

City of Culver City, California
Agenda Item Report

Meeting Date: 10/01/12		Item Number: <u>A-1</u>	
CITY COUNCIL AGENDA ITEM: Consideration of the Creation of a Citizens Committee on the Subject of Fracking			
Contact Person/Dept.: Martin R. Cole		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 (09/26/12)			
Department Approval: Martin R. Cole (09/26/12)		City Attorney Approval: Carol Schwab (by H. Baker) (09/26/12)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (09/26/12)		City Manager Approval: John Nachbar (09/26/12)	
<u>RECOMMENDATION:</u> It is recommended that the City Council consider the creation of a Citizens Committee on Fracking and direct the City Manager as deemed appropriate. <u>BACKGROUND:</u> At the City Council meeting of July 23, 2012, the City Council directed the City Manager to place on a future agenda a discussion on whether the City Council wanted to create a citizens committee on fracking. <u>DISCUSSION:</u> As the City Council considers this subject, it may be helpful to recall the requirements of the Ralph M. Brown Act (Brown Act). Section 54952(b) of the Brown Act provides: [As used in this chapter, "legislative body" means:] “A commission, committee, board, or other body of a local agency, whether permanent or temporary, decision making or advisory, created by charter, ordinance, resolution, or formal action of a legislative body. However, advisory committees, composed solely of the members of the legislative body that are less than a quorum of the legislative body are not legislative bodies, except that standing committees of a legislative body,			

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irrespective of their composition, which have a continuing subject matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body are legislative bodies for purposes of this chapter.” (***emphasis added***)

Should the City Council determine to create such a Committee, then the Committee would be a Legislative Body and would be subject to the requirements of the Brown Act, including but not limited to, creation and posting of an agenda, meetings being open to the public, and requirements that actions of the Committee be undertaken only during a duly noticed public meeting for which an agenda has been created and posted.

FISCAL ANALYSIS:

The fiscal impact to the City would be dependent on the amount of staff resources dedicated to any committee created.

ATTACHMENTS:

None

MOTIONS:

That the City Council:

Consider the creation of a Citizens Committee on Fracking and direct the City Manager as deemed appropriate.