

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 01/26/09		Item Number: <u>A-2</u>	
AGENDA ITEM: Discussion of Community Involvement in the Development Process and Direction to Staff.			
Contact Person/Dept.: Thomas Gorham, Planning Manager Sol Blumenfeld, Director		Phone Number: (310) 253-5727	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒ Attachments: ☐	
Public Notification: Master Notification List (01/21/09); Mailed notice to all Culver City Homeowner Groups (01/15/09) –check with Lisa			
Department Approval: Sol Blumenfeld (01/21/09)		City Attorney Approval: Carol Schwab (by H. Baker)(01/21/09)	
Fiscal Impact Review: Jeff Muir (by N. Kimball)(01/21/09)		City Manager Approval: Jerry B. Fulwood (01/21/09)	
<u>RECOMMENDATION:</u> Staff recommends the City Council receive the report on early community involvement in the development process and direct staff as deemed appropriate. <u>BACKGROUND:</u> At its August 13, 2008 Council meeting the Council requested information about the process for obtaining community input on discretionary development projects. On September 22, 2008 staff provided a report to the Council in response to their request. The staff report (Attachment No. 1) outlined the current process for review and noticing of discretionary development projects. The Council directed staff to continue the item to a later date and asked that staff research what other communities do for public notification, provide information on project thresholds, and determine what possible strategies the City might apply to the development process. A workshop about public notification to provide different options for the City Council was also suggested. <u>DISCUSSION:</u> <u>Current Process</u> As noted in staff's previous report to the City Council, in recognition of the importance of community involvement throughout the application process, staff has commenced with requirements for applicants to submit a plan for community involvement outlining proposed outreach, meetings, and any other methods they intend to use to solicit community input as part of their formal application submittal.			

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The applicant is also required to submit a summary of the results of any community meetings and what if any changes to the project were a result of community input.

The following summarizes the development application process in Culver City and opportunities for community input:

1. Initial meeting with Planning Division staff to discuss proposed project at a preliminary stage
2. Applicant solicits community input
3. Preliminary Project Review (PPR) submittal
4. Applicant meets with community
5. Formal Application submittal
6. Project First Notice Letter sent
7. Applicant meets with community
8. Public Hearing Notice sent
9. Public Hearing
10. Project Decision

Survey of Other Cities

Staff surveyed the Cities of Santa Monica, West Hollywood, Los Angeles, Beverly Hills and Burbank to determine what type of public notification and community involvement they require for development projects. Attachment No. 2 is a table outlining what each of these cities require.

As indicated in the table, most of the cities surveyed have similar processes to Culver City in terms of application requirements and public notice radius and timing. Only Santa Monica requires pre-notice of an application prior to formal application filing. The Cities of Los Angeles, Burbank, and Santa Monica post lists of new applications on their web sites. The Cities of Burbank and West Hollywood require and facilitate a community meeting prior to the official public hearing. Los Angeles is the only city with officially recognized "neighborhood councils". The neighborhood councils are notified of applications and can choose to require that applicants present the project for comment and recommendation. Alternatively, the Planning Department may refer the matter to the neighborhood council.

Other Possible Early Notification Strategies

The Institute of Local Government' Collaborative Governance Initiative has published an informative article in a recent edition of Western Cities Magazine regarding obtaining public input.¹ The Institute points out that "each local effort to develop a public involvement process is unique. Each issue or policy is different, including the number or demographics of those participating, the specific means

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through which participants generate ideas and recommendations, and the way local officials ultimately use the results in their decision making.”

This suggests that each city must evaluate its own public information needs and tailor the process to fit those needs. A very large city like Los Angeles, may need to decentralize decision making by delegating some of the preliminary decision making process to a neighborhood body like a neighborhood council whereas a smaller or medium sized city may be able to effectively use the conventional hearing process involving Commission and Council but supplement the decision making with additional preliminary meetings prior to hearings.

The Institute postulates that “engaging the public in municipal planning is typically not an easy task, and there is no one correct way to proceed. In addition to the challenge of matching the right sort of civic participation to the particular planning requirement at hand, these efforts may draw heavily on an agency's staff, time and financial resources. It can be a challenge to attract a broader set of participants than those who might normally show up, and the whole process may not always turn out as well as hoped. However, if done strategically and well, the benefits described above almost always outweigh the costs -- or the risks.”

According to the Institute, it is important to ask the following questions regarding expanding the public engagement process:

1. Do you have the necessary time and resources? Engaging in a public involvement process when the decision (or a major part of it) is already made -- or when it is too late to integrate meaningful changes -- will probably lead to frustration for everybody and may reinforce mistrust in local officials. Such processes may also draw significantly on staff time and/or the use of consultants. A full civic engagement effort must be well prepared for and well managed to succeed. Take time to clarify responsibilities and start the process early.
2. Is local political leadership on board? Appropriate political leadership should agree on the engagement purpose, process and how the public input will be used. It is essential that staff and elected officials understand clearly the planned engagement process(es) and the role of appropriate agency staff.
3. Is there history that needs attention first? In some cases, a history of mistrust or a divisive political battle causes significant polarization in the community around planning issues, and an "airing out" process may be needed before or as part of a participatory planning effort. Existing divisiveness may also indicate that a civic engagement effort would be better developed jointly with the community, not launched by government alone.

