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President's Message

"May we live in interesting times", said Robert Kennedy back in 1966, and it sure stands true today. IRWA is adjusting the format of 2020 annual conference which is not going to be held in Minneapolis, Minnesota. Instead, there will be a couple of virtual meetings in June: Virtual Annual Meeting of the Members on June 21st, and Virtual International Board of Directors Annual Meeting on June 24th. Look for your email invitations on how to participate.



Natasa Lenic, Ch. 1 President

Similarly, regional caucuses which are usually held at the annual conference in-person will be in virtual/audio format this year. Region 1 Chair, Yoli Matranga, SR/WA invites us to join the virtual Region 1 Caucus on June 22nd (dial in information will be forthcoming). Ray Mehler, SR/WA, R/W-RAC, is serving as Region 1 Secretary/Treasurer this year and is nominated to be Region 1 Vice Chair next year. He has provided an update for us (please find it on page 24). I thank you, Ray, for representing our chapter and our members so commendably on regional and international levels.

As you know, and may have expected, our chapter nominations/elections are usually conducted in April/May and a new slate of officers for next fiscal year is elected at our May General Membership Meeting. Unfortunately, this in-person meeting has been canceled this year, and electronic ballots were emailed by our Secretary, Diana Knezevic, SR/WA, to all voting Chapter 1 members. Please make certain that you cast your votes by the deadline, May 29, 2020. If you did not receive the ballot email or could not vote electronically, please let me or Diana know, and we will send you a PDF ballot.

It feels that this year was cut short as the COVID-19 stay at home orders shut down all in-person activities we planned for months of March to June. Prior to March, however, we were on point of getting our committees actively involved and have presented three

seminars: State of Relocation in July 2019, Fall Seminar in October 2019, and Valuation Seminar in February 2020. Our Communications Chair, Amy Betonte, RWA, JD, has summarized our events, as she did throughout the year, once again for this newsletter. I am fortunate and humbled for Amy's dedicated participation and friendship as she was informing you with everything Chapter 1 has to offer. I want to express my sincere thanks to David Richman, R/W-RAC, Brian Everett, and Bill Larsen,

SR/WA, for chairing the three seminars we presented this year. They have done a fantastic job and I could not be prouder of our achievements. Another invaluable member, who deserves a ton of gratitude for our successful social events this year, is Julia Miranda, our Luncheon Chair, who with the help of her committee, worked tirelessly to make our in-person events run smoothly and infused some fun in the raffle prizes and luncheon selections.

Without exception, every committee chair prepared the updates this year for inclusion to our newsletter and I thank you all for your service and keeping us informed and educated. This was, and is, the best group of professionals to serve on Chapter 1 board and I want to personally thank you all here: Alexandra Nguyen-Rivera, SR/WA, Education Chair for organizing and advertising ever increasing number of classroom courses; Frances Impert, SR/WA, Asset Management Chair for preparing newsletter articles and helping with selection of seminar speakers; Ray Mehler, SR/WA, R/W-RAC, Project Management Chair for providing committee updates for every newsletter, actively participating at the Fall Seminar and introducing a valuable subject committee to our members; Maya Hamouie, Young Professionals Chair who launched this committee with happy hour events and innovative ideas to involve new members and professionals starting in right of way with our chapter and IRWA; Diane

President's Message (*continued*)



Natasa Lenic,
Ch. 1 President

launched this committee with happy hour events and innovative ideas to involve new members and professionals starting in right-of-way with our chapter and IRWA; Diane Dominguez, SR/WA, Membership Chair for advancing our chapter values and mission and recruiting over 50 new members this year; Cheryl DeMucci, SR/WA, Transportation Chair for providing newsletter updates and participating in seminar speakers selections; April Harvey, SR/WA, Pipeline Chair for providing regular committee updates and organizing the Pipeline Seminar which had to be postponed due to COVID-19 (but look out for April's excellent work next year); Diana Knezevic, SR/WA, Engineering and Surveying Chair since her duties as Chapter Secretary did not keep her busy enough, she also provided updates from the engineering and surveying world via newsletter articles and seminar participation; David Graeler, Esq., Educational Conference Bid 2024 Chair for throwing our hat in the ring for hosting the annual IRWA conference in 2024 here, in Los Angeles - there is some uncertainty as to the Minneapolis chapter deciding to possibly host a conference next year since theirs was canceled this year - either which way it works out, David will secure our bid for 2024 and will have more updates shortly; Bill O'Braitis, Environmental Chair for keeping us informed via newsletter contributions and participating in seminar topics/speakers selections; Mike Yoshida, Esq., Law Chair for providing newsletter "legal case of the month" contributions religiously and without fail, and for advice with seminar speakers, as well as, volunteering to speak at our March joint luncheon with AI prior to being canceled; Janella Cordova, Utilities Chair for providing newsletter updates and moderating speaker panels at the seminars and actively participating at the international utilities committee; Steve Parent, SR/WA, Oil & Gas Chair for participating at the seminars and providing newsletter updates; Janelle Parra, SR/WA, Local Public Agency Chair for providing

newsletter updates and actively championing our chapter in selecting seminar speakers and topics of interest; Artin Shaverdian, Esq., Nominations and Awards Chair for working diligently to encourage our members to apply for International Awards, for nominating Chapter 1 for Region 1 awards, and for running the nominations and elections and Chapter awards which are to be revealed in June, as well as, volunteering to speak at our luncheons and participate at the seminars; and Doug Harman, SR/WA, Newsletter Chair for countless hours of gathering information, providing advertising opportunities and publishing this newsletter for our enjoyment - and Doug deserves a standing ovation for his efforts and accomplishments. My heartfelt **THANK YOU** to all of you, my friends.

I also wish to acknowledge the countless hours and efforts of our Executive Officers: Ann Kulkoff, President-Elect; Craig Justesen, Treasurer; Diana Knezevic, SR/WA, Secretary; and Marilyn Stuart, SR/WA, R/W-NAC, Professional Development Chair, who have all carried out their roles with utmost professionalism and enthusiasm and who will take Chapter 1 to new heights next fiscal year. Chapter 1 is in good hands!

It was my pleasure to serve and work with you this past year as your President. If I were to leave you with a wish as we conclude this year, I would wish you courage; courage to once again offer and accept handshakes, courage to hug tight people who matter in our lives, and courage to live your hopes and dreams, as our Creator intended.

Natasa Lenic, SR/WA, R-W/RAC

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Treasurer's Message



Craig Justesen,
Ch. 1 Treasurer

We are closing in on fiscal year 2019/2020 and Chapter 1 is happy to report that the Chapter has performed strong financially despite the current hardships.

Thanks to the efforts of our Chapter's Chairs, Board, and Volunteers, the Chapter successfully completed:

6 Courses: 218-Right of Way Acquisition for Electrical Transmission Projects, 225-Social Ecology, 604-Envir Due Diligence, 801-Land Titles, 802-Legal Aspects of Easements, 900-Principles of Real Estate Engineering.

3 Seminars: Relocation, Fall, and Valuation

3 Luncheons: September, November, and January

The success of the Chapter and many events would not be possible without the support of our advertisers and sponsors. The Chapter

had 11 advertisers and a combined 14 sponsorships for the Fall and Valuation Seminar. The generosity of the advertisers and sponsors totals approximately 20% of Chapter revenues.

And while events and classes have been cancelled due to the current health crisis, the Chapter is financially stable with gross revenues trending 20% above gross expenses.

Lastly, as a reminder, IRWA is a 501(c)(6) organization and donations made to the Chapter do not qualify as charitable contributions. However, if you need a receipt for any contribution, please contact me at Craigjustesenid@gmail.com.

Sincerely

Craig Justesen

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Secretary and Engineering & Survey Chair's Message



Diana Knezevic,
Ch. 1 Secretary and
Engineering & Survey Chair

I suggest reading an interesting article from the *California Surveyor*, Issue #191, entitled "Five Ways to Use Smart Maps in COVID-19 Response". The article can be found on page 53 of this newsletter.



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Newsletter Chair's Message



Doug Harman,
Newsletter Chair

With the current state of affairs, I was anticipating to only have a few articles and a relatively short newsletter to finish out the fiscal year. However, the Chapter 1 elected officials and committee chairs came through like they always do. This issue contains articles from 16 different board members and is the largest issue I have assembled in my past three years of working on the newsletter. In hindsight, I should never have doubted our incredible Board of Directors. A big thank you is due to every board member for all the great content they have provided throughout this fiscal year. I hope you have found the articles as informative and entertaining as I have.

I will be stepping down from my role at the end of the fiscal year, which makes this my final publication as Newsletter Chair. It has been an enjoyable experience. I would like to thank Ray Mehler and David Williams who brought me onboard three years ago during their time as Chapter President and Newsletter Chair, respectively. David did a wonderful job of bringing the newsletter back. After a couple of

years of designing and assembling the newsletter under David's chairmanship, I took over the role as Chair. I took what I learned and have tried to continue producing a quality newsletter that is informative, entertaining, and quite simply—worth the reader's valuable time.

I would like to especially thank Natasa for her support and guidance as Chapter 1 President. She has done an incredible job. Also, I would like to thank all of the numerous people who have contributed articles and pictures. Like I've said before, the newsletter isn't worth reading if it doesn't have quality content. Additionally, thank you to the advertisers for your support of the Chapter. Finally, thank you for reading the newsletter. I hope my goal has been achieved of making these newsletters worth your valuable time.

As my parting words, I encourage anyone interesting in getting more involved in IRWA to consider volunteering in some capacity. It is a great way to connect with other right-of-way colleagues and to grow professionally.



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Education Chair's Message



Alexandra Nguyen Rivera,
Education Chair

I know that this pandemic has certainly challenged and affected us all, not only in our businesses, but as individuals. The coronavirus has forced all of us to re-evaluate how digital technologies transform the workplace. Although, there has been an incorporation of online tools, to which many are being exposed for the first time, into conventional operations, these trends may not transform the workplace, but they are likely to accelerate the integration of technology into it. This also applies to our Chapter's course offerings.

Typically, the beginning of the calendar year is when we ramp up our course offerings, and many from various agencies participated in the courses, such as United States Land Titles and Principles of Real Estate Engineering. As we watched the numbers of infected increase, so did the discussions to cancel the courses for the remainder of the fiscal year.

Several people have reached out to me asking about the status of in-person courses for this coming year. The truth is I don't know and honestly, I'm not sure anyone knows definitively. What we do know is that as social distancing requirements remain in place for the foreseeable future, so does the ability to see and

learn from one another in-person. However, that does not mean we are unable to pursue continued learning.

Headquarters understands the needs and has implemented two emergency, short-term pilot programs to allow and encourage instructors to teach classroom courses virtually, through an online video platform. These pilot programs, born of necessity, will generate important data that will be helpful in determining the extent that virtual education will become a permanent option for our classes. Please click [here](#) for the extensive list of virtual courses available through the end of June.

