

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS AMENDING CITY COMMISSION BYLAWS TO CHANGE COMMISSIONER ELIGIBILITY**

**WHEREAS**, currently most members of the City Commissions are required under the respective Commission by-laws to be residents of the City of Milpitas; and

**WHEREAS**, the Milpitas community comprises persons who reside within the boundaries of the City; and

**WHEREAS**, on June 2, 2009, by Resolution No. 7878, the Milpitas City Council amended requirements for Commission members to allow for those persons living within the Milpitas Unified School District boundaries who may not technically live within the legal boundaries of the municipality of Milpitas to be considered for appointment to City of Milpitas Commissions; and

**WHEREAS**, the 14 City of Milpitas Commissions serve to advise the elected Mayor and City Council of the City of Milpitas, and primarily consist of residents who do live within the City of Milpitas boundary.

**NOW, THEREFORE**, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The Council hereby repeals Resolution No. 7878 and directs that the membership requirements of all City of Milpitas Commissions delete the reference underlined below from any and all Commission by-laws which have allowed for membership of a non-City resident who was a resident within the school district boundaries:

Any resident of Milpitas or resident within the boundaries of the Milpitas Unified School District  
(delete language underlined)

3. This change will be effective upon adoption of this Resolution and would impact and all future appointments of Commissioners and alternate members by the Mayor and City Council.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Jose S. Esteves, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Christopher J. Diaz, City Attorney