



1 North San Antonio Road
Los Altos, California 94022-3087

MEMORANDUM

DATE: September 8, 2026

TO: The Honorable Julie A. Emede, Presiding Judge, Santa Clara County Superior Court

FROM: Gabe Engeland, City Manager

SUBJECT: **RESPONSE TO THE 2026 SANTA CLARA COUNTY CIVIL GRAND JURY REPORT “VTA’S MANAGEMENT AND OVERSIGHT OF BART SILICON VALLEY PHASE II”**

The City of Los Altos submits the following specific responses as requested on page 31 of the 2026 Santa Clara County Civil Grand Jury Report “VTA’s Management and Oversight of BART Silicon Valley Phase II” related to the Findings and Recommendations set forth in the Report. Findings six and seven are directed at the City of Los Altos. All other findings and recommendations are directed at other agencies.

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 6:

Respondent, City of Los Altos, neither agrees nor disagrees with the finding as the City is unable to verify the claim provided. City of Los Altos is a member of Group 2. With respect to Group 2, Director Pat Burt is in his sixth consecutive year of board membership (he is now an *ex officio* member appointed by CalTrain) and Director Jonathan Weinberg is in his second year of board membership.

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 6:

Respondent, City of Los Altos, agrees that Groups 2 through 5 should adhere to the VTA Administrative Code admonitions, however, the City cannot independently implement the recommendation as it is only one of the four agencies comprising Group 2, and Group 2 is only one Group of the four groups identified in the recommendation.

Finding 7:

VTA Board Appointing Authority Groups 2 through 5 have different processes for making Board appointments.

Response 7:

Respondent, City of Los Altos, agrees with the finding.

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 7:

Respondent, City of Los Altos, does not agree with the recommendation as it feels the method for selecting the Group 2 representative is appropriate for the subregion and the individuals represented therein as it provides equal opportunities for each city within the subregion to have a representative appointed.

The Cities of Group 2 share the Grand Jury's concerns regarding the BART project. The Cities of Group 2 have adopted bylaws governing the appointment of the VTA Group 2 Board Representative, and strive to select representatives with transportation experience and knowledge by selecting individuals who have two or more of the following qualifications: (1) at least one year's service on the VTA Board within the last 4 years; (2) at least one year's service on a policy advisory body that reports directly to the VTA Board (Policy Advisory Committee, Policy Advisory Board, the Citizens Advisory Committee) and has a minimum 80% attendance record; (3) any other transportation policy credential deemed relevant by the majority of the Working Group as meeting the intent of the experience requirement within the last 4 years; and (4) demonstrates working knowledge of the VTA. Group 2 Cities remain committed to improving VTA efficiency and services and will consider ways the bylaws can be amended to improve VTA service.