

## President's Message

Dear Members,

It's the most wonderful time of the year! This is the time we courageously look back on the year and reflect on our personal growth, happiness and success; and should we fall short in any of the important categories, we are hopeful for the many opportunities awaiting in the new year.

Our chapter is extremely successful in staying on point to achieve our goals: in July we had one of the best attended Past Presidents' Luncheons in recent years with 60 members and guests; we combined it with a Relocation Seminar and it was informative, fun and celebratory – as it ought to be when we recognize and thank our members who lead this chapter in prior years. In September we were fortunate to hear about a very recent and relevant court ruling affecting our agencies and I want to thank Ann and Amy for recruiting Artin to discuss the inverse condemnation ruling – it is a treat to have a luncheon presentation that opens a lively conversation and Artin always delivers just that. In October we presented a Fall Seminar to over 80 attendees and thanks to Brian, Taurean and Maria of OPC the seminar ran smoothly and received top compliments for content and delivery. You have done such a great job; we will call on you again!

I am thankful for our 2019/20 board of directors – we are a cohesive group and everyone is contributing tirelessly to the success of our chapter: Alexandra with the full slate of classroom courses; Marilyn turning members into credentialed professionals; Diane soliciting and bringing in new members; Doug for creating this spectacular newsletter; Julia planning and executing all our luncheons and events; Amy creating best informed (and nicest looking) emails to brighten your mail-



Natasa Lenic, Ch. 1 President

boxes; Brian and Bill for organizing Fall and Valuation seminars, respectively; Ann, Craig and Diana for taking their elected roles to the next level of excellence; and every committee chair who leads by example and shares their expertise via the newsletter articles, speaking engagements, encouraging new members to join, and generously donated raffle prizes and sponsorships – you are all cherished and I thank you.

I want to take this opportunity to invite everyone to our

November Holiday luncheon – please register today if you have not already – as the spotlight is on our Young Professionals Committee chair Maya who will lead a conversation with our guest speaker Victoria Deguzman and a few of her METRANS students and recent graduates about their transportation oriented education, what jobs they are seeking and what is most important for them in a job. Excellent opportunity for agencies and companies to add to the conversation, challenge the incoming generation with a true, pressing right of way problem you are tackling and explore where the conversation leads. I hope we will see some new members and guests; this will be a lighthearted festive gathering to properly welcome the season: buffet menu, exciting raffle prizes, opportunity to win \$100 cash for a member in attendance, and some surprises you will not want to miss. Mark your calendar for November 14 and join us at Luminarias!

Enjoy the newsletter (feel free to provide feedback and don't forget to compliment Doug and all the article authors) and may you have a warm Thanksgiving, merry Christmas and the cheeriest of New Year's – Happy Holidays to all!

Natasa

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## Newsletter Chair's Message



**Doug Harman,**  
Newsletter Chair

A lot has transpired in the past couple months since the last newsletter was published. In September, there was an excellent luncheon featuring Artin Shaverdian of Nossaman. Artin presented an overview of the inverse condemnation ruling in the City of Oroville v. Superior Court of Butte County. In October, Brian Everett of OPC chaired the highly informative and entertaining Fall Seminar. The seminar consisted of six outstanding panels and an excellent keynote speaker. A big thank you to Amy Betonte, Communication Chair, who has put together a great summary of these two successful events.

Prior to the end of year, the Chapter 1 Holiday Luncheon will be held on November 14 at Luminarias. Also, the Tri-Chapter Luncheon will be on December 11 at the Mission Inn in Riverside. Additionally, there are three educational course opportunities remaining in 2019. Thank you to Alexandra Nguyen-Rivera, Education Chair, for assembling a comprehensive schedule of courses for the 2019/20 fiscal year.

A new feature in this issue is brief messages from Chapter 1 Elected Officials. Thank you to Ann and Craig for all your contributions to Chapter 1.

