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President's Message—Vivian D. Howell, MBA, SR/WA, R/W-RAC, R/W-NAC

It Is All About The Members!

The Board is delivering on membership benefits. Of course you already know what your membership provides from the International level [Bi-monthly Right of Way Magazine and discounts on educational offerings, to name a few]. Well, as a Chapter 1 Member, the Board is providing these additional benefits to its members to foster your ideas, participation and leadership within Chapter 1:

- Chapter 1 Membership Newsletter Spotlight (open to new and existing members) One spotlight drawing per General Membership Luncheon Meeting
 - Free Luncheon Drawing (to be used at an upcoming Chapter 1 Luncheon)
 - Member's Picture and Bio Profiled in Next Issue of the Chapter 1 Monthly Newsletter
- Free Chapter 1 Membership Lunch for new Chapter 1 SR/WA designation and/or Certification Awardees (it will usually be the lunch where the member receives their pin and plaque BUT it is your choice). Sorry, but re-certifications are not included in this benefit at this time.
- Mentoring New Members and getting them involved on Chapter 1 Committees. Of course new members will have a choice as to the committee but if they would like the Membership Chair and Board to decide, we will be more than happy to assign. (Existing members welcomed on Committees too).
- Yes, the Blue Box stays! This is where we place the names of Chapter 1 Members in the box and draw a name at each of the General Membership Luncheons until we have a winner of a cash prize. As of today, there has not been a winner this year, so for the **July 28th Luncheon Meeting**, the amount of the Blue Box is \$120.

Also, the Board is researching the most efficient and economical way to bring back Membership Name Tags...if you have an idea or reasonable resource, please contact Daniel Kazden, Membership Chair, at (805) 578-2400 X104. Additionally, we have a few more benefits up our sleeves affecting education!

Speaking of Membership, have you paid your 2009 dues? IRWA World Headquarters (WHQ) realizes what a tough economy we are experiencing and will send one last invoice on July 1st before they drop any members from the membership rolls and require a late payment to reinstate the membership. You may have received a telephone call from one of the Chapter 1 Board members and almost all intend to renew their membership. Thank you and we just want to remind you of the time left to do so without any penalties from WHQ.

We hope you enjoyed the Annual Valuation Seminar in April. There are pictures to re-live the experience and if you did not attend, to get a glimpse of the seminar. Also, for your viewing pleasure the speakers' presentations are downloaded to Chapter 1's Website at <http://www.irwa-chapter1.org/links.htm>

Thank you and the Board always looks forward to hearing from you!



IRWA Course Look Ahead

- ♦ **C-800—Principals of Real Estate Law, July 30—31 (2 Days)**
- ♦ C-401—Appraisals of Partial Acquisition, September 14-18 (5 Days)
- ♦ C-205—Bargaining Negotiations, October 5 –6 (2 Days)
- ♦ C-900—Principals of Real Estate Engineering, October 29 – 30

NEXT MEMBERSHIP MEETING

July 28th—the annual luncheon to honor Chapter 1 Past Presidents to be held at Shanghai Red in Marina Del Rey, CA.



Welcome New CHAPTER 1 MEMBERS

Chapter 1 is proud to welcome new members to this chapter. Each month, we continue to list those new members as their applications are completed, sponsors are noted and approved by the Board of Directors. Please contact the Membership Chair, Daniel Kazden, at (805) 578-2400 X104.

