

**MEETING MINUTES  
CITY OF MILPITAS**

**Minutes of:** Regular Meeting of the Milpitas City Council  
**Date:** Tuesday, December 3, 2019  
**Time:** 6:00 PM Closed Session  
7:00 PM Open Session  
**Location:** Council Chambers, Milpitas City Hall,  
455 East Calaveras Blvd., Milpitas

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**CALL TO ORDER** Mayor Tran called the meeting to order at 6:05 PM. City Clerk Mary Lavelle called the roll.

**PRESENT:** Mayor Tran, Vice Mayor Dominguez and Councilmember Montano

**ABSENT:** Councilmembers Nuñez and Phan were absent at roll call. They both arrived in closed session.

**CLOSED SESSION** City Council convened in Closed Session to discuss three topics listed on the agenda.

City Council convened at the dais for the Open Session regular agenda at 7:30 PM.

**ANNOUNCEMENT** City Attorney Chris Diaz stated there was no reportable action by the City Council out of Closed Session.

**PLEDGE** Boy Scouts Troop No. 92 presented the flags and led the pledge of allegiance.

**INVOCATION** Councilmember Nuñez invited Pastor Jeff Moore to provide the invocation prayer.

**PUBLIC FORUM** A woman resident requested to move agenda item no. 19 to be heard up front, earlier in the meeting. Mayor Tran responded that it would be moved to be heard after the Public Hearings.

Rob Means, resident, talked about emissions, global warming and climate change.

Yolie Garcia, resident, addressed the Council regarding the rent assistance program.

Voltaire Montemayor, resident, spoke about Thanksgiving and activity at St. John's.

Veronica Salce, resident, thought more work needed to be done on rent and the assistance program to help families in need in Milpitas.

**ANNOUNCEMENTS** Vice Mayor Dominguez asked the City Council to request consideration of a "CEDAW" ordinance introduction in January to recognize the Women's March anniversary. The ordinance was related to combatting all forms of discrimination against women. The Vice Mayor wanted Council to consider creating a gender equity task force, possibly to be led by Councilmember Montano. The City Attorney asked Councilmembers if they wanted this item to come on an agenda in January and all replied yes. Mr. Diaz responded that staff could study and come back with findings and an analysis after the Vice Mayor provided him with information on the topic.

Councilmember Nuñez commented that he'd received a communication from the School District about the Jack Emery food drive challenge. He wanted to know if the City was involved. Mayor Tran said it was not too late to join, and that he would like to team up with his colleagues on this. The City Manager noted that his office could assist Councilmembers in coordinating the effort.

**ANNOUNCEMENT OF  
CONFLICT OF INTEREST  
AND CAMPAIGN  
CONTRIBUTIONS**

City Attorney Diaz asked Councilmembers if they had any personal conflicts of interest or reportable campaign contributions. By roll call, none were reported.

**APPROVAL OF AGENDA**

Motion: to approve the City Council agenda, as amended, moving agenda item no. 19 (regarding Vice Mayor) to be heard prior to the public hearings

Mayor Tran asked to move items no. 18 (Sister Cities) and no. 19 to be heard following the Public Hearings.

Vice Mayor Dominguez requested the City Attorney comment on whether the City was at risk of litigation if she asked to move item no. 19 to be heard before the Public Hearings. Mr. Diaz replied that the Council had discretion with their agenda.

Mayor Tran polled the Council about moving item no. 19 ahead of the public hearings and Councilmembers agreed to do that.

Motion/Second: Councilmember Nuñez/Councilmember Montano

Motion carried by a vote of: AYES: 5  
NOES: 0

**CONSENT CALENDAR**

Motion: to approve the consent calendar including agenda items no. 1, 2, 3, 5, 8, 9 and 12

Councilmember Nuñez requested to remove agenda items no. 4, 6, 7, 10, 11, and 13 from the consent calendar.

Regarding the calendar, Mr. Nuñez asked about the upcoming Valley Transportation Authority Board of Directors meeting with the police contract on that agenda, and if there was any action needed at this City Council meeting. Mayor Tran responded, stating that VTA was planning to extend the existing contract with the Sheriff for police services and Police Chief Armando Corpuz confirmed this and stated that no Council action was needed at this time.

Councilmember Nuñez inquired about the Silicon Valley Clean Energy Board meeting on December 11; as he had received phone calls from San Jose to sign on to the letter regarding PG&E restructuring. Mr. Nuñez asked if the matter was going to come back at the next meeting. Public Works Director Tony Ndah responded that staff would bring the matter back at a later date when more information was available.