Also, in this issue are great articles covering a range of topics: the upcoming Annual Valuation Seminar (Bill Larsen), Chapter 1's bid to host the 2024 Annual Education Conference (David Graeler), Relocation Memories (David Richman), Project Management Update (Ray Mehler), Legal Case of the Month (Michael Yoshiba) and Professional Development Committee Updates (Marilyn Stuart). Thank you to each and everyone of you for your articles.

In conclusion, it's hard for me to believe that it is already November and the year is coming to a close. As this is the final newsletter of the year, I would like to wish everyone a happy holiday season. May it be an enjoyable and relaxing time spent with loved ones. Also, I look forward to 2020 and all the exciting events and opportunities it will bring.

Best wishes to all.

Want to contribute an article? Have any comments or suggestions? We would very much like to hear from you. Please email [newsletter@irwa1.org](mailto:newsletter@irwa1.org)

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## President-Elect's Message



Ann Kulikoff,  
Ch. 1 President-Elect

The Region 1 Fall Forum meeting was held on July 12, 2019 in Santa Barbara. Craig Justesen and I attended on behalf of Chapter 1. There are two forums a year held by Region 1. IRWA in North America is divided into 10 regions. Region 1 is comprised of Arizona, California, and Nevada. The State of California has nine Chapters.

It was a great opportunity to collaborate and share each Chapter's best business practices and successes. Chapter 1 was recognized for 10% increase in membership. We requested and received support from the Region for the 2024 Annual Conference bid.

There were updates on initiatives from both International Representatives and the RWIEF.

One of the key items that we agreed we could all benefit from was a tool to effectively communicate IRWA initiatives and available resources for Region 1 Chapters in one convenient location. Yoli Matranga, Region 1 President, identified that a website for Region 1 is something that they are looking at developing. As it is will be great for current and future Region 1 leaders to help chapters identify resources available for their chapter and membership. Great meeting all around.

## Treasurer's Report



Craig Justesen,  
Ch. 1 Treasurer

I was fortunate to attend the Region 1 Fall Forum where along with Head Quarters updates, each chapter presented their updates and challenges. Many of the challenges or concerns were centered around membership numbers and participation in classes and events. With the first quarter of fiscal year 2019/2020 closed, I appreci-

ate being able to report that first quarter luncheons and classes were a financial success. The successes are attributed to all those who planned, supported, and participated in the events. For additional information please feel contact me at [craigjustesenidt@gmail.com](mailto:craigjustesenidt@gmail.com).



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Upcoming Chapter 1 Education



Alexandra Nguyen-Rivera, Education Chair

Course Dates	Course No.	Course Name	Location (with link to google maps)	Instructor	Link to Details
Nov. 12 & 13, 2019	215	ROW Acquisition for Pipeline Projects	<a href="#">Metro Water District Conf. Room 2-413</a>	David Sinclair	<a href="#">click here</a>
Dec. 5, 2019	604	Spot On! (Phase I class)	<a href="#">Metro Water District Conf. Room 2-413</a>	Fred Walsavage	<a href="#">click here</a>
Dec. 11, 2019	802	Legal Aspects of Easements	<a href="#">Public Works Small Dining Room</a>	Darryl Root	<a href="#">click here</a>
Jan. 13 - 16, 2020	421	The Valuation of Partial Acquisitions	<a href="#">Public Works Conference Room A</a>	Craig Owyang	
Feb. 5, 2020	801	United States Land Titles	<a href="#">Public Works Conference Room D</a>	Darryl Root	<a href="#">click here</a>
Feb. 12, 2020	230	Oil/Gas Land Basics & Related Surface Rights Issues	<a href="#">Metro - Gateway Plaza Conf. Room 3rd Floor</a>	TBD	
Mar. 11 & 12, 2020	900	Principles of Real Estate Engineering	<a href="#">Public Works Alhambra Room</a>	Laura Slye	<a href="#">click here</a>
Mar. 19, 2020	213	Conflict Management	<a href="#">Metro - Gateway Plaza Conf. Room 3rd Floor</a>	Steve Kiley	<a href="#">click here</a>
Apr. 1 & 2, 2020	501	Residential Relocation Assistance	<a href="#">Public Works Small Dining Room</a>	Darryl Root	<a href="#">click here</a>
Apr. 15 & 16, 2020	205	Bargaining Negotiations	<a href="#">Metro Water District Conf. Room 2-413</a>	Steve Kiley	<a href="#">click here</a>
May 13 & 14, 2020	400	Principles of Real Estate Appraisal	<a href="#">Public Works Conference Room B</a>	Larry Castellanos	<a href="#">click here</a>
Jun. 17 & 18, 2020	203	Alternative Dispute Resolution	<a href="#">Metro - Gateway Plaza Conf. Room 3rd Floor</a>	TBD	