As we continue to engage in discussions and evaluate future in-person courses and navigate through the unknowns, I encourage you to reach out to me and share your vision as to what the education program is for our Chapter.

Until we see one another in person.

Respectfully,

Alexandra Nguyen Rivera, SR/WA

Chapter 1 Education Chair

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Highlights from Chapter 1 Membership Committee (continued)

**Diane Dominguez,
Membership Chair**

Welcome New Chapter 1 Members!

Carol Carpenter has been employed with the Carpenter Company, Inc. for ten years as Chief Executive Office and Senior Real Estate Project Manager. Carol has six years of right-of-way experience. Prior work experience is in Asset Management and Construction Management with a Real Estate Brokerage firm. Carol is interested in taking IRWA courses and attending seminars and was referred by a business colleague.

Penny Streff has been employed with Cargill, Inc. for 11 years as a Land Project & Portfolio Manager in the San Francisco Bay area. Penny has over 20 years in land development, entitlement process with Joint Development and Transit Oriented development, acquisitions, dispositions, land investment and land management. Penny is interested in IRWA's courses and certificate programs. No one recommended her to join. She found our chapter online and joined due to the various complex projects in Los Angeles as compared to other chapters.

Henry Hoang has been employed with the Port of Long Beach for 6 months as a Surveyor in the Right of Way Survey Division and previously with City of Long Beach, Public Works Department for 4 years. Henry's professional background is in Civil Engineering and as a field construction engineer with experience in topographic maps, subdivision maps, records of survey, and corner records. He is interested in taking Chapter 1 classes and attending seminars and was referred by Juan Arias and Chu Man Kow with the Port of Long Beach.

Kim Pascarillo Transferred from Chapter 13 to Chapter 1 and was previously with Chapter 1.

The following 29 Los Angeles Department of Water and Power (LADWP) employees joined Chapter 1:

Vanessa Mendez	Allison Tsau	Hamilton Ching	Shavon Paige
Andy Swanson	Tae Soo Kim	Elene Chong	Asya Hybarger
Karen McCoy	Wade Taylor	Sue Chudy	Edgar Perez
Russell Guisado	Helen Olivares	Mario Acevedo	Maritza Torres
Jahayra Gastelum	Thomas Ullrich	Chris Riesen	Vicente Villegas
Fortino Reynoso	John Williams	Donald McGhie	
John Alvo	Donald Coleman	Louis Burke	
Nick Demos	Roberto Sedano	Thomas Honles	

Highlights from Chapter 1 Membership Committee *(continued)*

Welcome New Chapter 1 Members!

Liset Corona has been employed with the Los Angeles County Metropolitan Transportation Authority for two months. Her current position is Principal Real Estate Officer, Real Estate Right of Way, where she coordinates acquisition projects. Liset has over 12 1/2 years experience in the right-of-way industry. Her previous experience was as an underwriter for home loans. Liset has completed all required classes to obtain her R/W-RAC certification and is interested in attending other IRWA classes and seminars. Craig Justensen, Director Real Estate Services, referred her to join our chapter.

Carl Lange has been employed with the City of Bakersfield for over one year as a Real Property Agent I in the Real Property/Property Management Division which is part of the Finance Department. He has 5 years and 8 months of official experience with right-of-way. Prior experience was working at Parsons in the Engineering Department in Bakersfield and Overland, Pacific, & Cutler. Carl has already taken classes towards completing his R/W-RAC certification and would eventually like to obtain his SR/WA designation. He was recommended to join while working at OPC.

Eliticia (Letty) Abrica has been employed for 3 years with Overland, Pacific & Cutler, LLC. as an Agent for the Relocation Housing Department with 3 years of right-of-way experience. Previous employers are Jenkins Property Management as Office Manager, John Rastegar Real Estate Broker as Executive Assistant and R&E Management Co. as Administrative Assistant. Letty is interested in pursuing her IRWA right-of-way credentials and taking educational classes and attending seminars. She was recommended to join our chapter by Michele Folk, OPC - Senior Vice President.

Everett Tankersley has been employed since April 2019 with Overland, Pacific, & Cutler, LLC. as an Agent for the Relocation Housing Department. He has no prior right-of-way experience but does possess a California Real Estate Salesperson License and is a California Notary Public. Everett is interested in pursuing his IRWA right-of-way credentials and taking educational classes and attending seminars. He was recommended to join our chapter by Michele Folk, OPC - Senior Vice President.

Danielle Clancy has been employed with Overland, Pacific & Cutler, LLC. for over one year as a Relocation Agent. Danielle has no prior right-of-way work experience. However, she was the manager for a student run restaurant at Cypress College where she earned a degree in Culinary and Food Service Management and a Bachelor's degree in Hospitality Management. Other work experience was assistant manager at In-N-Out Burgers and Lifeguard/Ride Operator at Knott's Berry Farm-Soak City. Danielle is interested in pursuing her IRWA right-of-way credentials and taking educational classes and attending seminars. She was recommended to join our chapter by co-workers.

Mary Younakof has been employed with Cushman & Wakefield since January 2019 as Director-Valuation and Advisory. Mary has no prior right-of-way experience and is being mentored by Kevin Donahue by assisting with several projects. At this time, Mary is very interested in taking educational classes and attending seminars. She was recommended to join our chapter by Kevin Donahue.

Vanessa Cardenas has been employed with Southern California Edison Company for approximately 5 years. She is currently working in the Geomatics, Land and Information Management Department as a Right of Way Agent for the Metro region licensing group. Prior work experience is in residential and commercial property management and as a Real Estate Sales Agent. Other experience is having worked with non-profit and social services organizations. Vanessa is interested in pursuing her right-of-way credentials and continue with educational classes and attending seminars. She was recommended to join our chapter by Maria Valenzuela.

Bryant Vo has been employed with Los Angeles County Metropolitan Transportation Authority (MTA) for the past 9 months as Assistant Administrative Analyst in the Real Estate Asset Management Group. Prior to joining MTA, he was a Program Assistant at Southern California Gas Company tasked with drafting a department safety guidelines manual. Bryant has no prior right-of-way experience, but has interest in pursuing his IRWA right-of-way credentials/certifications by taking educational classes and attending seminars. Bryant was recommended to join by John Potts, Real Estate Executive Officer.

Christopher Calitis Baquir - Overland, Pacific & Cutler, LLC.

Suzy Husner - Torrance Logistics Company, LLC.

John Kalish - Stantec Consulting Services, Inc.

May 2020 Random Musings from the Law Chair: Then, Now, & Tomorrow



Michael F. Yoshida,
Law Chair

Then

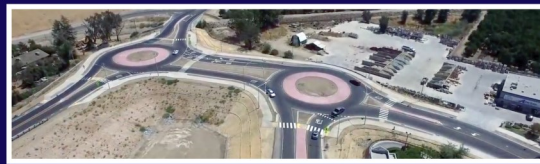
Having an associate or messenger service weave through rush hour traffic before the courthouse doors closes to get to the clerk's window is now only a memory. Most courts in Southern California have made the full conversion from filing of hard-copies of original documents to electronic document filings. Previous limitations on the costs for storage and handling of electronic files have finally overtaken the court system's ability to review, accept, scan, catalog and ultimately store original documents. Electronic document filing is a more efficient and economic portal to the clerk's window to file documents but also subject to the whims of spotty internet connections and the new matrix of required box-checking of forms on screen before the court's website will accept and confirm acceptance of your document. The burden and costs of placing documents in the proper electronic format was placed squarely upon the litigants. Along with changes to document handling, the courts and judges have embraced the use of technology to present cases in the courtrooms, for both hearings and trials. Dropdown screens or monitors appear from the courtroom ceilings, in addition to built-in connections for laptop or handheld devices from which the litigants can present photographs, documents, videos for presentation through the built-in audio and visual system. Parties must now request court approval before bringing in oversized exhibits or demonstrative displays. And finally, with recent downtown Los Angeles building construction boom and loosening of parking requirements, getting to and parking at the courthouse was made more difficult and expensive.

Now

The global pandemic has altered how the court conducts business and also how the participants interact with the courts. There has been a complete cessation of most daily court business, with the exception of some criminal cases and emergency requests for civil matter hearings. Over the last six (6) weeks, the courts have postponed and canceled hearings, mediations and trials. Statutory deadlines for completing tasks have been continued 60 to 90 days or in some instances indefinitely pending further direction from the California Supreme Court. Most courts are not conducting any case management conferences (even via courtcall) or allowing reservation of motion hearing dates until further notice. Activities outside of court have also changed by necessity. Depositions and mediations are performed remotely through video chatrooms. Documents are exchanged electronically and displayed in windows on the computer monitors or cell phone devices. Condemnors have been unable to schedule or proceed with prejudgment possession hearings. Those previously scheduled have been postponed indefinitely or rescheduled by the court's own motion. Agencies that were counting on the timely consideration of prejudgment possession motions now face uncertainty in securing right of way certifications leading to possible construction project delays.

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May 2020 Random Musings from the Law Chair: Then, Now, & Tomorrow (Continued)

[Tomorrow](#)

Jury condemnation trials will be directly impacted in the foreseeable future. Jury assembly rooms that are notoriously packed with potential jurors sitting in close proximity will now require implementation of social distancing. Many of the potential jurors are retired senior citizens that are within the high risk category for Covid-19 illness and will certainly seek exclusion from appearance and service. A large number of the potential jurors will likely be unemployed and unable or unwilling to serve at this time. Appropriate spacing of jurors in the courtroom and jury box is also problematic. The expected smaller jury pools will probably be first directed to appear for criminal cases. Only essential persons to the litigation will be allowed access to the courthouse. Nevertheless, clarity over the court's problems is on the horizon as businesses and the economy being to reopen. Ending on this important positive note, most public works project continue moving forward and the correlative need for right-of-way professionals in the process.



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COVID-19 and Relocation



**David Richman,
Relocation Chair**

The pandemic and stay at home orders have certainly impacted life in the relocation world. Many agencies/developers either placed projects on hold, some of which required households to remain off-site for a longer duration in temporary housing situations.

Unlawful Detainers, for commercial or residential tenants are on hold until after the end of the stay at home order. However, movers and affordable housing construction are classified as “essential” allowing work to continue. Given the “essential” nature, how can you and your firm continue to relocate households?

Obviously, some work can be done by phone. Interviews can be completed, but without an actual viewing of the displacee’s business or home, information provided will be insufficient. Other activities, such as providing transportation and inspections, can possibly place not only yourself but others at risk. Is wearing a mask and washing your hands really sufficient in this day and age?

Probably the first thing to consider is liability. Your insurance won’t cover you if a displacee sues you and most likely your client, saying that your actions caused them to contract Covid-19, whether in reality or a false claim. You may want to look for a revised indemnification from your client. If they are not willing to work with you on this indemnification, personal contact should be out of the question. That means delivering Notices by mail and following up with a phone conversation.

