



# City of Palo Alto

## COLLEAGUES MEMO

**DATE:** January 11, 2021

**TO:** City Council Members

**FROM:** Council Member Kou, Vice Mayor Burt, Mayor DuBois

**SUBJECT: APPROVAL OF THE NOMINATION OF VICE MAYOR PAT BURT AND COUNCIL MEMBER ALISON CORMACK TO BE CONSIDERED FOR THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY (VTA) BOARD**

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**Recommended Motion:**

We recommend the nomination of Vice Mayor Pat Burt and Council Member Alison Cormack to be considered for the position of Board Member on the Santa Clara Valley Transportation Authority (VTA) Board for 2021-2022.

**Background:**

The City of Palo Alto is able to secure a seat on the Santa Clara Valley Transportation Authority (VTA) board for 2021–22. VTA’s rules require the board member to be a current City Council member who will not face a term limit during this term. Nominees can include sitting and newly elected Council Members. Due to Covid-19 and “Group 2 Cities Working Group” members transitioning roles after the recent election, the vote and appointment will occur at the end of January.

The “Group 2 Cities Working Group” is composed of the VTA Policy Advisory Committee (PAC) members who represent the cities of Los Altos, Los Altos Hills, Mountain View, and Palo Alto. Mayor DuBois has selected Lydia Kou to represent Palo Alto on the PAC.

As the Council is aware, VTA issues are vitally important to Palo Alto and require diligent engagement and coordination with our neighboring cities. Key concerns include north county bus service, and the allocation of Measure B sales tax funds for grade separations and other uses.

The original nomination came to Council on October 26, 2020 with outdated 2015 bylaws attached. In addition, the memo did not inform the council of its ability to nominate up to two candidates, excluded the current eligibility criteria, and did not inform the Council that incoming Council-elect members would be eligible.

A week after Council approved a single nomination, the November election occurred, and Vice Mayor Burt became a Council Member-elect. Vice Mayor Burt brings extensive transportation experience and multiple qualifications listed in the updated bylaws. In addition, he brings valuable context as he played a leading role representing Palo Alto in the north and west cities negotiations on Measure B.

We propose nominating both candidates to be considered simultaneously by Group 2 representatives. While it may be preferable to only nominate one person, we have two interested candidates. Other cities have nominated two candidates – most recently in the prior term, Mountain View nominated both John McAllister and Margaret Abe-Koga, as both expressed interest in the board seat.

**Resource Impact:**

No impact on resources due to this action is expected.

**Attachments:**

- Attachment A: Cities Association VTA GROUP by-laws

VTA Group 2 North County  
Minutes of August 14 2018  
Mountain View City Hall 3 pm

Attends; PAC voting members of VTA Group 2

Liz Kniss	City of Palo Alto
Gary Waldeck	City of Los Altos Hills
Lenny Seigal	City of Mountain View
Lynette Eng	City of Los Altos
John McAlister	VTA Board Rep- Chair , non-voting

Agenda –1) Discussion of VTA Board Alternate.

Concerns that Los Altos Hills choice for VTA Board Alternate was not fully committed to the position.

Further discussion was for Palo Alto to switch rotation places with Los Altos Hills, giving Los Altos Hills time to groom a suitable candidate for VTA Board Alternate.

Action taken: Motion to Allow Palo Alto to move ahead Los Altos Hills in the Rotation.

Motion passes 4-0-0, unanimous in favor of the motion.

New rotation:

Mountain View

Palo Alto

Los Altos Hills

Los Altos

Meeting adjourned 4pm.

VTA Group 2 North County  
Minutes of October 30 2018  
Mountain View City Hall 9:15am

Attends: PAC voting members of VTA Group 2

Liz Kniss City of Palo Alto

Lenny Seigal City of Mountain View

Lynette Eng City of Los Altos

Town of Los Altos Hills rep did not attend.

Agenda Items: 1 ) To Revise by- laws for the appointing of VTA Board Rep, the qualifications requirements , the timing of the terms, and in the event of Board member being term out or resigning from VTA Board rep mid-term ,who would be the next VTA Group 2 Board Rep and Alternate ..

2) Vote on extending Current Board VTA Board member John McAlister term one year to end in January 2021.

Action taken; item 1) By- laws revisions were discussion and voted on.  
Motion passed on the revised by-laws 3-0-0

Item 2) Vote to extend John McAlister's VTA Board term one year to end in January 2021.

Motion passed 3-0-0

Meeting adjourned 11:00 am

VTA "North County Cities Group" (aka Group 2 Cities)  
Procedure for Appointment of Board Member Representation and  
Expectations of the Board Member

Background: The VTA Board of Directors sets VTA policy. The Board has 18 members and ex-officio members, all of whom are elected officials appointed to serve on the Board by the jurisdictions they represent. Fifteen Directors are city council members and three are County Supervisors. Twelve Directors serve as voting members and there are six Directors who serve as alternates. Group 2 Cities (aka North County Cities) has one voting member of the Board and one alternate.

The purpose of this document is to define the procedures for appointing the Group2 Cities Board Member and Alternate and to provide expectation of the appointees as it relates to Group 2.