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Upcoming Events—Save the Date

Date	Time	Event	Location	Link
Thursday, November 14	11:30am - 1:30pm	Holiday Luncheon	<a href="#">Luminarias, Monterey Park</a>	<a href="#">Flyer</a>
Thursday, December 5	9:00am - 11:00am	IRWA Credentialing Workshop	<a href="#">Video Conference</a>	See Info Below
Wednesday, December 11	11:00am - 2:00pm	Tri-Chapter Luncheon	<a href="#">Mission Inn, Riverside</a>	<a href="#">Flyer</a>
Thursday, January 23	10:00am - 1:30pm	January Luncheon & Board Meeting	TBD	<a href="#">Flyer</a>
Tuesday, February 25	8:00am - 5:00pm	Valuation Seminar	<a href="#">Quiet Cannon, Montebello</a>	<a href="#">Flyer</a>
Tuesday, March 24	10:00am - 1:30pm	Joint Luncheon with the Appraisal Institute	TBD	<a href="#">Flyer</a>
Thursday, May 21	11:00am - 5:15pm	Luncheon and Half-Day Pipeline Seminar	TBD	<a href="#">Flyer</a>

At this holiday season, we remember that when we work together, anything is possible! Enjoy this magical season!



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Join us for the **IRWA Credentialing 101 Workshop!**

- > Questions about any of the Industry or Specialist Certifications?
- > Questions about your IRWA Recertification?
- > Other credentialing questions?

IRWA's Credentialing Committee Chair, Trevor Martens, SR/WA and the Credentialing Committee will be answering these questions on **Thursday, December 5, 2019 at 9 am Pacific Time**. Please plan to join us.

To join the video call, click the link below:

<https://primetime.bluejeans.com/a2m/live-event/cbzkbtku>

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## Upcoming Events—Save the Date

**ANNUAL VALUATION SEMINAR****Tuesday, February 25, 2020****Quiet Cannon Conference Center  
901 North Via San Clemente, Montebello**

**Plan to join us for this seminar.** Our target audience includes acquisition managers, acquisition agents, real estate attorneys and appraisers. Speaker panel topics will focus on public acquisition of full and partial takings, permanent and

temporary severance damages, project benefit issues, and loss of goodwill. The seminar will also include a panel presentation on potential financial liability issues, associated with rising sea levels, affecting Southern California coastline cities. 147 attended this event in February 2019 – join us for this networking event.

**THE 2020 SEMINAR WILL INCLUDE 18± GUEST SPEAKERS INCLUDING:****Donna Desmond, ASA, Donna Desmond Associates****J. Richard Donahue, MAI, Integra Realty Resources-Orange County****John G. Ellis, MAI, CRE, FRICS, Integra Realty Resources-Los Angeles****John Erskine, Esq., Nossaman LLP****Bradford B. Kuhn, Esq., Nossaman LLP****Robert M. Lea, MAI, Integra Realty Resources-Los Angeles****Madeleine Mamaux, CFA, ASA; Desmond, Marcello & Amster****Keith E. McCullough, Esq., AlvaradoSmith****We anticipate receiving approvals of:**

8.0 hours of BREA credit

7.25 to 7.50 hours of MCLE credit

8.0 hours of SR/WA Recertification credit

If you have any questions regarding seminar content, please contact Seminar Chair:

