



BOARD OF DIRECTORS 2020

DAVE PINE, CHAIR
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CINDY CHAVEZ RON
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STONE SHAMANN WALTON
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JIM HARTNETT EXECUTIVE
DIRECTOR

SPECIAL MEETING AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

Due to COVID-19, this meeting will be conducted via teleconference only (no physical location) pursuant to the [Governor's Executive Orders N-25-20 and N-29-20](#). Directors, staff and the public may participate remotely via Zoom at <https://samtrans.zoom.us/j/93207729581> for audio/visual capability or by calling 1-669-900-9128, Webinar ID: #932 0772 9581 for audio only. The video live stream will be available during or after the meeting at <http://www.caltrain.com/about/bod/video.html>

Public Comments: Members of the public are encouraged to participate remotely. Public comments may be submitted to publiccomment@caltrain.com prior to the meeting's call to order so that they can be sent to the Board as soon as possible, while those received during or after an agenda item is heard will be included into the Board's weekly correspondence and posted online at http://www.caltrain.com/about/bod/Board_of_Directors_Meeting_Calendar.html.

Oral public comments will also be accepted during the meeting through Zoom or via the teleconference number listed above. Public comments on individual agenda items are limited to one per person PER AGENDA ITEM. Use the Raise Hand feature to request to speak. For public participants calling in, dial *67 if you do not want your telephone number to appear on the live broadcast. Callers may dial *9 to use the Raise the Hand feature for public comment. Each commenter will be automatically notified when they are unmuted to speak for two minutes or less. The Board Chair shall have the discretion to manage the Public Comment process in a manner that achieves the purpose of public communication and assures the orderly conduct of the meeting.

August 6, 2020 – Thursday

Earlier of 9:30 am or upon completion of Item 8 on Regular Meeting Agenda

1. Call to Order
2. Roll Call

3. Recommendation of the Governance Ad Hoc Committee:

Board direction on expenditures of sales tax proceeds, modifications in governance, indebtedness to the San Mateo County Transit District,

RESOLUTION

appointment of legal counsel, appointment of an auditor and manner
for adding agenda items

4. Adjourn and return to Regular Meeting

INFORMATION FOR THE PUBLIC

All items appearing on the agenda are subject to action by the Board. Staff recommendations are subject to change by the Board.

If you have questions on the agenda, please contact the JPB Secretary at 650.508.6242. Agendas are available on the Caltrain website at www.caltrain.com. Communications to the Board of Directors can be e-mailed to board@caltrain.com.

Free translation is available; Para traducción llama al 1.800.660.4287; 如需翻译 请电 1.800.660.4287

Date and Time of Board and Committee Meetings

JPB Board: First Thursday of the month, 9:00 am; JPB Finance Committee: Fourth Monday of the month, 1:30 pm. Date, time and location of meetings may be changed as necessary. Meeting schedules for the Board and committees are available on the website.

Location of Meeting

Due to COVID-19, the meeting will only be via teleconference as per the information provided at the top of the agenda. the Public may not attend this meeting in person.

Public Comment*

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Accessible Public Meetings/Translation

Upon request, the JPB will provide for written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in and provide comments at/related to public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, auxiliary aid, service or alternative format requested at least at least 72 hours in advance of the meeting or hearing. Please direct requests for disability-related modification and/or interpreter services to the Title VI Administrator at San Mateo County Transit District, 1250 San Carlos Avenue, San Carlos, CA 94070-1306; or email titlevi@samtrans.com; or request by phone at 650-622-7864 or TTY 650-508-6448.

Availability of Public Records

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at 1250 San Carlos Avenue, San Carlos, CA 94070-1306, at the same time that the public records are distributed or made available to the legislative body.

August 4, 2020

To the Joint Powers Authority Board of Directors:

A dedicated source of revenue is a necessity for the continued operation and growth of Caltrain. With its pre-COVID-19 ridership of over 18 million annually, Caltrain is an essential element of the Bay Area's transportation network. As we plan the region's recovery from COVID-19, a dedicated source of revenue for Caltrain is more important than ever.

We request your consideration of the attached resolution by the Joint Powers Board of Directors at the upcoming special meeting of August 6, 2020. At the regular meeting on the same date, we will also ask that a Caltrain sales tax be placed on the November 3, 2020 ballot. Taken together, these resolutions will address Caltrain's critical funding need while also focusing our efforts on addressing the long standing issues regarding the governance relationships and management of Caltrain.

Dave Pine, Chair

Cindy Chavez, Director

Steve Heminger, Director

Shamann Walton, Director

- 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 three
21 Member Agencies no later than December 31, 2021.
- 22 f) That the JPB will initiate efforts to reimburse the SMCTD for its investment in
23 Caltrain, including by engaging with Metropolitan Transportation Commission and
24 other funding partners and by prioritizing the payment of the SMCTD investment
25 by the JPB if the Caltrain tax measure is approved;
- 26 g) That the JPB Board shall appoint an independent counsel (and shall not have the
27 same counsel as SMCTD) by November 30, 2020 to represent the JPB;

1 h) That the JPB Board shall appoint an auditor (and shall not have the same auditor
2 as SMCTD) by November 30, 2020.

3 i) On any agenda for a regularly scheduled meeting of the full JPB, with at least 7
4 calendar days prior notice in advance of the meeting, any item may be placed on
5 that board agenda for consideration by the JPB Board by the request of 2 or
6 more of the JPB members to the JPB Chair and General Manager.

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