Motion/Second: Councilmember Montano/Councilmember Nuñez

Motion carried by a vote of: AYES: 5  
NOES: 0

- C1. Council Calendar Councilmember Nuñez made several inquiries about agency meetings, to which staff responded. The City Council received the calendar of upcoming meetings for the month of December 2019.
- C2. Meeting Minutes Approved City Council meeting minutes of November 12 and 19, 2019.
- C3. Ordinance No. 38.839 Waived the second reading and adopted Ordinance No. 38.839 regarding updated regulations of massage establishments in Milpitas.
- 4. Resolution – vehicle purchase Councilmember Nuñez asked the Purchasing Agent to provide more information about what the City was doing to make its fleet green since only one vehicle in the recommended purchase was electric. Councilmember Nuñez also expressed concerns about using personnel vacancy savings for this purchase. Public Works Director Tony Ndah responded that the City’s lease program included several electric and hybrid vehicles. The purchase recommended with this item was for

specialized vehicles for Public Works and Police which were not available with “green” technology. Mr. Ndah also said that although use of vacancy savings was recommended for this purchase, the action here was specifically for Council consideration so that it could either approve or reject staff’s recommendation.

Motion: to adopt Resolution No. 8924 authorizing the Purchasing Agent to purchase vehicles and equipment approved in the FY 2019-20 budget through two cooperative procurement contracts with Sourcewell for (1) 6 Police Department vehicles and 6 Public Works vehicles from the National Auto Fleet Group for \$458,684.53; and (2) one Caterpillar 430F2 HRC Backhoe Loader with Caterpillar WT-BHL Work Tools for the Public Works Department from Peterson Cat for \$168,868.44

Motion/Second: Councilmember Nuñez/Councilmember Montano

Motion carried by a vote of: AYES: 4  
NOES: 0  
ABSENT: 1 (Phan)

C5. Resolution – accept project

Adopted Resolution No. 8925 approving acceptance of the South Milpitas Blvd. Extension, Project No. 2004, and Water, Sewer, and Storm Drain Utility Improvements, Projects No. 3711, No. 6121 and No. 7125 completed by the Santa Clara Valley Transportation Authority as part of the Bay Area Rapid Transit (BART) Extension.

6. Resolution – Temp Fire Station No. 2

While this item was removed from consent, no discussion was held.

Motion: to adopt Resolution No. 8926 to approve project plans and specifications for the temporary Fire Station No. 2 tenant improvements Project No. 3447, to award a construction contract for the base bid and to authorize the Interim City Manager to execute the contract with Ron Paris Construction Co., Inc. in the amount of \$207,198; and, to authorize the City Engineer to negotiate and execute contract change orders in an aggregate amount not to exceed \$50,000

Motion/Second: Councilmember Nuñez/Vice Mayor Dominguez

Motion carried by a vote of: AYES: 4  
NOES: 0  
ABSENT: 1 (Phan)

7. Resolution – Housing Collaborative

Councilmember Nuñez was concerned about diluting the City’s voice by participating in a larger group.

Building Safety & Housing Director Sharon Goei explained that the group was intended to be a collaborative effort to find regional solutions to housing challenges and determine how to distribute funding for technical support region-wide.

Mr. Nuñez asked Ms. Goei to bring back anything the collaborative worked on to the City Council.

Motion: to adopt Resolution No. 8927 authorizing the City to join members of the Cities Association of Santa Clara County to form a housing collaborative and to provide funding for consultant services related to the housing collaborative

Motion/Second: Councilmember Nuñez/Councilmember Montano

Motion carried by a vote of: AYES: 4  
NOES: 0  
ABSENT: 1 (Phan)

C8. Resolution

Adopted Resolution No. 8928 authorizing reimbursement of Fire Station No. 2 Capital Improvement Expenditures from proceeds of future tax-exempt obligations.

C9. Resolution Adopted Resolution No. 8929 increasing the Massage Permit Fee and amending the FY 2019-20 Master Fee Schedule.

10. Sole Source Report While this item was removed from consent, no discussion was held.

City Council received the FY 2018-19 Annual Sole Source Report for the year ending June 30, 2019. No vote was taken on this matter.

11. CAFR After this was removed from the consent calendar, Councilmember Nuñez asked for the Comprehensive Annual Financial Report (CAFR) to be brought back as a non-consent item at the next meeting on December 17 for discussion.

C12. \$750,000 Grant Accepted the 2019 Car Break-In Prevention grant in the amount of \$750,000 and approved a budget appropriation into the Police Department's operating budget.

