

AGENDA

TAMC RAIL POLICY COMMITTEE

Meeting of Monday
February 4, 2013

Transportation Agency for Monterey County
Conference Room
55-B Plaza Circle, Salinas

3:00 P.M.

Complete agenda packets are on display at the Transportation Agency for Monterey County (TAMC) office and at these public libraries: Carmel, Monterey, Salinas Steinbeck Branch, Seaside, Prunedale, and King City. Any person who has a question concerning an item on this agenda may call the TAMC office to make inquiry concerning the nature of the item described on the agenda. Please recycle this agenda.

1. **Quorum Check, Call to Order and Introductions.** A quorum for the voting TAMC Rail Policy Committee members consists of a minimum of 6 of the following voting members: Potter (Chair), Sollecito (Vice-Chair), Armenta, Calcagno, Parker, Delgado, Craig, Matarazzo, Rubio, and Chavez.

If you are unable to attend, please make sure that one of your two alternates attends the meeting. Your courtesy to the other members to assure a quorum is appreciated.

2. **PUBLIC COMMENT ON TRANSPORTATION MATTERS NOT ON TODAY'S AGENDA.**

Any member of the public may address the Rail Policy Committee on any item not on the agenda but within the jurisdiction of the Rail Policy Committee. Comments on items on today's agenda may be given when that agenda item is discussed.

BEGINNING OF CONSENT AGENDA: Approve the staff recommendations for **item 3.1** below by majority vote with one motion. Any member may pull an item off the Consent Agenda to be moved to the end of the **CONSENT AGENDA** for discussion and action.

- 3.1 **APPROVE** minutes of January 7, 2013 Rail Policy Committee meeting.
– Cook

Pages 4 - 6

END OF CONSENT AGENDA

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4. **RECEIVE** update on the Rail Extension to Monterey County project. – Watson
Pages 7 - 9

Progress on the Rail Extension project since the last report to this Committee on January 7, 2013, includes a meeting of the Committee's Ad-hoc group for the Salinas rail project, presentations to the Salinas City Council and the Salinas City Council Intermodal Transportation Center Subcommittee, as well as meetings with Capitol Corridor Joint Powers Authority and Union Pacific staff.

5. **ANNOUNCEMENTS** and/or **COMMENTS** from Rail Policy Committee members on matters that they wish to put on future Committee agendas.
6. **ADJOURN**

ANNOUNCEMENTS

Next Rail Policy Committee meeting:

Monday, March 4, 2013

3:00 p.m.

Transportation Agency for Monterey County Conference Room
55-B Plaza Circle, Salinas, California 93901

Light refreshments will be provided

**If you have any items for the next agenda, please submit them to:
Christina Watson, Rail Program Coordinator
by Tuesday, February 19, 2013
Christina@tamcmonterey.org**

Documents relating to an item on the open session that are distributed to the Committee less than 72 hours prior to the meeting shall be available for public inspection at the office of the Transportation Agency for Monterey County, 55-B Plaza Circle, Salinas, CA. Documents distributed to the Committee at the meeting by staff will be available at the meeting; documents distributed to the Committee by members of the public shall be made available after the meeting.

**Transportation Agency for Monterey County
55-B Plaza Circle, Salinas, CA 93901-2902
Monday thru Friday
8:00 a.m. – 5:00 p.m.
TEL: 831-775-0903
FAX: 831-775-0897**

The next Rail Policy Committee agenda will be prepared by Agency staff and will close at noon Tuesday, February 19, 2013, nine (9) working days before the regular meeting. Any member may request in writing an item to appear on the agenda. The request shall be made by the agenda deadline and any supporting papers must be furnished by that time or be readily available.

If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals requesting a disability-related modification or accommodation, including auxiliary aids or services, may contact Transportation Agency at 831-775-0903. Auxiliary aids or services include wheelchair accessible facilities, sign language interpreters, Spanish Language interpreters and printed materials, and printed materials in large print, Braille or on disk. These requests may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting, and should be made at least 72 hours before the meeting. All reasonable efforts will be made to accommodate the request.