| NAME | Job Title | Company / Affiliation | Sponsor |
|------------------------|-------------------------------|------------------------------------------------------|------------------------|
| Alan Casebier | Real Estate Acquisition Agent | A. Casebier Company | Daniel Kazden |
| Melvin McDonald | N/A | Banker's Realty | Norlen James Ewell |
| William James Caldwell | Real Estate Project Director | Los Angeles Unified School District | David Welch, SR/WA |
| Charles Kuan | Real Estate Officer | City of Los Angeles Department General Services | Jack Scott |
| Angela Yeung | Real Estate Officer | City of Los Angeles Department General Services | Jack Scott |
| Rafael Menkes | Real Estate Officer | City of Los Angeles Department General Services | JoAnne Kishi |
| Jose Ramirez | Title Examiner | City of Los Angeles Department General Services | JoAnne Kishi |
| Baudelio Ramirez | Property Manager | Community Redevelopment Agency/City of Los Angeles | Michael Popwell, SR/WA |
| Sharon Warfield | N/A | Community Redevelopment Agency/City of Los Angeles | Michael Popwell, SR/WA |
| Jenny Li | Real Estate Acquisition Agent | Community Redevelopment Agency/City of Los Angeles | Michael Popwell, SR/WA |
| Chieko Sugaya | Relocation Specialist | Community Redevelopment Agency / City of Los Angeles | Chieko Sugaya |
| Irene A Sae Koo | Management Analyst II | Los Angeles World Airports | Vivian Howell, SR/WA |
| Ramon Olivares | Property Manager | Los Angeles World Airports | Vivian Howell, SR/WA |

Updating your IRWA Membership Information is Easy to help Ensure That You Receive IRWA Mailings

Go to www.irwaonline.org ; highlight "Resources" in the upper right hand corner and then click on "Membership Directory". Click on Update Member Profile.

Enter your User Name and Password and click on Login. Your User Name is your membership number (contained on your membership card and dues renewal notice) and the Password is your last name. The Password is case sensitive, so be sure to capitalize the first letter and leave the rest of the letters in lower case. Update your information and click on "Submit. A new page will come up and you can choose to "Exit" or "Logout".

That's it! Your information will be automatically updated on the headquarters master list, which is also used for communications. If you do not have access to the Internet or have any questions about updating membership information, call Bonnie Gray at 310-538-0233.



Professional Development Committee (PDC)

Effective July 1st!

NEW CREDENTIALING PROGRAM AND APPLICATIONS

We invite you to turn to Page 4 to learn more about the New Credentialing Program and Applications affecting your Professional Development Designation and Certifications.

Did you know that Chapter 1 has a Mentoring Program through its Professional Development Committee? That's right! If you are currently a candidate for a certification or your SR/WA designation or you just need to talk to some-

one on the PDC to learn more about the application process; please give anyone of the members of the committee listed below a call or send them an email. You will find that they are responsive and each one has earned the SR/WA designation.

To learn more about Chapter 1's Scholarship Award and / or PDC's individual Chapter 1 members' mentoring program, which offer guidance in achieving your SR/WA Designation and/or R/W Certifications, call anyone of the members below to start reaching your goals.

| | | |
|----------|-----------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| Chair | Michael Popwell, SR/WA, Community Redevelopment Agency * 213.977.2620 | Email mpopwell@cra.lacity.org |
| Co-Chair | Marilyn Stuart, SR/WA, R/W- , Los Angeles Sanitation District 562.908.4288 | Email mstuart@lasd.org |
| Co-Chair | Gary Valentine, MAI, SR/WA, Valentine Appraisal & Associates * 661.288.0198 | Email gsv@valentineappraisal.com |
| Co-Chair | Gus Parcerero, SR/WA, City of Los Angeles * 213.847.5592 | Email augusto.pacero@lacity.org |
| Co-Chair | Joyce Riggs, MAI, SR/WA, Riggs & Riggs, Inc. * 805.578.2400 | Email jriggs@sbcglobal.net |
| Co-Chair | Vivian Howell, SR/WA, R/W-RAC, R/W-NAC, Los Angeles World Airports * 310.417.0450 | Email vhowell@lawa.org |



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IRWA's New Credentialing Program Guides and Applications (Effective July 1, 2009)

WHQ (World Headquarters) announced that the totally new Credentialing Program Guides and Applications are now available for downloading and printing. Each program now has a separate comprehensive guide which explains the policies and outlines the procedures for the SR/WA Designation and for each Certification Program.

