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MEMO

To: City of Cupertino
Legislative Review Committee

From: Townsend Public Affairs, Inc.

Date: March 12, 2021

Subject: Consider adopting a position on Assembly Bill 1091 (Berman) Santa Clara Valley Transportation Authority: Board of Directors

Summary

AB 1091 would reform the governance structure of the Santa Clara Valley Transportation Authority (VTA), consistent with the findings of a 2019 Civil Grand Jury Report.

Beginning July 1, 2022, AB 1091 would reduce the size of the VTA Board to nine members, increase their terms of office to four years, and provide for residents living in the County, rather than local officials, to serve on the board. The nine members of the Board would be:

- One resident of each supervisorial district, nominated by the supervisor and confirmed by the board of supervisors;
- Two residents of the City of San Jose, nominated by the Mayor and confirmed by the city council;
- One resident of the City of Los Altos, Los Altos Hills, Mountain View, Milpitas, Palo Alto, or Sunnyvale;
- One resident of the City of Campbell, Cupertino, Gilroy, Los Gatos, Monte Serreno, Morgan Hill, Santa Clara, or Saratoga.

AB 1091 states that a board member shall not simultaneously serves as an elected official, and that nominating authorities shall ensure that expertise, experience, or knowledge relative to transportation, infrastructure or project management, accounting or finance, and executive management are represented on the board.

The VTA Board of Directors consists of 12 members, as follows:

- Two representatives of the County, and one alternate, who are members of the board of supervisors, appointed by the board of supervisors;
- Five representatives of the City of San Jose and one alternate, who are members of the city council or mayor of San Jose, appointed by the city council;
- Five city council members or mayors selected from the city councils and mayors of all the cities in the County, other than San Jose, as provided by agreements among those cities.

According to the author, “VTA provides essential public transit options that help get Santa Clara County’s two million residents to and from work, school, and home. However, three Civil Grand Jury Reports over the last 20 years have concluded that VTA’s governance structure is a root cause of the agency’s poor performance and is in need of structural reform. Taxpayers, transit riders, and VTA staff deserve a Board of Directors that have the interest and ability to dedicate the time necessary to provide appropriate oversight and meet our region’s complex transportation needs.”

Status

AB 1091 has been referred to the Assembly Local Government Committee. The measure has not yet been set for a hearing date.

Support

Since AB 1091 has not yet been set for hearing, an official list of supporters is not yet available.

Opposition

Since AB 1091 has not yet been set for hearing, an official list of opposition is not yet available.

Recommended Action

Adopt a watch position on AB 1091