CORRESPONDENCE, REPORTS, MEDIA CLIPPINGS

Online at www.tamcmonterey.org

CORRESPONDENCE

None this agenda

REPORTS

- R-1** November 2012 Capitol Corridor and California Intercity Passenger Rail Performance Results

MEDIA CLIPPINGS

- M-1** November 29, 2012 opinion piece in the *Monterey County Herald*, “Neil L. Shapiro: Money for high-speed rail, but not enough for courts”
- M-2** December 5, 2012 opinion piece in the *Monterey County Herald*, “Bill Monning: It's not just about the courts”
- M-3** December 10, 2012 opinion piece in the *Monterey County Herald*, “Neil L. Shapiro: A little research on California high-speed rail system”
- M-4** January 17, 2013 article in *The Roundup*, “Rail Gig”

TRANSPORTATION AGENCY FOR0. MONTEREY COUNTY (TAMC) RAIL POLICY COMMITTEE MEETING <i>DRAFT Minutes of January 7, 2013</i> Transportation Agency for Monterey County 55-B Plaza Circle, Salinas											
	JAN 12	FEB 12	MAR 12	APR 12	MAY 12	JUN 12	AUG 12	SEP 12	OCT 12	NOV 12	JAN 13
F. Armenta, Dist. 1 (J. Martinez)	P	P	E	C	P	C	E	C	P	P(A)	P(A)
L. Calcagno, Dist. 2 (H. Gowin)	P(A)	P(A)	P(A)	A	P(A)	A	P(A)	A	P(A)	P(A)	P(A)
J. Parker, Dist. 4 (K. Markey)	P(A)	-	P(A)	N	P(A)	N	E	N	P(A)	E	P
D. Potter, Dist. 5, Chair (K. Lee, J. Mohammadi)	P	P	P(A)	C	P	C	P	C	P	P	P
B. Delgado, Marina (F. O'Connell)	E	P	P	E	-	E	E	E	-	-	P
F. Sollecito, Monterey – Vice Chair (C. Della Sala, R. Deal)	P	P	P	L	P	L	P	L	P	P	P
K. Craig, Salinas (R. Russell, J. Serrano)	P	P	P	L	P	L	P	L	P	P	P
S. Matarazzo, Sand City (L. Gomez)	E	P	P	E	E	E	P	E	P	P	P
R. Rubio, Seaside (D. Ingersoll, A. Edwards)	P	P	P	D	P	D	P(A)	D	P	P	P
A. Chavez, Soledad (F. Ledesma)	P	P	P		P		E		P	E	P
M. Twomey, AMBAG (H. Adamson)	-	-	-		-		P(A)		P(A)	P(A)	P(A)
M. McCumsey, Caltrans District 5	E	E	E		E		E		-	-	-
C. Sedoryk, MST (M. Hernandez, M. Gallant)	-	-	P(A)		-		-		P(A)	-	-
W. Sabo, Airport (R. Searle)	P	-	P		P		-		P	P	P
STAFF											
D. Hale, Exec. Director	P	P	P		P		P		P	P	P
T. Muck, Dep. Exec. Director	P	P	P		P		P		P	P	P
C. Watson, Sr. Transp. Planner	P	P	P		P		P		P	P	P
A. Green, Assoc. Transp. Planner											P
A. Cook, Assoc. Transp. Planner	P	P	P		P		E		P	P	P
M. Zeller, Assoc. Transp. Planner	-	-	-		-		-		-	P	P
S. Gavin, Community Outreach Coordinator	P	P	-		-		-		P	P	-
H. Myers, Assoc. Transp. Planning Engineer	P	-	-		-		-		P	-	P
E – Excused VC – Video Conference P(A) – Alternate TC – Teleconference											

1. QUORUM CHECK AND CALL TO ORDER

Chair Potter called the meeting to order at 3:00 p.m. Introductions were made and a quorum was established.

OTHERS PRESENT

Sam Teel	Mo. Co. Hospitality Assoc.	James Serrano	City of Salinas
Hunter Harvath	Monterey-Salinas Transit	Patrick Dobbins	Harris & Associates
Scott Ottmar	City of Seaside	Bob Scales	Parsons
Chris Flescher	Rail Pass. Assoc. of CA	Eric Petersen	Salinas Resident

2. PUBLIC COMMENTS

Eric Petersen commented that the Santa Cruz County Regional Transportation Commission rail event in November to celebrate the purchase of the Santa Cruz Branch Line was a success.

