

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS AMENDING THE CITY OF MILPITAS CITY COUNCIL HANDBOOK TO CLARIFY THE ROLES OF THE MAYOR AND VICE MAYOR WITH RESPECT TO THE PERFORMANCE OF CEREMONIAL DUTIES

WHEREAS, the City of Milpitas City Council Handbook currently provides that the Mayor is the official head of the City of Milpitas for all ceremonial purposes ; and

WHEREAS, the City Council Handbook further provides that the Mayor is the presiding officer at all City Council meetings, and that in the absence of the Mayor, the Vice-Mayor shall be the presiding officer; and

WHEREAS, the Handbook section setting forth the duties of the Vice Mayor further provides that in the absence of the Mayor, the Vice Mayor possesses the powers and performs the duties of the Mayor; and

WHEREAS, the City Council wishes to clarify the roles of the Mayor, Vice Mayor and remaining Council Members with respect to the performance of ceremonial functions.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Milpitas hereby amends the section entitled "Mayor" on page 3 of the City of Milpitas City Council Handbook to read as follows:

"Mayor"

The Mayor is directly elected. The Mayor is the official head of the City of Milpitas for all ceremonial purposes. In the event that the Mayor cannot attend a ceremonial function, the Vice Mayor shall serve as the official head of the City in his or her stead. In the event that neither the Mayor nor Vice Mayor can preside at a ceremonial function, one of the remaining members of the City Council shall serve as the official head of the City on a rotating basis to be administered by City staff. The Mayor is entitled to vote on all matters but does not possess any veto power. The Mayor signs all ordinances and the approved minutes for all City Council meetings. The Mayor must execute such documents as directed by vote of the Council."

PASSED AND ADOPTED this ____ day of _____2007, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Steven T. Mattas, City Attorney