**William Larsen, SR/WA**[wlarsen@irr.com](mailto:wlarsen@irr.com)

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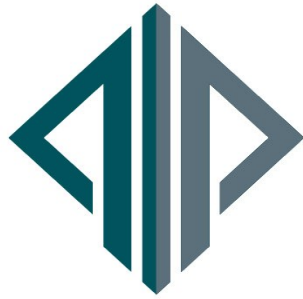
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Weekend Update (1 of 7)



# IRWA Chapter 1 Weekend Update September-November 2019 Volume II

Amy Betonte, Communications Chair

## 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



**Chapter 1 would like to congratulate Alexandra Nguyen-Rivera on her SR/WA Certification.** 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."*

Anyone interested in working on their IRWA certifications, please contact, Marilyn Stuart  
marilyn.stuart.lb@gmail.com

## Weekend Update (2 of 7)

## Really, what is Inverse?



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 spewing from the toilets, sinks, and drains of its building. The Supreme Court held that where 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.

## Chapter 1 Inducted 6 Members at the September Luncheon We Would Like to Welcome:

**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

Please contact Diane Dominguez at [dominguezd@metro.net](mailto:dominguezd@metro.net) to learn the many benefits of becoming members in IRWA Chapter 1.



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Weekend Update (3 of 7)

## FALL SEMINAR

On October 29, 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:



Weekend Update (4 of 7)



**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:**



Weekend Update (5 of 7)

**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.



**REMINDER:**

**The Next IRWA Chapter 1 Event is:**

**[CLICK HERE  
TO  
REGISTER](#)**



**Board Meeting Begins at 10:30 am  
Chapter Luncheon Begins at 11:30 am**

Weekend Update (6 of 7)

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 MANAGMENT  
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.



Weekend Update (7 of 7)

PANEL 6:

HOW TRANSPORTATION IS SHAPING LA'S FUTURE

Janella 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.



***If you missed the 2019 Fall Seminar, please visit our website to view the presentations:*** <https://irwa1.org/events/fall-seminar-2019-register-today/>



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## Chapter 1 to Make Bid to Host the 2024 Annual Education Conference



**David Graeler,**  
Education Conference  
Bid -2024 Chair

As the Chair of Chapter 1's Annual Education Conference Bid Committee, I'm very excited to inform you that Chapter 1's Board recently approved a resolution authorizing Chapter 1 to make a bid to host the 2024 Annual Education Conference. I want to give a quick thank you to the other committee members for participating in this effort. The other committee members are: Ann Kulikoff, Craig Justesen, Steve Parent, Mary Torres, Amy Betonte, Artin Shaverdian, Ray Mehler, and Marilyn Stuart.

So what does this all mean and why are we talking about 2024 when IRWA is currently taking applications from chapters to host in 2023? First, we'd like to host in 2024 because it coincides with the 90<sup>th</sup> anniversary of the IRWA, so we'd like to bring it all back to Chapter 1 where the IRWA (back then, the American Right of Way Association) all began! For those of you who are wondering why we don't just wait until 2034 to commemorate the 100<sup>th</sup> anniversary of IRWA, I think it's safe to say that many, if not most, of us will be enjoying retirement by then! Besides, Chapter 1 hasn't hosted the Annual Education Conference since 1971, so we are way past due! Because Region 1 cannot host two consecutive years in a row, it was important to announce our interest in hosting in 2024 now so that other chapters in Region 1 would be supportive of our effort and not make a bid for 2023.

I'm pleased to report that we've received very good support from Region 1 already!

Because we are still many years away, we are currently light on details. But I can share with you that the formal pitch will occur at the Annual Education Conference in 2022, which will take place in Cleveland, Ohio. Our plan is to designate Long Beach as the host city. The Long Beach Convention Center is a perfect venue for the event in terms of size and amenities, and the Hyatt Hotel is connected directly to it. We are also confident that we'll be able to secure very reasonable room rates for IRWA members both at the Hyatt and a nearby overflow hotel. There are also many attractions in and around Long Beach (Shoreline Village, Queen Mary, Catalina cruises, the USS Iowa, and much more), and visitors from out of town are still close enough to visit places such as Disneyland, Universal Studios, and other major sites in and around Los Angeles. Long Beach also has wonderful access at three major airports (LAX, John Wayne, and Long Beach), and much of the light-rail projects currently under development and LAWA's Landside Access Modernization Program should be complete. The timing is perfect!