13. Public Safety & Emergency Preparedness Commission Work Plan Councilmember Nuñez asked questions of Fire Department staff Toni Charlop, staff liaison to the Public Safety and Emergency Preparedness Commission, including the cost of the programs listed on the proposed work plan. Staff explained all costs were built into the Fire Department's Office of Emergency Services budget, along with the \$1,000 allocated to each Commission. She responded to more questions from Mr. Nuñez about Commission programs.

Vice Mayor Dominguez told Ms. Charlop that she and the Commissioners had done a fantastic job and were very committed to its purpose.

Motion: to approve the Public Safety and Emergency Preparedness Commission work plan for Fiscal Year 2019-20

Motion/Second: Councilmember Nuñez/Vice Mayor Dominguez

Motion carried by a vote of: AYES: 4  
NOES: 0  
ABSENT: 1 (Phan)

## **PUBLIC HEARINGS**

14. Ordinance No. 113.25 Fire Marshal Albert Zamora summarized steps taken to date to bring the updated Fire Code to the Council for adoption, with local amendments. Ordinance No. 113.25 had been introduced on November 5 and was ready for adoption.

Next, Mayor Tran opened the public hearing.

Resident Eileen Zhong, representing on-demand mobile fuel company Booster Fuels, asked the Council to adopt the Fire Code.

Voltaire Montemayor, resident, said it was good implementing the code.

Motion: to close the public hearing, following two speakers

Motion/Second: Councilmember Nuñez/Councilmember Montano

Motion carried by a vote of: AYES: 5  
NOES: 0

Vice Mayor Dominguez left the dais for a brief period, prior to the vote below.

Motion: to waive the second reading and adopt Ordinance No. 113.25 enacted as Chapter 300 Title V of Milpitas Municipal Code

Motion/Second: Councilmember Nuñez/Councilmember Montano

Motion carried by a vote of: AYES: 4  
NOES: 0  
ABSENT: 1 (Dominguez)

**15. Ordinance No. 65.147**

Building Official Bill Tott gave a short report on the updated Building Code and process for the tri-ennial code adoption. Ordinance No. 65.147 was introduced on November 5 and was ready for adoption.

Mayor Tran opened the public hearing.

Voltaire Montemayor, resident, spoke favorably of the code update.

Motion: to close the public hearing, following one speaker

Motion/Second: Councilmember Nuñez/Vice Mayor Dominguez

Motion carried by a vote of: AYES: 5  
NOES: 0

Motion: to waive the second reading and adopt Ordinance No. 65.147 amending Chapters 1, 3, 3.5, 4, 5, 6, 7, 10, 13, 14, 150, and 170 of Title II of the Milpitas Municipal Code relating to Code Administration; adopting by reference the 2019 California Building Code, 2019 California Residential Code, 2018 International Property Maintenance Code, 2019 California Mechanical Code, 2019 California Electrical Code, 2019 California Plumbing Code, 2018 International Swimming Pool and Spa Code, 2019 California Existing Building Code, and 2019 California Historical Building Code, with amendments; and amending regulations pertaining to grading, excavation, paving, and erosion control, and gas shut-off devices

Motion/Second: Councilmember Nuñez/Vice Mayor Dominguez

Motion carried by a vote of: AYES: 5  
NOES: 0

**16. Ordinance No. 65.148 and Ordinance No. 65.149**

Mr. Tott presented a report on the process for community engagement and outreach conducted for the new California green energy (Reach) codes and the green building standards code, over the past six months.

Councilmember Phan departed the dais and the meeting at 10:11 PM.

Councilmember Montano was pleased with the balanced approach presented by staff, to assist residents. She mentioned solar panels and a need for more of these across the City, to help offset cost of electricity.

Mayor Tran opened the public hearing.

Steve Boll from housing developer Lyon Living supported the proposed Reach codes, and appreciated the extensive outreach done, including with local developers.

Councilmember Nuñez asked staff about a response to the Mayor's prior question about eliminating gas in new construction.

City Manager McHarris said staff could provide an information memo to the City Council on this rapidly evolving topic.

Next, Mayor Tran called for speakers.

Rob Means, resident, commented on a climate emergency and referenced approaches in the cities of Berkeley and Morgan Hill.

Voltaire Montemayor, resident, mentioned windmills, other sources, smell from gas, carbon in the house and detectors, the forest as fresh green and no gas smell.

