

MEETING DATE: April 5, 2010

AGENDA ITEM: Adoption of a Resolution Approving an Amended Policy Related to Public Notification and Community Involvement in the Development Process.

ATTACHMENTS

	<u>Pages</u>
1. Staff Report, Attachments, and Minutes from December 3, 2007	1-9
2. Staff Report, Attachments, and Minutes from March 30, 2009	10-27
3. Staff Report, Attachments, and Minutes from January 11, 2010	28-42
4. Proposed Resolution (with proposed Amended Policy)	43-47

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Meeting Date: 12/03/07		Item Number: <u>A-7</u>	
AGENDA ITEM: Discussion and Adoption of a Resolution Establishing a City Council Policy on Public Notification.			
Contact Person/Dept.: Martin R. Cole, Assistant City Manager		Phone Number: (310) 253-6000	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☒	Attachments: ☒
Public Notification: Master Notification List (11/28/2007).			
Department Approval: Martin R. Cole (11/26/2007)		City Attorney Approval: Carol Schwab (by H. Iker) (11/28/07)	
Fiscal Impact Review: Marlee Chang (11/28/07)		City Manager Approval: Jerry B. Fulwood (11/28/07)	

RECOMMENDATION:

Staff recommends the City Council discuss a proposed City Council Policy on public notification and adopt a resolution establishing the proposed Policy.

BACKGROUND:

The City Council discussed this topic on July 10, 2006. At that time and after very brief discussion, the City Council directed staff to return at a later date with a proposed updated policy related to Public Notification. Therefore, this item is presented to the City Council this evening for consideration.

DISCUSSION:

Culver City has had a tradition of encouraging public participation in the governmental process. As part of that tradition, the City has provided public notification in excess of the levels required by law. In the following sections, the various levels of public notification will be discussed.

Legally Required Notice

Under applicable federal and state law and as provided for in the City Charter and Culver City Municipal Code, the City provides notification to a subset of the Culver City community of certain actions being considered by the City Council, the City's Commissions (especially the Planning Commission), and certain administrative actions taken by City Staff.

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Section 610 of the City Charter states the following:

The City Council shall comply with the applicable provisions of State law regarding the giving of notice for regular and special meetings. The City Council shall consider whether it should establish additional procedures to provide efficient, timely and cost-effective notice in a manner consistent with currently available technology.

Consideration of this item and the associated Policy meets the requirements of this Section of the Charter.

Notification Process under Current Practice

In addition to legally required notice, current City practice provides for an “enhanced” public notification process. This involves the preparation and mailing of post cards, publishing of courtesy notices in the local newspapers, and researching past minutes to find persons and organizations interested in various topics. Also, in instances where the minimum legal requirement is to provide notice to property owners, the City also provides notice to residents as well.

The current process can be staff time intensive (because of the need for manual research). Further, while staff strives to include every interested person in a notification effort, a manual system may result in some interested persons being inadvertently missed.

Points for Consideration

In distributing items for public notification purposes, the City should attempt to balance the cost of notification with the efficacy of the notification effort. Additionally, the City should also consider the subjects of resource conservation and sustainability.

In an attempt to reach the broadest number of persons, the City currently sends postcards to property owners as well as residents. The Information Technology Department has attempted to electronically “sift” the lists so that if the property owner is the resident, then only one notification postcard is generated. However, sometimes the information utilized for this process may be several months old and duplication may occur. From time to time, the City Council has heard from residents who receive multiple notifications for the same item.

Even with this process, a Citywide mailing costs approximately \$0.50 per post card. With approximately 22,000 postal addresses in the City, a City-wide mailing costs a

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minimum of \$11,000. With respect to newspaper notification, a quarter-page legal advertisement costs approximately \$150 per insertion.

As directed by the City Council, staff has prepared the attached draft policy for the City Council's consideration. In drafting the proposed policy, staff is recommending the following:

- Continued compliance with the minimum notification requirements established in applicable law;
- Continued use of the "extended radius to end of block" methodology currently in use;
- Reduction of the use of postcard notifications in favor of E-mail notification.
- Utilize the GIS System as the basis of creating the address lists for mail notifications with radii being extended to the end of blocks.
- Increased use of E-Mail notifications
- Increased use of a revised Speaker's Card to allow persons to sign-up for the City's e-mail notification list
- Routine placement of public notices on the City's Website
- Provide for the establishment of a mail notification list and allow persons to self-select areas of interest
- Department Heads may provide for extended notification based upon specific circumstances

Generally, the City is continually moving toward more efficient processes. For example, the City Council has approved online application and payment for recreation class registrations and certain permits. And, on November 14, 2007, the City Council authorized the purchase of software to allow Business License Certificates to be renewed online. Staff recommends the City Council adopt a Public Notification Policy that also takes advantage of the efficiencies of electronic processing. This process has significant benefits by decreasing use of resources and reducing the number of missed notification requests.

Publicizing the New Notification Process

To help the Community become more aware of the public notification processes available, staff will advertise the availability of the e-mail and postal notification lists on various existing City "publications" including on the City's website, city documents, with internal flyers and through other similar methods.

PROCESSES USED BY WESTSIDE COG CITIES

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In preparing this report, staff contacted the cities of Beverly Hills, Santa Monica, and West Hollywood. The following table includes the results of this brief survey:

City	Process Used
Beverly Hills	In addition to legal minimums, the City posts its notices on their website. Items of a non-routine nature may be noticed through announcement at a City Council meeting.
Santa Monica	Provides the legally required notice.
West Hollywood	In addition to legal minimums, the City posts notices on City bulletin boards at City Hall and all City Parks. Notices are also posted at the Sheriff's Station and on their Cable TV Channel.

FISCAL ANALYSIS:

It is anticipated that the new policy will result in the reduction in the use of mail and the increase in the use of E-Mail. In addition to the cost reductions for supplies and mailing, the staff time currently utilized in the preparation and mailing of post cards would be available for other City's priorities. The exact of potential cost reduction is difficult to project at this time; however, it is estimated to be in the tens of thousands of dollars annually. Overall, it will have a positive fiscal impact to the City's and it will also fulfill the commitment to the City's Sustainable Community Plan.

ATTACHMENTS:

1. Proposed Resolution (including Council Policy)
2. Proposed Revised Speaker's Card.

MOTION:

That the City Council:

1. Discuss the topic of Public Notification; and
2. Adopt the resolution establishing the Public Notification Policy.

City Council Adopted Policy 2007-02
Subject Matter: Public Notification

PURPOSE

The purpose of this policy is to provide general guidelines for staff to use when preparing public notifications of various actions to be considered by the City Council, the City's Commissions/Boards/Committees, and staff, where applicable.

This Policy shall be consistent with the City Charter and other applicable laws.

CITY CHARTER PROVISIONS

Section 610 of the City Charter states:

The City Council shall comply with the applicable provisions of State law regarding the giving of notice for regular and special meetings. The City Council shall consider whether it should establish additional procedures to provide efficient, timely and cost-effective notice in a manner consistent with currently available technology.

This Policy is established in accordance with this City Charter provision.

