

**MEETING MINUTES
CITY OF MILPITAS**

Minutes of: City Council Rules Committee
Date: Friday, February 6, 2009
Time: 4:00 PM
Location: Committee Room, Milpitas City Hall,
455 E. Calaveras Blvd., Milpitas

I. ROLL CALL PRESENT: Vice Mayor McHugh and Councilmember Gomez

STAFF: City Attorney Mike Ogaz
City Engineer Greg Armendariz
City Clerk Mary Lavelle

Two members of the public were in attendance.

CALL TO ORDER 4:02 PM. Mr. Gomez was not present until 4:04 pm.

II. APPROVAL OF AGENDA - approved

III. PUBLIC FORUM

Mr. Isaac Hughes, Milpitas resident, asked Committee members to recommend a policy to the full City Council to adopt an ordinance stating that the City would never use the eminent domain process on a religious facility's building or property within the City of Milpitas for any reason.

Vice Mayor McHugh responded to him that potentially it might not be in the City's best interests to restrict its own options with regard to land use. City Attorney Ogaz responded to a question from the Vice Mayor directed to the citizen, and noted that Mr. Hughes or any resident was free to write a letter or appear at any City Council meeting to express this specific request.

IV. DISCUSSION ITEMS

1. Facilities Naming topics - none
2. Open Government – at this time, a lengthy review and discussion was led by the City Attorney of listed items No. 1 through No. 19, of proposed and recommended amendments to the Open Government ordinance. The list had been prepared by the City Attorney upon previous consultation with Councilmember Gomez and the City Clerk.

In general, the two Committee members supported and recommended most of the changes discussed, except No. 17 (regarding revolving door policy) and No. 19 (lobbyist registration). They supported the City Attorney bringing forward to the City Council their recommendation that the formal amendments in a revised ordinance be brought to a March Council meeting.

The citizen present at the meeting expressed his demand to address all of the items No. 1-19.

3. City Council meeting agenda review
 - Review of preliminary agenda for February 17, 2009: City Clerk Lavelle distributed the Preliminary Agenda for the next City Council meeting. Committee members inquired about a few of the agenda items, and staff responded.

Rules Committee members requested these additions for February 17:

- 1) Report on the status of City membership in the Milpitas-Gilroy-Morgan Hill grouping of the Santa Clara Valley Transportation Authority, and governance issues at the VTA.
 - 2) Appointment to the Bay Area Water Supply and Conservation Agency – Councilmember Gomez asked when this item would go on a future City Council agenda, and staff responded it could at one of the next meetings.
- Receive Tentative Agenda list for March 3, 2009: City Clerk distributed the one page checklist of items for that date.

At this time of the meeting, Mr. Hughes wished to address the Committee on the Open Government topics. Mr. Gomez departed the meeting at 5:07 PM, stating he believed the citizen had already commented throughout the meeting. Vice Mayor McHugh attempted to offer three minutes to the citizen to speak, but that was refused due to the Mr. Gomez's departure.

VI. ADJOURNMENT - concluded at 5:10 PM.

The next scheduled meeting date was Friday, February 20, 2009 at 4:00 PM.

Minutes submitted by
Mary Lavelle, City Clerk