

SECOND ADDENDUM TO JOINT POWERS AGREEMENT

PENINSULA CORRIDOR PROJECT PLANNING

This Second Addendum to Joint Powers Agreement is made as of this _____ day of JAN 16 1990, 1989, by and between the SANTA CLARA COUNTY TRANSIT DISTRICT ("SCCTD"), the CITY AND COUNTY OF SAN FRANCISCO ("C of SF") and the SAN MATEO COUNTY TRANSIT DISTRICT ("SamTrans").

WHEREAS, the parties hereto have entered into a "Joint Powers Agreement Peninsula Corridor Project Planning" dated as of July 29, 1987 (hereinafter "Agreement") whereby the parties established the Peninsula Corridor Study Joint Powers Board (JPB); and

WHEREAS, the parties have determined that the purpose of the JPB, planning and developing transportation facilities in the Peninsula Corridor, will serve and be of benefit to the residents of the counties which are parties to the Agreement; and

WHEREAS, the parties entered into an "Addendum to Joint Powers Agreement Peninsula Corridor Project Planning" dated as of October 18, 1988 which extended the term of the Agreement until June 30, 1990; and

WHEREAS, the parties hereto have determined that the term of the Agreement (1) can be further extended in light of the enactment of legislation empowering the California Department of Transportation ("CalTrans") to continue its subsidization of the Peninsula Commute

Service beyond June 30, 1990 and until June 30, 1993 and (2) should be extended provided that CalTrans exercises the aforementioned legislative authority by executing an agreement with Southern Pacific Transportation Company providing for continuation of the Peninsula Commute Service beyond June 30, 1990; and

WHEREAS, the parties hereto have determined that a further extension of the Agreement will enable the planning and other studies concerning the upgrading of CalTrain service in the Peninsula Corridor to be completed in an orderly fashion.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Section 3 of the Joint Powers Agreement Peninsula Corridor Project Planning dated as of July 29, 1987, as amended by Addendum dated as of October 18, 1988 is hereby further amended by revising Section 3 in its entirety to read as follows:

Section 3. TERM

This Agreement shall be effective upon execution, and shall continue in full force and effect until June 30, 1990; provided, however, that contingent upon execution of an agreement between the California Department of Transportation and Southern Pacific Transportation Company providing for the continuation of the Peninsula Commute Service beyond June 30, 1990, this Agreement shall be extended to coincide with the term of said Peninsula Commute Service Agreement; provided, further, that in no event will the term of this Agreement extend beyond June 30, 1993 unless expressly extended beyond that date by the consent of all parties to this Agreement.

1. Except as modified herein, all of the terms, conditions and provisions of the Agreement entered into between the parties, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Addendum by their respective duly authorized officers as of the day and year first above written.

CITY AND COUNTY OF
SAN FRANCISCO

SAN MATEO COUNTY TRANSIT DISTRICT

By Harry G. Britt
Date 2-26-90

By Tom Nor
Date 1/24/90

Approved as to form and legality

Approved as to form and legality

By Theodore R. Lake, Deputy City Attorney
Date 2/27/90

By Dennis J. Hill
Date 1/24/90

SANTA CLARA COUNTY TRANSIT DISTRICT

By Rod Diridon
ROD DIRIDON, Chairperson, Transit District Board
Date JAN 16 1990

Approved as to form and legality

By Robert A. Waane
Date 2/21/90