

CHSRA Board Meeting – January 4, 2010

This transcript is provided by Rita Wespi, Co-Founder of CARRD, rwespi@carrdnet.org.

Video: <http://www.cahighspeedrail.ca.gov/library.asp?p=4856&year=2010>

Agenda: http://www.cahighspeedrail.ca.gov/images/chsr/20091228143010_Jan2010agendas.pdf

NOTE: The meeting was over 3 hours long; this transcript starts at the 1 hour mark and contains only the end of public comment and the first agenda item. As this is a work in progress, contact me for updates which may include more of the meeting. Also note that most of this transcript is verbatim, or very close to it. Verify with the video if you plan to use quotes where accuracy matters. -Rita

Meeting starts.

Public input.

59:00 Mr. Michel(?), works for Energy Commission but speaking as a private citizen: In reviewing some of your technical papers I've come across the report of 2010 by Navigant of your goal to have 100% renewable energy being used for your system. My recommendation is to keep coordinated with the Energy Commission, ISO, and the Utilities in reviewing how to get to that 100% when it's needed. The current energy goal for 2020 is to have 33% renewable energy. That's going to be a very difficult task to accomplish. So I recommend that you keep close attention to that very highly praised goal. Thank you.

Mr. Beech, on behalf of Supervisor.

[?] Madera County: I understand there's a lot of opposition to A3 – a lot of farmers and landowners there, and I agree with this opposition. And at the same time I'm just as fervently against A2 which represents highest land costs. Obvious because it's higher density zoning. The 99 corridor has highest unemployment of CA; displacing active businesses along there doesn't make sense. A4 is already along an existing transportation corridor and won't displace existing businesses. Another cost of A2 is crossing 99 many times will require many over/under passes. This is a cost which isn't associated with A4. A2 goes through highest density businesses and population areas, more than any other alternative. The environmental impact of a 50-80 foot tall, 220 mph train barreling through such an area would be devastating to the community. It makes no sense when you have a viable alternative – A4 – which has minimal impact. [] If such a choice [A2] is made, I would intend fight it with every resource available. To me it's very simple: you've got one route displacing farmland owners with no infrastructure, and you have another route going down a high population density, and you have another route that's already along an established transportation corridor with less cost and less destruction. Thank you.

1:06:00 **Exec/Admin Committee Report –Board Policies and Procedures.**

Chairman Curt Pringle: Over the next 2 months there will be a review of P&P, then bring to board for adoption. Board members should bring issues to Morshed's attention.

Lynn Schenk:

Quentin Kopp: Talks about May 2007 prior P&P and 2001 Conflict of Interest code which has to be approved by the Federal Fair Trade Practices Commission. The committee thought it'd be good to include the Conflict of Interest code into the P&P.

Schenk: I do have one question which would be easier to just answer now. We deleted the word 'agencies and contractors' and inserted the word 'consultants' and I was just wondering why.

George Spanos (CHRSA legal counsel): The underscoring is in the document as approved by the FTPC in 2001; in other words, those deletions and insertions are not being proposed now; they were proposed and approved back in 2001. The only copy of the document that I could find as approved by the FTPC included those under-scoring. So those are in comparison to the previous conflict of interest code which was replaced in 2001.

Pringle: Mr. Spanos, to be precise, the reason those other two words were struck, is it because the word 'consultant' isn't defined in government code?

Schenk: in other words does it include by definition agents and contractors?

Spanos: I'm not sure I fully understand the question, which page are you referring to?

Schenk: Page 4, for example, of the Conflict of Interest.

Spanos: Okay, for example where the word 'commissioners' was struck and replaced by 'authority members', that was done and proposed and approved in 2001. So in other words, what is currently designated in terms of positions includes the authority members, executive director, deputy director and consultants. It does not include those things that were stricken out.

Schenk: I understand what you're saying and that this is from a prior doc. The point of my question is – let me reverse it a little bit - do contractors have to comply?

Spanos: Yes, if they're consultants, certainly.

Schenk: So the word 'consultants' does encompass contractors, agents, in legal terms.

Spanos: I don't know if it would include construction contractors, for example. Consultant is defined by reference to the regulations of the Fair Political Practices Commission in accordance with footnote 1 on the first page. So I do not believe it would include a construction contractor, for example.

Schenk: Yeah. I guess I just want to make sure that everybody who is required to file understands that they're required to file, and that there's no misunderstanding between the distinction between consultant and contractor.

Spanos: Right, and consultants are contractors, but there are contractors who are not consultants.

At this point, I'm certainly not proposing that this doc remain as it is. The idea was to bring it up, take a look at it, get the thought process moving on the part of the board, staff, legal counsel, and I think what we can do is look at all of this. I would certainly welcome the suggestion, as the chairman indicated to the Exec Dir and me, and what I'd like to be able to do is come up with something with comments so we can suggest what changes could be made with the consequences, and so forth. And you can make an informed decision.

Pringle: That'd be great. Therefore, that's the report from the executive committee meeting. There was another item that was discussed quite a bit, agenda item 4. Before I move on, is there any other comment on Exec Committee Report? Ms. Florez? Thank you.

1:13:30 **Item 4, Senior Level Staffing.**