The Guides are comprehensive and include all necessary forms and applications, they may be accessed online by following the links below of your professional development area of interest:

SR/WA Program Guide and Application Packet: <http://www.irwaonline.org/EWEB/upload/credentialing/SRWA1.pdf>

R/W Appraisal Certification Guide and Application Packet: http://www.irwaonline.org/EWEB/upload/bundles/rwac_bundle.pdf

R/W Asset Management Certification Guide and Application Packet: http://www.irwaonline.org/EWEB/upload/bundles/rwamc_bundle.pdf

R/W Environment Certification Guide and Application Packet: http://www.irwaonline.org/EWEB/upload/bundles/rwec_bundle.pdf

R/W Negotiation and Acquisition Certification Guide and Application Packet: http://www.irwaonline.org/EWEB/upload/bundles/rwnac_bundle.pdf

R/W Relocation Assistance Certification Guide and Application Packet: http://www.irwaonline.org/EWEB/upload/bundles/rwrac_bundle.pdf

To learn more or if you have any questions, anyone of the Chapter 1 Professional Development Committee members will be looking forward to your call!



Case of the Month May 2009

“One Instance of Acceptable Land Banking” Statutory Interpretations

Gerard Ste. Marie v. Riverside County Regional Park and Open Space District

Filed 5/14/09

Cite as 2009 SOS 2701

(California Supreme Court)

by: Michael F. Yoshida, Esq., Richards Watson & Gershon, a Professional Corporation

This case concerns land acquired by Riverside County Regional Park and Open-Space District (“District”). The District’s enabling act, Public Resources Code section 5541.2, provided that the District “may plan, acquire, preserve, protect, and otherwise improve, extend, control operate, and maintain open space areas, greenbelt areas, wildlife habitat areas, and regional parks for the use and enjoyment of all the inhabitants of the district.” The same statute further provides the District “may select, designate, and acquire land, or rights in land, within or without the district, to be used and appropriated for those purposes.” The District exercised these statutory powers in 1995, acquiring approximately 161 acres of land in the Wildomar area of Riverside County (“Property”) from a private property owner.

Instead of using the Property for a park or open-space, the District contracted to sell the Property to the Mt. San Jacinto Community College District for construction of a new community college campus. Gerard Ste. Marie, Petitioner, sought the stop the conveyance alleging that the District was not authorized to convey or dispose of the Property. Ste. Marie alleged that the District could not sell the “dedicated” property until it obtained voter approval or legislative authorization.

The parties argued over the statutory interpretation of the phrase “dedicated” as used in two different sections of the Public Resources Code. Specifically if under Public Resources Code section 5540 a property was “dedicated” for park and open space purposes at the moment the District legally acquired title to the Property, the District could not sell or transfer title the District without first obtaining prior voter approval or legislative authorization.

The court found that interpreting the two different sections of the Public Resources Code referencing “dedicated” to mean that land is actually dedicated immediately upon acquisition, would effectively eliminate the District’s flexibility in dealing with its land holdings (land bank) and diminish a park or open-space’s willingness to acquire land for park and open space purposes. The court considered the legislative history, in addition to the plain meaning of the phrase. The court found that reading the two sections as a whole was necessary so that all parts/sections were harmonized. The Property was simply held by the District in a “land bank” for possible future use as a park or open space.

The state Supreme Court reversed that appellate court and held that the District could “land bank” and that prior voter approval or legislative authorization was not required for the sale of land.



Chapter 1 2009 Education Schedule—Remaining

| IRWA Course | Date | Location | Coordinator/Facilitator |
|-----------------------------------------|----------------|-------------------|-------------------------|
| 800—Principals of Real Estate Law | 7/30 to 7/31 | Sempra/ Downey | Bruce Breach, Esq. |
| 401 – Appraisals of Partial Acquisition | 9/14 to 9/18 | Port of LA | Ken/Ralph Brown, SRWA |
| 205 – Bargaining Negotiations | 10/5 to 10/6 | Sempra/ Downey | Kirk/Ralph Brown, SRWA |
| 900 – Principles of RE Engineering | 10/29 to 10/30 | MTA | Diane/Ralph Brown, SRWA |
| | | | |



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OPPORTUNITIES

Chapter 1 Membership Drawing

At each Chapter General Membership Luncheon we draw a name from the Chapter 1 roster and if that person is in attendance, they win a cash prize. The drawing starts at \$100 and increases \$10 for each month that there is not winner.

