



MEMORANDUM

DATE: September 27, 2010

TO: Housing Element Committee (HEC)

FROM: Lilly Schinsing, Associate Planner 

SUBJECT: Subcommittee Work and Brown Act Clarification

Discussion

The HEC has been using subcommittees to review and draft chapters, reports and other documents for the draft Housing Element. Questions have been raised about the process by which the subcommittees may collect HEC comments on the documents and incorporate them into a revised document and not violate the Brown Act. The following, which has been reviewed by the City Attorney, lays out the process the HEC will use in working with subcommittees to review and draft chapters, reports and other documents for the draft Housing Element.

1. At a noticed public meeting HEC will assign a subcommittee (of 4 or less HEC members*) to work with staff on reviewing/revising/drafting a chapter (analysis, description, report, et cetera), of the draft housing element;
2. At a noticed public meeting the HEC members will submit their comments on the topic;
3. The subcommittee will convene (outside of the HEC meeting) to review/revise/draft the chapter;
4. The revised/draft chapter must be submitted to staff by noon on the Wednesday before a regularly-scheduled HEC meeting;
5. Discussion of the revised/draft chapter will be included on the HEC agenda/packet for the HEC meeting;
6. HEC members can submit written comments/edits directly to Staff prior to the HEC meeting to be distributed at the meeting, or bring their comments to the meeting;
7. At the noticed public meeting HEC member comments will be received and made publically available on the revised/draft chapter;
8. The HEC may send the revised/draft chapter back to Step 3; or
9. The HEC may approve the draft chapter.

*The subcommittee members must not rotate or change. Multiple subcommittees may be formed, but once they are formed members may not be moved in and out of committees.

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