

**Council Meeting: October 18, 2011****SUBJECT: Consideration of Alternatives for Santa Clara Valley Transportation Authority Board of Directors Representation****REPORT IN BRIEF**

In April, 2010, the Santa Clara Valley Transportation Authority (VTA) Board approved a new grouping of smaller cities within Santa Clara County for Representation on the VTA Board. The new representation will be effective January, 2012. The City of Sunnyvale is now grouped with the cities of Milpitas and Santa Clara. This group, called the North East Group, will have two seats on the Board with one alternative whereas the other three groups will have one seat and one alternative each. San Jose will continue to have five seats with one alternative and the County of Santa Clara will continue to have two seats with one alternate for a total of 12 members of the Board.

Sunnyvale, Santa Clara, and Milpitas need to decide by the end of October how they would be represented on the VTA Board by two representatives and one alternate. The Mayor will represent Sunnyvale's position in discussions with Council representatives from Santa Clara and Milpitas. Santa Clara and Milpitas have taken formal action to select Mayor Jamie Matthews and Vice Mayor Pete McHugh respectively to represent their cities. Further, the Santa Clara City Council has given direction to support a "simple rotation" formula that would have city grouping representation rotate after each individual term. The Milpitas City Council did not express a preference for a rotation formula, but they are strongly interested in gaining a seat on the Board for the next term, as they have not been represented on the Board since 2005 and they are dealing with BART extension issues in their City.

Reorganization of the VTA Board representation structure was the result of an audit of Board representation. The audit concluded that the Board structure resulted in members lacking in experience and continuity. When approving the new VTA Board representation order, the VTA Board of Directors indicated that they desired representation formulas that encouraged transportation policy experience and incumbency, and avoided strict formulaic rotations.

EXISTING POLICY

Land Use and Transportation Element R1.2 Support coordinated regional transportation system planning and improvements.

DISCUSSION

Council should consider the options and determine a preference for a VTA representation formula. Next steps would be for the Major to meet with representatives from Santa Clara and Milpitas to try and agree on a method to select representatives.

The following potential options are presented for Council consideration. This list is not intended to be all inclusive, and Council may elect to give other direction.

Option 1 – Simple Rotation

The three cities could select two representatives and an alternate for the first two year terms, and subsequent use a straight rotation of two year terms with the alternate becoming a Board member to replace one of the standing Board members at the end of each two year term. The three cities would need to decide the rotation schedule to provide an equal rotation scheme. This formula has the disadvantage of being a formulaic rotation, counter to the VTA Board direction.

Option 2 – Rotation with Population Weighting

A rotation scheme could be considered that factors in the relative population of each of the three cities. If the population of the three cities is aggregated, Sunnyvale has the largest population (42%,) followed by Santa Clara (36%) and then Milpitas (22%). Utilizing a seven term rotation (14 years), a population-based rotation works out fairly well mathematically. Sunnyvale would have six of seven terms, Santa Clara would have five of seven terms, and Milpitas would have three of seven terms. The issue of incumbency could be addressed by grouping city's terms consecutively, with Milpitas' three terms being grouped with two at the beginning of the 14 year cycle and one at the end, to create a string of three consecutive two year terms.

Option 3 – Term by Term Selection

Representatives from the three cities could meet prior to each two year term and decide which two cities should represent the group on the Board. This option can address issues facing the group at that time, such as term limits of council members, significant VTA issues anticipated to face any one City,

personal reasons, or any other such issues. A disadvantage of this alternative is uncertainty among all three cities about how frequently each city would have a VTA seat.

Option 4- Council Term Based

Representatives from the three cities would meet to select members, with preference given to Council members who will have the greatest tenure on their individual council. Incumbent members would stay on the VTA Board until they leave their council. When that happens, the city whose member is an Alternate appoints the new Board member, and the city whose member has left appoints an Alternate. This method has the advantage of encouraging longer VTA tenure but leads to uncertainty about the frequency of each city's representation and could be a disadvantage to cities with term limits.

FISCAL IMPACT

There is no fiscal impact from identifying direction for VTA Board representation.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's Web site.

ALTERNATIVES

1. The Council can give direction to the Mayor on a preferred position to take in negotiations for VTA representation.
2. The Council can give no direction and let the Mayor determine a City negotiating position.

RECOMMENDATION

None.

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