



**CALIFORNIA  
HIGH-SPEED RAIL  
AUTHORITY**

**Board Meeting Minutes  
December 13, 2011  
Merced City Council Chambers  
Merced, CA 95340  
(Approved 2-2-12)**

The public meeting of the CA High-Speed Rail Authority was called to order on December 13, 2011 at 10:09 am at the Merced City Council Chambers.

Members Present:     Thomas Umberg, Chairman  
                              Tom Richards, Vice Chair  
                              Dan Richard  
                              Jim Hartnett  
                              Russell Burns

Members Absent:     Lynn Schenk  
                              Michael Rossi  
                              Bob Balgenorth  
                              Matt Toledo

Pledge of allegiance was administered by Member Hartnett.

An opportunity was made for public comment. Comments included both opposition and support of the project.

Approximately 12:15, during the public comment period, Chairman Umberg broke for closed session announcing that public comment would continue when they return.

Approximately 1:45, board meeting resumed.

**Agenda Item # 1 – Approval of Meeting Minutes**

Member Richard moved to approve minutes from the November, 2011 meeting; seconded by Member Hartnett. Motion passed unanimously. (5-0)

**Agenda Item # 2 – Request to Extend Public Comment period on draft Business Plan.**

CEO van Ark and staff requested that the board approve an extension on the comment period for the draft business plan and change the official end date from December 30, 2011 to Sunday January 15, 2012, as stated in CHSRA Resolution # 1128. Member Richards asked that the Authority amend that request and make the end date one day later to COB on Monday, January 16, 2012 since it is a workday,

rather than ending it on a Sunday. Mr. van Ark agreed that was acceptable to him and staff. Member Harnett moved adoption of the resolution as amended; Member Burns seconded. Motion passed unanimously. (5-0) {AMEND RESOLUTION #1128 AS REQUESTED}

### **Agenda Item # 3 – Request to Extend Public Comment on Small Business Program Plan**

CEO van Ark and staff, after receiving approval from the FRA requested that the board approve an extension on the public comment period for the small business program plan and change the official end date to Monday, January 16, 2012 since it is a workday, rather than ending it on a Sunday. Member Richard moved; seconded by Member Richards. Motion passed unanimously. (5-0)

### **Agenda Item # 4 - Identification of Preferred North/South Alignment and Preferred Station Locations for Inclusion in Merced to Fresno Final EIR/EIS.**

Mr. Leavitt and Mr. Fellenz presented a recommendation for the preferred alignment and preferred station locations in Merced and Fresno for inclusion in the final EIR/EIS; requesting that the board accept the staff recommendation of the hybrid alternative. Member Richards made a motion to concur with the staff's recommendation with regards to the acceptance of the hybrid alternative along with the Mariposa station in Fresno & the Merced station in Merced. Motion was seconded by Member Burns. Motion passed unanimously. (5-0)

### **Agenda Item # 5-Supplemental Alternatives Analysis Report – Fresno to Bakersfield**

Mr. Abercrombie and Mr. Schaufuss summarized the proposed changes to the preliminary alternative analysis report presented to the board at the June, 2010 meeting and the two supplemental alternative analysis reports from the September 2010 and May 2011 meetings. The proposed change relates to the investigation of a new alternative alignment and station to the west of the City of Hanford. The authority will reintroduce an alternative alignment along the west of Hanford along with an alternative station to serve Kings and Tulare region. Member Richards made a motion to concur; Seconded by Mr. Hartnett. Motion passed unanimously. (5-0)

### **Agenda Item # 6 – Members Reports**

\* Member Richard requested agendizing programs for local hiring. He stated that the Workforce Investment Board Program has been involved in developing a plan that is consistent with federal law because there are limitation under federal law about local hiring, he stated that given the economic status of the region, he believes there is a possibility of developing a plan that is compliant with federal law that would allow the Authority to assure the communities see the jobs and not just contractors coming in from the outside, whether it be small business, disadvantaged business, minority/women-owned enterprises, veteran-owned enterprises, we want to do everything we can to make sure that every Californian benefits from high-speed rail.

\* Member Richards informed the board of a possibility of a conflict of interest which exists, as he also chairs the Fresno Regional Workforce Investment Board. He will recuse himself from future discussions on this matter.

\* Member Richard stated that after hearing public comment that many had believed there had been a lack of appropriate response to some issues, particularly with respect to cultural resources. He has requested that the CEO and staff let the board know in an appropriate way how the Authority has dealt with those issues.

\* Chairman Umberg thanked and congratulated the board, stating that the public sees only a very small part of what the board is engaged in. Certain board members have reached out to various members of the community and spent an enormous amount of time on the business plan making sure this project is viable and built in an efficient way. He again thanked the board members, the CEO and their staff for working very hard on this project.

#### **Agenda Item # 7 – CEO’s Report**

Mr. van Ark gave a brief update of the RFQ process and status. The contractors’ short list will be announced sometime in January 2012. He continued his report with additional brief updates on; UIC, the International Federation of Railroads. The authority is looking at becoming an affiliate member as it would be good to have that contact, to obtain more information on technical and operational issues; the operations progress report; the program management team quarterly progress reports were handed out to the board members and is available on the Authority’s website. Also posted are the comments from the PMO, [Program Management Oversight], so that the board is apprised of the status of the general operation of the project; funding agreements with the FRA; authority staffing difficulties.

#### **Agenda Item # 8 – Staff Report and Board Ratification of the Statewide Media & Communications Contract**

Mr. Simmens recommended that since the Ogilvy contract is about to expire, the Authority would like the board to consider that it take a look at an option of pulling in the resources that the Authority currently have and seeking additional resources to see if that might make for an attractive alternative structure. The Authority would like the board to explore the option of doing most activities in-house and reporting back at a later time. Chairman Umberg stated that before any decisions are made, there needs to be an in-house analysis as to what the needs are and what is required to meet those needs. Member Richards agrees with the caveat that this comes back before the board at the January 2012 meeting. Member Richard asked that as part of the in-house analysis when we look at resources, some of which are underneath layers of contractors that we try to harmonize all of that. Mr. Simmens agreed.

#### **Agenda Item # 10 – Presentation of the Draft 2012 Business Plan**

Since the draft business plan has already been presented at prior board meetings, Chairman Umberg requested that Mr. van Ark present just a brief summary presentation today to show some of the features of the draft business plan and an update of the public comments received. Mr. van Ark agreed that this is important to do so that the people do understand the draft business plan.

Mr. van Ark highlighted several features of the business plan, and then asked for public comment, stating that public input is one of the main reasons for these meetings.

An opportunity was made for additional public comment on Agenda Item 10 only. Several people spoke in favor of and against the draft plan.

Chairman Umberg official concludes that public comment period in respect to the Draft Business Plan is over.

With no additional business to be heard, meeting was adjourned at 4:03 pm by Chairman Umberg.