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4. How will talk be linked to action? It is important to establish clearly from the outset how public officials will use the planning ideas, recommendations or agreements that result from public participation. This should be part of a consistent message delivered to the public by everyone involved. Confusion here will cause trouble throughout the process.
5. Will your purpose lead your process? Too often, civic engagement planning starts with discussion about the number of public meetings to hold and who to invite rather than grappling with the sort of information that the agency wishes to have from its residents as part of the planning process. Do you want a snapshot of public opinion, a deeper sense of what the public values, collectively ranked general preferences, the community's vision of the future, the most favored design idea, specific and consensus-based plan language, more agreement on a particularly controversial aspect of the plan -- or a combination of these things?
 - a. Seeking collective and detailed recommendations generally requires that participants have more information, more time to address differences and grapple with alternatives, and good facilitation. Broader participation generally helps to provide a fuller picture of opinion and ideas and to secure community support for the outcome. Smaller numbers typically work better to address alternatives and trade-offs to help formulate specific plan elements. Combining both within a common engagement framework may be the best approach (depending on the nature of the planning to be done), but don't expect all possible outcomes from any single approach.
6. How will participants be selected? There are many approaches to determining who should attend a more participatory planning process. Generally, choices include self-selection (open to all who want to attend), invitation to either groups or individuals, or a more rigorous random sampling (perhaps through random address selection or phone calls). An online component may allow for greater flexibility in any of these approaches. Each selection method has its place and one may complement another, but each also has potential drawbacks. Random sampling may get you a representative but transitory picture of community opinion. Meetings open to all may produce new voices or only those who usually participate. Inviting selected individuals or groups may encourage important stakeholders to attend or just limit the range of voices at the table.
 - a. Local officials should determine whether the emphasis will be on the participation of organized stakeholders or members of the broader community or a combination of both. Generally, more deliberative planning processes require more balanced participation for legitimacy and to

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capture the full range of opinion in the community. This suggests ensuring that participants representing various populations and views are in the room, whether it's a large meeting or stakeholder oriented.

7. How can you achieve greater diversity in participation? Reaching beyond "the usual" participants requires a conscious plan, systematic efforts and help from people who already have knowledge about and relationships with the communities and constituencies you want to include. Reach out to local media, clergy and congregations, leadership and advocacy groups and others that serve your less involved populations. Co-sponsor participation processes with trusted local groups at their facilities. Provide language-accessible materials and activities. With other groups, create a long-term plan to help develop leadership and participation from less engaged communities.
8. Is there a communications plan? A process that engages dozens or even hundreds of individuals in deliberative discussions may result in increased knowledge and consensus about a plan among those individuals. However, others will also have an opinion, and broad support may be needed for successful implementation. Develop a communications plan, inform external media and use agency communication vehicles to let residents and others know about the process, how it's going and its outcomes. This amplifies the benefits of your engagement process.
9. Will you follow up with participants and the community? Good public deliberation efforts include telling public participants how policy-makers used the recommendations that resulted from these processes. If some ideas weren't used, explaining the reason why demonstrates respect for the participants. Celebrate completion of the process with everyone who contributed.
10. How will you learn from the experience? Using input from process participants, staff and others, take the time to review what worked and didn't work. Use this information the next time you begin a public participation process.

CONCLUSION

As outlined above, most cities surveyed have similar public participation processes to Culver City which involves one or more public hearings by Commission and Council. The standardized methods for involving the community in those hearings can be enhanced by supplementing the hearings with preliminary community meetings. There are practical benefits for public involvement. These include:

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- Improved plans that are more likely to remain intact over time if they have been developed by supportive public constituencies generated through direct participation;
- Reduced potential for ongoing disputes among stakeholders and contentious battles before city councils and planning commissions;
- Strong community buy-in through public engagement strategies may ultimately facilitate development and reduce project slowdowns and associated costs; and
- Meaningful public involvement can produce an enhanced sense of community and a more general trust in government.

Staff recommends that the City Council review the information provided herein and provide direction to staff on any possible changes to the City's processes.

FISCAL IMPACT:

Discussion of this topic does not create a fiscal impact. However, based upon any modifications the City Council may deem necessary, additional notification and staff coordination efforts would have an associated cost. Consequently, the cost recovery level of any fee based activities that requires additional staff time to complete additional public involvement (e.g. Site Plan Review, Variances, Conditional Use Permits, etc.) will be impacted. If the City Council wishes to maintain current cost recovery levels, there will be an associated increase in the fee. Depending on the level of public involvement and the resulting impact on staff time, the increase may be significant. Alternatively, the City Council may decide to subsidize the public involvement costs.

Since the actual impact on staff time will not be known until any new process is implemented and utilized, the fees may not be adjusted to capture the actual cost for a few fiscal years. As a best management practice, the City plans on having an outside consultant conduct another comprehensive fee study within the next 2 or 3 years. At that time, a more accurate accounting of costs will be determined.

NOTES:

1. Series from Western Cities Magazine, 2008, Terry Amsler, Program Director, The Institute of Local Government' Collaborative Governance Initiative

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ATTACHMENTS:

- 1) September 22, 2008 City Council Staff Report
- 2) Summary Table of Other Cities Requirements

MOTION:

That The Council:

Receive and file the report and direct staff as deemed appropriate.