Debbie Hale, Executive Director, introduced Ariana Green as the Agency's new planner for the Monterey Branch Line and Multimodal Corridor projects.

3. CONSENT AGENDA

M/S/C Delgado/Craig/unanimous

3.1 Approved minutes of the November 5, 2012 Rail Policy Committee meeting.

3.2 Received information regarding free rail passes for elected officials.

END OF CONSENT AGENDA

4. LEGISLATIVE PROGRAM

M/S/C Sollecito/Craig/unanimous

Committee reviewed and provided comment on the draft 2013 Legislative Program.

Christina Watson, Principal Transportation Planner, reported on the Agency's draft Legislative Program for 2013. The purpose of the legislative program is to set general principles to guide staff and Board responses to proposed legislative or budgetary issues.

Committee member Sollecito expressed support for federal initiatives to streamline the project delivery process.

5. RAIL EXTENSION TO MONTEREY COUNTY PROJECT UPDATE

The Committee received an update on the Rail Extension to Monterey County project and provided input on proposed implementation plans.

Christina Watson, Principal Transportation Planner, reported that progress on the Rail Extension project since the last report to the Committee on November 5, 2012, includes continuing to work with the Federal Transit Administration (FTA) and Capitol Corridor Joint Powers Authority to ensure the project is eligible for the FTA "Small Starts" funds as well as meetings with the City of Salinas. Ms. Watson presented a phasing plan proposed by staff for the project using the funds secured by the Agency for the project, should the FTA conclude that the project was not eligible for Small Starts grant funding, or should the Board of Directors choose to move forward with the

project in phases without federal support in the early phases.

The Committee directed staff to continue to pursue federal support for the project and to secure FTA approval of the project environmental document before considering any phasing alternative. The Committee specifically requested that the project Ad Hoc Committee be convened to discuss a strategy for supporting the project, which could include meetings with federal staff and legislative representatives to lobby in support of the project. The Committee also requested that staff seek further assistance from the Agency's federal legislative analyst to support the project and to schedule meetings with the appropriate contacts if necessary. Hunter Harvath, Monterey-Salinas Transit Assistant General Manager for Finance and Administration, suggested that the Agency direct comments to the Senate Banking Committee, which may be the appropriate body to consider support for the project.

6. **ANNOUNCEMENTS AND/OR COMMENTS FROM COMMITTEE MEMBERS**

Christina Watson announced that a draft California State Rail Plan is available for review and that staff is looking at the document to make sure the Agency's planned rail projects in Monterey County are accurately reflected in the document.

7. **ADJOURNMENT**

Chair Potter adjourned the meeting at 4:11p.m.



TRANSPORTATION AGENCY FOR MONTEREY COUNTY

Memorandum

To: Rail Policy Committee
From: Christina Watson, Principal Transportation Planner
Meeting Date: February 4, 2013
Subject: Rail Extension to Monterey County Project Update

RECOMMENDED ACTION

RECEIVE update on the Rail Extension to Monterey County project.

SUMMARY

Progress on the Rail Extension project since the last report to this Committee on January 7, 2013, includes a meeting of the Committee's Ad-hoc group for the Salinas rail project, presentations to the Salinas City Council and the Salinas City Council Intermodal Transportation Center Subcommittee, as well as meetings with Capitol Corridor Joint Powers Authority staff.

FINANCIAL IMPACT

The capital cost of full buildout of the rail extension is estimated at \$135.7 million in year-of-expenditure dollars. \$45 million has been secured in state, local and federal funds; some of this funding has been expended on planning, designs and right-of-way. The Transportation Agency for Monterey County (TAMC) has been working with the Federal Transit Administration (FTA) to qualify the project for a \$75 million Small Starts grant. The gross operating cost of the project is estimated at approximately \$5 million per year. The estimated ticket revenue is expected to be around \$4 million per year, so the net subsidy needed to support the service would be about \$1 million per year. This could be funded through intercity rail funds.

DISCUSSION

Salinas

Staff presented a project update to the City of Salinas January 8, 2013 City Council meeting. City Councilmembers asked questions about certainty of funding estimates and schedule as well as about Agency dealings with neighboring landowners and businesses. Monterey County Weekly published a follow-up article based on the discussion at the meeting (see **attachment**).

Staff also presented a more in-depth update to the Salinas City Council Intermodal Transportation Center Subcommittee, including explanations of the right-of-way phase and restrictions on the Agency without a final federal environmental document.

