



- 1 a) That in each fiscal year beginning on July 1, 2021 the JPB may approve the  
2 expenditure of up to \$40 million of revenue from the Caltrain tax measure for  
3 operations or capital repair of Caltrain, with the approval of at least five (5)  
4 members of the JPB;
- 5 b) That the JPB may expend an amount in excess of \$40 million of revenue from  
6 the Caltrain tax measure in any fiscal year with the approval of at least six (6)  
7 members of the JPB;
- 8 c) That the JPB shall be subject to the conditions described in (a) and (b), until such  
9 time as the Joint Powers Agreement (JPA) has been amended to modify its  
10 governance structure or procedures so that they are satisfactory to the three  
11 Member Agencies. After that time, the JPB Board may allocate any and all  
12 sales tax revenues for operating or capital expenditures with the approval of at  
13 least (5) members of the JPB;
- 14 d) That it is the desire of the JPB that the modification of “governance structure or  
15 procedures,” described above, will include amendments that enable the majority  
16 of the JPB or successor governing board (or, if a larger regional rail authority is  
17 created that includes Caltrain, a majority of that agency’s board), to appoint an  
18 Executive Director to operate Caltrain provided that the parties have reached an  
19 agreement to reimburse SMCTD for its investment in Caltrain.
- 20 e) That the JPB will recommend a governance structure or procedures to the  
21 three Member Agencies no later than December 31, 2021.
- 22 f) That the JPB will initiate efforts to reimburse the SMCTD for its  
23 investment in Caltrain, including by engaging with Metropolitan  
24 Transportation Commission and other funding partners and by prioritizing  
25 the payment of the SMCTD investment by the JPB if the Caltrain tax  
26 measure is approved;

- 1 g) That the JPB Board shall appoint an independent counsel (and shall not have the  
2 same counsel as SMCTD) by November 30, 2020 to represent the JPB;
- 3 h) That the JPB Board shall appoint an auditor (and shall not have the same auditor  
4 as SMCTD) by November 30, 2020.
- 5 i) On any agenda for a regularly scheduled meeting of the full JPB, with at least 7  
6 calendar days prior notice in advance of the meeting, any item may be placed on  
7 that board agenda for consideration by the JPB Board by the request of 2 or  
8 more of the JPB members to the JPB Chair and General Manager.

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