I'm sure I'll have more updates over the coming months and years about how our efforts are progressing and how you can volunteer if/when we are selected. We can't wait to get started!

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## Legal Case of the Month



Michael F. Yoshiba,  
Law Chair

### Your “Arguments Are A Series Of Misfires”

Words that you never want to hear from a Court

New Method Wellness, Inc. v. City of Dana Point  
(Aug. 23, 2019, No. G056741) Cal.App.5th [2019 WL 3980797].

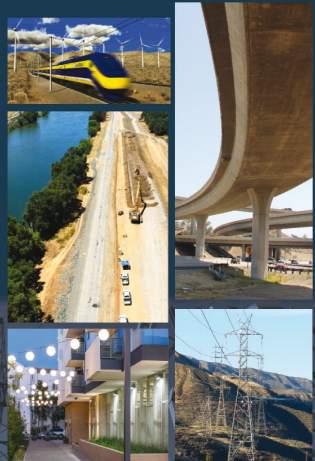
Judges in all courts dislike being presented arguments by legal counsel that are clearly unsupported by law, in fact, or even worse, arguments made where both law and fact are indisputable and wrong. In a recent case concerning the City of Dana Point’s (“City”) seeking injunctive relief from a claim of nuisance in violation of municipal zoning code precluding New Method Wellness, Inc. (“Business”) from operating a private drug treatment business within a property zoned for single-family residences (“Property”).

The evidence presented in the trial court demonstrated that the Business operated from several locations and advertised the use of the Property as part of their overall drug treatment program. The Business used the Property for housing and treatment of clients within their program. Without first obtaining a City permit, treatment services provided at the Property was a violation of the City’s zoning codes. The Superior Court found that there was sufficient evidence demonstrating that the zoning code violations occurred, and that there were no legal exceptions. *(continued on next page)*



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## Legal Case of the Month *(continued)*

After losing the battle in the Superior Court, and apparently undeterred by fact and law, Business sought an appeal of the lower court's judgment. The Justices of the Appellate Court deemed the Business' arguments on appeal unpersuasive and upheld the judgment of nuisance. However, on this occasion, the Justices found the appellant's arguments worthy of pointed comments not typically included in formal appellate decisions. The following list includes a few select quotes, no prefatory explanation is needed, that surely all lawyers hope to avoid when reading from the appellate decisions deciding their case.

- “[We] conclude the court’s finding is supported by substantial evidence. From that finding it follows almost ineluctably that [the City] was entitled to an injunction...”
- “[We] address an assortment of additional legal doctrines defendants raise to challenge the injunction, none of which pose any obstacle to its enforcement.”
- “Defendants’ remaining arguments are a series of misfires.”
- “This [Business’] argument is dead on arrival.”
- “...the only specific statutes they cite are inapplicable.”
- “There is no evidence of that here.”
- “That statute has no application here whatsoever...”
- “In their final misfire...”
- “What was never had cannot be taken.”



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## Project Management Update



Ray Mehler,  
Project Management Chair

Project Management Chair Ray Mehler moderated a panel session at the Chapter 1 Fall Seminar entitled *Project Success Factors: LADWP's Barren Ridge Transmission Project*. Los Angeles Deputy City Attorney Tim Chung, DWP Appraisal Manager Guy Lammers and Lead Condemnation Counsel Keith McCullough presented their contributions which made this project an unqualified success. This team led the acquisition of 444 parcels, enabling on-time activation in October 2016.