Capitol Corridor Joint Powers Authority

On January 24, 2013, staff held a Salinas Extension coordination team meeting with Capitols staff to discuss the draft operating agreement outline and the state rail ridership model run on the draft train schedule. Staff will give a verbal update at the meeting.

Ad-Hoc Group

The Committee's Ad-hoc group for the Salinas rail project met on January 24, 2013 and will report back to the Committee at this meeting.

Approved by: _____



Debra L. Hale, Executive Director

Date signed: 1/22/13
Regular Agenda
Reviewed by Counsel: N/A

Attachments:

1. January 17, 2013 article in the *Monterey County Weekly*, "Off Track: Salinas-to-San Jose rail project gets stuck in red tape, pisses of property owners"

NEWS

Agenda item:4, Att:1

Off Track

Salinas-to-San-Jose rail project gets stuck in red tape, pisses off property owners.

BY ARVIN TEMKAR



NIC COURRY

A Monterey County rail service could mean speedy transit for long-distance commuters, but the process to get the project rolling has been anything but quick.

There's been talk for more than a decade of creating a rail service from Salinas to Silicon Valley. What was once pegged as a \$70 million project to be completed in 2009 is now expected to cost nearly double that, and could take until 2017. To top it off, officials aren't sure when key federal funding will become available.

But cost and timing are just part of the story. Officials also want to acquire private property, through eminent domain, for the use of the railroad. After awaiting action for years, some property owners aren't happy.

Owners of Salinas' American Supply Company are "a captive of this rail project," says Brian Finegan, the attorney representing the company. Finegan and an official with the Transportation

Agency for Monterey County spoke to the Salinas City Council earlier this month.

American Supply has known about the transportation agency's proposal to acquire its land since 2003, Finegan says. Since then, the business has been stuck because there haven't been negotiations.

Finegan argues that without knowing what will happen to the property, American Supply's owners can't sell it or expand their business. Transportation agency representatives say TAMC has no control over the company's affairs.

TAMC Executive Director Debbie Hale says the agency can't make the first move because it's tied up in an environmental review process. But if American Supply approaches the agency, TAMC could initiate the acquisition process early.

Some property owners affected by the incoming rail service have already sold or entered negotiations to sell their land to TAMC, says Christina Watson, principal transportation planner.

Railroad Blues: Transportation Agency for Monterey County Executive Director Debbie Hale at the Salinas train station. "We're not pleased that we don't have federal funding and we're not constructing the project yet either," she says.

The owners of American Supply declined to comment for this story.

The project has been delayed because of a years-long holdup in securing a federal environmental review, Watson says. The review is critical for getting funds from the Federal Transit Administration, but because of funding constraints the feds have not yet agreed to continue the process.

As of now, the local transportation agency has secured \$45 million for the nearly \$136 million project. Officials say TAMC needs \$75 million from the feds, as well as \$15 million from other sources. ☒

THE
WEEKLY
TALLY

\$209
MILLION

THE TOTAL COST OF THE PRUNEDALE IMPROVEMENT PROJECT, WHICH WILL ELIMINATE LEFT TURNS ACROSS 9 MILES OF HIGHWAY 101. THE FIRST INTERCHANGE, AN OVERPASS TO PRUNEDALE'S BLACKIE AND REESE ROADS, OPENED JAN. 14.

Source: Transportation Agency for Monterey County

Christina Watson

From: Cheryl Grady <CherylG@capitolcorridor.org> on behalf of David Kutrosky <DavidK@capitolcorridor.org>
Sent: Wednesday, December 12, 2012 2:57 PM
Subject: Revision - November 2012 Capitol Corridor and California Intercity Passenger Rail Performance Results

November 2012 Capitol Corridor Service Performance - Revision
The ridership results for November 2012 were down slightly compared to November 2011, primarily due to a 2.5% decrease in ridership during the Thanksgiving holiday week compared to last year. This November, 147,845 passengers traveled on the Capitol Corridor trains, 1.8% below the November 2011 results; however, we did well meeting or surpassing our other performance thresholds. Revenue was up 4.6% compared to the same period last year, setting an all-time record for monthly revenues. The system operating ratio was 50% and our on-time performance (OTP) was 94% (just behind the once-a-day Pennsylvanian). So while ridership may be down slightly, all other service performance statistics are at or above plan for FY2013.