LEGALLY REQUIRED NOTICE

By adopting this Policy, the City Council restates the minimum requirements embodied in Federal, State, and Local laws. In accordance with those applicable laws, staff shall, at a minimum, provide notice as legally required. In complying with legally required notice, the notification list shall be expanded to include property owners and residents/occupants until the end of the block.

USE OF CITYWIDE NOTIFICATION

From time to time, City-wide notification may be appropriate or desirable. Whenever possible and appropriate, City-wide notification shall be coordinated with the quarterly publication of Culver City Living. Additionally, public notices shall be routinely placed on the City's website. To conserve server storage space, public notices shall be removed from the website after the meeting or event notices has occurred.

Due to the cost involved, an individual, full City-wide notification shall only be conducted with the approval of the City Manager or at the direction of the City Council.

CITY COUNCIL SPEAKER CARD

The City Council Speaker Card shall provide information to interested parties on how to sign-up for either the E-Mail or Postal Mail Interest Lists. A sample of the City Council Speaker Card is attached. The City Council Speaker Card may be amended from time to time to further the goals of this Policy.

ESTABLISHMENT OF CENTRAL E-MAIL AND POSTAL MAIL INTEREST LISTS

Culver City has had a tradition of encouraging public participation in the governmental process. As part of that tradition, the City has provided public notification in excess of the levels required by law. The City has also adopted a number of policies and procedures which make Culver City a leader in sustainability and environmental awareness.

To provide for additional efficiencies, staff shall establish the following two categories of interest lists: (1) An E-mail Interest List, and (2) a Postal Mail Interest List.

E-Mail Interest List

E-Mail provides an efficient, timely, cost-effective, and environmentally sensitive method of providing public notification. Through the use of e-mail, the City can notify a large number of persons simultaneously and almost instantly. Duplicate e-mails can be easily deleted, minimizing wasted resources.

Whenever practicable, the City shall encourage interested parties to sign-up for e-mail notification through a self-service and self-selecting process.

Postal Mail Interest Lists

To accommodate those persons who may not have easy access to a computer and/or the Internet, the City shall establish and maintain a postal mail interest list. Various categories of interest may be created in order to accommodate various topics. Such topics shall be established by staff based upon the number of individuals requesting notification on a topic.

Signing Up for the E-Mail and Postal Mail Interest Lists

To encourage and facilitate the use of both Interest Lists, Staff shall provide a number of ways in which interested persons can sign-up for both. These methods may include (but not be limited to):

- Electronic sign-up via the City's website
- Manual sign-up via the City Council Speaker Card
- Manual sign-up via written or telephonic request

It is the responsibility of residents to keep their address current with the city by notifying the city if they move or change their e-mail address.

ADDITIONAL NOTICE

The City Manager and the City's Department Heads may determine that notice above the minimum requirements of this Policy is in the public interest. In that case, additional notice may be provided with the approval of the Department Head and/or the City Manager.

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Item A-6
(continued)

Further discussion ensued regarding the prohibitive cost of using a contract ambulance company as a standby; the fact that Culver City EMS were unavailable for an average of eight calls per month; questions as to why the matter was not planned for in the current budget; traffic's impact on response time; whether non-profits would be assessed the proposed tax; a suggestion that the item be presented at the next budget cycle; the need to hire a consultant to complete a study in order to put the item on the ballot, and the shelf life of the study.

Following discussion, the following motion was made:

MOVED BY COUNCILMEMBER ROSE, SECONDED BY COUNCILMEMBER GROSS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL DIRECT STAFF TO RETAIN A CONSULTANT TO COMPLETE A COMPREHENSIVE STUDY.

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Item A-7

Discussion and Adoption of a Resolution Establishing a City Council Policy on Public Notification.

The following member of the audience addressed the City Council:

Tom Camarella

Martin Cole, Assistant City Manager gave the staff report.

Discussion ensued between the City Council and staff regarding electronic notification possibilities; electronic search capabilities; notification procedures of area cities; an explanation of what is currently in place; who would be in charge of the public notification database; and applicable notification laws.

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(continued)

Following discussion, the following motion was made:

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER GROSS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2007-R077 ESTABLISHING THE PUBLIC NOTIFICATION POLICY, WITH THE FOLLOWING AMENDMENT: INCLUDE A REQUIREMENT THAT IT IS THE RESPONSIBILITY OF RESIDENTS TO KEEP THEIR ADDRESS CURRENT WITH THE CITY BY NOTIFYING THE CITY IF THEY MOVE OR CHANGE THEIR EMAIL ADDRESS.

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Public Comment for Items Not on the Agenda (Continued).

Mayor Corlin invited public participation.

There was no response.

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Receipt of Correspondence

No action was taken on this item.

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Items from Staff

Items Presented by Martin Cole, Assistant City Manager:

- The City Council previously assigned the issue of notification with respect to permits to a subcommittee; that the item will be coming back before the City Council.

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Meeting Date: 03/30/09		Item Number: A-2	
AGENDA ITEM: Discussion of Public Notification and Community Involvement in the Development Processes.			
Contact Person/Dept.:		Phone Number:	
Martin Cole, Assistant City Manager;		(310) 253-6007	
Sol Blumenfeld, CD Director;		(310) 253-5702	
Thomas Gorham, Planning Manager		(310) 253-5710	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: This Town Hall meeting has been announced at City Council Meetings, quarter-page advertisements have been placed in the Culver City Observer and the Culver City News on March 12, 19, and 26; information signs were placed in 17 areas in Culver City Parks; the Official Notice of the Meeting was placed on City service counters and on the City's website; Three E-Mail notifications Utilizing the Master E-Mail Notification List were sent between March 2 and March 26, 2009; Master E-Mail Notification List (03/25/09); Mailed notice to all Culver City Homeowner Groups, Public Speakers at Planning Commission and City Council Meetings regarding development projects over the past year (03/19/09)			
Department Approval: Martin R. Cole (03/25/09) Sol Blumenfeld (03/25/09)		City Attorney Approval: Carol Schwab (by H. Baker)(03/25/09)	
Chief Financial Officer Review: Jeff Muir (03/25/09)		City Manager Approval: Jerry B. Fulwood (03/25/09)	

RECOMMENDATION:

Staff recommends the City Council receive this report on the City's public notification and community involvement in the development processes and direct staff as deemed appropriate.

BACKGROUND:

The City Council has, on a number of occasions, expressed its strong interest in ensuring the City's public notification process provides accurate information to interested persons on a wide variety of City subjects. Also, at its January 26, 2009 meeting, the City Council received a staff report on City processes for obtaining public input on discretionary development projects and the requirements of other cities related to public notification and public outreach. The Council directed staff further research the matter to develop possible strategies that may be applied to the City. Both matters were scheduled for discussion at this evening's meeting in order to provide additional input from both the City Council and the community on these two important topics.

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Staff will be presenting this report with the aid of a PowerPoint slideshow.

To facilitate the discussion of these two related topics, staff is presenting one staff report divided into two major themes: (I) General Public Notification and (II) Public Notification and Involvement in the Development Process.

