



City of Culver City

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Staff Report

File #: 22-198, **Version:** 1

Item #: A-3.

CC - (1) Direction on Proposed Modifications to the UC Prytaneum Collaboration to Test a Community Engagement Model Related to Land-Use Decision-Making; and (2) Approval of a Related Collaborative Research Agreement with the UC Team.

Meeting Date: September 27, 2021 (continued from August 9, 2021)

Contact Person/Dept: Ashley Hefner Hoang/CDD/Advance Planning

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Fiscal Impact: Yes ☐ No ☒

General Fund: Yes ☐ No ☒

Public Hearing: ☐ **Action Item:** ☒ **Attachments:** ☒

Commission Action Required: Yes ☐ No ☒ **Date:** N/A

Public Notification: (E-Mail) Meetings and Agendas - City Council (09/22/2021), Notify Me - General Plan Update (08/04/2021)

Department Approval: Sol Blumenfeld, Community Development Director (07/21/2021)

RECOMMENDATION

Staff recommends the City Council (1) provide direction regarding proposed modifications for the UC Prytaneum collaboration to test a community engagement model related to land-use decision-making; and (2) approve a related collaborative research agreement with the UC team.

BACKGROUND/ DISCUSSION

On March 15, 2021, City Council unanimously approved the City's participation in a joint project with law and public policy/political science professors from UC Davis, Riverside, and Santa Barbara (UC team) to test a new community engagement model at the General Plan Update (GPU) Community Health/Environmental Justice (EJ) Workshop (See Attachment 1). The UC team had reached out to the City with the opportunity to collaborate to test their model, called Prytaneum, at a local agency planning event (See Attachment 2).

The platform enables a new “dialogue and learning” model to supplement the “traditional public hearing participation” model of community engagement, allowing for deliberative dialogue between planning officials and community members (“Community Engagement Model”). Notable features of the Community Engagement Model include allowing officials to address questions and comments posed by the public and allowing the public to comment on and like each other’s questions in real-time, prioritizing questions from demographic groups that tend to be under-represented in land use decisions, and prioritizing questions that receive cross-ideological or cross-demographic “likes.”

On June 22, 2021, the UC team submitted a new proposal to the City, shifting the focus of discussion for the test of the Community Engagement Model from discrete policy issues related to environmental justice (e.g., air pollution, heat islands, housing insecurity) that was approved by City Council to focus instead on procedural equity at an event that could be decoupled from the GPU process (See Attachment 3). The new proposal asks the question, *“How do residents of Culver City in general, and members of disadvantaged communities in particular, think the City should solicit input and honor the concerns of disadvantaged communities with respect to land-use decision-making?”*

The UC team identifies two basic topics of discussion for testing the Community Engagement Model approaches: “shape the city” vs “plan the project”. Under the “shape the city” approach, the proposal describes that public participation occurs through a discussion of development of the general plan and zoning updates. Under the “plan the project” approach, by contrast, the discussion involves the zoning code being seen as an invitation to propose projects, not a legally binding statement of what will be allowed. Individual projects receive public hearings and discretionary review by the Planning Commission and/or the City Council. While the public may also weigh in on general plan and zoning updates under the “plan the project” discussion, there is less of an incentive to do so because neither the plan nor the zoning code entirely determines all of what the City will allow on a site and the amount of public input is often limited.

As background information, all projects are subject to environmental clearance pursuant the California Environmental Quality Act (CEQA). The two land-use decision-making models (“shape the city” vs “plan the project”) have different implications regarding the type of environmental review required under CEQA. CEQA requires analysis and mitigation of the potential environmental impacts of discretionary projects. General plan and zoning updates are always discretionary and generally subject to CEQA review. However, under the “shape the city” model, it is described that the approval of individual projects that conform to the general plan and zoning would be considered nondiscretionary, and thus exempt from CEQA.

This has broad implications for the review and approval of projects in the City. A project which is exempt from CEQA need only conform to the requirements to obtain a building permit so long as it otherwise conforms to the General Plan and Zoning Code. The City may establish the approval standards and, as long as a project conforms to the standards, it must be approved. For example, this is consistent with recent State legislation related to ADUs and requirements for affordable housing streamlining in SB 35, which promote ministerial approvals. Therefore, the two land-use decision-making models, which could be the topic of discussion for the Community Engagement Model, suggest different outcomes for public participation related to individual project reviews and for evaluating project permits.

Several optional “equity supplements” are outlined, including requiring equity impact statements, mandatory or opt-in demographic disclosures, citizen juries with demographic quotas, and demographic quotas for the Planning Commission. The event would feature several academics who would lay out their positions on the models and supplements, followed by a community discussion using the Prytaneum platform and moderated by a California-based journalist. Participants would take a survey for the UC team to analyze the community’s perspectives before and after the event.

There are additional factors to consider with having a broader discussion on procedural equity in planning at this time. Decoupling the event from the GPU process provides flexibility and does not require as much added effort from the GPU consultant. The main benefit for the UC team is that procedural issues will be of interest to other cities so would give their findings added weight. However, the community is already engaged in a comprehensive update process for the General Plan, which has been ongoing since Fall 2019 (See Attachment 4). Through this multi-year process, the City has in part implemented some of the equity supplements suggested by the UC team in the modified proposal, including socio-economic and demographic disclosure at community meetings and on surveys and the implementation of a “citizen jury”, i.e., the General Plan Advisory Committee (GPAC), which has held 18 meetings. Given that the GPU process is already applying the “shape the city” model and has enacted some of the equity supplements, the purpose and intent of the event may be confusing, even if decoupled from the GPU.

Staff confirmed the UC team is open to moving forward with either the original proposal or the modified proposal. The lead time required for an event with Prytaneum is at least three months per the UC team. Should the City Council desire to move forward with either proposal, the event would occur no earlier than November/December 2021. The event under the original proposal would be the GPU EJ Workshop focused on discrete policy issues related to environmental justice. The event under the modified proposal would be separate from the GPU and focused broadly on procedural equity, though it is likely the GPU process to date will be a focus of the discussions. With both options, the result would be a report summarizing the event and the UC team’s findings.

FISCAL ANALYSIS

Approving collaboration with the UC team would not increase the existing GPU budget or impact the General Fund, as the team has invited the City to collaborate at no charge for their services. The GPU consultants estimated their efforts related to the original proposal would be about \$3,500, to be covered by the Contingency Budget. This estimate was based on adding Prytaneum to an existing scoped GPU event. The modified proposal would require a new event decoupled from the GPU process and is crafted to not require coordination with the GPU consultants. The GPU consultants are not contracted to participate in an added event or prepare added materials related to the modified proposal. However, the Contingency Budget would cover any GPU consultant efforts should any arise related to the modified proposal.

ATTACHMENTS

1. 2021-09-27_ATT_March 15, 2021 Council Staff Report

2. 2021-09-27_ATT_January 23, 2021 Opportunity Letter
3. 2021-09-27_ATT_June 22, 2021 Updated Proposal
4. 2021-09-27_ATT_June 14, 2021 Council Staff Report

MOTION

That the City Council:

1. Direct staff to move forward with the modified proposal; or
2. Direct staff to move forward with the original proposal; and
3. Approve a related research collaboration agreement with the UC team for the selected option;
and
4. Authorize the City Attorney to review/prepare the necessary documents; and
5. Authorize the City Manager to execute such documents on behalf of the City.