A special thanks goes to one of the Capitol Corridor's operating partners—Caltrain, who once again leased the Capitol Corridor a trainset on Wednesday, November 21, 2012 (our busiest travel day of the year). If it were not for this leased trainset, there would have been severe overcrowding on nearly ALL of the Capitol Corridor trains.

The weekend travel market is gaining strength with the 50% on-line fare discount for weekend travel. An advertising program is set to begin in early 2013 for this discount program which should boost weekend ridership even higher. Trains to the Sunday Raider games continue to perform well; although there was only one home game in November which dragged down ridership results. Last year, on the Sunday after Thanksgiving there was a Raider home game which helped set the ridership record for the 2011 Thanksgiving week.

Union Pacific Railroad (UPRR), our host railroad, continues to provide superior support to the Capitol Corridor. The delay minutes that can be attributed to UPRR are the lowest in the Amtrak system with a solid state-of-good-repair program backed by sound, disciplined dispatching.

On the other hand, third party associated delays such as trespasser incidents, bridge lifts and mechanical delays (Amtrak maintenance) are on the rise but fortunately have not materially affected the overall system OTP for the Capitol Corridor. That being said, I recognize that this is an unsettling trend. CCJPA transportation staff is meeting with the Coast Guard and other agencies to address delays associated with bridge lifts at the Suisun-Martinez Drawbridge. Please note that the ships in the Carquinez Strait when passing under the drawbridge do have priority over the trains; however, we have established (and have revisited) a protocol that attempts to minimize the delays to the trains. CCJPA mechanical staff continue to work with Amtrak staff at the Oakland Maintenance Facility (OMF) to improve availability and reliability for the rail vehicle fleet assigned to the Capitol Corridor and San Joaquin services. Based on input from the CCJPA, organizational changes have been instituted by Amtrak to address deficiencies in train readiness protocols. These changes are expected to

reduce delays to trains coming out of OMF.

In closing, ridership for the first two months of FY2013 is slightly below [-1.0%] last year; however, revenues are above prior year levels with November 2012 revenues setting an all-time monthly record for the service. In addition, OTP continues to be superior keeping the Capitol Corridor as one of the most reliable trains in the Amtrak system. The Capitol Corridor team will be focusing on reducing third party and Amtrak mechanical delays, advancing safety projects (fences and PTC installation), and improving customer satisfaction with enhanced amenities and improved access.

Capitol Corridor November 2012

- Ridership: 147,845 riders; -1.8% vs. November 2011; -1.0% vs. prior YTD
- Revenue: \$2,761,965; +5% vs. November 2011; +4.9% vs. prior YTD
- On-Time Performance: 94%, YTD OTP of 95% (#2 in the nation).
- System Operating Ratio: 53% YTD vs. 50% in FY12

Pacific Surfliners November 2012:

- Ridership: 222,633 passengers; +7% vs. November 2011; +7.8% vs. prior YTD
- Ticket Revenue: +17% vs. November 2011; +15.1% vs. prior YTD
- On-time performance: 86% (YTD FY 2013 on-time performance: 84%)

San Joaquin October 2012:

- Ridership: 108,810 passengers +13.7% vs. November 2011; +13.2% vs. prior YTD
- Ticket Revenue only: +10.8% vs. November 2011; +9.1% vs. prior YTD
- On-time performance: 89% (YTD FY 2013 on-time performance: 86%)

(Faxed to Director Blalock)

DAVID B. KUTROSKY

Managing Director

Capitol Corridor Joint Powers Authority

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300 Lakeside Drive, 14th Floor East , Oakland, CA 94612



Neil L. Shapiro: Money for high-speed rail, but not enough for courts

NEIL L. SHAPIRO *Monterey County Herald*

Posted:

MontereyHerald.com

I like Bill Monning, currently a member of the California Assembly and soon to be state senator, and while "like" is not a word I normally utter about politicians, he seems a nice enough guy. We also share a passion for the orderly and civil resolution of disputes.

That just makes it harder for me to reconcile two of his legislative votes that, taken together, appear to contradict his oft-expressed interest in peaceful resolution and representing the best interests of his constituents.