DISCUSSION:

I. GENERAL PUBLIC NOTIFICATION

The City of Culver City has been an advocate of involving the community in the City's decision making process. In fact, surveys of our surrounding cities show that Culver City provides significantly more notification than the minimum legal requirements and the practices in place in other area cities. While the City's public notification process has not been without some challenges, the City exceeds the minimum requirements of State and other applicable law in reaching out to the community and providing notice of items to be discussed by the City Council, the Redevelopment Agency, other City Commissions, Boards, and Committees, and staff.

On December 3, 2007, the City Council unanimously adopted the following motion:

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER GROSS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2007-R077 ESTABLISHING THE PUBLIC NOTIFICATION POLICY, WITH THE FOLLOWING AMENDMENT: INCLUDE A REQUIREMENT THAT IT IS THE RESPONSIBILITY OF RESIDENTS TO KEEP THEIR ADDRESS CURRENT WITH THE CITY BY NOTIFYING THE CITY IF THEY MOVE OR CHANGE THEIR EMAIL ADDRESS.

A copy of the staff report from that meeting and City Council Policy 2007-002 is attached for the Council's ease of reference.

Since the adoption of City Council Policy 2007-002, the City Clerk's Office has been adding all e-mail addresses received from Speaker Cards to the City's Master E-Mail Notification list. As a result, the list has grown from some 700 addresses to approximately 920 addresses today. Even though the public notification process has improved with the adoption of City Council Policy 2007-002, the City Council has continued to express some concern over the reliability of the City's Public Notification Process.

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Creation of a Staff Working Group on the Public Notification Process:

To address the City Council's concerns, the City Manager directed the Assistant City Manager/City Clerk to form a staff working group on public notification. This working group contains at least one representative from each City department. The working group discussed the current processes used by departments for public notification, and suggestions made by City Council Members, the Community and staff were reviewed. As a result of this effort, the working group has proposed solutions to the concerns voiced by both the City Council and the general public related to public notification. These recommendations are presented below:

A. Format of Public Notification Items

The format for public notification items could range significantly from Department to Department and sometimes within Divisions of the same Department. Some examples of common public notification items include:

- (1) The City Standard Postcard
- (2) A larger postcard for unusual items
- (3) Glossy Tri-Fold Postcard for rare items
- (4) Legally Required Letter Notification
- (4) Quarter Sized Newspaper Ad
- (5) Half Sized Newspaper Ad
- (6) Full Page Ad
- (7) Culver City Living
- (8) Focused E-Mail Notification
- (9) Master E- Mail Notification
- (10) Posting at City Hall
- (11) Posting at All City Buildings
- (12) Posting at City Parks

The City chooses from a "menu" of individual public notification items and, from time to time, may order a "combination plate" that involves a number of the above items. While this provides the City with a number of options, it was found that the application of these items varied amongst City Departments. Therefore, one component of the proposed enhancements to the Public Notification Process is to provide a City-wide standard for public notification that meets the following criteria:

- (1) A consistent baseline of notification;
- (2) Similar topics, regardless of Department of origin, shall be noticed in a similar fashion; and,

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(3) The Public Notification Process needs to be consistent, reliable, efficient, and identifiable.

B. Consistency

At a recent Council meeting, Councilmember O'Leary mentioned a concern that the current process may not provide consistently reliable results. To address this concern, staff is proposing both a standard level of public notification based upon a distribution list (either electronic or physical) that will produce consistent results.

C. Reliability

A reliable system of public notification will require participation by both staff and the community. Staff's role is to provide reliable notification to those members of the community that either request it or are legally required to receive it. The community's role is to either provide to the City their contact information or to access the general information provided by the City either in person (at the City Clerk's Office) or electronically (via the City's website). Additionally, a reliable system balances the desire of individual community members to be provided with notice and the ability of staff to reliably manage the notification system. To address these items, staff proposes to provide a number of topics to which individuals can subscribe (either via e-mail or postal mail). To maintain the reliability of the system, it is proposed the number of individual topics be no more than 20.

D. Efficiency

The City Council has been contacted by members of the community who have both (1) not received a desired notice, or (2) received multiple notices on the same topic. To address these concerns in a fiscally prudent way, staff proposes that rather than employ a more costly (and potentially less effective) "blanket" noticing system, that the focus be on increasing subscription to the City's e-mail and postal mail notification systems.

For the Council's information, following are the costs associated with different kinds of public notification:

(1) The City Standard Postcard	\$10,000
(2) A larger postcard for unusual items	\$4,000
(3) Glossy Tri-Fold Postcard for rare items	\$6,000
(4) Quarter Sized Newspaper Ad	\$230
(5) Half Sized Newspaper Ad	\$380
(6) Full Page Ad	\$1,050
(7) Focused E-Mail Notification	\$0

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(8) Master E- Mail Notification	\$0
(9) Posting at City Hall	\$50
(10) Posting at All City Buildings	\$100
(11) Posting at City Parks	\$500

In lieu of more frequent "Citywide" notifications (which cost in excess of \$10,000 per notification), staff proposes to provide a quarterly notification sign up effort. This would involve publishing a full page ad in the local papers and to include similar information in every edition of Culver City Living. The ads would be augmented by a link on the City's website and the use of flyers posted at service counters throughout City buildings. The sign-up effort would provide the community with information on how to sign up for the City's notification systems. Further, a suggestion has been made to allow an annual renewal of the sign-up notification. Staff recommends this.

Based upon the very low cost, rapidity, and environmentally friendly nature (no paper is used, nor does the delivery of e-mail involve to consumption of fossil fuels) associated with e-mail, staff continues to recommend that e-mail be the City's preferred method of courtesy public notification. For those who do not have easy access to e-mail, staff continues to recommend the maintenance of a postal address notification list. However, the City Council may wish to establish a modest fee to cover postage and other related costs for this service.

Environmental sensitivity is also part of being efficient. As included in City Council Policy 2007-002, the City encourages interested parties to sign up for electronic notification. Electronic notification is cost and resource efficient, allows for broad-based and rapid notification, and any duplicates can be deleted without use of paper or impacting landfills. Staff recommends continuing this practice. This would be in addition to the minimum legal requirements for public notification.

Duplication of notices has also been an area of concern. When the City issues its own notices utilizing the City's records, duplication can be minimized. However, the City and others (developers) sometimes use third-party vendors who provide their own mailing lists. In those cases, the City does not control the source of address information and the incidents of duplication may be higher. When possible, the City does use its internal notification system to produce the addresses.

E. Identifiable

There has also been a concern expressed related to the need to insure the official notices of the City are readily identifiable as an "OFFICIAL NOTICE". Therefore, staff has proposed that all Official Notices of the City, whenever possible, would include the following:

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- A statement signed by the City Clerk that the notice is "OFFICIAL NOTICE."
- The use of an identifiable symbol(s) - staff will provide an example as part of the PowerPoint presentation

Use of the City Seal is controlled solely by the City. Unauthorized use is a violation of the Culver City Municipal Code (CCMC). Using the Seal along with other identifiable symbol(s) and/or statement by the City Clerk would be a quick and easy way for members of the community to know that what they are receiving is an official City notice.

