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Executive Officer

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James M. Underwood
General Counsel

Kathy Bull
Manager

Agenda Item: 7.a

Meeting Date: December 1, 2022

From: George Williamson Executive Officer

Subject: City of Redding
Municipal Service Review and Sphere of Influence Update – California Environmental Quality Act (CEQA) Compliance

Background:

A recent Court decision has changed how CEQA decisions are agendized. The Court of Appeal (Second District) recently issued a decision clarifying that the Brown Act requires that CEQA decisions (including discussing or voting on CEQA exemptions) must be listed as an item of business on the meeting agenda at least 72 hours prior to the meeting. (See *G.I. Industries v. City of Thousand Oaks*, 2d Civ. No. B317201, October 26, 2022 (*G.I. Industries*).)

This case expands both the Brown Act requirement and procedural requirements of CEQA. Public agencies must now post distinct CEQA-related decisions discussed at public meetings on meeting agendas to avoid a Brown Act violation.

DISCUSSION

The Commission, as the lead agency, makes a discretionary action on the City Municipal Service Review and Sphere of Influence Update which is subject to CEQA. The Commission may find that the sphere of influence update is exempt from further review under the California Environmental Quality Act pursuant to Title 14 of the California Code of Regulations, Chapter 3 CEQA Guidelines, Section 15061(b)(3)

RECOMMENDATION

Staff recommends the Commission:

Receive verbal report from staff;

Open the public hearing and read testimony; and

Discuss item, close the hearing and consider action on staff recommendation:

find that the SOI update is exempt from further review under CEQA pursuant to CCRs, Title 14 Chapter 3 CEQA Guidelines, Section 15061(b)(3)

1. Include the exemption finding in Resolution 2022-17 City of Redding MSR and SOI Update