(1) Motion: to close the public hearing, following two speakers

Motion/Second: Vice Mayor Dominguez/Councilmember Nuñez

Motion carried by a vote of: AYES: 4  
NOES: 0  
ABSENT: 1 (Phan)

Mr. Tott read from information provided to staff from Silicon Valley Clean Energy, on electricity savings for Milpitas customers from June 2018 to present. Power was sourced from renewable wind and solar, with reduced emissions and reduced greenhouse gas.

Councilmember Nuñez asked about how the City could help low income residents, if the city was going to an all-electric requirement (in residential buildings), and if they would qualify for the Milpitas Assistance Program. Councilmember Montano inquired about existing programs for homeowners, for solar and other energy savings in their homes. Ms. Goei responded about the Residential Building Incentive Program since last summer, with reduced costs for solar panel permits. Ms. Montano also asked about the PACE program, which staff explained was a financing program available since 2017.

(2) Motion: to waive the second reading and adopt Ordinance No. 65.148 amending Chapter 11 of Title II of the Milpitas Municipal Code adopting by reference the 2019 California Energy Code with amendments

Motion/Second: Councilmember Nuñez/Councilmember Montano

Motion carried by a vote of: AYES: 4  
NOES: 0  
ABSENT: 1 (Phan)

(3) Motion: to waive the second reading and adopt Ordinance No. 65.149 amending Chapter 19 of Title II of the Milpitas Municipal Code adopting by reference the 2019 California Green Building Standards Code with amendments

Motion/Second: Councilmember Nuñez/Councilmember Montano

Motion carried by a vote of: AYES: 4  
NOES: 0  
ABSENT: 1 (Phan)

## **LEADERSHIP**

### **17. Ordinance No. 120.49**

Finance Director Walter Rossmann provided background on Senate Bill 998, the Water Shutoff Protection Act, along with recommended changes in the City's approach via a new ordinance and a policy to be adopted by resolution. This new state law would take effect on February 1, 2020. Mr. Rossmann displayed a slide overhead with utility billing statistics for the City's water utility and described current invoicing procedures. Various steps were necessary prior to the implementation date of the regulations next February.

Mr. Rossmann shared that the City was working with low income residents and those with health issues who were delinquent with their payments.

Mayor Tran invited any speakers from the audience.

Voltaire Montemayor, resident, felt this policy would be helping residents.

Councilmember Montano said she and Councilmember Nuñez were ahead of this state law with Council Housing Subcommittee actions. Recreation Director Renee Lorentzen explained the Milpitas Assistance Program to help Milpitas residents pay water bills and register for city recreation programs.

Councilmember Nuñez asked who would do this work (re: SB998) and staff replied, the Finance utility billing staff. Mr. Nuñez wanted all efforts to be integrated, for example with Project Sentinel, to help customers who were low income. The City Manager responded this policy would be handled “with a human touch” as it was implemented.

Mayor Tran asked to add in Tagalog as one of the languages for outreach notices, following the stated list of minority languages that staff said were planned for the outreach efforts.

City Attorney Chris Diaz read aloud the title of Ordinance No. 120.49, “An Ordinance of the City Council of the City of Milpitas Amending Title VIII (Public Works), Chapter 1 (Water System) of the Milpitas Municipal Code relating to Discontinuance and Restoration of Water Service.”

Motion: to waive the first reading beyond the title and introduce Ordinance No. 120.49 amending Title VIII, Chapter 1 of the Milpitas Municipal Code relating to Discontinuance and Restoration of Water Service

Motion/Second: Councilmember Nuñez/Councilmember Montano

Motion carried by a vote of: AYES: 4  
NOES: 0  
ABSENT: 1 (Phan)

Motion: to adopt Resolution No. 8930 approving a policy on Discontinuance of Residential Water Service

Motion/Second: Councilmember Nuñez/Councilmember Montano

Motion carried by a vote of: AYES: 4  
NOES: 0  
ABSENT: 1 (Phan)

## **REPORTS**

### **18. Sister Cities program**

This item was not heard and would be rescheduled for the next Council meeting.

### **19. Vice Mayor position**

This item was heard immediately following the consent calendar vote, ahead of the public hearings. Mayor Tran gave introductory remarks about his request to consider changing the term of a Vice Mayor to be for one year (not the traditional two years), which he viewed as an opportunity for shared leadership. He asked staff to display a video from a 2018 Council meeting when the current Vice Mayor was voted in by her colleagues.

Mayor Tran invited comments from audience members, up to one minute each.

Yolie Garcia, Milpitas resident, spoke on keeping the current Vice Mayor, to allow the full term.