Also, it has been mentioned that some notices can be enhanced by providing a more descriptive comment rather than something in 'legalees.' Sometimes, there may be certain language that is legally required; however, staff can also add more descriptive wording.

Sending Notice vs. Receiving Notice:

Staff also wishes to comment briefly on the difference between sending notice and receiving notice. Using a reliable and consistent process, the City can insure that notices are sent. However, the City cannot guarantee any individual notice is received by the intended recipient because delivery is accomplished via cyberspace the United States Postal Service (both of which are often reliable but not guaranteed).

Administrative Process:

Should the City Council determine to implement these recommendations, staff will amend its administrative processes to include an enhanced public notification disclosure in the appropriate box on the standard staff report or to use a standard attachment to staff reports that will very clearly indicate what address lists were used for the notification process. Names of e-mail and postal distribution lists will be included; however, individual email and postal addresses will not be included. Additionally, staff will have access to lists used in the notification process during Council meetings to allow staff to respond to comments which state that a particular person was not sent a notice.

Use of the City's PEG Channel

The upcoming unveiling of the new and improved Channel 35 (CCTV 35), the City's government channel, will include a public notification portion of the slide show which

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will be broadcast on CCTV 35 when live or rebroadcast meetings are not being shown.

Payment for Notices Related to Specific Projects

As part of the staff working group process, it was discovered that the City currently bears the cost of notification for development applications. Staff recommends the City Council direct staff to prepare a fee that would be applied to developments that would offset the costs of staff-produced public notification. If directed, staff will include this proposed fee in the fees and charges schedule, which is scheduled to be heard by City Council in early May.

II. PUBLIC NOTIFICATION AND INVOLVEMENT IN THE DEVELOPMENT PROCESS.

Current Process for Discretionary Permits

The City has certain statutory requirements related to public notification for public hearings which are tied to the Permit Streamlining Act (Government Code Sections 65920, *et seq.*) and the City's Zoning Code. The intent of the Permit Streamlining Act is to ensure a fair and expeditious review and disposition of discretionary permit applications. The following is the State mandated timeline for project review and disposition:

1. 30 days from the date of application submission to review and accept a project application as complete or the application is automatically deemed to be complete.
2. Maximum 180 days from the date of application submission for projects that are exempt from environmental review or require a negative declaration.
3. Maximum of one year from the date of application submission for projects requiring an EIR with statutory requirements for preparation and circulation of the EIR.

All time periods are maximums and the permitting agency should approve or deny a project in a shorter period whenever possible pursuant to Government Code Section 65953 of the Permit Streamlining Act. What this means is that the City cannot arbitrarily decide when or how long to take in reviewing and reaching a disposition on development permit applications. Importantly, these statutory requirements for processing also further ensures public review and input when a project requires environmental review, including the preparation of an environmental impact report or other environmental document, as the statutory time limits of permit streamlining are integrated with those for environmental review.

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CCMC Chapter 17.630 "Public Hearings and Administrative Review" (Attachment No. 1) outlines the City's legal noticing and hearing requirements for discretionary project applications. There are three types of legally required notices (See Table 6-2): All projects require a 21 day mailed notice prior to the hearing or decision date; for certain projects, the project site is required to be posted 21 days in advance of the hearing date; and some projects require a 14 day published notice in advance of the hearing date. CCMC Chapter 17.630 further outlines the procedures for mailed, posted and published notices. Finally, the Chapter outlines provisions of various levels of decision making from the administrative level (Community Development Director) to the Planning Commission and City Council.

In addition to statutory requirements, staff and the City Council have instituted other measures recently that go beyond the legal minimum requirements for conducting public outreach. These include: (1) extending the area for mailed public notification from a radius of 300' to 500' (to the end of the block) and (2) expanding the discretionary application submittal requirements to include a Public Participation Plan. (Please see Attachment No. 2 – Discretionary Project Review Process/Community Involvement).

Finally, there are internal review processes and deadlines for discretionary permits. The following outlines the internal staff review and preparation schedule from once an application is deemed complete to the public hearing:

Step		Timing
1	Application Submitted	Day 1
2	Internal Staff Review	+7
3	Project First Notice Letter Mailed	+10
4	Project Review Committee (PRC) Meeting	+14
5	Application Completeness Determination and CEQA Determination	+30
6	Draft CEQA document (Negative Declaration or Categorical Exemption) due to Senior Planner	+42
7	Draft Public Notice due to Senior Planner	+60
8	Draft CEQA document due to Planning Manager	+49
9	Draft Public Notice due to Senior Planner	+56
10	Final Public Notice due to Admin.	+63

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	Staff	
11	21 day Public Notice Mailed/Posted/Published	+70
12	Draft Staff Report due to Senior Planner	+70
13	Draft Staff Report Due to Planning Manager	+75
14	Final Report for Copying to Admin. Staff	+78
15	Packet Delivered to Planning Commission	+81
16	Public Hearing	+91

As outlined above, it takes approximately 90 days to get an item to a public hearing following application submittal. If the project is not deemed complete within 30 days, then whatever time is needed to deem the application complete is added to the 90 days. In addition, if the project requires an environmental impact report, up to 270 days can be added to the process.

The process for reaching out earlier to the public can be established as a requirement in the application and processing of development permits as outlined in Attachment No. 2. The public outreach can be formalized with the requirement that a developer submit a Public Participation Plan for certain classes of projects that must be approved prior to deeming a project application complete and commencement of processing. The Plan can identify the number of meetings or other types of outreach, date, time and location of meetings or other outreach method and the number of expected participants. The Public Outreach Plan can be used by Commission or Council as part of the review during deliberations and may ultimately help achieve consensus on the project.

Non-Discretionary Projects

For non-discretionary projects that are not governed by the Government Code noticing requirements and the Permit Streamlining Act, the Council may want to consider lengthier and a more elaborate public vetting process. These may include:

- Designing a Public Outreach Process as part of the project
- Preparing a Visioning Program to identify goals, policies and objectives
- Linking public input suggestions to an action plan

Part of the decision making on what type of outreach to use turns on whether the interest is to get a deeper sense of public values, ranked preferences and most favorable design, or merely to obtain consensus on some or all parts of a project or plan. The use of one method as opposed to another is therefore a function of time,

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budget and the desired outcome. As indicated in the January staff report on this matter, the intent should not merely be to provide information, but to ensure that the outreach method relates to the type of project so that it is usable. If a proposed discretionary development comports with the Zoning Code and the General Plan, it does not make sense from a public outreach standpoint to identify **whether** the project should be constructed but rather **how** the project should be constructed. Recent focus by the Planning Division to create a better fit between a project and the neighborhood through implementation of design guidelines may help achieve this objective.

Possible Strategies

Other methods for obtaining public comment to address larger planning issues may include stakeholder interviews, surveys, workshops, charrettes, press releases, blogs, speaker series, forums newsletters, public information displays and informal kaffe klatches, block meetings and homeowner meetings. The methods for alternative outreach for non-discretionary projects are summarized on Attachment No. 3 comparing the outreach method with the expected outcome.

The City has also gathered public input by establishing advisory committees. These committees vary in purpose and can provide valuable advice.