MUST BE PRESENT TO WIN!

Current Prize: \$120

County of Los Angeles Beaches and Harbors

See Next Page for Excerpted Job Bulletin

Instructions for Filing Online: The Standard County of Los Angeles Employment Application for this examination can be completed Online and submitted electronically. Applications electronically received after 6:00 p.m., PST, on the last day of filing will not be accepted.

TO APPLY ONLINE go to “ https://sjobs.brassring.com/1033/asp/tg/cim_jobdetail.asp?partnerid=25082&siteid=5045&areq=431br ”

Open Until Filled

IRWA Events



55th Annual International Education Conference

Indianapolis Marriott Downtown
June 28 - July 1, 2009

SAMPLING of SESSIONS: An Asset within an Asset, *Corridor/Facilities Management*, Stormwater Permitting Requirements, *EPA Perspective on Green Buildings and Sustainable Development*, Flooding Locally/Nationally, *Storage Fields Basics and Rights*, PHMSA/PIPA Update, Advanced Appraisal and Real Estate Acquisitions for Blue Water Bridge Project, *Relocation for the Elderly*, Undocumented Alien Hardships, Nuts and Bolts of Business Relocation, HUD-Based Projects, *Why Do Surveys Cost so Much*, Integrating Modern Surveying and Mapping Technology, Acquisition Roundtable, Rails to Trails, AASHTO Update, Wind Generation, Federal Agency Update, *Condemnation of Green Buildings*, Conservation Easements, Underground Transmission Lines, Rex Pipeline Case Study, How to be an Expert Witness, Compensation System in Japan, *The New Economics of Infrastructure...*

Get involved with the Chapter!

Are you wondering how to become more involved? Well there are always opportunities and we invite you to look over the 2009 Board of Directors' Roster at the end of this newsletter. Contact any of the Chairs to lend your assistance and perhaps even volunteer as a speaker at one of the two 2009 seminars: Valuation or the Fall Education Seminar.

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POSITION INFORMATION Negotiates and administers the most complex, sensitive, and highest revenue generating leases for the Department of Beaches and Harbors. The one position allocable to this class reports to a Division Chief, Beaches and Harbors, and is responsible for managing the negotiation of non-standard, highly-complex leases in the Marina del Rey Small Craft Harbors and on beaches owned and controlled by the County of Los Angeles.

This position serves as Section Head for the Asset Development section of the Asset Management/Planning Division

ESSENTIAL JOB FUNCTIONS Manages all aspects of negotiations of the most complex non-traditional ground leases in Marina del Rey for redevelopment of various leasehold parcels, which include hotels, shopping centers, apartment and anchorage communities, and mixed-use projects. Coordinates the determination of rents due under the renegotiated leases, option and lease extension fees; calculate participation proceeds from sales or refinancing, deferred rent payments, rent credits, and other complex lease administration calculations.

Develops complex lease management procedures for review of lease administration issues, computerizes accounting procedures for management of clients' reimbursement accounts, calculates deferred payments, reviews lessee cost accounting and determines rental credits due to the lessee or annual lease extension payments to the County. Enforces the terms of complex leases in relation to revenue collection, submission by lessee of various reports, and conducts or assists in the conduct of periodic lease negotiations.

Negotiates with major lessees regarding interpretation and proper application of lease terms to specific leasehold situations. Reviews and makes recommendations regarding County approval of subleases, assignment of leases/subleases or financing of leases/subleases.

Writes contracts and lease amendments related to major leases for review by County Counsel, financial and other legal advisers. Assists the Division Chief responsible for Asset Management in negotiations regarding significant new major leases. Carries out major projects, investigations, studies, surveys and other confidential matters as directed by the department management. Prepares memoranda, briefs, position papers, Board letters, and reports to the Board of Supervisors and constituents. Supervises staff engaged in lease negotiations, property management, or other related special assignments.

