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E-mails reveal clashes over high-speed rail project

Two board members also have other transit responsibilities. Do their multiple roles enrich the board or set the scene for conflicting interests?

By Rich Connell, Los Angeles Times

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The mayor of Anaheim was irate.

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Planners at the California High-Speed Rail Authority were suggesting that local officials consider moving a proposed multimillion-dollar transportation mega hub to the other side of a freeway so it would be easier to connect tracks for a bullet train.

"This borders on complete incompetence," Mayor Curt Pringle fumed in a message to the state agency's top executive. "I am very angry.... I am NOT KIDDING!"

On one level, the outburst wasn't surprising. Increasingly, cities along the bullet train's San Francisco-to-Anaheim route are sounding off about what they do and don't want to happen as the \$43-billion project's plans are refined and the start of construction nears.

However, Pringle also is chairman of the rail authority board. And he is one of two prominent board members being scrutinized by the state attorney general for serving in multiple offices that could have clashing financial and other interests.

The dust up last January, as reflected in a series of e-mails obtained by The Times, raised the question of which hat Pringle was wearing. His message included a pointed warning to the authority's then-executive director Mehdi Morshed. "If some degree of adult supervision is not

employed within this week," Pringle wrote, there would need to be a "full discussion of our entire program management oversight" at the authority's next board meeting.

Morshed's response came the next day, sounding somewhat perplexed: "In reading your e-mail I had difficulty separating the message from the mayor with that of the chairman of the authority. I will try to address your statement briefly here as that of the chairman...."

Pringle's sharply worded e-mail — along with a testy, unrelated message sent by authority board member Richard Katz — shed new light on the sort of discord that can arise when directors of such a high-stakes endeavor hold multiple public positions.

In addition to being Anaheim mayor and chairman of the bullet train project, Pringle also serves on the Orange County Transportation Authority, which is helping develop the intermodal transit center. Katz also serves on the Los Angeles County Metropolitan Transportation Authority and Metrolink commuter rail board.

Both deny that their public duties pose conflict-of-interest problems. Indeed, they say their local government involvement has helped the bullet train project resolve interagency disputes.

The e-mails also offer a rare behind-the-scenes peek at tensions within an organization laboring to present a unified message of progress on one of the biggest transportation projects in U.S. history.

The public and legal debate over possible clashing responsibilities involving Pringle and Katz has simmered for months. The attorney general, at the request of a state Senate committee, is examining whether decisions on rights of way usage, station development, final routes or other issues could present impermissible conflicts for the two authority board members.

Pringle has noted that he will be termed out as mayor next month and will give up his seat on the county transportation board. And Katz said last week that he would resign from the state rail panel Dec. 1 rather than jeopardize his ability to work on a host of local transit projects.

But with a new governor and possible bullet train board changes coming, the question about who can best lead the complex and controversial project remains. One high-speed rail board member, Quentin Kopp, said the internal e-mail exchanges involving Pringle and Katz were troubling and illustrate the sort of conflicts a state ban on "incompatible" public offices is intended to avoid.

In an interview, Pringle said his January message to Morshed was "probably a tad" aggressive. But, he said, he was frustrated because rail authority engineers had suggested moving the Anaheim Regional Transportation Intermodal Center, or ARTIC, after it had been in the works for years in Orange County.

The station, envisioned as a soaring transparent arch, would link buses, commuter trains and a proposed tram-like loop through the city's convention and Disneyland resort district. ARTIC

also would be the southern terminus of the first phase of the bullet train project.

Among other things, Pringle wrote in his e-mail that the potential station change was "stupid" and impossible. It would cause the city trouble with the Angels by taking up stadium parking areas and with the Honda Center arena, by disrupting plans for parking facilities.

"The issue was we [members of the high-speed rail agency] were going to tell the Orange County Transportation Authority to build their station some place else," Pringle said. He added he was simply "reflecting a knowledge to a statewide organization that occurs in a local position."

In his e-mail response, Morshed said that engineering problems and a potentially costly pedestrian tunnel intended to connect to ARTIC had prompted consideration of the station alternative. Investigating the option was supported by the Federal Railroad Administration, a key funding partner, he wrote.

Morshed's response, copied to all board members, said he was moving to suspend work on the alternative station idea based on Pringle's "direction as the chairman speaking for the board," pending further direction from the full panel.

Morshed, who left the authority in March, said there was no further discussion or work performed on the optional station plan while he was there. The clash in part reflected normal differences between engineering and policy considerations, he said. Still, he said he was "very surprised" by Pringle's message and feared that the authority was taking a legal risk by not giving adequate consideration to alternative station plans.

"I was conflicted with it," he said. "If I get this kind of angry message from a mayor of a city, I respond one way. When I get it from the chairman of the board, I have to respond another way."

Rail authority board member Kopp, who has questioned Pringle's and Katz's multiple roles, said the e-mails involving the Anaheim station, in particular, were disturbing. "It undermines the integrity of the process for me," he said.

Katz' fired off a barbed e-mail after a warning from Deputy Atty. Gen. Christine Sproul, who provides legal advice to the rail authority. In a message to Morshed, she advised that documents not deemed public by the authority and federal rail officials shouldn't be given to people outside the bullet train agency. It appeared, she added, that the rail authority's top contract engineer had supplied a confidential planning document to a Los Angeles MTA executive.

Morshed forwarded the message to board members, and Katz responded to him: "Please tell our attorney to bite me."

The local transit agency executive "is an employee of the MTA who works for me, as a board

member," he wrote. "His duties specifically pertain to [high-speed rail]."

"BTW [by the way]," Katz added, "I think both of the attorneys who come from the AG's office should be replaced." A spokeswoman in the attorney general's office said Sproul and Deputy Atty. Gen. George Spanos, the authority's legal counsel, would not comment.

Katz characterized the information sent to the MTA executive as non-sensitive material involving ways to prepare progress reports and charts for board members. He also said he had not requested that the document go to the MTA executive. Nonetheless, it was proper because the executive was acting as his staff, he said. "I don't have independent staff like other board members may have," he said.

Attorneys for Pringle and Katz have filed lengthy arguments with the attorney general saying there is no issue of incompatibility with their various offices. They also have called for the state lawyers to drop the matter because it will be moot with Katz leaving the high-speed rail board and Pringle stepping down as mayor. The attorney general's office said a formal opinion will be completed.

State Sen. Alan Lowenthal (D- Long Beach), chairman of the oversight committee that requested the review, said that regardless of the changing circumstances with Pringle and Katz, the attorney general needs to complete its legal examination.

The issues "still aren't resolved," Lowenthal said. "There aren't clear guidelines on who could serve."

rich.connell@latimes.com

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