

City of Gilroy

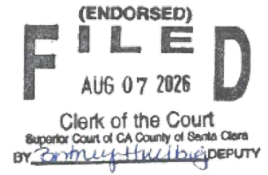
7351 Rosanna Street
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Administration Department

Telephone (408) 846-0202
<http://www.cityofgilroy.org>

August 04, 2026

Via Email (CGJ@scscourt.org) and U.S. Mail



The Honorable Julie A. Emede,
Presiding Judge
Superior Court of California, County of Santa Clara
191 North First Street
San Jose, CA 95113

Re: City of Gilroy Response to the 2025–2026 Civil Grand Jury Final Report — "VTA's Management and Oversight of BART Silicon Valley Phase II"

Dear Judge Emede:

Pursuant to California Penal Code sections 933(c) and 933.05, the City of Gilroy respectfully submits its response to the findings and recommendations directed to the City in the 2025–2026 Santa Clara County Civil Grand Jury's final report, "VTA's Management and Oversight of BART Silicon Valley Phase II" released June 17, 2026. The City is required to respond to Findings 6 and 7, Recommendations 6 and 7, and does so below in accordance with the response requirements of Penal Code section 933.05.

Findings and Recommendations

Finding 6: *"VTA Board Appointing Authority Groups 2 through 5 often do not follow VTA Administrative Code (Section 2-14) admonitions to 'appoint individuals with appropriate experience and qualifications in transportation' and to 'reappoint representatives to consecutive terms.'"*

Response: The City of Gilroy disagrees.

The City can respond only as to Appointing Authority Group 4 (Gilroy and Morgan Hill) and expresses no position on the practices of Groups 2, 3, and 5. In 2024, the Cities of Gilroy and Morgan Hill adopted a joint resolution establishing a structured South County rotation schedule for the Group 4 seat on the VTA Board of Directors (See Enclosed Exhibit 1 - Gilroy Resolution No. 2024-50/Morgan Hill Resolution No. 24-035). That framework promotes continuity and predictability in Group 4 appointments and reflects deliberate, publicly adopted coordination between the two cities. While the joint resolution currently does not contain express language addressing the VTA Administrative Code admonitions regarding transportation experience and qualifications, the Gilroy Mayor and Council take these principles into consideration when selecting their representative. The appointment of a representative from one city and an alternate from the other City allows for a balance of continuity with the building of experience so that future board members are informed of their role and aligns with the four-year election term of these representatives.

Recommendation 6: *“VTA Board Appointing Authority Groups 2 through 5 should certify to the VTA Board that they will adhere to VTA Administrative Code (Section 2-14) admonitions, regarding Board member expertise and appointment to consecutive terms. This should be implemented by December 31, 2026.”*

Response: The recommendation will not be implemented as the current process meets the needs of the Cities in Group 4. As noted above, the established process meets the needs of the Cities in Group 4. The City will continue to consider opportunities to facilitate consistency in representation.

Finding 7: *“VTA Board Appointing Authority Groups 2 through 5 have different processes for making Board appointments.”*

Response: The City of Gilroy partially disagrees. The City understands that the appointment processes used by Groups 2 through 5 differ from one another. Within Group 4, however, the Cities of Gilroy and Morgan Hill have already adopted a uniform, documented process: the 2024 joint resolutions establishing the South County VTA Board rotation schedule, which governs how the Group 4 appointment is made and rotates between the two cities. This process aligns with the processes in other groups while maintaining the flexibility for any specific needs of Group 4.

Recommendation 7: *“The cities represented in Appointing Authority Groups 2 through 5 should agree on a uniform process for making Board appointments. This should be implemented by December 31, 2026.”*

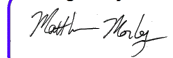
Response: The recommendation has been implemented for Group 4. Any further implementation of a uniform process across Groups 2 through 5 requires coordination beyond the City’s sole control.

The Cities of Gilroy and Morgan Hill adopted a joint resolution in 2024 establishing a uniform, publicly adopted process and rotation schedule for the Group 4 appointment, and that framework remains in effect. To the extent the recommendation contemplates a single uniform process shared across Groups 2 through 5, that outcome requires agreement among fourteen cities across four appointing groups and cannot be implemented unilaterally by Gilroy. The City is willing to participate in any coordinated effort among the Group 2 through 5 cities, or facilitated by VTA, to develop a common appointment process, and will consider adopting any uniform framework that emerges from that effort.

The City of Gilroy thanks the Civil Grand Jury for its review and its recommendations to improve the accessibility and transparency of the claims process. Please contact the City Clerk's Office at (408) 846-0204 with any questions regarding this response.

Respectfully submitted,

Signed by:

A handwritten signature in black ink, appearing to read "Matt Morley", is enclosed within a blue rounded rectangular border.