Assuming that a suitable indemnification is possible, your next concern should be protocols, not only for your safety, but for the displacee’s. These protocols should follow the CDC’s and include such requirements as:

- Wash hands often.
- Always wear gloves and a facemask when interacting with displacees, vendors, etc.
- All communication should be handled over phone and/or email to the extent possible.
- Limit direct interaction with tenants as much as possible. When direct interaction is unavoidable, always wear a facemask and gloves.
- Paperwork and keys should not be handled without gloves.

You should also insist that movers institute a protocol and monitor them for compliance. At a minimum, these should include:

1.) Increase hand washing. Wash hands for at least 20 seconds per CDC recommendations.

Wash hands after each unit is moved.

2.) Crew to wear protective one-time use protective gloves and masks at all times while onsite and when handling displacee’s belongings.

3.) Any crew with any sign of being sick will call in sick to work that day and not be onsite.

If temporary housing is being used, additional cleaning protocols should be in place with vendors. Other vendors who may have contact with displacee’s personal property should also be asked to institute policies and should be monitored. Records should be kept...

All of the above will most likely translate into higher costs to the client. Project deadlines may need to be adjusted. This must be explained and agreed upon in advance.

So is relocation possible during a pandemic? Yes! Aren’t we just problem solvers in disguise?

Highlights from Chapter 1 Professional Development Committee



**Marilyn Stuart,
Professional Development
Committee Chair**

The Chapter 1 Board of Directors and Professional Development Committee have awarded the 2020-21 Chapter 1 Educational Scholarship Award to two qualified Chapter 1 members:

Shavon Paige, Sr. Real Estate Officer, L.A. Dept. of Water & Power

Shavon is a Senior Real Estate Officer for the City of Los Angeles Department of Water and Power (LADWP). In her role, she is responsible for complex real property rights, negotiations, acquisitions and property management. She is currently working to complete the SR/WA designation within the next year. In her spare time, she loves to snowboard, travel, and hike local trails.



Allan Sanchez, Real Property Agent, L.A. Dept. of Public Works

Allan is a Real Property Agent with the County of Los Angeles Public Works. He has over 13 year of experience in commercial real estate, investments, development, and land acquisitions. He is a present and former member of several trade organizations including the Urban Land Institute, the American Planning Association, and the Appraisal Institute. He is also the current president of the City of Alhambra Planning Commission. He earned a bachelor's degree in Business Administration and a Master of Urban Planning from California State University, Northridge. He is an avid traveler and a points and miles enthusiast.



Please join us in congratulating Shavon and Allan who will have two years to utilize their Chapter 1 Educational Scholarship award!

Highlights from Chapter 1 Professional Development Committee *(continued)*

Congratulations are also in order for the following Chapter 1 members whose accomplishments we would like to acknowledge since our last newsletter:

RWA Certification:



Kalysa Murphey , RWA, Real Estate Representative , Metropolitan Water District

I graduated from Cal State Northridge in 2007 majoring in Financial Services. At the time, I didn't know much about the right-of-way industry, but accepted a job offer from Caltrans to work at their District 7 location as a Relocation Agent. Throughout my 7 years employed at Caltrans, I worked primarily in Acquisition and Relocation, on projects along I-5, I-405, I-10, HWY 138, and PCH. After Caltrans, I worked for Southern California Edison managing licenses, leases, and encroachments within the Metro region. Following SCE, I consulted with Verizon deploying small cell sites within public rights-of-way throughout Southern California to enhance coverage in high use areas. Now, I work for Metropolitan Water District in the Planning and Acquisition department of the Real Property Group. At Metropolitan, I collaborate with project managers to determine right-of-way schedules, budgets and scopes on various projects for the acquisition of property rights from public agencies and private entities. I have recently received my RWA certificate and plan to pursue my SR/WA designation.

RWA Certification:



Carlo Achdjian, RWA, Real Estate Division Manager, County of Santa Barbara

I grew up in San Diego, California, and left for Ann Arbor, Michigan, where I received my Bachelor's degree in Liberal Arts & Sciences. I then attended Pratt Institute in New York where my graduate work focused on City & Regional Planning and Historic Preservation. I'm an avid traveler and have lived in France, Germany and Argentina. I appreciate fine gourmet food, single malt scotch and am an avid wine collector. I enjoy swimming, running and kayaking. I speak French and am conversational in Italian and Spanish. I currently live in Santa Barbara with my wife Rima and dog Bingo and have been involved with IRWA Chapter 1 since 2015 when I joined the County of Los Angeles.

Highlights from Chapter 1 Professional Development Committee *(continued)*

Congratulations are also in order for the following Chapter 1 members whose accomplishments we would like to acknowledge since our last newsletter:

SR/WA Recertification:



Bryan G. Riggs, MAI, SR/WA, President of Riggs and Riggs, Inc.

Bryan is a Certified General Real Estate Appraiser, a Designated Member of the Appraisal Institute holding the MAI designation and a Senior Right of Way Professional with the International Right of Way Association (SR/WA). He is qualified as an expert witness and has taught at Glendale Community College and California State University, Northridge. He has also served the International Right of Way Association (IRWA), Chapter 1, as Fall Annual Seminar Committee Chairperson, Treasurer, Vice President, President, and Nominations and Awards Committee Chair. Bryan was honored by IRWA Chapter 1 as Professional of the Year in 2007.

Bryan is President of Riggs & Riggs, Inc., which is an appraisal and consulting firm in Simi Valley, California. Appraisal and consulting services rendered include expert witness testimony, appraisal report preparation of full and partial acquisitions of fee, permanent easement, or temporary easement right-of-way assignments, and appraisal report preparation for private and lending assignments. Property types include retail, office, industrial, agricultural, mobile home parks, and residential uses, including determination of severance damages and/or benefits for condemnation acquisitions, redevelopment acquisitions, property tax appeals, deficiency judgments, financial decisions, and planning purposes. Appraisal assignments have been undertaken in the counties of Fresno, Kern, Kings, Los Angeles, Madera, Ventura, Orange, Riverside, San Bernardino, San Diego, and Santa Barbara. Bryan specializes in the appraisal of partial acquisitions for right-of-way projects, as well as other litigation matters.

SR/WA Recertification:

Vaughn Hosmann , SR/WA,

We're very proud of our hard working, ambitious Chapter 1 members who are very motivated to achieve their professional certifications and SR/WA designations. We realize that with professional duties, family obligations and social functions it takes a lot of time, money and dedication to accomplish and maintain the IRWA credentialing requirements, but the professional rewards and personal satisfaction make it all worthwhile.

Chapter 1 member achievements this fiscal year (since July 2019):

- One SR/WA designation**
- One R/W-AMC certification**
- Seven RWA certifications**
- One RWP recertification**
- One R/W-AMC recertification**
- One R/W-RAC recertification**
- Eight SR/WA recertifications**

Many more of our members are well on their way to completing the requirements for IRWA certifications in 2020 as well. If you have any questions or would like to receive help and guidance regarding credentialing, please do not hesitate to contact the chapter PDC.

Important News From the Professional Development Committee

You may access the IRWA Credentialing Program information on the IRWA website
<https://www.irwaonline.org/professional-development/credentialing/>

Get Credentialed in INDUSTRY

<https://www.irwaonline.org/professional-development/industry-path/>

IRWA's credentialing program consists of FOUR PATHWAYS that you can choose from to obtain your SR/WA designation depending on what industry experience you have or want to pursue:

- OIL & GAS
- TRANSPORTATION
- ELECTRIC & UTILITIES
- GENERALIST

Select an industry and go through the three simple steps: LEARN, QUALIFY & CERTIFY

Get Credentialed in SPECIALTY

<https://www.irwaonline.org/professional-development/right-of-way-professional-career-path-specialist/>

You may also access information on how to obtain one of the Specialty Certifications:

- R/W-AC Appraisal Certification
- R/W-AMC Asset/Property Management Certification
- R/W-NAC Negotiation and Acquisition Certification
- R/W-RAC Relocation Assistance Certification
- R/W-URAC Uniform Act Certification
- Appraisal Cross Certification



Get Credentialed!



Do you have questions about IRWA certifications or which courses you should take to reach your goals?

Feel free to contact the Chapter 1 PDC, if you have any questions about the SR/WA designation, IRWA specialty certifications or if you want to know which courses you should take to reach your goals. We are available to provide guidance and assistance with your career path planning. We want to help you reach your professional goals! You may contact any one of the Professional Development Committee Chairs listed below for more information about the IRWA Professional Career Path programs or for questions about the scholarship program, requirements needed to attain your specific goals for professional development or are interested in having a mentor to guide you through your professional educational path. We are here to assist you!

Marilyn Stuart, PDC Chair marilyn.stuart.lb@gmail.com - (702) 250-2865

Gus Parcero, PDC Co-Chair augusto.parcero@lacity.org - (213) 485-5775

Michael Popwell, PDC Co-Chair michael@mpopwell.com - (323) 874-2384

Joyce Riggs, PDC Co-Chair jriggs@sbcglobal.net - (805) 578-2400

Andrew Thompson, PDC Co-Chair athompson@semprautilities.com - (213) 244-5032

Gary Valentine, PDC Co-Chair gsv@valentineappraisal.com - (661) 288-0198

Local Public Agency Chair Article



**Janelle Parra,
Local Public Agency Chair**

On July 1, 2020, I started my term as a member of the Board of Directors for the International Right of Way Association (IRWA) Chapter 1, and Chairwoman of its Local Public Agency Committee. I am very grateful for the opportunity to serve the IRWA Chapter 1 members and the internal and external stakeholders. I am also very excited to give back to and assist my employer, the City of Los Angeles (City), and other local public agencies by finding solutions to varied challenges by creating collaborative opportunities to achieve common goals.

My first interaction with the IRWA began in 2005 after I became a Real Estate Officer for the City's Department of Water and Power (DWP). Although, I have practiced real estate in the private sector since 1993, I had very little knowledge of the right-of-way related projects I faced daily at DWP early in my career. Through research, I found out the IRWA offered the professional development I needed, which inspired me to join the association. To further improve my skill level and knowledge base, I took numerous right-of-way courses from the IRWA and earned my Senior Right of Way designation in 2009.

In addition to the skills and knowledge I gained from the IRWA courses, the guidance of great mentors like Amife Milo, Corazon Pablo, Samuel Hughes, Kenneth Stanberry, Uriel Jimenez, Augusto Parcerero, Steve Andrews, Dan Kahn, Isophine Atkinson, Frances Impert, and Ann Kulikoff, to name a few; and the excellent rapport I have built with others allowed me to consistently produce positive results throughout my real estate career in the City, starting from DWP, moving on to Economic and Workforce Development Department, then to the Department of Public Works, Bureau of Engineering (BOE).

My work on the Glendale-Hyperion Complex of Bridges Project (Project) illustrates how the IRWA courses and positive connections I have made over the years helped me efficiently complete a project. The Project involved multiple existing bridges over the Los Angeles (LA) River connecting the communities of Atwater Village, Silver Lake, and Los Feliz. It addressed: (1) seismic and geometric deficiencies, (2) improving traffic operations, (3) enhancing access to the LA River bike path, and (4) restoring historic features.

