own request for public notices through our email notification process. This has clearly taken longer than desirable. However, I am advised by staff that this will be achieved this month. I have had the installation described to me. It is a somewhat more complicated process than meets the eye, but it is achievable and should be done very shortly.

In regard to the concept of "tentative agendas" in local newspapers, we are not opposed to the concept. We do believe, however, that it is challenging to predict meeting dates. Publishing an incorrect meeting date runs the risk of attracting the public for the wrong date and potentially confusing the public about the difference between a tentative agenda and the officially published and posted

agenda. We continue to believe it is preferable to educate the public on how to find the most current agenda information on the City website.

City Manager Comments and Recommendations:

I regret that this report was not brought back to the City Council at an earlier date. I think with some justification, staff felt that it received direction from the City Council on March 30 to implement most of the recommendations. Staff has also acted in good faith to do so. For the most part, staff does not feel it is necessary to take more than "minute action" to direct the action.

Having reviewed the material now at some length, I wish to make the following comments and recommendations to the City Council on January 11:

- Culver City has achieved a FAR more elaborate public outreach and notification process than exists in the vast majority of cities in the State. I would guess it is among the premier processes. I believe all involved in this process deserve credit. I believe the staff team involved deserves recognition, and I believe the process may be worthy of nomination for awards in the municipal government world. This City has spent a great deal of time and resource developing processes, software and internal systems to enact such an elaborate system.
- Having made the preceding point, please let me acknowledge that there will still be a learning curve associated with the process for several reasons:
 - We have had very few development projects move forward in recent months. We are not yet practiced or proficient in this new process. Lists of rules are no substitute for experience and learned judgment. We need to leave room for learning curve and good intentions. Staff will provide additional details on the process used for one of the most recent development proposals at the City Council meeting.
 - While the improvements made have incorporated "plain English," sometimes the concepts and proposals staff is attempting to convey are complex. Writing plain English is not everyone's skill. [Evidence, perhaps, this report.] We will need to discipline ourselves in doing this as well as we can and continue to make further improvements.
 - I would observe that we may have reached the point that we have overloaded some people with e-mail notifications. Almost every professional conference I attend includes sessions on "what to do about information overload." I suspect there are other methods that

- we have not yet tapped, and I believe we have not yet solved the dilemma of how best to involve a community.
- Cost IS an issue with this process. Cost has to matter to us. We should evaluate our processes over time to make sure we only invest in those with reasonable payback. Staff will present some cost related information at the City Council meeting.
 - In listening to the meeting tape, I was tweaked by suggestions that the bulk of cost should be borne by developer fees. Clearly, developers pay most of the bills on applications filed in any of the Westside cities. I endorse it up to the point that what we are requiring is effective and reasonable. I do think we need to address such pass-thrus as reasonably and respectfully as we can.
- Whenever we adopt this process, we should take proactive steps to introduce it to the community, thru neighborhood associations, neighborhood watch meetings, civic associations, etc. It should be noted that as part of the efforts staff undertook as a result of the March 30, 2009 Council Meeting, staff sent a request to 60 identifiable "homeowners groups" requesting their e-mail and other contact information for notification purposes. Approximately 20 responses were received. I have asked Sol Blumenfeld to prepare a brief presentation of the process for delivery to the City Council on January 11, 2010. We can also tape a topic-specific cable TV show on this subject for replay on Channel 35 and on DVD for other interested parties.
 - I do recommend that the City Council take minute action to express the City Council's intent that this notification process be used by staff. I do not believe it requires more formal adoption. If you prefer more formal adoption, we can bring it back on a future agenda.
 - I feel very strongly, however, that we should not adopt this process as the City's required "minimum notification standard." This is an extensive, sophisticated process. I am concerned that we could risk future decision actions for failure to meet an unclear notification standard. Courts have overturned City Council or Planning Commission decisions on very small omissions on much simpler notification standards. I would defer to the City Attorney for further thoughts on this subject.

Staff is proud of the work of the City Council and community on this subject. We are prepared to discuss the matter in further detail on January 11. Both Mr. Cole and Mr. Blumenfeld will be available to reprise a shortened version of their presentation from March 30, if it is the City Council desire to have them do so.