On June 15, Monning voted in favor of AB 1464, the bill proposing the state's budget for fiscal year 2012-2013. That bill, when signed by Gov. Jerry Brown, cut the funding to California's court system by roughly \$300 million, setting off a cataclysmic chain of staff and service reductions locally and around the state.

Then, on July 5, he voted in favor of SB1029, which authorized the sale of the first \$4.6 billion in bonds for a high-speed rail system.

Of course, Luis Alejo and virtually every Democrat voted exactly as he did, while Sam Blakeslee and virtually every Republican voted the other way.

Reduction in court funding is nothing new. But it is getting worse. Since fiscal year 2008-09, the judicial branch of our government has seen a cumulative cut of 30 percent of its state funding, 16 percent of that in fiscal year 2012-13 alone. Monterey County has been hit even harder; it had to absorb a 21 percent cut this year, bringing its total reduction since 2008-09 to 41 percent.

And why were we treated worse than others? Because for years our court had the wisdom to put away some of its money each year to fund longer-range projects, like upgrading its website to at least late 20th century standards. Sadly, and as it has demonstrated repeatedly, our vaunted Legislature eschews such fiscal prudence. So it punished those who engaged in it by cutting their funding and forcing them to spend their saved infrastructure improvement funds on trying to maintain a semblance of daily operations.

What does this mean to our court? While new case filings remain high — 69,419 criminal cases and 12,019 civil cases in the last fiscal year — the number of authorized positions has been reduced by 18 percent, making more work for fewer people. The hours of the Clerk's Office have been cut, dates available for court hearings have been eliminated, and everything takes longer than it used to.

And even with the reduction in personnel, supplies and services, the court still faces a \$1.3 million shortfall for the next fiscal year.

Why should you care? If you like the idea of gang members being sent to prison, you might consider the reality that those accused of crime have the right to a speedy trial, and if they do not receive one the charges against them must be dismissed. Not a pretty thought, except to criminals.

Or maybe you need to go to small-claims court, or to file for divorce. How happy will you be when you hear that the earliest your case can be resolved is a date two years hence? We are not there yet, but it is starting. And without restored funding, such bleak predictions will become a reality.

Now about that high-speed rail. It was estimated initially to cost \$42.6 billion and was sold to the public on that basis. This year the projected cost exploded to \$98 billion (or as much as \$117 billion, depending on route and construction features) and people cried "foul." So the experts reduced the anticipated cost to \$68 billion, sacrificing some of the "high speed" features to effect such "savings."

The feds have promised to contribute some \$6 billion in high-speed rail funds that no other state wants, but the rest may

well require the sale of bonds. Even if state bond yields stay low, in the 3-4percent range, the interest expense on just the first \$4.6 billion already authorized by the Legislature will run from about \$140 million to \$185 million each year, roughly 50-60 percent of what was taken from the courts. And that is only the beginning.

If you decide that you want a judicial system that works instead of an expensive train to move people rapidly from Bakersfield to Merced, be sure to let Bill Monning know. I just did.

Neil Shapiro is a Monterey lawyer who writes about legal issues and other matters.

Bill Monning: It's not just about the courts

BILL MONNING Monterey County Herald

Posted:

MontereyHerald.com

I felt the need to respond to Neil Shapiro's Nov. 29 column, "Money for high-speed rail, but not enough for courts." As a California attorney since 1976, I share his concerns about the budget cuts made to the state's courts, but his analysis is narrowly focused solely on funding our courts and does not look at the broader budget issues facing California, nor does it take into consideration the cuts made to other vital state programs or the long-term economic benefits of the high-speed rail system.

The 2012-13 budget approved in June provided \$16.5 billion in solutions to bridge the \$15.7 billion budget gap and provides a \$788 million reserve for the state. It also eliminated the structural deficit over the next three years. In addition to making cuts to the courts, we had to make cuts in K-12 education, higher education, health and human services, public safety, prisons—the list goes on and on. None of these programs is more or less important than our court system, as all of these programs assist Californians.

Shapiro's decision to juxtapose cuts made to the courts and the Legislature's support of high-speed rail funding during the 2012-13 budget negotiations is an example of trying to place more value on one program over another. His math fails to take into consideration the economic benefits that high-speed rail will bring to California and the Monterey Bay area, or the jobs that will be created that will strengthen our local and state economies. It will also have environmental benefits through the conversion of Cal Train diesel engines to electric locomotion, with similar upgrades to the Los Angeles light rail system, and the extension of rail service from the San Francisco Bay Area to Salinas. Upgrades are starting to take place now.