The real estate component of the Project involved the acquisition of a privately-owned parcel (Figure 1, red circle in top left) to facilitate the widening of one of the bridges, and IRWA's Principles of Land Acquisition and Practical Negotiations for U.S. Federal and Federally Assisted Projects proved useful. The pedestrian bridge (Figure 1, bottom right image) required rights from the LA County Flood Control District through a Use Agreement. The networking opportunities through IRWA (and through the assistance of my fellow Director of the IRWA Board of Directors, Alexandra Nguyen-Rivera, allowed me to successfully navigate through all aspects related to inter-agency negotiations. The Project also required utility review and approval from DWP. To assist BOE, colleagues Brandy Roybal-Valdez and David Nevarez went above and beyond the call of duty to help coordinate with different business groups in DWP.

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Local Public Agency Chair Article *(continued)*

My current BOE projects include the Soto Street Widening, Exposition West Bikeway Northvale Segment, and Cesar Chavez Roundabout Projects. Future BOE projects may include sewer repairs, street widenings, bridge widenings, and other infrastructure-related projects. These projects are deemed essential services according to California's Stay-at-Home Orders. BOE is taking advantage of the lower traffic counts and closed businesses to repair, build, and/or construct more efficiently without added project impact such as traffic mitigation

I look forward to sharing my knowledge and experience with IRWA members, as other mentors have helped me develop and grow in my professional career.



Figure 1. Images of the Glendale-Hyperion Complex of Bridges Project.

Utilities Chair Article



Janella Cordova,
Utilities Chair

We have all adjusted in the last few months to what we now refer to as our new reality. One of the biggest events for the right-of-way industry is the International Right of Way Annual Conference. This would have been the 66th conference. The International Electric & Utilities Committee (IEUC) has played a significant role at the conference presenting several seminars and holding our annual committee meeting. One of our most successful seminars has been the Annual Utilities Roundtable. You can watch previous streams of the Utilities Roundtable on the IEUC Twitter page @IRWA_IEUC. Since the pandemic, the IEUC has shifted into preparing those seminars into webinars. Our first one is scheduled for August 6, 2020, at 12:00 pm PDT. More details to come.

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Environmental Chair Article



**Bill O'Braitis ,
Environmental Chair**

Supreme Court Decision Creates New Standard for Clean Water Act NPDES Permits

County of Maui v. Hawai'i Wildlife Fund

The recent United States Supreme Court decision determined that requirements for National Pollutant Discharge Elimination System (NPDES) permits for point source discharges of pollutants do apply in certain circumstances to effluent that reaches waters of the United States via groundwater. This decision has potential implications for projects and facilities that dispose of wastewater through wells or infiltrate water that reaches groundwater.

Since 1972, the Clean Water Act (CWA) has protected the nation's surface waters by strictly regulating the quality and quantity of point source discharges under the NPDES permit program. A recent decision by the United States Supreme Court, *County of Maui v. Hawai'i Wildlife Fund*, further bolsters the regulatory authority of the CWA by classifying certain, previously unregulated discharges, as being the "Functional Equivalent" of a direct point source discharge to surface water and subject to the permit.

Case Background

The case focused on the activities of the Maui Lahaina wastewater treatment plant which has been since the 1980's discharging significant quantities of wastewater into the local groundwater. Although the discharged wastewater eventually made its way to the ocean, a fact the county did not dispute, the county did not consider the discharges to be regulated under the CWA because they were not made directly to a receiving surface water body.

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Environmental Chair Article (*continued*)

What Does the Decision Mean for My Project or Facility?

In their appellate decision, the 9th Circuit Court of Appeals held, “At bottom, this case is about preventing the County from doing indirectly that which it cannot do directly.” In other words, if your facility or business is currently making non-point source discharges that would normally require a permit if it were discharged to a lake, stream, river or other surface water body, you may be subject to regulation under the CWA.

What Exactly is a Functional Equivalent?

Unfortunately, the definition of what constitutes a **functional equivalent** was not explicitly delineated in the decision. However, comments made during oral arguments suggest that regulatory applicability decisions will be based on the ability to clearly trace surface water contamination to a point source and **proximate cause**, and whether or not the polluter could have reasonably anticipated that wastewater discharges might eventually reach and contaminate a surface water body.

What Is a Proximate Cause?

Again, the decision is not clear regarding how great of a distance must be traveled and how great of a retention time is required to exempt a particular discharge from the CWA. Retention time and distance travel are, however, listed as important factors in determining regulatory applicability. Justice Breyer noted in his opinion that a discharge occurring 50 miles from a surface water body and taking many years to arrive there would likely not be subject to regulation under the CWA.

The *County of Maui v. Hawai'i Wildlife Fund* decision has multiple implications for wastewater and groundwater management projects that are not yet well defined. Permit determinations will likely be made on a case-by-case and state-by-state basis. If you may be discharging to groundwater without a NPDES permit, internal evaluation is recommended whether your current or proposed discharges would meet this new standard.



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Acquisition and Fall Seminar Chair Article



Brian Everett,
Acquisition and
Fall Seminar Chair

Looking back and looking ahead

by Brian Everett, CEO, Overland, Pacific & Cutler (OPC)

Looking Back

While 2019 seems so long ago, looking back at last year's successes helps us to plan for our future. For OPC, last year, we were honored to host the IRWA Chapter 1 Fall Seminar. Over 80 right-of-way professionals throughout the public and private sector gathered in Montebello on October 29th to discuss a wide array of topics from future infrastructure development to tackling the housing challenges in Southern California in preparation of the upcoming World Cup and Olympic Games. Our panelists, moderators, and other subject matter experts provided invaluable insight into the major changes that will impact LA's infrastructure and delved into the lessons learned on recent projects that will provide guidance for future right-of-way projects.

Such topics included Metro's Purple Line Extension update, LAWA's Automated People Mover project update, and the latest information on the Port of Los Angeles' \$1 Billion LA Waterfront development. We heard from industry leaders in the Los Angeles housing community discuss how Los Angeles is working to get people housed in time for the World Cup and the Olympics - and what more can be done. We learned best practices and strategies from complex business relocation experts in addition to complex energy and utility appraisal and acquisition subject matter experts. The information gained at the Chapter 1 Fall Seminar was invaluable.

Thank you for all of you who attended, and special thanks to Bob Barry, John Peterson, Mark La Bonte, Rochelle Mills, Alan Greenlee, Alex Vistozsky, Dr. Michele Folk, Velma Marshall, Michael Daniels, Holly Rockwell, Michael Galvin, Kyle Pool, Stephanie Sampson, Keith McCullough, Guy Lammers, Tim Chung, Ray Mehler, Uriel Jimenez, David Nevarez, and Janella Cordova for all of your work in putting together an informative, intensive event. Well done!

Today

As the impact of Covid-19 continues to put pressure on the sectors that we serve, right-of-way acquisition agents and relocation consultants have been creating alternative ways to complete our work while maintaining the required social distancing rules enforced by the CDC. As essential services providers, right-of-way professionals acknowledge that many infrastructure and housing projects must move forward despite the Covid-19 pandemic. More important than ever, right-of-way professionals should remain flexible during these challenging times to continue to provide the necessary services that will reshape Los Angeles infrastructure in time for the World Cup and the Olympics.

For OPC, this year we are celebrating 40 years of providing expert real estate services. We will be celebrating our past by remembering how we have been able to grow through the years, sharing what we have learned, and committing ourselves to continued growth. Anniversaries are a natural time for reflection. As we look back at the success that OPC has sustained, we say "thank you" to all the clients that we have served.



Acquisition and Fall Seminar Chair Article *(continued)*

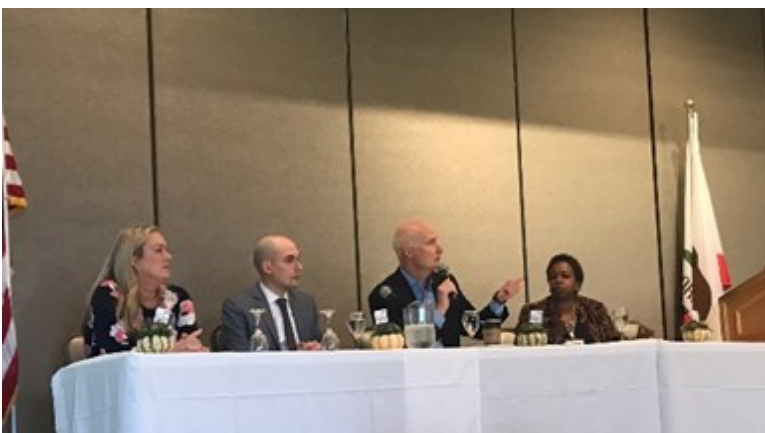
Looking back and looking ahead

by Brian Everett, CEO, Overland, Pacific & Cutler (OPC)

Future

We are excited to see what the future will hold for us in the right-of-way industry. With the 2026 World Cup and the 2028 Olympics only a few years away, we look forward to working together as a community of right-of-way professionals to help shape the infrastructure of Southern California.

Even during these unprecedented times, our dedication to enhancing the lives of the people in our communities is unwavering. This has been evident with Chapter 1 IRWA members. I am proud of being a part of the founding chapter of the IRWA and am honored to have served as your Acquisition & Fall Seminar Committee Chair. We hope you and your loved ones enjoy your summer and remain safe, healthy, and mindful of the impact we have in our communities.



Young Professionals Committee Article



Maya Hamouie,
Young Professionals Chair

As my first year serving as the Young Professional Committee Chair comes to an end, I would like to summarize the year and take a brief look forward. This past year was filled with many successful events hosted by or involving the participation of the YP Committee. The YPs kicked off the year with an ice cream social at Salt & Straw in L.A.'s Downtown Arts District. In November 2019, the YP Committee helped organize and facilitate the panel discussion at Chapter 1's holiday luncheon. The panel consisted of Associate Director of METRANS Transportation Center, Victoria Deguzman, and a few of METRANS students and recent graduates, who discussed their transportation education at USC, jobs they are seeking in the transportation industry, what the new generation wants in the workforce and what employers need to know to retain them. We had a fruitful

discussion for public agencies and companies looking to hire and retain the new workforce. In February, the YP Committee represented the IRWA at the Metropolitan Water District of Southern California's annual student outreach event. At the event, the YP Committee had a table where they passed out flyers and met several students and provided them with information and answered their questions about IRWA. Due to COVID-19, the YPs had to postpone social events planned for the rest of the year. However, we hope everyone is staying healthy and safe during this time, and we look forward to having these fun events in the future. In the next year, we hope to continue our recruitment efforts and add new young professionals to the Chapter and to continue to encourage the involvement of YPs within the Chapter.



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Region 1 and International Update



**Ray Mehler,
Project Management Chair**

Region 1 (California, Nevada, Arizona) Updates

The Chapter Leadership Conference is scheduled for June 1 and will prepare the outgoing and incoming chapter leadership teams.

