

For Immediate Release: September 28, 2010

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Legislative Counsel issues legal opinion: Two California High Speed Rail Authority members have a Conflict of Interest

Note: CARRD will be hosting a news conference for media only via telephone today at 11AM PST. Please email nadianaik@carrdnet.org for more information.

Palo Alto, CA - Californians Advocating Responsible Rail Design (CARRD) has received a copy of a legal opinion issued back in April 2010 by the Legislative Counsel (state legislature's lawyers) indicating that there are two current members of the board of the California High Speed Rail Authority (CHSRA) that are holding incompatible offices.

The CHSRA board is comprised of nine (9) appointed officials. CHSRA Chair **Curt Pringle** is also the Mayor of Anaheim and an Orange County Transportation Authority ("OCTA") board member. CHSRA board member **Richard Katz** is also a board member of the Los Angeles County Metropolitan Transportation Authority ("LA Metro") and a board member of Metrolink.

This letter, now posted on the CARRD website at: <http://www.calhsr.com/resources/incompatible-offices-conflict-of-interest>, was written on April 23, 2010 to the attention of Gregory Schmidt, the Secretary of the Senate, by Legislative Counsel Diane Boyer-Vine. The six page letter states that in her legal opinion, "an individual who is Mayor of the City of Anaheim or a voting member of the Los Angeles County Metropolitan Transportation Authority may not simultaneously serve as a member of the High-Speed Rail Authority under the common law doctrine of incompatibility of public offices that is now codified in Section 1099 of the Government Code."

CARRD Co-founder **Elizabeth Alexis** said, "This situation is jeopardizing the public's confidence in the integrity of the process and must be resolved as soon as possible. We urge the Attorney General to take immediate action to remedy this situation." CARRD is in complete agreement with a statement made at a recent CHSRA meeting by board member **David Crane**. Mr. Crane stated, "What all of us should want on something that is the largest public works project... is a process that everybody can have complete confidence that everyone is doing things for the right reason."

Section 1099 of the Government Code states: "When two public offices are incompatible, a public officer shall be deemed to have forfeited the first office upon acceding to the second." According to CARRD's research, **Curt Pringle** forfeited his position as Mayor of Anaheim in March 2007 when he accepted his position on the California High Speed Rail board. In January 2010, Mr. Pringle was reappointed to his board position at OCTA, which means he forfeited his office as a board member of the CHSRA at that time. In the case of **Richard Katz**, upon accepting his position as a board member of the California High Speed Rail Authority in June 2009, he forfeited both his position as board member of the Los Angeles County Metropolitan Transportation Authority ("LA Metro") and Metrolink simultaneously.

About CARRD: *Californians Advocating Responsible Rail Design (CARRD) is a volunteer, grassroots organization that is dedicated to transparency, accountability and oversight on the California High Speed Rail Project. CARRD encourages civic engagement, provides in-depth and relevant information, and advocates for an open and public process.*

For more extensive information, please visit our website at:

<http://www.calhsr.com/resources/incompatible-offices-conflict-of-interest>.