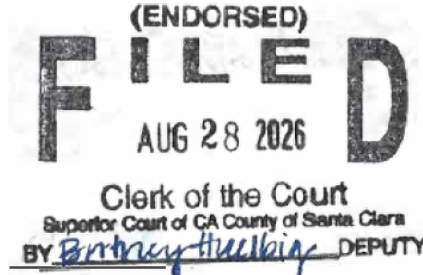




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August 19, 2026

Honorable Julie A. Emede
Presiding Judge
Office of the Civil Grand Jury
Superior Court of California
County of Santa Clara
191 N. First Street
San Jose, CA 95113



Dear Judge Emede,

Thank you for the opportunity to review and respond to the June 17, 2026, Grand Jury Report, "VTA's Management and Oversight of BART Silicon Valley Phase II." The City of Morgan Hill's responses to the findings, which were approved by the City Council on August 19, 2026, meeting, are below:

Grand Jury 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."

City of Morgan Hill Response to Finding 6: The City of Morgan Hill partially disagrees.

The City of Morgan Hill (City) recognizes the value of transportation expertise and continuity in VTA Board appointments. However, the City is limited to appointing elected officials who are eligible to serve. The City does not have the authority to appoint transportation professionals or other subject matter experts from outside the City Council. In making appointments to outside agencies, City Council Policy CP 94-01 provides that Council Members' expertise and special interests should be considered. The policy also supports consecutive terms when continuity serves the City's interests. Further, the City of Morgan Hill and the City of Gilroy have historically shared VTA Board representation and, in recent years, have modified their prior rotation practices in response to VTA concerns regarding continuity and institutional knowledge.

Grand Jury 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.

City of Morgan Hill Response to Recommendation 6: The recommendation has been implemented.

The City's longstanding practice is to consider the qualifications, expertise, interests, and availability of Council Members when making appointments to outside agencies. The City Council's adopted policy governing outside agency assignments considers both expertise and continuity and has been in place since 1994. The City will continue to apply these principles when participating in future VTA Board appointments.

Grand Jury Finding 7:

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

City of Morgan Hill Response to Finding 7: The City of Morgan Hill partially disagrees.

The City acknowledges that Appointing Authority Groups 2 through 5 may use different processes to make appointments. However, the City is not aware of evidence demonstrating that a uniform process would necessarily improve appointment outcomes or Board effectiveness. Local agencies have adopted appointment practices that reflect their individual governance structures, policies, and regional relationships.

Grand Jury Recommendation 7:

The cities represented in Appointing Authority Groups 2 through 5 should agree on a uniform process for making Board appointments.

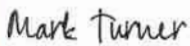
This should be implemented by December 31, 2026.

City of Morgan Hill Response to Recommendation 7: Requires Further Analysis

The recommendation requires collaboration among multiple independent jurisdictions and cannot be implemented unilaterally by the City of Morgan Hill. The City is willing to participate in discussions regarding appointment practices with its appointing authority partners and other affected jurisdictions. Additional analysis and interagency coordination would be necessary to determine whether a uniform process is feasible, beneficial, and consistent with the participating agencies' governance practices.

Sincerely,

Signed by:



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Mark Turner

Mayor