Region 1 Awards announced at the Spring Forum:

Professional of the Year: *Nick Von Gymnich*, Past President, San Diego Chapter 11

Young Professional of the Year: *Alexi Dicker*, President, San Francisco Chapter 2

Region 1 Election and Nomination Results from Spring Forum. Terms for 2020-2021 will commence July 1.

Secretary/Treasurer *Conner McDonald*, SR/WA, Sacramento Chapter 27

Vice Chair Nominee *Ray Mehler*, SR/WA, LA Chapter 1

Chair Nominee *Mike Flanagan*, SR/WA, San Diego Chapter 11

Education Conference News

The Minneapolis Conference is canceled, but several events will continue virtually on similar schedules, including:

Board of Directors Meeting on Wednesday, June 24.

Region Caucus, Monday, June 22.

Opening Meeting of the Members, Sunday, June 21.

International Update

The Board of Directors will be asked to ratify the several motions from the Governance Task Force which approved by the International Governing Council.

The International Finance Committee anticipates making significant revisions because of Covid-19 to the Association's 2020-2021 budget before the Board of Directors vote.

The Board of Directors will vote for new International Executive Council Secretary. The candidates are *Fred Easton*, Chair of Region 9 (CO, UT, NM, WY) and *Denise Skinner*, Chair of Region 2 (TX, OK, LA, AR).

The Association's new CEO is Charlie Nobles.

International Awards will be announced the week of June 1. Chapter 1 has finalists for these International Awards:

Newsletter of the Year

Scholarship from the State Association of Real Property Agents

Ray Mehler, SR/WA, PMP is owner of Right of Way Management Consulting, Chair of the Chapter 1 Project Management Committee, Secretary/Treasurer of IRWA Region 1 and the Region 1 representative for the Governance Task Force. He can be reached at Raymond.D.Mehler@gmail.com.



IRWA Chapter 1 July 2019-May 2020

Amy Betonte, Communications Chair

A YEAR IN REVIEW

PAST PRESIDENTS' LUNCHEON AND STATE OF RELOCATION SEMINAR

On Thursday, July 18, 2019, IRWA Chapter 1 hosted the annual Past Presidents' Luncheon and Relocation Seminar at Quiet Cannon in Montebello. Past Presidents from 1994-2019 were in attendance at the 2019 Past Presidents' Luncheon. It was inspiring to hear their stories of how IRWA has enriched their careers and lives.

"IRWA is a great way to meet people from various fields of business. Getting involved provides the opportunity to make meaningful connections and help shape the direction of IRWA. Giving your time to the Board of Directors is one of the best things you can do for yourself and the organization! Just volunteering a little time will provide long lasting friendships, business relationships and the camaraderie is most rewarding." -Bryan Riggs, MAI, SR/WA, Riggs & Riggs Inc.



Chapter 1 Presidents from Left to Right: Artin Shaverdian Esq. (2018-2019), Konstantin Akhrem, SR/WA, R/W-RAC (2011-2012), Natasa Lenic, SR/WA, R/W-RAC (2019-2020), Michael Popwell, SR/WA (2003-2004), David Graeler, Esq. (2012-2013), Theresa Armistead, SR/WA (2014-2015), Jeffrey "Jed" Springer Esq. (1998-1999), Neilia LaValle (1994-1995) and William Larsen, SR/WA (2010-2011). Missing from the photograph are Past President Luncheon Attendees: Bryan Riggs, MAI, SR/WA (2007-2008), Holly Rockwell, SR/WA, R/W-NAC (2005-2006) and Joyce Riggs, MAI, SR/WA (2000-2001).



"As a former President of Chapter 1, past chair of an International Committee, and a longtime active member, I can't emphasize enough how important it is to regularly participate in our professional organization meetings and activities. Besides the specialized training IRWA offers to us, it also offers opportunities for learning leadership skills which will enhance your career. The benefits far outweigh the time and cost commitment, I encourage everyone working within right of way, particularly our Young Professionals, to get involved. You will truly be glad you did." -Neilia La Valle, Paragon Partners Ltd

"As I continue to develop my acumen in the right of way industry, attending this luncheon/seminar reminds me of the importance of networking with like-minded colleagues that share a vision on providing excellent service to the public we serve."
-Theresa Armistead, SR/WA,
Regency Right of Way Consulting



John Ellis, MAI of Integra Realty Resources was the winner of the movie ticket basket donated by LACAL Consulting.

THE RAFFLE FOR THE PRESIDENTS' LUNCHEON WAS SPONSORED BY:









"Great relocation discussions at the seminar. Jay Smith of HUD and Monica Jimenez of HCD provided very useful information." -Cheryl DeMucci, SR/WA, Transportation Chair, Paragon Partners Ltd

Luncheon Speaker: David Richman from Autotemp had some interesting stories to tell about relocating millennials. Although the phrase "Know Your Audience" is pretty standard, knowing how to reach your relocatees is becoming a very important factor in getting notices and benefit information to their intended recipients. Age is definitely a factor. Millennials (1981-1996) appear to shun human interaction and want information and documents emailed to them, in lieu of face-to-face meetings. This demographic makes hand delivering a NOE or GIN much more difficult. Millennials have grown up on the internet and are sophisticated displacees who can be well versed in relocation requirements and are adept at finding loopholes to potentially increase their benefits.



"I thought the seminar was well planned and what I found different from other relocation seminars was the program focusing on millennials and also the discussion about the burnout areas and residents displaced by the fires. It was all very interesting." -Marilyn Stuart, SR/WA, R/W-NAC, ROW Consultant, PDC Chair

The State of Relocation Seminar began after the Past Presidents' Luncheon and featured the following guest speakers:

Marcus Pigrom and Kevin Blair-Desmond, Marcello & Amster (DMA)
David Richman-Autotemp
Jay Smith-Housing & Urban Development (HUD)
Jenny Scanlin- Housing Authority the City of Los Angeles (HACLA)
Monica Jimenez- Housing & Community Development (HCD)
Karen Tiedemann-Goldfarb & Lipman

SEPTEMBER LUNCHEON



On September 17, 2019, IRWA Chapter 1 hosted its September Luncheon at Luminarias in Monterey Park. The Luncheon included the awarding of an SR/WA Certificate to **Alexandra Nguyen Rivera**, induction of new members, a discussion



of the latest inverse condemnation case by **Artin Shaverdian** of Nossaman, and a raffle sponsored by Del Richardson and Associates, LACAL Consulting, Paragon Partners, Ltd. and Wagner Engineering.

CONGRATULATIONS SR/WA RECIPIENT ALEXANDRA NGUYEN-RIVERA



Alexandra has been with the County of Los Angeles since 2013. As a Principal Real Property Agent, Alex actively engages in and is responsible for overseeing a group of agents who acquire real property on behalf of the County of Los Angeles and the Los Angeles County Flood Control District.

Alex is IRWA Chapter 1's Education Chair and plans our course schedule and hires the instructors for each course. She believes that investing in today's workforce will lead to the development of more effective leaders tomorrow.

"Don't let excuses hinder your quest for higher learning. If your employer says it is not in the budget, find other ways. A great way would be coordinating courses. You get to meet your peers, network, and get credit for the class."

Chapter 1 Inducted 6 Members at the September Luncheon

Tammy Price - LAC Department of Public Works
Allan Sanchez - LAC Department of Public Works
Maria Santiago - LAC Department of Public Works
Luis Zometa - LAC Department of Public Works
Fatima Valdez - LAC Department of Public Works
Haylee Peterson - LAC Metropolitan Transportation Authority



Really, what is Inverse?

CONDEMNED

A: When Public Entity Takes or Damages Property Without Payment of Just Compensation!

Luncheon Speaker Artin Shaverdian of Nossaman Explained the Nuances of Inverse Condemnation Case: City of Oroville vs Superior Court **Is this the end of Strict Liability?**

The Supreme Court reversed the judgment of the court of appeal's finding the City of Oroville liable in inverse condemnation for property damage suffered by a dental practice when raw sewage began flowing from the toilets, sinks, and drains of its building. The Supreme Court held that as the dentists did not install a legally required backwater valve on their premises, the City was not liable for the property damage.

The dentists argued that the City was legally responsible for the property damage because it was caused by the sewer system's failure to function as intended. The City argued in response that the damage occurred because the dentists failed to install the backwater valve that would have prevented sewage from entering their building in the event of a sewer main backup.

The trial court concluded that an inverse condemnation had occurred, and the court of appeals affirmed. **The Supreme Court reversed, holding that the damage was not substantially caused by the sewer system when the dentists failed to fulfill a responsibility to install a backwater valve that would have prevented or substantially diminished the risk of the mishap that occurred in this case.**

Although the decision is relatively specific, it does give some hope that future inverse condemnation actions may be moving away from strict liability and towards a more project friendly standard.

THANK YOU RAFFLE SPONSORS



FALL SEMINAR

On October 25, 2019, the Fall Seminar was held at Quiet Cannon in Montebello. Chaired by Brian Everett of OPC, it was attended by over 60 ROW Professionals and included something for everyone. IRWA Chapter 1 would like to thank OPC and all of the panelists, moderators and sponsors who made the Fall Seminar a success.

THANK YOU TO PARTICIPANTS:

OPC, John Barry & Associates, Peterson Law Group, Innovative Housing Opportunities, So. Cal. Association of Non-Profit Housing, LA Homeless Services Authority, LA Metro, City of LA Harbor Department, LAWA, Right of Way Management Consulting, Alvarado Smith, LADWP, City of Los Angeles, City of LA-Bureau of Engineering, LADWP and LADOT.

PANEL 1:

Complex Business Relocations: View from Both Sides of the Equation

Mark LaBonte, Bob Barry and John Peterson provided case studies and information on best practices and strategies for complex business relocations.



THANK YOU TO SPONSORS:





PANEL 2:

Tackling the Housing Challenge in Time for 2028:

Michelle Folk, Rochelle Mills, Sidney Stone, Alan Greenlee and Alex Visotzky discussed how housing and land use policies must be synchronized in order to provide permanent housing opportunities for California's homeless.

PANEL 3:

LA METRO Purple Line Extension Project Update:

Holly Rockwell, Velma Marshall and Michael Daniels relayed the complex R/W requirements and challenges involved in Metro's Purple Line Extension Project and the role the Purple Line will have in the 2028 Olympics.



THANK YOU TO SPONSORS:



LUNCH SPEAKER:

Waterfront Development with the Port of Los Angeles

Michael Galvin of the City of LA Harbor Department provided seminar attendees with an insider's view of the \$1 billion development of the LA Waterfront for the Port of LA and the \$30 million development at San Pedro's Port O' Call.



PANEL 4:

LAWA Automated People Mover Project

Kyle Pool and Stephanie Sampson of LAWA explained the changes that LAX is undergoing including the Automated People Mover and the phased development of the airport to increase mobility in time for the Olympics.