Survey of Other Cities

Staff previously surveyed the Cities of Santa Monica, West Hollywood, Los Angeles, Beverly Hills and Burbank regarding their methods for development related public notification and community involvement which is summarized on Attachment No. 4. The methods for involving the public during development hearings are very similar among the surveyed cities, with the exception of Los Angeles which, due to that city's size, utilizes a Neighborhood Council system. Each Council District in Los Angeles contains approximately 250,000 people and the neighborhood councils serve, on the average, between 20,000 and 40,000 people, so instituting a more decentralized form for project review was deemed essential in order to make the process more accessible to the public.

Conclusions

In summary, the methods for encouraging public participation in the development process vary widely depending upon the goals and desired outcomes. Encouraging the public to attend meetings on the Housing Element or some other long-range planning project involves a broader effort aimed as much at visioning and identifying goals, as it does in obtaining consensus. Alternatively, development projects that comport with the Zoning Code and General Plan require much greater focus on

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consensus building during the hearing process and less on community visioning and goals.

In crafting its process for community involvement in the development process, the City should direct resources to achieving greater public input by focusing on the desired outcomes. For development permit processing, the methods for public outreach can range from a series of informal decentralized neighborhood meetings to formal hearings, forums or workshops. Merely issuing more public notices or mailings or publishing ads earlier in the project review process cannot guarantee more public input. Further, while the design of the public notification may help make understanding a complex development project easier and the process more accessible to the public, it cannot ensure more participation during hearings.

The process for reaching out earlier to the public should become a requirement in the application and processing of development permits. One model that the Council may want to consider is to require that the developer submit a Public Participation Plan which must be approved prior to deeming a project application complete and commencing with processing the application. The Plan can identify the number of meetings or other types of outreach, date, time and location of meetings or other outreach method and the number of expected participants. The Plan can be used by Commission or Council as part of the review during deliberations and may ultimately help achieve consensus on a project.

The City has embraced long term sustainability and environmentally sensitive practices. Cost efficiency of moving to an e-mail based system in public notification can also help advance these environmental goals.

In summary, the Council should consider the following recommendations for early public outreach and public notification:

- Targeted outreach to specific entities
- Evaluating outreach options relative to stated goals (consensus vs. goal setting)
- Pursuit of sustainable/green vision for notification within a specified period.
- Public notification postings and placement to maximize visibility
- Public Participation Plan for all major discretionary projects
- Early mandatory notification for all development projects.

III. Next Steps

This evening, staff is requesting general input from the City Council and community on the topics presented. The City Council may determine it wishes to provide

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direction this evening. As part of that direction, the City Council may wish to consider the following:

- Determine additional information/input is desired and direct staff to schedule a further meeting (Vice Mayor Silbiger has suggested a workshop format to allow for a more interactive discussion)
- Direct staff to prepare City Council Policies based upon the input/direction received this evening and return to the City Council at a future date for discussion and potential adoption of such policies.
- Direct staff to retain the current policies/procedures.

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. These costs could be significant and will be presented with a future staff report and be based upon the direction the City Council may deem appropriate to provide this evening.

In Fiscal Year 2007/2008, a total of \$215,000 was expended from the primary public notification related accounts (i.e. printing and binding; postage and delivery; and advertising and public relations). For Fiscal Year 2008/2009, \$350,000 has been budgeted and \$155,807 has been expended through February 2009 in public notification related accounts. It should be noted that the above costs do not include additional staff time, paper (if the notices are produced internally by the Graphics Division), or additional maintenance costs associated with more copies being generated by the City's printers and copiers.

NOTES:

1. The League of Cities has reported on new efforts to initiate civic participation in Western Cities magazine -- Civic Participation 2008, authored by Terry Amsler, Program Director for the Institute of Local Government Collaborative Governance Initiative.

ATTACHMENTS:

1. CCMC Chapter 17.320
2. Discretionary Project Review Process/ Community Involvement Matrix
3. Methods for Alternative Outreach for Non-Discretionary Projects

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4. Summary Table of Other Cities Requirements
5. Staff Report and City Council Policy 2007-002 (Public Notification)

MOTION:

That The Council:

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

March 30, 2009

Item A-2

Discussion of Public Notification and Community Involvement in the Development Processes

Staff provided an in-depth explanation of the current process and the proposed improvements.

The following members of the audience addressed the City Council:

Dr. Janet Hoult read a poem she wrote on the community involvement in the development process.

Charles Hoult voiced concern with distances used in determining who is notified; and support for the developer paying for costs associated with notification.

Arin Mikailian, reporter, Culver City Wave Newspaper, suggested the City advertise with his paper.

Joseph Miller, real estate developer, offered his perspective on the issue.

Jim Behnke spoke of wasted time and money due to the lack of community involvement.

Scott Wyant, Culver City Chamber of Commerce, read a letter from Rich Hibbs stating their position on the issue. He also shared his personal experiences and opinion on notification.

Disa Lindgren suggested the creation of an advisory committee; and outreach to businesses in conjunction with the Culver City Chamber of Commerce.

Cathrine Yanda suggested a public workshop, and asked that notification continue after construction starts.

Tom Camarella distributed comments from the Neighborhood Action Network on the staff report including support for early, mandatory community meetings.

March 30, 2009

Item A-2
(continued)

Eleanor Osgood requested neighborhoods be noticed when community property is going to be sold; felt that decisions for the City Council should also apply to the Redevelopment Agency; and also felt that the City was not aware of what people really want to be notified about.

Rich Waters commented that Town Hall meetings were usually conducted in a give and take format; felt there should be citizens on the Traffic Committee; suggested that the Planning Department not notify an applicant when their permit lapses; requested tentative dates for issues rather than 72-hour notice; provided energy efficient landscaping suggestions; and felt the Redevelopment Agency should do the same things proposed for the City Council in terms of planning.

Cary Anderson expressed concerns with properties discussed in closed session that do not require public notification or community involvement.

At this time, Sol Blumenfeld, Community Development Director, explained Redevelopment Agency procedures for proposals.

Audience participation continued:

Meghan Sahli Wells requested that residents be given a role in development decisions, noting that residents wanted smart growth that does not destroy neighborhood character for short-term profit.

Goran Eriksson noted the responsibility of individuals to keep themselves informed; and expressed opposition to the formation of a local Planning Commission or local official neighborhood groups as he felt that would add a layer of government and remove him further from the process.

March 30, 2009

Item A-2
(continued)

Steven Rose, representing the Culver City Chamber of Commerce, expressed concern with the City Council turning over negotiations to an organization; felt the City had become more responsive; cited recent projects where developers reached out to the community; suggested that staff prepare a list of required steps for developers before they can move forward; felt the City Council should consider the entire community; and he suggested a time limit for project approvals, as the Irving Place development took too long.

Ela Valladares, Deputy City Clerk, read written comments submitted by:

Jonathan Levy
Julie Lugo Cerra
Kevin Lachoff
Sandra Kallandar
Tony Pappas

Discussion ensued between the City Council and staff regarding clarification that any variances require a public participation plan in addition to other requirements; acknowledgement of prior public notification issues and the work done by staff to improve them; the City's intent to be transparent; closed session items; public notification issues including language used and newspaper ads; updating ordinances; and evolving public involvement in the development process.