From: "Cole, Martin" <martin.cole@culvercity.org>
To: "Armenta, Christopher" <christopher.armenta@culvercity.org>, "Malsin, Scott" <David.Malsin@culvercity.org>, O'Leary, Micheál <Micheal.O'leary@culvercity.org>, "Silbiger, Gary" <gary.silbiger@culvercity.org>, "Weissman, Andrew" <andrew.weissman@culvercity.org>
Cc: EXECUTIVE MANAGEMENT <exec@culvercity.org>, "Baker, Heather" <heather.baker@culvercity.org>, "Valladares, Ela" <ela.valladares@culvercity.org>
Subject: Public Notification
Date: Tue, 21 Apr 2009 13:49:40 -0700

Good afternoon, Honorable Council Members:

I understand at last evening's meeting, the City Council had some questions related to Public Notification. I wanted to share with you the process currently being undertaken by staff.

Pursuant to your general direction provided at the March 30, 2009 City Council meeting, staff is preparing the following:

- (1) A full page advertisement in both local newspapers inviting all interested parties to sign up for the City's updated public notification processes (e-mail, USPS address, or both). The first of these ads will run in May (May 7 will be the first publication date).
- (2) Staff will have a new sign up list for interested parties available at Council/Agency meetings and on all City service counters. These will be available beginning on May 4, 2009.
- (3) Culver City TV Channel 35 is scheduled to begin airing local programming and a slideshow of City information beginning on May 4, 2009. Slides will be dedicated to the public notification process and include "plain language" synopses of current public notification items. This "pre-launch" date is still tentative pending resolution of certain technical issues.
- (4) A notice will be sent to all current subscribers to all e-mail lists currently on file with the City (once item 5 below is completed) asking them if they still wish to continue to be on the notification list or if they wish to make any changes to their notification categories.
- (5) Prior to these being implemented, staff will reorganize what has been known as the Master E-Mail Notification List into more easily recognizable categories. A USPS notification list will follow the same process.
- (6) Staff has already contacted the local newspapers to see if there is interest in including (free of charge to the City) a list of tentative items on upcoming City Council and Agency agendas. Initial interest has been expressed by the local papers. Staff will continue to work with the two papers to agree upon a format and deadlines for such entries. If the newspapers provide final agreement, this is expected to begin publication no later than the first edition of the newspapers following July 1, 2009.

- (7) Beginning with City Council/Agency meetings after July 1, 2009, an improved speaker's card will be available to assist persons in signing up for the City's notification process.
- (8) Beginning with staff reports presented at meetings after July 1, 2009, the Public Notification section of the staff report will be enhanced (or replaced with a separate attachment if the list of notified parties is extensive)

Should you have any questions, please feel free to call or e-mail. Have a good Tuesday.

Martin R. Cole

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Culver CITY

COMMUNITY DEVELOPMENT

INFORMATIONAL MEMORANDUM

DATE: May 5, 2009
TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
THROUGH: JERRY FULWOOD, CITY MANAGER
FROM: MARTIN COLE, ASSISTANT CITY MANAGER
SOL BLUMENFELD, COMMUNITY DEVELOPMENT DIRECTOR
THOMAS GORHAM, PLANNING MANAGER
SUBJECT: PUBLIC OUTREACH RECOMMENDATIONS

On March 30, 2009 the City Council considered proposed amendments to the Municipal Code relative to community outreach and provide comments on items to follow up immediately and those that required further consideration. The following summarizes the recommendations presented at the meeting.

Public Outreach Recommendation

1. Notices – Use plain English, less legalize
2. Find regular location for news ads in papers
3. Mandatory preliminary development meetings
4. Post card font is too small
5. Notice title must be larger and more readable
6. Fix subject line / understandable & describe development stage
7. Development applications online
8. Use notification process / involvement from other cities
9. Broaden notification for larger projects >500'
10. Pass extra notification costs on to developer
11. If developer meets with staff, community should have equal meetings
12. Set up committee advisory to review details
13. Post redevelopment property for sale on the website
14. Computer at back of Council Chambers
15. Provide tentative agenda to Wave
16. Always notify residential abutting commercial projects

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Items for Implementation:

Items 1, 3, 4, 5, 13, and 14 can be implemented immediately without further direction. Staff has commenced with rewriting the public notices using plain English with less legal jargon, larger title headings, in a more user friendly format (See Attached Sample). A new detailed discretionary project application schedule has been prepared for meetings (including mandatory preliminary development meetings) and public hearings (See Attached Sample). Staff has posted all redevelopment properties on the City's website noting the address and contact information. The listing will be updated as any property is made available for sale. Finally, a computer will be installed in the Council Chambers that will facilitate receipt of public comment and review of on-line staff reports and attachments during Council meetings.

Items for Consideration:

Items 2, 6, 8, 9, 10, 11, 12, and 15 will be discussed in more detail during the follow-up meeting on public outreach scheduled for June 29, 2009.

Conclusion:

(Staff is in the process of completing Item 7. Staff does implement Item 16.)