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Matt Morley, City Administrator
On Behalf of Gilroy City Council
City of Gilroy

Enclosed: Exhibit 1 – Gilroy Resolution 2024-50/Morgan Hill Resolution 24-035

**GILROY RESOLUTION NO. 2024-50
MORGAN HILL RESOLUTION NO. 24-035**

**A JOINT RESOLUTION OF THE CITY COUNCILS OF THE
CITIES OF GILROY AND MORGAN HILL TO
MEMORIALIZE THE ESTABLISHED SCHEDULE OF
SHARED REPRESENTATION ON THE SANTA CLARA
VALLEY TRANSPORTATION AUTHORITY'S BOARD OF
DIRECTORS FOR THE SOUTH COUNTY CITIES GROUP**

WHEREAS, the Santa Clara Valley Transportation Authority (VTA) is a regional transportation authority addressing regional transportation and congestion management throughout Santa Clara County; and

WHEREAS, the VTA is governed by its Board of Directors, a board comprised of twelve voting members, in addition to six non-voting members. Five of the voting members are allocated to the City of San Jose, two to the County of Santa Clara, and the remaining five seats are divided amongst the small city groupings; and

WHEREAS, the Cities of Gilroy and Morgan Hill (Cities) share one voting member, and one alternate for the South County City Group, Group Four; and

WHEREAS, the VTA delegated the determination of how each small city group would share representation and select their appointment to the cities within each group; and

WHEREAS, effective January of 2012, the Cities began self-determining the rotation of representation between the Cities, one city providing the appointee, the other providing the alternate. Every two years the appointee and alternate would switch to the other city; and

WHEREAS, the Cities would provide the name of the appointee and alternate to VTA on their appointment form; and

WHEREAS, in a recent State audit of VTA the need to formally memorialize the shared representation structure was identified by the auditors; and

WHEREAS, the Cities desire to adopt this joint resolution to accomplish the purpose as stated above.

NOW, THEREFORE, BE IT RESOLVED by the City Councils of the Cities of Gilroy and Morgan Hill that:

1. The Cities shall share representation through rotation of appointments to the Board of Director Seat for the South County Small Cities Group, Group Four.
2. Representation shall rotate on two-year terms, commencing January 1st of each odd year.
3. One city shall provide the appointee to the VTA Board of Directors, and the alternate shall come from the other city of the South County Small City Group.
4. Based on the current schedule, the City of Morgan Hill will provide the Appointee, and the City of Gilroy will provide the Alternate, for the period of January 1, 2025 through December 31, 2026. Every January 1st of each odd

Gilroy Resolution No. 2024-50

Morgan Hill Resolution No. 24-035

MTA Board of Directors South County Small Cities Group Shared Representation

Gilroy City Council Regular Meeting | October 21, 2024

Morgan Hill City Council Regular Meeting | October 23, 2024

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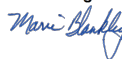
- year thereafter, the cities providing the Appointee and the Alternate shall each switch.
5. The City of Gilroy will have their representative selected by their Mayor with their City Council's approval in accordance with their existing Council policy.
 6. The City of Morgan Hill will have their representative to the MTA Board selected by their Mayor in accordance with their existing Council policy.

PASSED AND ADOPTED by the City Council of the City of Gilroy at a regular meeting duly held on the 21st day of October, 2024 by the following roll call vote:

AYES:	COUNCIL MEMBERS:	BRACCO, ARMENDARIZ, MARQUES, HILTON, CLINE, TOVAR, BLANKLEY
NOES:	COUNCIL MEMBERS:	
ABSTAIN:	COUNCIL MEMBERS:	
ABSENT:	COUNCIL MEMBERS:	

APPROVED:

DocuSigned by:



9EE7CFC3F0D8427
Marie Blankley, Mayor

ATTEST:

DocuSigned by:



D4244EA57BF7425
Beth Minor, Interim City Clerk

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at a regular meeting duly held on the 23rd day of October, 2024 by the following roll call vote:

AYES:	COUNCIL MEMBERS:	BORGIOI, LEBRERS, MARTINEZ-BELTRAN, TURNER
NOES:	COUNCIL MEMBERS:	
ABSTAIN:	COUNCIL MEMBERS:	
ABSENT:	COUNCIL MEMBERS:	

APPROVED:

Signed by:



9581DD2BBAF481...
Mark Turner, Mayor

Gilroy Resolution No. 2024-50

Morgan Hill Resolution No. 24-035

MTA Board of Directors South County Small Cities Group Shared Representation

Gilroy City Council Regular Meeting | October 21, 2024

Morgan Hill City Council Regular Meeting | October 23, 2024

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ATTEST:

Signed by:

Michelle Bigelow

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Michelle Bigelow, City Clerk