PANEL 5:

DWP PROJECT MANAGEMENT Success Factors of the Barren Ridge Project

Ray Mehler, Keith McCullough, Guy Lammers and Tim Chung provided keen insights on expectation management for power systems, engineering and real estate services. We also learned the value of spreadsheets and sub spreadsheets in this 450-property project.



PANEL 6:

HOW TRANSPORTATION IS SHAPING LA'S FUTURE

Janela Cordova, Uriel Jimenez, David Nevarez and Carlos Rios provided a multi-disciplinary look into LA's transportation future with a focus on the Glendale-Hyperion Complex of Bridge Projects and an introduction to Mobility Plan 2035.



NOVEMBER LUNCHEON

On November 14, 2019, IRWA Chapter 1 held its Holiday Luncheon at Luminarias in Monterey Park. Over 50 members attended along with staff and students from our Guest Speaker, **Metrans**. A festive buffet lunch was served, and a good time was had by all.

LA Metro's, **Konstantin Akhrem** probably had the best time as he won the \$100 drawing for IRWA member attendance.



THE LUNCHEON SPEAKERS



Luncheon Speakers included Metrans Associate Director of Education and Professional Development at the Sol Price School of Public Policy at USC, **Victoria Deguzman** and Metrans students **Sue Dexter** (USC), **Kiddada Malloy** (UCLA), **Sam Speroni** (UCLA) and Nicholas Roy (LBSU).

The speakers were introduced by Young Professionals Chair, **Maya Hamouie** of Nossaman. The Panel topic focused on Metrans and the educational and academic endeavors of its students and included a lively discussion on what students were looking for in employment. According to the students, the most attractive employment opportunities for them are those that allow them to make a difference and provide them with opportunities to grow and continue learning.

The students were impressive and demonstrated to Chapter 1 Members that Metrans is a great source for top notch employees.



To learn more about Metrans follow this link: <https://www.metrans.org/>

To sign up for the Student Newsletter, click here:
<https://mailchi.mp/usc/metrans-student-weekly-news-events-wv15ul74qd-1077757?e=f4f5d47cab>

RAFFLE

Luncheon Chair, Julia Miranda of LACAL Consulting, was the emcee of the Holiday Raffle, which featured 8 beautiful prizes.



RAFFLE

Chapter 1 would like to thank the Holiday Luncheon Raffle Sponsors



RAFFLE RESULTS



Army Corp of Engineers, Charles Thomas, won a bottle of Raymond, donated by Ray Mehler of ROW Management Consulting.



Jennifer Ryan, of MWD won the Honey Baked Ham raffle basket donated by Frances Impert.



Kris Mendenhall of Nossaman won the Thanksgiving Trifecta wine basket donated by Interwest Consulting Group.



Adam Bogorad of Integra Resources-Los Angeles won the Nossaman raffle prize.

Marilyn Stuart won the wine lover's basket
Sponsored by IRWA Chapter 1, President - Elect, Ann Kulikoff.



Nossaman's David Graeler found himself in the sweet spot with the winning ticket for See's Candy Sponsored by Wagner Engineering and LA Metro's Diane Dominguez won a holiday candle sponsored by Paul Norlen.

Chris Carillo of MTA won a Holiday Special Edition bottle of Pumpkin Spiced Bailey's sponsored by LACAL Consulting's, Julia Miranda

TRI CHAPTER LUNCHEON



The 2019 International Right of Way Association's Tri Chapter Luncheon for Chapters 1 (Los Angeles County), 57 (San Bernardino and Riverside Counties) and 67 (Orange County) was held on December 11, 2019, at the Mission Inn in Riverside, CA.

Nearly 200 people attended—representing public agencies, as well as, cities and private firms engaged in the practices of appraisal, title, escrow, utility, environmental, engineering, relocation, right-of-way, property management and eminent domain.

The Guest Speaker was Holly Rockwell of LA Metro, who provided attendees with an insider's view into the projects Metro is advancing in anticipation of the 2028 LA Olympics. According to Holly, massive ROW support will be needed to complete their multi-project plan and we should anticipate an RFP to be released in the 1st Quarter of 2020.



IRWA Chapter 1 contributed to the festive atmosphere by donating a Kate Spade handbag. It appears it was a much sought-after item but despite all of Chapter 1's efforts to win it, Kelley Kelley of IRWA Chapter 57 was the victor!

MORE CHAPTER 1 HOLIDAY LUNCHEON FUN





HAPPY NEW YEAR 2020

JANUARY LUNCHEON

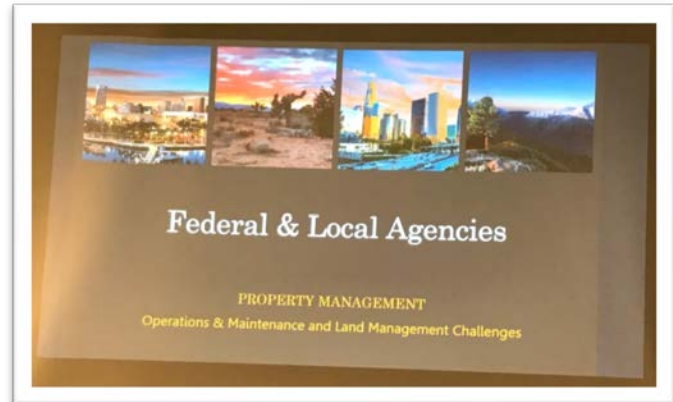
On January 23, 2020, IRWA Chapter 1 held its January Luncheon at Luminarias in Monterey Park. Approximately 60 people attended with many new faces among the attendees.



LOCAL AND FEDERAL AGENCY CHALLENGES

The Topic for the **January Luncheon** was:
Local and Federal Agency Challenges

Speakers included **Lisa Sandoval**, Civil Works Branch Chief, US Corps of Engineers; **John Kalish**, (retired) Chief, Office of Renewable Energy Coordination, Bureau of Land Management, US Department of the Interior; **John Potts**, Executive Officer, LA City Metropolitan Transportation Authority; **Dayna Rothman**, Head of Real Estate, LA County Department of Public Works, and IRWA Chapter 1 President Elect, **Ann Kulikoff**.



Dayna Rothman indicated that they are attempting to streamline some of their processes and procedures as they pertain to CEQA and outgrants. She indicated the importance of early planning and coordination as processing real estate items and project needs may take six months to a year depending on the entities that need to be involved.

Lisa Sandoval relayed that projects that our local Army Corp deems are necessary are in competition with projects that all other Army Corp across the nation are putting forth as necessary. They are working on presenting

their packages to tell compelling stories to increase their ability to obtain funding for their projects. As engineering becomes more familiar with real estate and the presentation of their projects continues to improve, the better their packages will become.

The agencies also spoke of a lack of qualified people to assume roles of retired agency employees, as well as, new roles to handle complex projects. Although, there is a wealth of talent for these roles, the disconnect between the salaries that public agencies are prepared to pay in comparison to private sector salaries, makes luring qualified professionals from the private sector to work in the public sector.

Similarly, construction companies are experiencing a shortage of experienced workers to construct the projects which results in project delays. Homelessness issues also impact their projects. Employees are experiencing acts of violence on project sites, and as most projects don't have a line item to deal with homelessness, those funds have to be diverted from other project line items.



RAFFLE RESULTS:

Luncheon Chair, **Julia Miranda** of LACAL Consulting was the emcee of the January Luncheon Raffle.


Laura Soloman won a hot chocolate tower donated by an anonymous IRWA member and an Amazon gift card from LACAL Consulting. She inherited some of her tickets when a coworker had to leave early and scored big with this raffle.

Education Chair, **Alexandra Nguyen Rivera** of LA Department of Public Works

won the Valentine inspired cupcake raffle prize donated by Interwest Consulting Group. LA Department of Public Works and head of real estate, **Dayna Rothman** won wine, generously donated by Nossaman.



Not to be outdone, **Allan Sanchez** of LA Department of Public Works won the \$100 Member attendance money.

LADPW is one lucky group. 

THANK YOU RAFFLE SPONSORS:



VALUATION SEMINAR

On February 24, 2020, IRWA Chapter 1 held its Annual Valuation Seminar at Quiet Cannon in Montebello. Organized by Bill Larsen of Integra Realty Resources, LA and team, the Valuation Seminar was attended by 114 participants.



THANK YOU TO PARTICIPANTS:

Metro; Integra Realty Resources; Alvarado Smith; County of Orange; Murphy & Evertz; Donna Desmond Associates; Desmond, Marcello & Amster; City of Los Angeles; David S. Mason Inc.; Nossaman LLP; San Bernardino County; Burke, Williams & Sorensen; MWD; California Eminent Domain Law Group; Demetriou, Del Guercio, Springer & Francis

THANK YOU TO PLATINUM SPONSOR:



SESSION 1:

**PROJECT BENEFITS AND SEVERANCE DAMAGES:
WOULD CONTINENTAL DEVELOPMENT BE DECIDED DIFFERENTLY TODAY?**

Russ Babbitz, MAI Principal RE Officer, Metro
John G. Ellis, MAI, CRE FRICS, Integra Realty Resources-Los Angeles
Robert M. Lea, MAI, Integra Realty Resources-Los Angeles
Keith E. McCullough, Esq. Alvarado Smith



THANK YOU TO GOLD SPONSORS:



Los Angeles

Orange County

DBE / SBE / WBE

SESSION 2:

ROAD WIDENING CASE STUDY: ACQUISITION, APPRAISAL AND LEGAL ISSUES

David Cops, SR/WA, Acquisition Agent, County of Orange

Ryan Hargrove, MAI, SRA, AI-GRS, RW-AC, R.E. Valuation Svcs. Manager, County of Orange

Emily Madueto, Esq., Murphy & Evertz

Thomas "Mat" Miller, Esq., Chief R.E. Officer, County of Orange



SESSION 3:

DEFINITIONS AND DATA: PERSPECTIVES AND IMPACTS ON GOODWILL LOSS OPINIONS

Donna Desmond, ASA, Donna Desmond Associates

Madeleine Mamaux, CFA, ASA, Desmond, Marcello & Amster

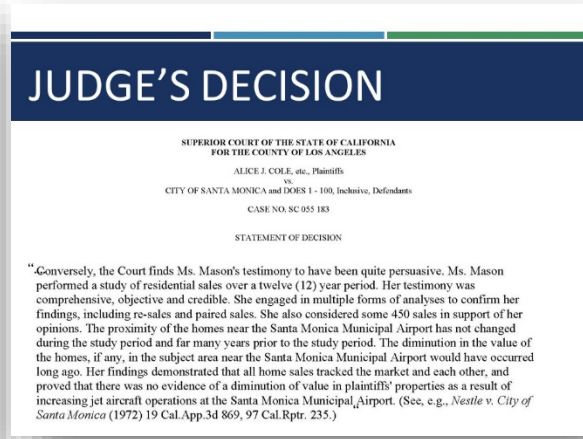
Moderator: Uriel Jimenez, Chief Real Estate Officer II, Bureau of Engineering, City of Los Angeles



LUNCH SPEAKER:

TEDIOUS RESEARCH = WINNING VERDICTS

Frances Wolfe Mason, MAI
David S. Mason Inc.