Frank Mendez, R/W-RAC, Project Manager with Del Richardson & Associates, has completed project management coursework and intends to prepare for and take the PMP examination in coming months. Frank leads relocation projects for DRA, including successful completion of relocation of the remaining Manchester Square residents for LAWA's Consolidated Rental Car Facility. LAWA broke ground in September and construction completion is

expected in 2023. Ray Mehler has also begun discussing with the IRWA how it might take initial steps toward developing an IRWA certificate or credential which complements the PMP credential offered by the Project Management Institute. This could take initial form of a session or seminar and perhaps eventually an IRWA designation. Ray has also discussed collaboration ideas with other chapters to improve right of way project management. Please contact Ray at the address below to share your thoughts. The Project Management Committee will send a survey in first quarter of 2020 asking Chapter 1 members how IRWA could improve right of way project management resources.

Ray Mehler, SR/WA, PMP is president of Right of Way Management Consulting, Chair of the Chapter 1 Project Management Committee, and Secretary/Treasurer of IRWA Region 1. He can be reached at [Raymond.D.Mehler@gmail.com](mailto:Raymond.D.Mehler@gmail.com).

# PROJECT MANAGEMENT

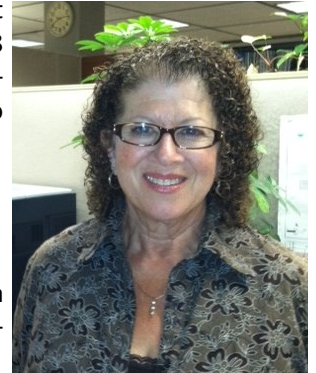


## Highlights from Chapter 1 Professional Development Committee

Chapter 1 is among the top percentage of IRWA's national and international chapters when it comes to member credentialing! We have 55 members who hold the SR/WA designation and 28 members who hold specialty certifications! We also have many members who are diligently pursuing their designation and certifications and are close to reaching their goals. We are here to help you pursue your path to success as well!

### What are the benefits of obtaining the SR/WA Designation?

The Senior Right-of-Way Professional (SR/WA), is the most prestigious professional designation granted to those right-of-way professionals who have achieved professional status through experience, education, and examination. While the SR/WA professional may be a specialist in one area, they must also be familiar with all disciplines associated with the right-of-way profession. The SR/WA designation is the only designation reflecting evidence of professional accomplishment in the right-of-way profession.



**Marilyn Stuart,**  
Professional Development  
Committee Chair

**Stay Ahead of the Curve** Today's marketplace is crowded and complex. To develop a solid, competitive advantage—and to remain ahead of that curve—you can rely on an IRWA designation to prepare you and your company for whatever lies ahead.

**The Only Name That Counts** IRWA stands for the highest standard of excellence. As such, an IRWA designation is a rigorous process that will work to differentiate you from other professionals. Our high standards have enabled us to create a distinction that is universally respected by customers, businesses and colleagues across most disciplines.

**The Right Stuff** Companies with employees who are IRWA certified report impressive results. Designation can often win business in competitive situations. Certified professionals often make better employees. They tend to exhibit higher productivity, reduced learning curves, increased technical competencies, lower error rate, and a higher level of job satisfaction.

**Individual Benefits** Earning the SR/WA Designation will help boost opportunities and salary potential. The SR/WA Designation expands employment opportunities, increases salary potential, boosts chances for career advancement and demonstrates professional commitment. Research shows that professionals who have earned the SR/WA Designation earn more throughout their career than those without it.

**Benefits to Employer** Employers benefit from the SR/WA Designation too. They will be rewarded with higher employee retention, increased productivity and a boost in employee morale and confidence. The Designation enhances employee skills through multidiscipline training and examination. Retaining experienced staff is an enormous competitive advantage for any employer.