MINIMUM REQUIREMENTS Four years' experience in selling, leasing or managing major government-owned institutional or investment grade real properties, two years of which must have been directly related to administering complex leases involving percentage rent, and one year of which must have been in negotiations on major projects with real property developers, lessees, lenders, and their respective legal counsels.

DESIRABLE QUALIFICATIONS One year of experience in a supervisory capacity managing marina properties, concessionaires and matters relating to boating and beaches or a basic knowledge in Maritime Law and boating issues. Ability to work effectively under a tight schedule with last minute instructions from multiple sources and to resolve potential conflicts from amongst various advisors to produce an agreeable work product in a timely manner. Experience in negotiating multimillion dollar agreements for redevelopment of real property. An understanding of boating issues and coastal development requirements. Ability to work effectively with political offices, other departments, agencies, and other community stakeholders, including the lessees and boaters.



Women at the Top

CELEBRATING CREW LOS ANGELES' SILVER ANNIVERSARY BY HONORING WOMEN IN THE FIELD OF COMMERCIAL REAL ESTATE FOR 25 YEARS

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THURSDAY, JUNE 11, 2009

5:30 PM TO 8:00 PM

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BEFORE MAY 29: MEMBERS \$70, NON-MEMBERS \$85
AFTER MAY 29: MEMBERS \$80, NON-MEMBERS \$95
AT THE DOOR - \$100
MEMBER GROUP TABLES [10] - \$625
NON-MEMBER GROUP TABLES [10] - \$775

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| <i>Secretary</i> | David Graeler, Esq. Nossaman LLP Kelly Kitasato City of Pasadena | 213-612-7800 | dgraeler@nossaman.com |
| <i>Professional Development</i> | Michael Popwell, SR/WA Community Redevelopment Agency - City of LA | 213-977-2620 | mpopwell@cra.lacity.org |
| <i>Nominations and Awards</i> | Andrew Thompson, SR/WA | 213-244-5032 | athompson@semprautilities.com |
| 2009 APPOINTED BOARD CHAIRS | | | |
| <i>Education</i> | Tom Hanley, P.E., Chair Paragon Partners | 714-379-3376 X284 | thanley@paragon-partners.com |
| <i>Engineering/Survey</i> | Art Cordero, PLS, SR/WA City of Los Angeles | 213-482-7192 | apcor75a@yahoo.com |
| <i>Environmental</i> | Mohammed Estiri, Ph.D Eco & Associates, Inc. | 714-289-0995 | mestiri@ecoinc.info |
| <i>Fall Seminar October 20, 2009</i> | David Graeler, Esq., Co-Chair Nossaman LLP Kelly Kitasato, Co-Chair City of Pasadena | 626-744-7356 | kkitasato@cityofpasadena.net |
| <i>Historian</i> | Heather Riggs Riggs & Riggs, Inc. | 805-578-2400 | hnriggs@sbcglobal.net |
| <i>Right A Way and the Law Seminar Note New Date of May 18, 2010</i> | Michael Yoshiba, Esq., Co-Chair Richards, Watson & Gershon John E. Mackel, III, Esq. - Co-Chair Demetriou, Del Guercio, Springer & Francis, LLP | 213-626-8483 213-624-8407 | myoshiba@rwqlaw.com JMackel@DDSFIRM.COM |
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| <i>Pipeline</i> | Gary Valentine, SR/WA, MAI Valentine Appraisal & Associates | 661-288-0198 | gsv@valentineappraisal.com |
| <i>Property Management Relocation</i> | Duncan Robb, SR/WA, R/W - AMC Epic Land Solutions Dionisio (Dio) Marquez | 310-626-4848 310-645-3729 X226 | duncanrobb@epicland.com dionisio.marquez@drainc.com |
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| <i>Valuation Seminar April 21, 2009</i> | William Larsen - Co-Chair Integra Realty Resources - Los Angeles Keith Settle, MAI - Co-Chair Keith Settle and Associates | 818-593-7199 X19 818-707-1981 | wlarsen@irr.com keithsettle@roadrunner.com |
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