THANK YOU TO SILVER SPONSORS



SESSION 4:

RISING SEA LEVELS-FINANCIAL LIABILITY ISSUES TO CITIES & LEGAL ISSUES

John Erskine, Esq., Nossaman LLP
Benjamin Ruben, Esq., Nossaman LLP



Eminent Domain and Sea Level Rise

John P. Erskine | Partner, Nossaman LLP
Benjamin Z. Rubin | Partner, Nossaman LLP



Table 4.5: Sea Level Rise Projections for the San Francisco Bay Area¹ (2010-2050)

Year	Projected Sea Level Rise (in feet) San Francisco		
	Low Rise Scenario (Represented as "Best Case") (1.5m RCP4.5 scenario)	Midrange High Sea Level Rise (2.0m RCP4.5 scenario)	Extreme High Scenario (2.5m RCP4.5 scenario)
2010	0.0	0.0	0.0
2020	0.6	1.1	1.7
2030	1.4	2.0	2.8
2040	2.3	3.0	4.2
2050	3.3	4.2	5.8
2060	4.4	5.7	7.8
2070	5.6	7.5	10.2
2080	6.9	9.7	13.0
2090	8.3	12.4	16.2
2100	9.8	15.6	19.8


1. Based on the National Oceanic and Atmospheric Administration's Sea Level Rise Technical Report (2015). The modeling described in this report is based on the Intergovernmental Panel on Climate Change's (IPCC) Representative Concentration Pathway (RCP) 4.5 scenario. For more information, see the report at <http://www.noaa.gov/data-and-statistics/sea-level-rise>.



PEOPLE V.S. SANCHEZ, HEARSAY AND EXPERT OPINIONS IN EMINENT DOMAIN CASES: PARADIGM SHIFT?

Mitchell Norton, Deputy County Counsel, San Bernardino County
Alan A. Sozio, Esq., Burke, Williams & Sorenson

Moderator: Janella I. Cordova, Senior Real Estate Representative, MWD



HEARSAY

- evidence of a "statement"
 - may be either oral or written
- made other than by a witness while testifying at the hearing
- that is offered to prove the truth of the matter stated.

In other words:

- A factual assertion out of court that the witness seeks to rely on to prove that an assertion is true



SESSION 6:

R.E. LITIGATION SETTLEMENT: CONSIDERATIONS & ISSUES

Glenn L. Block, Esq., California Eminent Domain Law Group

Craig Justesen, Director of Real Property Management & Development, Metro
Jed Springer Esq., Demetriou, Del Guercio, Springer & Francis LLP

Moderator: Stephen E. Vollucci, SR/WA, Acquisition & Disposition Manager, MWD

IRWA SPRING 2020

VALUATION SEMINAR

Panel Discussion

SETTLEMENT: ISSUES AND CONSIDERATIONS

Moderator - Stephen E. Vollucci, SR/WA

Acquisition and Disposition Team Manager
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Jeffrey (Jed) Springer

DEMETRIOU, DEL GUERCIO, SPRINGER & FRANCIS, LLP

What Does Game Theory Say About Settlement Negotiations?

Craig Justesen

Director, Real Property Management & Development
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

Agency Issues and Considerations

Glenn L. Block, Esq.

CALIFORNIA EMINENT DOMAIN LAW GROUP, APC

Early Settlement Complications Which Arise from Part Takes

Types of Litigation Settlements

Fee and
Temporary Rights

Loss of Business
Goodwill

Fixtures &
Equipment

Damages

Combined or
Individually



MORE VALUATION SEMINAR FUN





THANK YOU TO BRONZE SPONSORS



Five Ways to Use Smart Maps in COVID-19 Response

By Este Geraghty

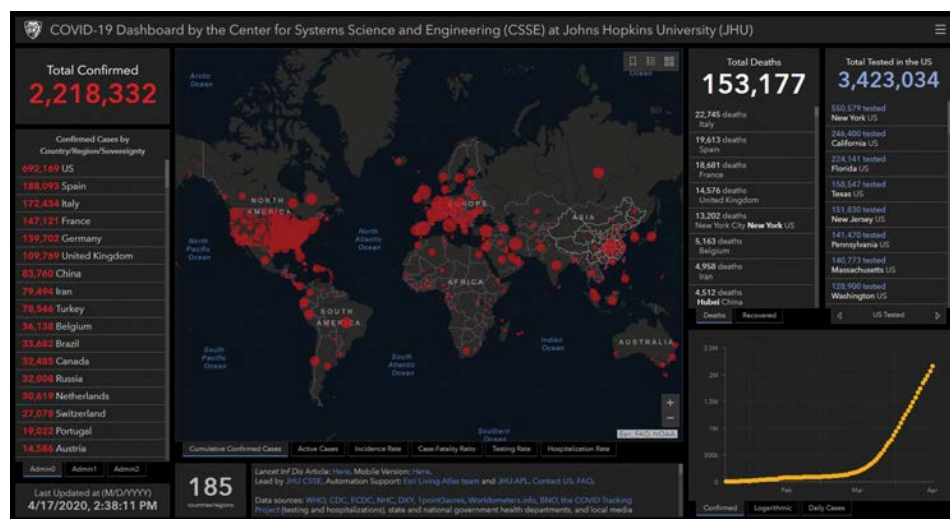
Although the COVID-19 pandemic is global in scope, every affected location has its own unique needs and capacity to fight outbreak. While national governments, federal agencies, and private companies can and should lead large scale efforts to manage the pandemic, the success of any plan requires local knowledge and action.

County surveyors and geographic information systems (GIS) professionals are uniquely positioned to provide this kind of localized expertise, for the simple reason that nobody understands how to document their communities' geography better.

Here are five proactive steps county surveyors and GIS technicians can take to begin to understand and help mitigate the impact of COVID-19.

1. Map the Cases

As any public health professional can attest, the crucial first step in fighting the spread of infection is getting a holistic picture of what is happening – and what has already happened – on the ground. The term “big picture” means a thorough understanding of a situation, but for public health emergencies it can take on a literal meaning as well. Maps are critical tools in mounting the required response.



<https://systems.jhu.edu/>

By looking at maps of confirmed cases, deaths, recoveries, and active cases, public health officials can see where services are most needed. The popular COVID-19 map maintained by the Center for Systems Science and Engineering at Johns Hopkins University, clearly illustrates the value of such visualizations. The map displays confirmed cases, fatalities, and recoveries in an accessible format, providing a wealth of information about the pandemic on a global level. But the data is mostly grouped by nations, with some US state and county-level information. Maps that focus on COVID-19's impact on municipalities have additional value since they can support local policies and decisions.

2. Map the Spread

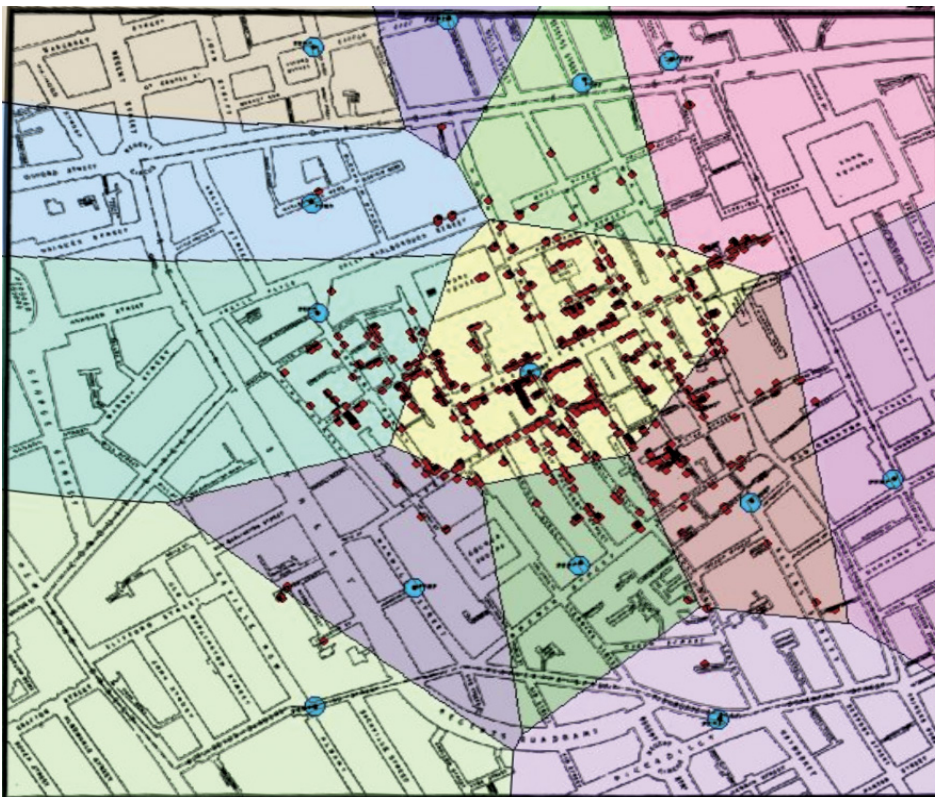
Maps are generally thought of as place-based records. An acknowledgement of the relationship between health and place dates back to the writings of Hippocrates in 400 BC. Putting maps to use in the service of understanding the spread of a disease was most famously accomplished in the mid-19th century when English physician, Dr. John Snow, mapped the spread of cholera in London (see maps, page 13).

To help understand the progress of an epidemic, it is just as important to merge spatial data with temporal information.

continued on page 13



John Snow was able to collect roughly 600 death reports and mapped them in correlation to the pumps in the area. The map appeared similar to this.



John Snow created regions around each of the 13 pumps. Their boundaries defined the area that was closest to each pump relative to all other pumps. These are called Thiessen Polygons.

www.arcgis.com/apps/MapSeries/index.html?appid=3b7b69c040e64afe88ea8e577e71829a

A GIS map can depict changes in various forms of data in a location over time. This makes it a potent weapon for seeing and understanding an ongoing, and in some ways invisible threat.

By using a GIS dashboard to monitor the hourly or daily case distribution over time and geography, officials can note patterns and predict future spread. On the local level, these visualizations can literally be a matter of life and death. Data layers that depict, for example, transportation networks, traffic patterns, or places where people are likely to congregate – such as parks or shopping malls – help officials understand the likely surge of future infections.