Discussion continued regarding the number of households in the City able to view the meetings on cable or online; effective utilization of current tools; the master email notification list; improving the user friendliness of the City website; creating a consolidated database; community notification requirements for discretionary approvals; policies of other cities; support for future community workshop meetings including residents, businesses and developers; a suggestion to have a computer at City Hall so people can sign up for the mailing list on the spot; alternative public notification methods; and a checklist for public notification on staff reports.

March 30, 2009

Item A-2
(continued)

Further discussion ensued regarding balancing input from developers and residents; support for a resident based committee, councilmember committee or a combination; a suggestion to create a development map for the City website; streamlining the process; not wanting to waste staff time on determining whether the notification process was done correctly; rules for Agency owned property; issues with traffic studies; buffer zones; mandatory communication between developers and residents; posting development application summaries online; providing tentative agendas to newspapers; a dedicated email address for public comments for the Council meeting; and the willingness of developers to meet with neighbors and disclose information.

Councilmember Silbiger moved that staff bring the topic back as an agenda item at the May 4, 2009 Council/Redevelopment meeting, with staff taking into consideration suggestions made including a suggestion that a Community Advisory Committee be created involving public notification and public input.

Martin Cole, Assistant City Manager/City Clerk, discussed implementation of various aspects; commonality of Council comments; agreement that the item should return to the Council; agenda items already scheduled for the beginning of May; bringing the item back with a summary in May; items that can be implemented without additional direction; formulation of a policy; flexibility of the date; and the formal notification processes.

Councilmember Silbiger amended the motion to have the item return in May 2009. Councilmember Armenta seconded the motion.

Discussion ensued between the City Council and staff regarding involving the new City Manager in the process; re-hearing the item on the fifth Monday in June; and agreement on how to proceed with easy to implement items.

March 30, 2009

Item A-2
(continued)

Following discussion, the following motion was voted on:

MOVED BY COUNCILMEMBER SILBIGER, SECONDED BY COUNCILMEMBER ARMENTA AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. DIRECT STAFF TO BRING THE TOPIC BACK AS AN AGENDIZED ITEM ON JUNE 29, 2009;
2. DIRECT STAFF TO PROVIDE A LIST OF SUGGESTIONS THAT STAFF CAN IMPLEMENT BY MAY 1, 2009, WITH ONE WEEK ALLOWED FOR COUNCILMEMBERS TO RESPOND; AND ANY ITEMS WITH AN OBJECTION BROUGHT BACK FOR CONSIDERATION AT THE JUNE 29, 2009 MEETING; AND
3. DIRECT STAFF TO PROVIDE OPTIONS FOR PUBLIC NOTIFICATION AND PUBLIC INPUT FOR COUNCIL CONSIDERATION, INCLUDING CREATION OF A COMMUNITY ADVISORY COMMITTEE.

o0o

Added Item

Mayor Malsin announced performances by Culver City Performing Arts Grants recipients Benita Bike's DanceArt on April 2, 2009; Great Leap on April 5, 2009; and Louise Reichlin and Dancers on April 7, 2009. He also noted that the Culver City Symphony Orchestra would be performing on April 4, 2009 and the Fourth Annual Artwalk Culver City would be held on May 30, 2009.

o0o

City of Culver City, California
Agenda Item Report

Meeting Date: 01/11/10		Item Number: A-1	
CITY COUNCIL AGENDA ITEM: Receipt of a Report and Discussion and Approval of Recommendations from the City Manager on the Subjects of Public Notification and Public Involvement in the Development Process.			
Contact Person/Dept.: Mark Scott		Phone Number: 310-253-6000	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☐	
Public Hearing: ☐		Action Item: ☐ Attachments: ☒	
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: (E-Mail) Agenda and Meetings – City Council (01/06/10)			
Department Approval: Martin R. Cole (01/06/10)		City Attorney Approval: Carol A. Schwab (by H. Baker) (01/06/10)	
		City Manager Approval: Mark Scott (01/06/10)	
<u>RECOMMENDATION:</u> Staff recommends that the City Council receive a report from the City Manager on the subjects of public notification and public involvement in the development process and consider and approve recommendations from the City Manager on those subjects. <u>DISCUSSION:</u> The subjects of public notification and public involvement in the development process were discussed at length at the City Council meeting of March 30, 2009. In response the City Council's direction provided at that meeting, staff has implemented a significant number of improvements to both processes. The City Manager's report on this subject, including recommendations on both subjects are included in the attachment. <u>ATTACHMENTS:</u> 1. Memorandum from the City Manager to the City Council regarding Public Notification and Public Involvement in the Development Process <u>MOTIONS:</u>			

City of Culver City, California
Agenda Item Report

That the City Council:

- (1) Receive and file the report from the City Manager; and,
- (2) Consider the recommendations contained in said report; and,
- (3) Approve the recommendations from the City Manager.

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.
 - o 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.
 - o 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

Martin R. Cole, MPA

Assistant City Manager/City Clerk

City of Culver City

Post Office Box 507

9770 Culver Boulevard

Culver City, California 90232-0507

(310) 253-6007

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

2A

9770 CULVER BOULEVARD CULVER CITY, CA 90232-0507

TEL 310.253.5700 FAX 310.253.5779

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.)

January 11, 2010

Action Items

Item A-1

Receipt of a Report and Discussion and Approval of Recommendations from the City Manager on the Subjects of Public Notification and Public Involvement in the Development Process.

Mark Scott, City Manager, provided background information on the item.

Martin Cole, Assistant City Manager/City Clerk, provided a presentation on actions taken to improve public notification since March 30, 2009.

Sol Blumenfeld, Community Development Director, provided a presentation on public participation in the development process.

Mayor Weissman invited public participation.

The following members of the audience addressed the City Council:

Meghan Sahli Wells appreciated efforts made and suggested encouraging people to opt out of paper notification and using "robocalls" for those who do not use the Internet. She stressed the importance of proper notification and suggested a survey on the City website to solicit feedback.

Tony Pappas felt that public notification should include those who have previously expressed interest on an item even if they are not within 500 feet and he wanted to see the online community forum reinstated and more Town Hall meetings.

Tom Camarella wanted to see a simplified list of items requested at the meeting of March 30, 2009 and information on changes made; and discussed the radius required for public notification in regards to the size of a project.

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Item A-1
(continued)

Rich Waters noted the need for clarification regarding the "other" category regarding email notification on the website; felt it was important to target affected neighborhoods, neighborhood associations and neighborhood watch groups; and discussed the closed session reports and the amount of land in the redevelopment area in the City which residents have no input in.

Catherine Yanda encouraged the City Council to find out why there is no attendance at meetings rather than assuming that people just don't care.

Disa Lindgren suggested making an interactive map available online for development projects.

Ela Valladares, Deputy City Clerk, read written comments submitted by:

Bryan Tjomsland

Mark Scott, City Manager, responded to speaker comments regarding notifications sent by mail; broadening the 500-foot notice depending on the impact of a project; Town Hall meetings; additions to the website; targeting homeowner associations; publicizing the status of Redevelopment Agency projects; assistance from ACOR; and feasibility of an online interactive map.