It is important to note that the high-speed rail hub in Gilroy will directly benefit the Monterey Bay region and allow access to more tourists. Visitors will be able to embark on platforms throughout California to waiting shuttles or light rail service in Gilroy for the short transit to our communities. This economic investment will protect existing jobs and create additional jobs in the Monterey Bay area, while reducing carbon emissions and local traffic congestion.

It is disappointing that Shapiro did not contact me before writing his opinion, as I would have told him I was keenly aware of the proposed funding reductions to the courts and that I had sought modifications to the spending proposal in response to my conversations with the presiding judges of Monterey, Santa Clara and Santa Cruz counties, union representatives and Bar Association leaders. Additionally, I worked to restore the funding for court construction programs, and these projects are now moving forward.

While I appreciate his commitment to the judicial system and his contributions to the court-directed mediation program that I helped establish while at the Monterey College of Law, my oath of office makes it clear that my votes need to represent what I believe will protect the health and welfare of all Californians. It is an honor to represent this beautiful region and I will continue to cast votes based on the totality of information and never on behalf of a single interest group, no matter how noble its cause or service.

Bill Monning, D-Carmel, represents the state's 17th Senate District.

Neil L. Shapiro: A little research on California high-speed rail system

NEIL L. SHAPIRO *Monterey County Herald*

Posted:

MontereyHerald.com

I recently criticized legislators who voted to gut the budget of our judicial system while pawning our futures for a high-speed rail system that those who elected them neither want nor need. One member of that august group took me to task for my failure "to take into consideration the economic benefits that high-speed rail will bring to California and the Monterey Bay area."

So I decided to take a closer look. I started with the legislator's comment that it "is important to note that the high-speed rail hub in Gilroy will directly benefit the Monterey Bay region" because visitors "will be able to embark on platforms throughout California to waiting shuttles or light rail service in Gilroy for the short transit to our communities."

I thought to myself, "How could I have missed that 'high-speed rail hub in Gilroy?'" I felt a little better, though, after I again scoured the website of the High Speed Rail Authority and learned that it is as clueless as I am. It doesn't seem to know about that "hub" thing either. Not surprising, given that the location of the Gilroy station has yet to be determined.

I guess I also should have known about "light rail service in Gilroy," even though it doesn't exist. And I kick myself for not divining that a high-speed train will cause "the extension of rail service from the San Francisco Bay Area to Salinas." Of course it will, as soon as we spend a couple of billion additional bucks to build 30 miles or so of track — unrelated to high-speed rail — between Gilroy and Salinas.

And when we're done spending all that money, we'll still have the joy of emptying our pockets to cover the economic shortfalls in operating them. Virtually every public transportation system around requires taxpayer subsidies.

BART, for example, does reasonably well. Seventy-eight percent of its \$672 million budget for this year is projected to come from fares, leaving only about \$148 million to be funded by our tax dollars.

The high-speed rail folks say that they will require no similar subsidies, but only someone with the IQ of a gerbil can give such pronouncement even momentary credence.

And I stand accused by the aforementioned legislator of "trying to place more value on one program over another." Guilty as charged. I absolutely value a functioning judicial system — one that can fairly meet its constitutional obligations to those charged with crimes and can keep order in the myriad familial, economic and other conflicts with which many lives are visited — over a rail system that we don't need, and for which our children still will be paying long after I am gone.

By their votes, the legislators made clear which they value more.

Across the state, court hours have been shortened, available hearing dates removed from the calendars, staffs slashed and courthouses shuttered. What used to take 60 days will now take 120, or more, if it gets done at all. Is that really what we want?

Cars that drive themselves already exist, and one can barely imagine where the state of transportation will be in two or three decades when the high-speed rail system is supposed to be completed. I just don't think we should mortgage our future, and that of our offspring, for 500 miles of a 1980s transportation system.

Neil L. Shapiro is a Monterey lawyer.



The Roundup

a daily look at the news from
the editors of Capitol Weekly and AroundTheCapitol.com



Rail gig

Jan 17, 2013

Republican Congressman Jeff Denham, a sharp critic of California's high-speed rail plan and a former state senator, [is the new chair of the House railroads committee](#). The perch gives him influence over rail issues -- including the bullet train.

