

Item III

# PUBLIC COMMENT -

## NEXT MTS +

Subject: Fw: UPRR Agreement

From: Joseph Patrick Thompson (translaw@pacbell.net)

To: editor@gilroydispatch.com; AllCouncilMembers@ci.gilroy.ca.us; shawna.freels@ci.gilroy.ca.us; president@gilroyedc.org; mturner@gilroy.org; askmike@garlic.com;

Date: Wednesday, November 27, 2013 4:46 PM

# G.P.U. MEETING

JPT

Dear Editor,

As sensational while it may be, a public relations man who was formerly a School Board official being convicted of abuse of his position of trust is but the tip of the iceberg. When a public contractor that gets hundreds of millions of our tax dollars can use our money to hire local PR guys to tout the project off which they will reap their dough, and then have our elected officials condone it, and unelected (appointed) joint power authorities' brass turn a blind eye (after all it's not their money that's being taken), we "stakeholders" are given the shaft by one and all. You've barely scratched the surface. Why not dig a little deeper?

What about the joint power authorities like VTA and Caltrain, COG, TAMC, SCCRTC, and the rest of the JPAs' alphabet soup of unconstitutional governance that local elected municipal and County representatives give a pass to, who without taxpayers or voters' consent appropriate billions of our taxes to their pet projects like Caltrain, Lite Rail, County Transit, BART, etc.? Worse, we even have a City Councilman, VTA Board member, Caltrain Board member, sitting as the Chairman of the General Plan Update Committee?

The foxes sure are enjoying watching our henhouse.

Chinese communists are turning to capitalist solutions, while we tolerate our elected officials here turning to communist and radical socialist solutions.

The amount of money reportedly misappropriated in today's front page story is insignificantly small in comparison to the money that VTA, Caltrain, COG, TAMC, etc., etc., etc., is misappropriating every day from the motorists and truckers and taxpayers who don't even have an elected representative on those JPAs. Now there's a crime that ought to be prosecuted. I've asked the Grand Jury in SBC repeatedly to do so with the misappropriations by COG. The SCC Grand Jury has returned how many indictments against VTA for taxpayer abuse, and your Editorial Board has called for VTA's termination, yet nothing changes. Taxpayers are gang-raped daily, weekly, monthly, annually, and it never stops. Talk about the "quality of life." Why not ask the crucified about their "quality of life"?

We need to remove the aiders and abettors of this crucifixion from office before they do any more harm. Their malfeasance makes today's report look like child's play. Justice is posed as blind-folded. That does not mean justice should be blind. When law is given no respect by those who take an oath to uphold it, then public disrespect for law grows. There ought not be any sacred cows immune from our laws, because in our democracy no man is above the law, nor beneath it.

This ought to be the first principle in Gilroy's General Plan, and honored by the City Council at all times, especially when they are spending our money through the unconstitutional JPAs.

Sincerely,

Joseph P. Thompson, Esq.,  
Past-President (2x), Gilroy-Morgan Hill Bar Assn.  
Gilroy, tel: (408) 848-5506

----- Forwarded Message -----

**From:** Gary A. Patton <gapatton@wittwerparkin.com>  
**To:** Joseph Thompson <TransLaw@PacBell.Net>  
**Sent:** Thursday, September 20, 2012 3:52 PM  
**Subject:** UPRR Agreement

Joe:

According to Rita Wespi, who does a great job sleuthing public records, the Authority has now concluded an agreement with UPRR. Here's the information on this I just received, by way of a copy of an email that went to someone else. Naturally, I thought of you. You might want to make a public records act request, and get a copy!

Best,

**Gary A. Patton, Of Counsel**

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The construction page is still there, although I don't see the Master Agreement & Task Orders. I was looking at the procurement schedule earlier today. Apparently they changed the proposal due date from September to November within the last month.

Their website has a bug where sometimes a navigation link at the top of the website disappears. Just click another link or two and it should mysteriously show up again.

BTW, I got a new set of PMT progress reports today. They cover March to July. I'll pass along the link for anyone who'd like to access it until I get them posted on CARRD's website.

**There are some interesting surprises: they reached an MOU agreement with UPRR in July; they amended a "UPRR Reimbursement Agreement";** ROW activities such as permitting and acquisition are on the critical path – permits may not be secured until July 2013; they need an agreement with Southern California Edison regarding power supply on the Bakersfield-Palmdale-LA segments before continuing environmental and preliminary engineering work.