

STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0023
(916) 319-2023
FAX (916) 319-2123

Assembly
California Legislature

DISTRICT OFFICE
6245 N. FRESNO STREET #106
FRESNO, CA 93710
(559) 446-2029
FAX (559) 446-2028



JIM PATTERSON
ASSEMBLYMAN, TWENTY-THIRD DISTRICT

May 31, 2019

Galena West
Chief of Enforcement
Fair Political Practices Commission
1102 Q Street, Suite 3000
Sacramento, CA 95811

Dear Chief West:

As a Member of the California Legislature, I respectfully request that the Fair Political Practices Commission open a conflict of interest investigation into potential violations of the Government Code by California High-Speed Rail Authority's Deputy Chief Operating Officer (DCOO), Roy Hill.

Mr. Hill is employed as a consultant for the Authority as Senior Vice President at WSP—the rail delivery partner (RDP) on the high-speed rail project—and given his role as DCOO has been designated by the Authority under their Conflict of Interest Code pursuant to Government Code Sec. 87302. Given this designation, the Authority has determined that Mr. Hill is a public official who participates in the making of decisions which may have a material effect on the financial interest of the State.


Mr. Hill's role as DCOO makes him primarily responsible for oversight over the Authority's three major design-build construction contracts in the Central Valley. According to the Authority's Project Management Plan (see attached), Mr. Hill serves on the "Executive Committee," and "makes executive, enterprise-wide policy decisions" (p. 19). He also serves as Chair of the Authority's Program Delivery Committee, which oversees "all elements of program development and delivery" (p. 23). This is reiterated in the Authority's 2019 Project Update Report, which describes the DCOO as "responsible and accountable for managing all aspects of the Authority's program management and project development and delivery" (p. 79).

On December 2, 2017, Mr. Hill signed a \$50.75 million change order (see attached) for Construction Package (CP) 2-3, 65 miles of construction between Fresno and the Tulare-Kern County line. This change order had a direct impact on Jacobs Engineering Group, Inc., the Lead Designer on CP 2-3. According to the DCOO's statement of economic interest filed in March 2019 (see attached), he has a significant financial interest in Jacobs Engineering Group, owning between \$100,000 and \$1,000,000 of stock in the company. This and similar decisions appear to constitute conflict of interest violations under Government Code Sections 87100 and 1090.

As you know, Government Code Section 87100 states a “public official at any level of state or local government has a prohibited conflict of interest and may not make, participate in making, or in any way use or attempt to use his or her official position to influence a governmental decision when he or she knows or has reason to know he or she has a disqualifying financial interest.” Furthermore, the Political Reform Act and Government Code Section 1090 are intended not only to strike at actual impropriety, but also to strike at the appearance of impropriety. Mr. Hill’s position as a paid employee for WSP—having power to direct public funds through his position as the DCOO of the high-speed rail project—may put him in direct violation of state laws written to prevent people in positions of power from enriching themselves.

I have attached relevant documentation pertaining to this request. Please feel free to contact me at (916) 319-2023 with any questions. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jim Patterson', with a long horizontal flourish extending to the right.

Jim Patterson
Assemblymember, 23rd District

Cc: Commissioner Richard C. Miadich, Chair—Fair Political Practices Commission
Commissioner Frank Cardenas
Commissioner Brian Hatch
Commissioner Allison Hayward