

***Draft* MEETING MINUTES**

MILPITAS CITY COUNCIL RULES SUBCOMMITTEE

Minutes of:	Joint Meeting of the Council Rules Subcommittee and the Milpitas City Council
Date:	Friday, January 31, 2020
Time:	3:30 PM
Location:	Milpitas City Hall, Committee Room 455 E. Calaveras Blvd., Milpitas, CA

1. **Call to order and Roll Call** – Meeting was called to order by Mayor Tran at 3:35 PM. Mayor Tran, Councilmember Dominguez, Vice Mayor Nuñez and Councilmember Phan were present. Councilmember Montano was absent.

2. **Approve Meeting Minutes** – Minutes of September 20, 2019 meeting were approved.

Motion /Second: Nuñez/Dominguez

AYES: All

3. **Public Forum**

- Jackie Romero (Milpitas resident) spoke in support of the Children’s Theater Program. She expressed her appreciation for the Rules Subcommittee but suggested that urgency should be considered in placing and prioritizing items to be discussed on the agenda, especially on matters that affect the community.
- Rob Means (Milpitas resident) spoke in support of the Personal Rapid Transit (PRT).
- Frank De Smidt (Milpitas resident and representative for Milpitas Chamber of Commerce and Milpitas Rotary Club) invited all attendees to the Annual Auction and Crab Feed.

4. **Discuss Clarifications Related to the Scope of the Rules Subcommittee Document and provide direction and clarity to staff on existing language and / or propose clarifying language related to the Subcommittee’s role in adding items to the agenda**

Interim City Manager McHarris opened the discussion regarding the scope of the Rules Subcommittee as well as staff’s need for feedback, direction, and clarification from the full City Council.

Assistant City Manager Kantak provided a brief background regarding the Rules Subcommittee since its formation in April 2019 and official start in August 2019.

Assistant City Manager Kantak and City Attorney Diaz presented seven questions to facilitate Council discussion.

Councilmembers reviewed and discussed all seven questions listed in the staff report and presentation. A summary of the direction is provided below:

1. Council Agenda Item Requests would be placed on the next regular Council meeting agenda and listed under the Reports of Mayor and Councilmembers section of the agenda. In addition, Council requested to have the Rules Subcommittee minutes be presented under this section. Councilmembers could also request items be placed on the Council Agenda under the Announcements section. The City Attorney was asked to provide verbiage so that legal parameters and guidance would be incorporated into the Announcements and Reports of the Mayor and Councilmembers sections of the City Council meeting agenda to ensure compliance with the Brown Act.
2. Councilmembers agreed that there should be no “cap” placed on Agenda Item Requests for any one Council agenda. Council would be relying on the City Manager in terms of assessing, establishing “caps” contingent upon departments’ individual workload, and advising Council regarding staff workload.
3. A majority of the Councilmembers agreed that the current Agenda Item Request Form was satisfactory. If more detailed explanation was needed for items that were placed on the agenda, there would be avenues available to present proposals including but not limited to memoranda, presentation slides, fiscal impact reports, and other data that would show as to how the agenda item directly tied to one of the established Council Priority Areas.
4. Councilmembers agreed that the Rules Subcommittee would not meet to review the agenda for Special City Council meetings.

Vice Mayor Nuñez stated that the original intent of the Rules Subcommittee was to review the agenda for items added by Council and staff. Council discussed having alternates for the current Subcommittee members in case one was not be able to attend the Rules Subcommittee meeting. Mayor Tran nominated Vice Mayor Nuñez as his alternate. Councilmember Dominguez nominated Councilmember Montano as her alternate.

City Attorney Diaz advised that he would conduct research as to whether there would be any Brown Act rules regarding Subcommittee alternates, and that he would report back to Council regarding the results of his research. Council agreed to further discuss this matter once more at a later date.

Mayor Tran excused Vice Mayor Nuñez from the remainder of the meeting due to prior commitments.

Assistant City Manager Kantak reviewed the two-step process for adding agenda items through Agenda Item Request Forms and received Council agreement on the process.

Interim City Manager McHarris and Assistant City Manager Kantak stated that staff needed clarification and guidance from Council regarding this question so that it would assist staff in balancing and re-prioritizing workload.

Assistant City Manager Kantak proposed modifying the Rules Subcommittee scope and guidelines to formally reflect the direction from Council.

5. Review of Regular City Council Meeting Agendas

Assistant City Manager Kantak led the review and discussion of the following:

- February 4, 2020 Preliminary Agenda
- February 18, 2020 List of Agenda Items

Mayor Tran requested that the Public Forum section should be modified to reflect that speaking time would be “three minutes or less.”

Interim City Manager McHarris advised that the Council could forward question concerning Consent Calendar items ahead of time to the City Manager’s Office, so that staff could provide answers or clarification prior to the meeting.

In an effort to avoid unnecessary pulling items off the Consent Calendar, Councilmember Dominguez inquired as to whether Council could submit questions to the City Manager and have the questions and the answers provided be a part of public record. City Attorney Diaz replied that some cities formulate a list of Council questions. City Attorney Diaz and City Manager proposed to further research into this matter.

6. Adjourn

- Vice Mayor Nuñez was excused to leave prior to adjournment at 5:10 PM.
- Mayor Tran adjourned the meeting at 5:23 PM.
- The next Rules Subcommittee meeting would be scheduled on Friday, February 21, 2020 at 3:30 PM.

*Minutes prepared by
Pam Caronongan, Deputy City Clerk*