John Doll, Milpitas resident, saw no reason to cut short the term of Karina Dominguez, who was doing a fine job. Any such change should be made aware to the public, with more lead time.

Lisa Ledell, from city of Saratoga, emphasized the need to have someone in a term for length of an agreed upon term, here for two years as Vice Mayor.

Angela Tirado, the voice of San Jose, urged letting Karina complete her two-year term as the Vice Mayor.

Donna Casillo, a San Jose resident, commented on the Mayor's remark that this was not important city business. She felt there was conflicting information that the Mayor had provided.

Mimi Hernandez, from San Jose, sat on a small business council there. She said the Mayor was passing the ball to the person he wanted.

Chandra Brooks, from San Jose, supported Vice Mayor Dominguez, and said she should be able to continue her two year term.

Evangeline, a San Jose resident, was concerned about the proposed change.

Rose Flores, a Santa Clara County resident, recommended allowing Karina to complete her two year term, as she was doing good service.

Rev. Jeff Moore felt this was an act of revenge on the Vice Mayor by the Mayor, and it was disrespecting women, he believed.

Myra Zamora, a resident of Santa Clara County, came to see who the Mayor was in person. She read everything about Milpitas, and had lived here for 18 years. She had worked in Sunnyhills and discussed women status in Milpitas.

A woman who was a trustee in a school district in Santa Clara County was surprised that the Mayor asked for this item to be on the agenda and said were no complaints about Karina, so she felt this was not transparent.

Olivia Hernandez, a San Jose resident and union member, said there were many local residents who were supportive of the Vice Mayor. She was doing her job so keep her in her term.

Lam Nguyen, a Milpitas and San Jose resident, felt that women were not given enough time to learn the jobs that men have traditionally done. It seemed fair to keep Karina in her job.

Ana Narajo, Milpitas resident, came to support Karina Dominguez who had given her family motivation and came to see where she lived. No need to change the Vice Mayor.

Veronica Salce, Milpitas resident, thanked the City Council for all their efforts. She particularly appreciated Karina Dominguez and her valuable impact on the community.

Steve Volan, Milpitas resident, felt this move was done by personal motive. It should be reviewed by the Rules Committee before going on the agenda. Karina was doing a great job.

A woman from a Latina coalition was here for swearing in of Vice Mayor Dominguez and she should be allowed to continue in the two-year term as Vice Mayor.

Rob Means, 1421 Yellowstone resident, cared about the good functioning of City government. He did not see good teamwork with the current City Council. They should not take away the job of Karina. This was not a good management decision.

Barbara Doll, a Milpitas resident, supported Karina Dominguez as Vice Mayor.

Samantha Salce, a Milpitas child, supported Karina in her position. Her younger sister also spoke in support of the Vice Mayor.

Voltaire Montemayor, Milpitas resident, believed Karina would like to continue as Vice Mayor, and she was doing great.

David Flashner, Milpitas resident, commented back to the Mayor about his comment that roles were not going to change. He wanted to hear from Karina if she felt her role would change.

Next, Mayor Tran offered his colleagues to comment, after he explained his request for this item, as directed by the full City Council at the last meeting held on November 19.

Councilmember Nuñez asked the City Attorney what the laws or guidance were to allow the City Council to make a change or not. The City Attorney stated that there were no laws related to the topic of Vice Mayor.

City Manager McHarris added that based on staff research, there were no official rules on what the Mayor proposed or any requirements about the role of Vice Mayor.

Councilmember Montano noted that all five members put this item on the agenda and suggested they could postpone the topic to another meeting.

Councilmember Phan remarked this was an issue that provoked a lot of emotion. People were going to feel hurt no matter how they decided. He stated that he would like the Council to decide what to do at this meeting and then move on.

Vice Mayor Dominguez thanked audience members for being at City Hall. She was sad for the division this issue has caused. She thanked the Mayor for bringing this item forward and stated that she took the role of Vice Mayor very seriously.

The Vice Mayor wanted to make a motion to open up a task force to address re-organization of government of the City with members of the community to build a vision of the City. She wanted to finish her two-year term and stated that there was a need to define the role of Vice Mayor. She wanted more communication regarding events and a defined Council process for commendations.

Ms. Dominguez asked the City Manager or City Attorney about the timeframe for an idea brought by City Council. The City Manager answered that would vary. For a task force, it would take several months to put together, meet and come to conclusions, so perhaps six months or more. She stated she wanted to move this item, and that she recommended a task force.