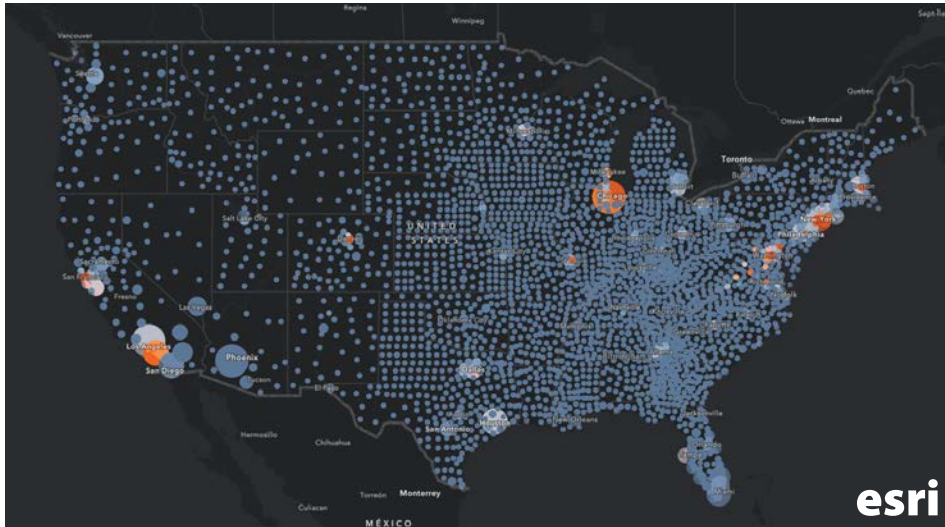
Responders can also leverage sophisticated developments in GIS and big data. Human mobility data, gathered from anonymized cell phone signals, is helping officials understand to what degree people in a given region are sheltering in place. This information helps predict the statistical likelihood of virus transmission – and, in a broader sense, helps draw conclusions about the efficacy of shelter-in-place rules.

3. Map Vulnerable Populations

Although COVID-19 threatens everyone, it disproportionately affects the elderly and those with underlying health conditions. Surveyors can play a crucial role by mapping social vulnerability, age, and other factors to help monitor the at-risk groups and regions in their communities. Potentially at-risk populations can be identified based on additional factors such as income levels and healthcare coverage as well as environmental or contextual factors like population and housing density.

Esri recently visualized age and social vulnerability in the context of the current outbreak. Maps show higher risk populations by geography, along with the CDC's Social Vulnerability Index, a collection of 15 variables that represent external stresses on health. Even so, the most vulnerable can often be less visible

continued on page 14



Areas in orange on this map show the top 40 US counties with a high daytime population and high numbers of travelers and seniors.

www.esri.com/about/newsroom/blog/reveal-finding-the-most-vulnerable-among-us/

and difficult to quantify on a meaningful scale. This is why it's so critical to view and analyze this data at a local level to ensure that key populations and places are represented. Examples include nursing homes, and people experiencing homelessness and their encampments and shelters. Without the local approach, individual people and communal places could be conflated with other groups or imprecise locations (in the case of the homeless). Accurate data is crucial during a time of global emergency.

When public health officials can visualize relevant demographic information using GIS, they can better determine where to deploy healthcare and emergency response resources, and in what way.

4. Map Capacity

Once vulnerable populations are on the map, and local patterns of infection have been noted, a city or county must be in a position to administer care amid heightened demand. The more data health officials have, the better they can formulate a response strategy. A GIS map with locally relevant data is one of the best tools for crafting one.

Dashboard maps can show points of interest such as hospitals with spare beds, grocery stores with essential goods, pharmacies, and the strategic national stockpile with supplies of personal protective equipment (PPE), ventilators, and medicines. These resources allow

municipalities to better understand their current overall capacity to respond to COVID-19 infections and make quick adjustments to scale up as needed.

5. Communicate With Maps

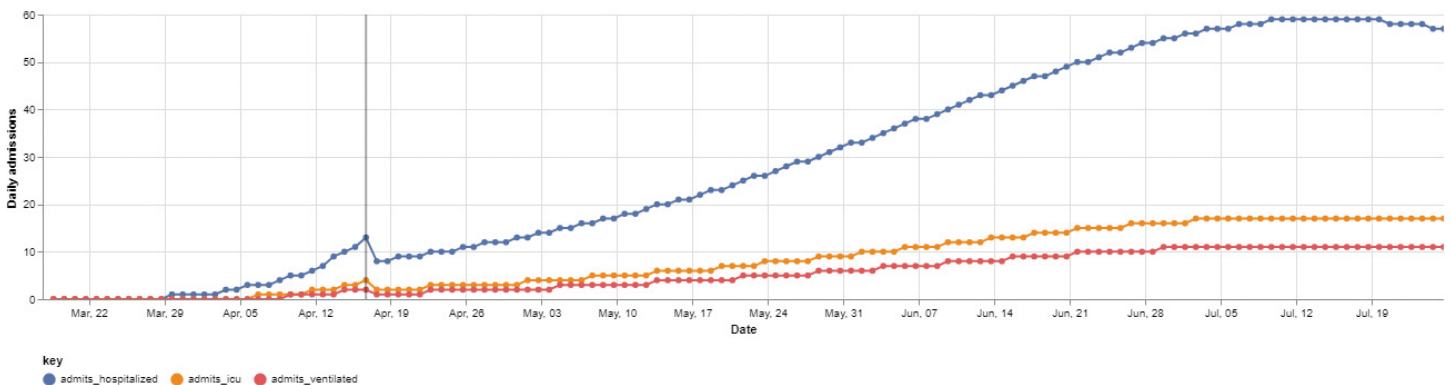
Responding to an emergency, particularly one as prolonged as the current pandemic, requires managing many moving parts. Seamless communication is key – especially when trying to organize responders, volunteers, and entire communities. Everyone, including leaders, stakeholders, partners, and residents, needs a common source of easily understandable information.

Maps are a clear way to communicate complex data to people at many different levels of expertise. This is because maps can convey information in the context of location. In any community, a GIS dashboard provides a “common operational picture.” Dashboards provide a landing place for disparate information needed by government, medical staff, and residents. Interactive web maps, dashboard apps, and story maps provide engaging information that can be immediately absorbed now, and carefully analyzed later.

Where to Start

By combining these five steps, surveyors and GIS professionals can help create a granular picture of a locality and its

continued on page 15



New Admissions: Projected number of daily COVID-19 admissions. This tool was developed by Predictive Healthcare at Penn Medicine to assist hospitals and public health officials with hospital capacity planning.

<https://www.esri.com/about/newsroom/blog/models-maps-explore-covid-19-surges-capacity/>



Mapping COVID-19 – continued from page 14

capacity to respond. Esri provides much of the essential data to create that picture and help formulate a response. Check the Esri COVID-19 GIS Hub site for resources and insights at <https://coronavirus-resources.esri.com>.



Este Geraghty

Este Geraghty, MD, MS, MPH, GISP is the Chief Medical Officer and Health Solutions Director at Esri where she leads business development for the Health and Human Services sector. She was formerly the Deputy Director

of the Center for Health Statistics and Informatics with the California Department of Public Health where she led the state vital records and public health informatics programs.



Search by Country, Territory, or Area



Covid-19 Response Fund

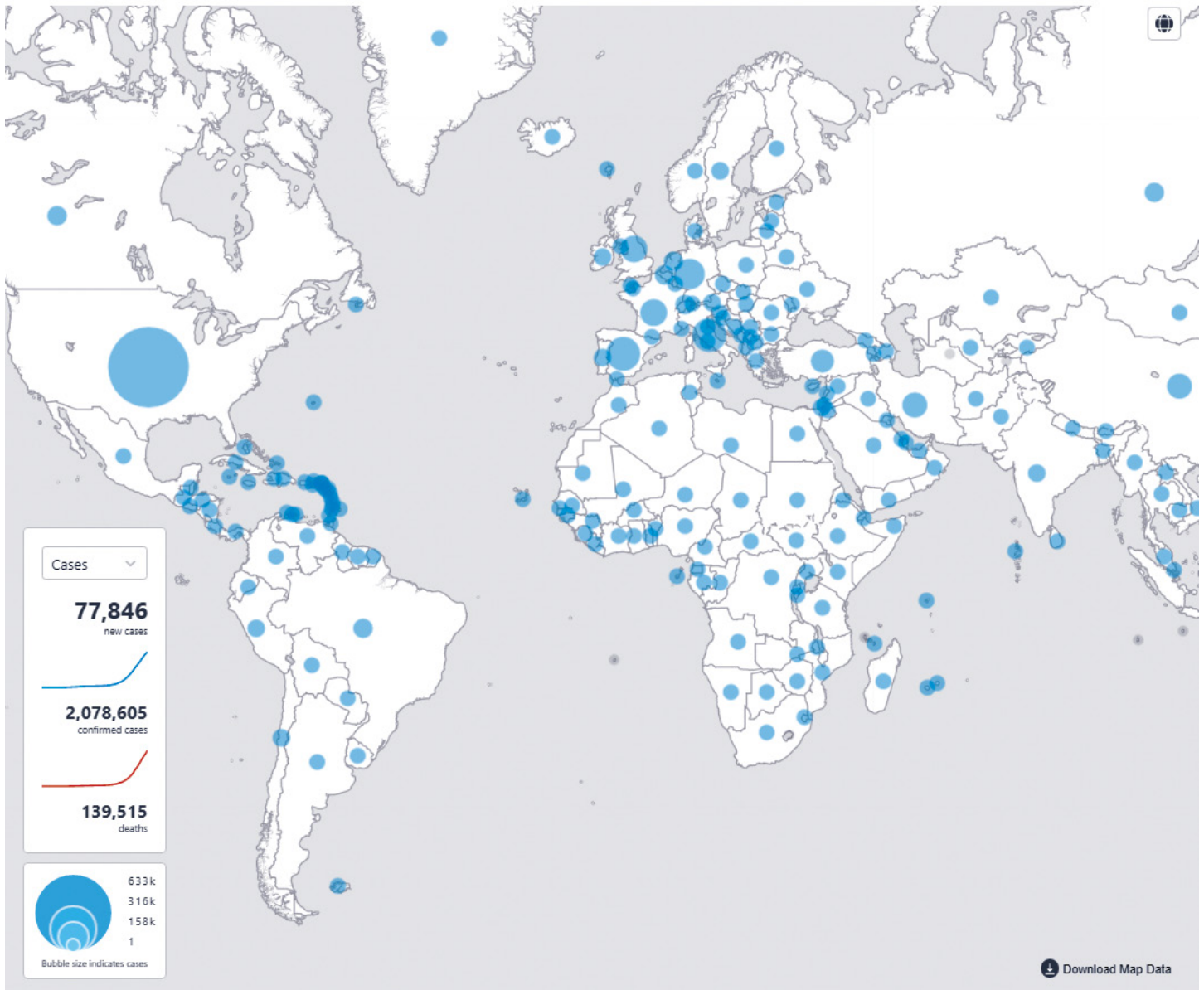
Donate

Coronavirus (COVID-19)

Last updated: 2020/4/16, 1:50am CEST

Overview

Explorer



Source: World Health Organization

Globally, as of 2:00am CEST, 17 April 2020, there have been **2,078,605 confirmed cases** of COVID-19, including **139,515 deaths**, reported to WHO.

FY 2019 – 2020 Executive Board

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Luncheon	Julia Miranda <i>LACAL Consulting, Inc.</i>	323-951-9887	jmiranda@lacialconsulting.com
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Webmaster			
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