Martin Cole, Assistant City Manager/City Clerk, reported that neighborhood watch groups had been incorporated into the notification system.

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(continued)

Discussion ensued between the City Council and staff regarding public notification for all issues, not just development; formalizing the process by putting it in writing; notification procedures for tonight's meeting; the importance of notifying those people who have previously expressed interest in a topic; improvements made to notification procedures; a mechanism to ensure that topics come back in a timely manner; study sessions versus public hearings; the timing of addressing an issue and public input; progress made addressing the non-controversial suggestions made at the Council Meeting of March 30, 2009; additional information regarding implementation of individual items; improvements to Channel 35, the public access channel; feasibility of posting tentative agendas; bi-monthly meetings and staff preparation time; providing synopses of City Council meetings to local papers; posting information regarding what is "coming soon"; the public notification and email lists, and notifications by departments; the availability of attachments and more detailed information; parity between developer and community meetings; and feasibility of establishing a Community Advisory Committee (CAC).

At this time, Disa Lindgren reported that she had brought up having a CAC at the March 30, 2009 meeting, as she had done research on the issue with regard to other cities.

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Item A-1
(continued)

Further discussion ensued regarding a request to have the topic of a Community Advisory Committee (CAC) brought back for discussion; creating a written public notification policy; community outreach guidelines; adding the City Council to the public outreach list; guidelines for when the 500-foot radius should be expanded; a written policy available to developers with requirements; outreach meetings; a computer terminal for the public at the rear of the Council Chambers to sign up for email notification; next steps in the process; a clear presentation of the changes made to the process; notifications to neighborhood organizations, homeowners associations and schools; traveling Town Hall meetings; the responsibility of the neighborhood associations to disseminate the information from the City; minimum standards versus what is actually done by staff; enhancements to the public participation process; monitoring the process and further improvements; creation of a CAC and expanding ACOR duties; and policy memorandums on public notification and public participation policies.

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Discussion/Action

Item D-1

Discussion of the Subject of Sustainability, including a Report from the Sustainability Subcommittee, and the Topic of Water Conservation.

Helen Kerstein, Management Analyst, Public Works Department, provided a brief summary of outreach done regarding water conservation.

Councilmember Silbiger suggested having an official environmental sustainability committee in Culver City appointed by the City Council that would meet regularly in public and make suggestions of specific improvements in the quality of the environment, including sustainable solutions.

1 RESOLUTION NO. 2010-R_____

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 CULVER CITY, CALIFORNIA, APPROVING AND ADOPTING
4 CITY COUNCIL POLICY STATEMENT NO. 2010-01 ENTITLED
5 "PUBLIC NOTIFICATION AND COMMUNITY INVOLVEMENT
6 IN THE DEVELOPMENT PROCESS" AND RESCINDING
7 RESOLUTON NO. 2007-R077.

8 WHEREAS, the City Council of the City of Culver City places great emphasis
9 on providing the Culver City community with an opportunity to be involved in the
10 governmental process; and

11 WHEREAS, notification and opportunity to provide input are two important ways
12 the City can engage the community.

13 NOW, THEREFORE, the City Council of the City of Culver City, California,
14 DOES HEREBY RESOLVE as follows:

15 1. The City Council hereby approves and adopts City Council Policy
16 Statement No. 2010-01, entitled "Public Notification and Community Involvement in the
17 Development Process," which is attached hereto as Exhibit "A."

18 2. City Council Policy Statement No. 2010-01 shall be effective upon the
19 adoption of this Resolution and shall supersede and replace City Council Policy Statement
20 No. 2007-002.
21

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3. City Council Policy Resolution No. 2007-R077 is hereby rescinded.

APPROVED and ADOPTED this _____ day of _____ 2010.

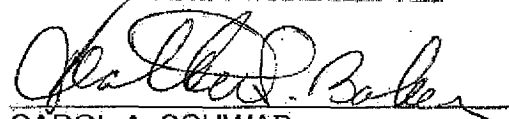
ANDREW WEISSMAN, MAYOR
City of Culver City, California

ATTEST: _____

APPROVED AS TO FORM: _____

MARTIN R. COLE,
City Clerk

A10-00118



for CAROL A. SCHWAB,
City Attorney

DRAFT
City Council Adopted Policy _____
Subject Matter: Public Notification and Community Involvement

PURPOSE

The purpose of this policy is to provide general guidelines for staff to use when preparing public notifications of various actions to be considered by the City Council, the City's Commissions/Boards/Committees, and staff, where applicable.

This Policy shall be consistent with the City Charter and other applicable laws.

CITY CHARTER PROVISIONS

Section 610 of the City Charter states:

The City Council shall comply with the applicable provisions of State law regarding the giving of notice for regular and special meetings. The City Council shall consider whether it should establish additional procedures to provide efficient, timely and cost-effective notice in a manner consistent with currently available technology.

This Policy is established in accordance with this City Charter provision.

LEGALLY REQUIRED NOTICE

By adopting this Policy, the City Council restates the minimum requirements embodied in Federal, State, and Local laws. In accordance with those applicable laws, staff shall, at a minimum, provide notice as legally required. Certain public notification requires notification of property owners and residents/occupants within a certain radius of the property that is the subject of the Council/Commission decision. Where said radius ends mid-block, the minimum legal notification list shall be expanded to include property owners and residents/occupants to the end of the block.

USE OF CITYWIDE NOTIFICATION

From time to time, City-wide notification may be appropriate or desirable. Whenever possible and appropriate, City-wide notification shall be coordinated with the quarterly publication of Culver City Living. Additionally, public notices shall be routinely placed on the City's website. To conserve server storage space, public notices shall be removed from the website after the meetings or events that are the subject of the notices have occurred.

Due to the cost involved, an individual, full City-wide notification shall only be conducted with the approval of the City Manager or at the direction of the City Council.

CITY COUNCIL SPEAKER CARD

The City Council Speaker Card shall provide information to interested parties on how to sign-up for either the E-Mail or Postal Mail Interest Lists. The City Council Speaker Card may be amended from time to time to further the goals of this Policy.

ESTABLISHMENT OF CENTRAL E-MAIL AND POSTAL MAIL INTEREST LISTS

Culver City has had a tradition of encouraging public participation in the governmental process. As part of that tradition, the City has provided public notification in excess of the levels required by law. The City has also adopted a number of policies and procedures which make Culver City a leader in sustainability and environmental awareness.

To provide for additional efficiencies, staff shall establish the following two categories of interest lists: (1) An E-mail Interest List, and (2) a Postal Mail Interest List.

E-Mail Interest List

E-Mail provides an efficient, timely, cost-effective, and environmentally sensitive method of providing public notification. Through the use of e-mail, the City can notify a large number of persons simultaneously and almost instantly. Duplicate e-mails can be easily deleted, minimizing wasted resources.

Whenever practicable, the City shall encourage interested parties to sign-up for e-mail notification through a self-service and self-selecting process.