Mayor Tran asked all Councilmembers to share their thoughts.

Councilmember Nuñez took exception to a comment heard earlier about “my council.” All Councilmembers contributed equally. He did not want to have another task force, since nothing ever was accomplished following those reports that task forces have generated in the past. It would not take long to determine what the position of Vice Mayor did, so he urged staff to take the time needed and bring it back to City Council. The Council needed a more “deep dive” into the topic of shared governance, looking at roles of Mayor, Vice Mayor, City Manager and Commissioners.

Mr. Nuñez proposed asking the City Manager to come back in January with what the job really entailed and include a Council discussion about shared governance. This should happen no later than the first meeting in January on what to do with the Vice Mayor position.

Councilmember Phan thanked all the speakers for coming and supporting their friend. He reminded the Council that they were temporary occupants of these jobs.

Councilmember Montano agreed with Mr. Nuñez, to ask staff to come back to Council with parameters on the Vice Mayor role. She made a motion, as Mr. Nuñez had described.

Mayor Tran agreed with Ms. Montano, and said they could continue to explore.

City Manager Steve McHarris summarized what he had heard from the City Council:

- 1) staff would bring back in the next two meetings, probably in January, to see what the City has had in place historically
- 2) take a look at what the job entailed and define the Vice Mayor's role
- 3) define the Mayor's role
- 4) continue discussion on shared governance later
- 5) look at legacy pieces from past City Councils

Councilmember Montano asked to look at what other cities did, such as Hollister, where other cities take turns and the Mayor shifts each year.

Mayor Tran referenced the City Council Handbook.

Councilmember Nuñez confirmed this would come back at the January 7 Council meeting.

Vice Mayor Dominguez clarified that on January 7 staff would come back with information, and asked what the next step would be. The City Manager said it would be for Council discussion, with something approvable as well as information about rotation. City Attorney Chris Diaz commented that with a directly elected Mayor, the Government Code would apply and this question would have to go to the voters.

Ms. Dominguez noted the need to move forward and wanted to include the community on this topic through a poll. She asked that in order to allow enough time this topic should be brought back in the beginning of February.

Councilmember Nuñez stated that he had faith that the polling could be completed and information brought back by January. He stressed outreach would be to citizens of Milpitas (not San Jose). Shared governance would be the conversation topic he most looked forward to.

Mr. McHarris reported that the staff already planned to conduct a community survey in January, statistically valid, so staff could add this topic to the questions asked.

Councilmember Phan stated that he did not want the Vice Mayor position and wanted that made unequivocally clear to the public.

Mayor Tran thanked all the people who came to the meeting and was pleased to have had the discussion, even though no decision was made so far. This was discussed based on the last meeting's direction by the full City Council.

Vice Mayor Dominguez asked to include a question about whether there should be a primary for the Mayor's seat in the election, in the future.

Mayor Tran announced he was ready to move to a rotating Mayor system, at the next meeting. However, the City Attorney confirmed what Councilmember Nuñez stated, there was already a voter approved process for the Mayoral election and moving to a rotational system would require voter approval.

The City Manager listed the topics to be brought back with more information: other cities' definition of Mayor and Vice Mayor roles, information from the existing City Council Handbook and previously proposed updated version, item to come back with something actionable at the second meeting in January, including rotation of positions of Mayor and Vice Mayor, and legal analysis. Vice Mayor Dominguez wanted to include a poll about putting the Mayor in a primary election. The City Attorney would explore the legality of that and include information in the legal analysis.

**Motion:** to direct staff to return in January with an actionable report including information on: historically what the City of Milpitas had done concerning the position of Vice Mayor, define what the job really entailed including other cities' definitions of the role and from the Milpitas

City Council Handbooks, define the Vice Mayor's role, define the Mayor's role, explore a process for rotating the Mayor's position, and to continue conversation on shared governance (later on); and, the Vice Mayor requested research on whether there could be a primary election for the Mayor's seat, and if legally acceptable, to then conduct a poll on having the Mayor's race in a primary election

Motion/Second: Councilmember Nuñez/Vice Mayor/Dominguez

Motion carried by a vote of: AYES: 4  
NOES: 1 (Phan)

**NEXT AGENDA**

20. Preview next agenda Received a list of agenda items for the December 17, 2019 City Council meeting.

**ADJOURNMENT**

Mayor Tran adjourned the regular Council meeting at 11:17 PM.

**The foregoing minutes were approved by Milpitas City Council on December 17, 2019.**

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**Mary Lavelle**  
**Milpitas City Clerk**