

SECOND AMENDMENT TO FUNDING AGREEMENT BETWEEN SAN MATEO COUNTY AND THE SAN MATEO COUNTY TRANSIT DISTRICT FOR AWARD AND USE OF COUNTY MEASURE K FUNDS FOR THE DISTRICT'S SERVICE PRESERVATION PROGRAM INITIATIVE

THIS SECOND AMENDMENT TO THE FUNDING AGREEMENT dated October 22, 2013, by and between SAN MATEO COUNTY ("COUNTY") and the SAN MATEO COUNTY TRANSIT DISTRICT (the "DISTRICT") is entered into this ___ day of November, 2017.

RECITALS

WHEREAS, pursuant to Resolution No. 072855 of the San Mateo County ("County") Board of Supervisors, the County and the San Mateo County Transit District (the "District") entered into an agreement (the "Agreement") for the term of October 1, 2013 through June 30, 2015 pursuant to which the County provided up to \$10,000,000 in financial support for the District to continue and expand services, particularly targeting i) Paratransit; ii) additional services to youth, the elderly and disabled; iii) routes that provide direct county services focusing on locations of greatest need in San Mateo County during the term of the Agreement; and

WHEREAS, pursuant to Resolution No. 074252 of the San Mateo County ("County") Board of Supervisors, the County and the San Mateo County Transit District (the "District") entered into an amendment to the agreement (the "Agreement") extending the term through June 30, 2017 and providing additional financial support to the District in the amount of \$10,000,000, for an aggregate Agreement amount not to exceed twenty million dollars (\$20,000,000) for FY's 2013-14 through 2016-17; and

WHEREAS, the District continues to play an important role in serving mobility-dependent low-income county residents and the Parties now desire to amend the Agreement a second time in order to extend the term through June 30, 2019, and to provide financial support to the District in the amount of three million seven hundred fifty thousand dollars (\$3,750,000) for FY 2017-18 and two million five hundred thousand dollars (\$2,500,000) for FY 2018-19, for an aggregate Agreement amount not to exceed twenty six million two hundred fifty thousand dollars (\$26,250,000) for FYs 2013-14 through 2018-19;

NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:

1. Section 2.1 ("Funding Commitment") of the Agreement is hereby amended and restated in its entirety to read as follows:

In consideration for DISTRICT's performance of the INITIATIVE, the COUNTY shall allocate to the DISTRICT the amount of three million seven hundred fifty thousand dollars (\$3,750,000) for FY 2017-18 and two million five hundred thousand dollars (\$2,500,000) for FY 2018-19. In no event shall the County's total fiscal obligation under this Agreement exceed twenty six million two hundred fifty thousand dollars (\$26,250,000) for six-year term expiring June 30, 2019.

2. Section 3.1 (“Term”) of the Agreement is hereby amended and restated in its entirety to read as follows:

The term of this Agreement shall commence October 1, 2013 and shall conclude June 30, 2019.

3. All other terms and conditions of the Agreement dated October 22, 2013, between the COUNTY and DISTRICT, and First Amendment dated December 15, 2015, shall remain in full force and effect.
4. This Second Amendment constitutes the entire understanding of the parties hereto with respect to the Second Amendment to the parties’ October 22, 2013, Agreement and correctly states the rights, duties, and obligations of each party as of this document’s date. Any understandings, promises, negotiations, or representations between the Parties not expressly stated in this document are not binding. All subsequent modifications of this Amendment shall not be effective unless set forth in a writing and executed by both parties.

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have affixed their hands.

COUNTY OF SAN MATEO

By: _____
President, Board of Supervisors

Date: _____

ATTEST:

By: _____
Clerk of Said Board

SAN MATEO COUNTY TRANSIT DISTRICT

By: _____

Name: _____

Its: _____

Date: _____

ATTEST:

By: _____
Clerk of Said Board