Postal Mail Interest Lists

To accommodate those persons who may not have easy access to a computer and/or the Internet, the City shall establish and maintain a postal mail interest list. Various categories of interest may be created in order to accommodate various topics. Such topics shall be established by staff based upon the number of individuals requesting notification on a topic.

Signing Up for the E-Mail and Postal Mail Interest Lists

To encourage and facilitate the use of both Interest Lists, Staff shall provide a number of ways in which interested persons can sign-up for both. These methods may include (but not be limited to):

- Electronic sign-up via the City's website

- Manual sign-up via the City Council Speaker Card
- Manual sign-up via written or telephonic request

It is the responsibility of residents to keep their address current with the city by notifying the City if they move or change their e-mail address.

ADDITIONAL OUTREACH TO THE PUBLIC FOR DEVELOPMENT PROPOSALS

In addition to the legally required notice contained in applicable Federal, State, and local law, the City shall strive to provide increased outreach for persons in the Culver City community on proposed developments. Following are examples of additional outreach efforts currently used for this purpose:

- The First Mandatory Community Meeting is held at least one week prior to the Preliminary Project Review conducted by staff
- The Second Mandatory Community Meeting is held at least one week prior to application submittal
- The Third Mandatory Community Meeting is held at least 21 days from the application being deemed complete
- Notice for the Public Hearing before the Planning Commission is provided at least 21 days prior to the Planning Commission public hearing
- Planning Commission holds Public Hearing
- (If application is appealed to the City Council) Notice for the Public Hearing before the City Council is provided at least 21 days prior to the City Council public Hearing
- (If application is appealed to the City Council) City Council holds Public Hearing.

Additional information on these outreach efforts are contained in Attachment 1 of this Policy entitled "Community Outreach Guidelines."

ADDITIONAL NOTICE

The City Manager and the City's Department Heads may determine that notice above the minimum requirements of this Policy is in the public interest. In that case, additional notice may be provided with the approval of the Department Head and/or the City Manager.

It should be noted that all notice provided in excess of the legally required notice is done as a courtesy to the public, and the methods contained within this Policy are guidelines. The City will make a reasonable effort to provide the additional notice contained in this Policy.



THOMAS GORHAM
Deputy Community Development
Director/ Planning Manager

Culver CITY

PLANNING DIVISION

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FAX (310) 253-5721
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Community Outreach Guidelines

During the Project Review Process, Applicants will be required to hold **three (3) community meetings** as outlined herein separate and apart from any other outreach meetings the applicant may conduct and any required public hearings (i.e., Planning Commission, City Council). Applicants shall work with their assigned Project Planner in the Planning Division to develop a schedule, identify neighbors and community groups to outreach to, and to prepare the required notification for the Community Meetings.

- **APPLICABILITY.** The following discretionary entitlement applications as outlined in Article 5 of the Culver City Zoning Code shall be subject to Community Outreach as described herein:
 - Site Plan Reviews (SPR)
 - Administrative Site Plan Reviews (ASPR)
 - Conditional Use Permits (CUP)
 - Administrative Use Permits (AUP) for alcohol sales
 - Comprehensive Plans (CP)
 - Specific Plans (SP)
 - Height Exceptions (HE)
 - Zoning Map Amendments (ZMA)
 - General Plan Amendments (GPA)

COMMUNITY MEETING SCHEDULE

Community Meeting #1	Preliminary Project Review (PPR)	Community Meeting #2	Application Submittal	Project Review Committee (PRC)	Application Deemed Complete	Community Meeting #3
Held a minimum one week prior to PPR review	Scheduled with project planner; typically, Thursdays at 8:30 AM	Held a minimum one week prior to the application submittal	Submittal scheduled with project planner	Scheduled with project planner, typically Thursdays at 8:30 AM	+ 30 days from application submittal or resubmittal	Held within 21 days from application deemed complete.

- **PURPOSE. Community Meeting #1:** Meet with neighbors and/or community members at an early stage to present conceptual plans and to provide information regarding the proposed project and to receive feedback on project plans prior to submitting to the City for PPR. **Community Meeting #2:** Present further refined plans to the community responding to comments from Community Meeting # 1 and the City's PPR comments and receive additional comments prior to submitting a formal application. **Community Meeting #3:** Present full application submittal plans following all revisions for final comment and feedback from the community prior to the Public Hearing.
- **HOSTING/FACILITATION. Community Meetings #1 and #2** shall be hosted and facilitated by the Applicant. Planning staff will attend both meetings to observe. **Community Meeting #3** will be hosted and facilitated by Planning staff.

- **LOCATION.** The Applicant will hold **Community Meetings #1 and #2** at or near the subject property. Alternative locations should provide ample parking for attendees and should be near the subject property. **Community Meeting # 3** will be held at City Hall.
- **NOTIFICATION.** For each meeting, the Applicant shall be responsible for notification of neighbors (including occupants and owners) within a 500-foot radius of the subject property, or to a radius as determined by Planning staff. Additional notification of homeowner groups, the Chamber of Commerce and other local groups, as identified by Planning staff may be required. The applicant shall provide Planning staff with an Affidavit of Mailing and all notification cost shall be the responsibility of the Applicant. Planning Staff will provide the Applicant with a notification template that will include the following information:
 - Notification shall include the date, time and location of the Community Meeting.
 - Notification shall identify project location (with a map), the requested entitlements, a project description, and contact information for the Applicant or his/her representatives.
- **STRUCTURE.** The applicant hosted and facilitated **Community Meetings #1 and #2** shall follow the structure and include the material as outlined below:
 - A sign-in sheet which shall include name, address, phone number and email address of each attendee shall be provided.
 - Applicant shall give an overview of the project and present plans (i.e. floor plans, site plans, elevations, renderings, etc.) and results of any preliminary environmental studies as applicable.
 - Applicant should be able to answer questions about the project from attendees, including requested entitlements and operation details of the proposed project.
 - Applicant shall identify any project changes in response to community and/or staff concerns, comments and/or questions.
 - Applicant shall keep meeting minutes to include bullet points of all concerns, comments and/or questions raised.
 - Sign in sheet and bullet point minutes shall be provided to the Project Planner within **3 working days** following each meeting.

The City hosted and facilitated **Community Meeting #3** shall follow the structure and include the materials as outlined below:

- A sign-in sheet which shall include name, address, phone number and email address of each attendee shall be provided.
 - Applicant shall give an overview of the project and present plans (i.e. floor plans, site plans, elevations, renderings, etc.) and results of any final environmental studies as applicable.
 - Applicant shall identify any project changes in response to community and/or staff concerns, comments and/or questions.
 - City Staff and Applicant will answer questions about the project from attendees, including details on requested entitlements, operation details of the proposed project, CEQA analysis and the hearing schedule.
 - Planning Staff shall keep meeting minutes to include bullet points of all concerns, comments and/or questions raised.
 - Sign in sheet and bullet point minutes shall be provided to the Applicant within **3 working days** following the meeting.
- **EVALUATION/REPORT.** Planning Staff shall be present at each community meeting and prepare an evaluation of the applicant's response to community concerns, comments and/or questions from each community meeting and provide said information in its written report to the Planning Commission and/or the City Council.