**Membership:** The Group 2 Cities Working Group is composed of the VTA Policy Advisory Committee (PAC) members and their alternates who represent the cities of Mountain View, Palo Alto, Los Altos, and Los Altos Hills, as well as the Group 2 VTA board member. PAC and Board Alternates are also encouraged to attend. Should the PAC position for any of these cities be vacant at the time of election, that city council appoint a councilmember to participate.

**Voting Membership:** PAC members who represent the Group 2 cities shall be the voting members of the working group. Should the PAC position for any of these cities be vacant at the time of the election, that city council appoint a councilmember to participate in the election. Should the PAC member for any city be unavailable at the time of the election, but the PAC Alternative is available, the Alternate may vote on behalf of their city

**Appointment of VTA Board Member.**

VTA Board member's term is a minimum of 2 years and a maximum of 4 years. The appointment of the Groups 2 board is made through an election process that takes place every 3 years or when determined by a majority of the Group, and is guided by a nomination rotation that gives opportunity to the next city in the rotation.

**Election Time Frame:** No earlier than November and no later than December of every 3<sup>rd</sup> year, or as needed by a majority of the Group

**City Rotation:** Nominations may rotate in the prescribed order rotation so as to give each city an opportunity to have a representative serve at the VTA Board level or unless voted on by PAC members to amend rotation.. The order shall be:

Mountain View  
Palo Alto  
Los Altos Hills  
Los Altos and so on.

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**Qualification and Consideration of the Nominees:** Nominees must be incumbent city councilmembers who will not face a term limit (1) before the end of the VTA Board term under consideration.

In order to satisfy the enabling legislation's requirement that "the appointing powers shall appoint individuals who have expertise, experience, or knowledge to transportation issues," each nominee must meet at least 2 of the following criteria:

1. At least one years' service on the VTA Board with in the last 4 years
2. At least one year's service on a policy advisory body that reports directly to the VTA (Policy Advisory Committee, Policy Advisory Board, the Citizens Advisory Committee and has 80% attendance.
3. Any other transportation policy credential deemed relevant by the majority of the Group 2 Cites as meeting the intent of the experience requirement with in the last 4 years.
4. Demonstrate working knowledge of VTA.

A VTA Board member may not serve simultaneously on the PAC in any capacity, but an Alternate member may simultaneously serve on the PAC.

**Re-election:** By November 1 of the election year, the current Board member shall notify the working group of weather they intend to seek additional time or to extend current term, not to exceed 4 years. If the member is eligible to complete the upcoming board term, than that person may be considered. If the sitting Board member is not eligible or does not wish to seek additional time, then the nominees shall be provided as described below.

**Board Member Nomination Process:** The City Council of the PAC member whose turn it is to nominate ("nominating city") may nominate up to two of its qualified councilmembers for the VTA Board. The nominees can be put forth simultaneously or serially ( in the event that the first nominee is not elected). A nominating city with no qualified councilmember may not make a nomination. The nomination city also has the option of declining to nominate any of its councilmembers. In the case of no eligible candidates or the nomination city declines to make nomination, the option to nominate shall pass to the next city in the rotation. The nomination city shall notify the group of whether it intends to nominate a candidate by November 1 of the election year. The choice of who to nominate will be at the discretion of the nominating city.

Nominees must be affirmed by a majority of the City's Council. Each city will have the opportunity to put forth two nominees for consideration. If neither succeeds, then the nomination process shall pass to the next city in order.

<sup>1</sup> Term limit refers to the statutory limit on the number of years of consecutive terms an official may serve in their elected capacity.

**Alternate Board Member Nomination Process:** Alternate Board members may be put forth by any city provided the person meets the qualifications noted below and the Alternate Board member does not come from the same city as the Board Member.

The group shall give consideration selecting someone from the city next in the rotation. It is desirable that in addition to the qualifications below that the alternate to be eligible to become the Board Member at a future election.

**Meeting of the Working Group for Purpose of Election:** A meeting of the Group 2 membership shall be convened for the purpose of electing/re-election the VTA Board member and Alternate.

**Quorum:** Representatives from at least three of the Group 2 cities must be present in order for an election to proceed.

**Presentations:** Nominees will be given equal opportunities to present argument for their election during the meeting and before the election is held. The length of time per nominee will be three minutes.

**Election Process:** Election to the Board shall be accomplished by a show of hands of the voting members. Each city will have one vote. A majority vote constitutes a successful election.

The group will first vote on any member seeking to extend term, no longer than a combine 4 years. If re-election is successful, than the group shall move on to selecting an Alternative. If unsuccessful, the group shall consider the nominees from the nominating city. Voting shall continue on each proposed nominee until a Board member and Alternate are selected.

**Vacancies:** Should the Board member resign or cease to be a city councilmember, that seat shall be declared vacant. The seat shall remain with the current city and be filled by a selection of the current city council. That person will serve the remaining of the existing term.

#### **Expectations of the VTA Board Member**

The VTA Board member shall keep the VTA Group 2 Cities Working Group apprised of items coming before the VTA Board, facilitate communications with the Group, and help build consensus with respect to policy matters the Group determines to be relevant to the Member Agency or VTA. The VTA Board member is the Chairperson of Group 2 Cities.

#### **Amendments**

This document may be amended by a majority of the VTA Group 2 Cities Working Group. A meeting of the North County Board and PAC shall be convened as necessary in order to evaluate the fairness of the selection process and the quality of the Board members.

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