

MOTION

The California Environmental Quality Act ("CEQA") requires, with some exceptions, that prior to taking any discretionary action that may result in a change to the physical environment, the City consider those changes in the manner set forth in CEQA. CEQA applies not just to decisions of the City Council, but also to decisions made by non-elected decision-making bodies or individuals, for example the Board of Public Works and the Board of Recreation and Parks Commissioners. Actions by these and other City boards and commissions are often of significant interest to community members.

California Public Resources Code section 21151(c), provides that as to certain CEQA related actions taken by a non-elected decision-making body or individual, the City must allow that action to be appealed to the elected decision-making body; i.e., City Council.

While the City, currently allows individuals to appeal CEQA determinations made by non-elected decision makers, the City does not have formal written procedures governing such appeals. By not having a formal written process, that includes timelines, this impedes the ability of interested stakeholders to make their views heard. The public would benefit from clear written guidelines regarding CEQA appeals.

I THEREFORE MOVE that the City-Attorney, in consultation with the City Clerk and other Departments as needed, be requested to prepare and present an Ordinance establishing procedures that implement the right to appeal set forth in Public Resources Code section 21151(c).

PRESENTED BY: 
BOB BLUMENFIELD,
Councilmember, 3rd District

PRESENTED BY: 
DAVID RYU,
Councilmember, 4th District

SECONDED BY: 

ORIGINAL