From **Michael Doyle in the Fresno Bee**: "A sharp critic of California's ambitious high-speed rail plan, Denham can use his post to challenge one of the Obama administration's top public works priorities. Future rail legislation must pass through Denham's subcommittee, which can also hold hearings to shed potentially unflattering light on specific projects like California's."

"I'm opposed to it, but I'm going to work with the California High-Speed Rail Authority on going forward," Denham said Wednesday. "I want to work together with them, though I still have doubts about their funding and ridership numbers."

"Underscoring his new leadership position, as well as his stated willingness to keep an open mind, Denham met early Wednesday morning on Capitol Hill with the California High-Speed Rail Authority's two top officials, board chairman Dan Richard and chief executive officer Jeff Morales. In a statement, Richard described the meeting as "collegial and productive."

The administration's long-fought effort to move more Northern California water through the Delta to the Central Valley and Southern California drew new opposition, [with a coalition urging a smaller project than that envisioned by Gov. Brown](#).

From the **LAT's Bettina Boxall**: "A group of conservation organizations and Bay Area water agencies is proposing a vastly scaled-down version of a new export system for the Sacramento-San Joaquin River Delta, arguing that it would cost less and be more reliable than a plan supported by Gov. Jerry Brown's administration."

"The groups are asking state and federal agencies to include their proposal in the ongoing environmental review of an ambitious plan to revamp the way Northern California water is shipped through the delta to the San Joaquin Valley and Southern California."

"Federal and state officials have not made a final decision on the plan. But they favor a proposal to build three large intake facilities on the Sacramento River near Hood that could divert 9,000 cubic feet of water a second into two side-by-side underground tunnels, 35 miles long, that would feed into existing government pumps in the south delta. Currently, supplies are drawn entirely through the delta to the pumps, a system that has caused considerable environmental harm."

In the Stockton bankruptcy, a critical piece of the puzzle is the role of bond insurers, [who complain that the city has refused to cut public pension benefits](#).

From **Calpensions' Ed Mendel**: "The insurers backing \$250 million worth of Stockton general fund bonds argue that the city's bankruptcy plan gives them major cuts but spares the largest creditor, CalPERS, whose annual bill to the city is expected to nearly double in the next 10 years."

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"During a 90-day mediation with creditors required under a new state law before filing for bankruptcy, Stockton did not negotiate with CalPERS, say Assured Guaranty and National Public Finance Guarantee."

"Instead, National said in a filing last month, Stockton chose "to protect the unsustainable CalPERS pensions that it awarded, but that the city itself cannot now afford, while forcing its other creditors (including National) to foot the bill."

Gov. Brown pitched UC regents on the [benefits of online education and found a sympathetic audience.](#)

From the **Mercury-News' Kate Murphy**: "The University of California has \$10 million to expand online education in the governor's budget

proposal. But no one knows what the programs will look like or how much money they will save the university, if any."

"Gov. Jerry Brown, who attended a UC Regents meeting Wednesday, stressed the potential of online coursework for cost savings, saying the university can't afford to continue operating as it has -- at least, not without raising tuition, which he has discouraged."

"Brown also said the new educational offerings, harnessing the latest technology, would be stronger, not just less expensive. As he put it to reporters after the discussion, "What is being talked about is better, cheaper."

Meanwhile, one of Silicon Valley's most famous names, Thomas Weisel, [has been caught up in the doping scandal surrounding cyclist Lance Armstrong.](#)

From the **WSJ's Reed Albergotti and Vanessa O'Connell**: "The investment bank founded by Thomas Weisel, the powerful Silicon Valley financier who bankrolled and owned Lance Armstrong's former cycling team, also managed assets for the then-head of cycling's governing body, according to a broker who handled the accounts."

"The 71-year-old Weisel is under scrutiny in the doping scandal that has engulfed Armstrong's former U.S. Postal Service cycling team."

"A federal whistleblower lawsuit filed in 2010 by Armstrong's former teammate, Floyd Landis, accuses Weisel—as well as Armstrong and others—of knowingly duping the Postal Service, which sponsored the cycling team he owned, by covering up doping on the team, according to people familiar with its contents."

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