## Highlights from Chapter 1 Professional Development Committee

Please join us in congratulating the following Chapter 1 Members on their professional accomplishments:

### SR/WA Designation:



**Alexandra Nguyen-Rivera, SR/WA**

Alexandra Nguyen-Rivera has been with the County of Los Angeles since 2013. As the 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. During her time there, she has worked on a variety of projects including the Vasquez Road Landslide project and the Twin Lakes Condemnation project for sewer easements. Prior to that, Alex worked for a Fortune 200 company focusing on investment sales and office leasing. Alex is also the Chapter's Education Chair planning the course schedule and hiring the instructors for each course. She believes that by continually investing in today's workforce it will develop more effective leaders tomorrow.

### RWA Designation:



**Phyvin Mok, RWA**

Phyvin is a Real Estate Representative II in the Real Property Group at The Metropolitan Water District of Southern California. She joined Metropolitan in 2018 and has represented the Acquisition and Disposition Team in the disposition of surplus properties and in the Second Lower Feeder Pre-Stressed Concrete Cylinder Pipeline Rehabilitation Program.

Phyvin has a Bachelor's degree in Business Economics with a minor in Accounting from the University of California, Los Angeles, and a Master's degree in Communication Studies from California State University, Los Angeles. Phyvin holds a Right-of-Way Agent Certification from the IRWA, and is also a licensed real estate agent with over 14 years of real estate portfolio management experience specializing in wealth management and investment strategies for high profile individuals and institutional investors. Phyvin is working toward her Senior Right-of-Way Agent and CCIM designations.

### SR/WA Recertification:

**David Roberts, SR/WA**  
City of Los Angeles

**Tyrone Miller, SR/WA**  
Houston, Texas



## 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!



### 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

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](mailto:marilyn.stuart.lb@gmail.com) - (702) 250-2865

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

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

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

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

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

**Great News! The Chapter 1 Board of Directors Have Approved the Free Course Voucher for the 2019-20 Fiscal Year!**

As a Chapter 1 Member You are Eligible to Attend a FREE One-Day Chapter 1 Sponsored Class Within the Next Year

This is a wonderful opportunity for all Chapter 1 members to help you fulfill your IRWA educational requirements for certifications, SR/WA designation, or to receive continuing education credit. Please check the chapter course listing in this newsletter to make plans to enroll in courses you need and take advantage of the free 1-day course credit.


How do you use the Free Course voucher?

- You will register directly with the course coordinator of any Chapter 1 sponsored class to register.
- First, send a copy of the voucher to the PDC Chair for authorization.
- Next, send your registration form and voucher to the course coordinator to complete registration.

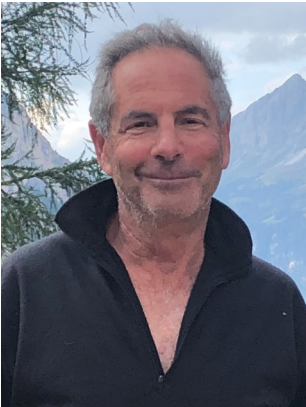
If you haven't redeemed your voucher yet, feel free to use the copy of the voucher provided below for your convenience.

Your voucher can be redeemed for a free 1-day Chapter 1 sponsored IRWA class or equivalent credit if applied to the tuition of a multiple day class. The Chapter 1 Professional Development Committee can help you develop a plan to reach your professional goals for RWA, RWP certifications leading to the prestigious SR/WA designation or a specialist certification.

Here is your FREE COURSE VOUCHER for the 2019-20 Fiscal Year! It will be valid until the end of June 2020

	<p align="center"><b>IRWA CHAPTER 1</b> <b>FREE ONE DAY COURSE VOUCHER</b></p>
<p align="center"><b>THIS VOUCHER IS REDEEMABLE FOR A ONE DAY CHAPTER 1 SPONSORED IRWA COURSE OR EQUIVALENT CREDIT APPLIED TO ONE DAY OF A MULTIPLE DAY COURSE*</b></p>	
<p><b>*Terms of Voucher Usage:</b></p>	
<p><b>Valid for IRWA Chapter 1 Members for attendance at Chapter 1 Sponsored Courses Only</b></p>	
<p><b>Voucher Use is Limited to the First 10 Enrollees Per Each Chapter 1 Course</b></p>	
<p><b>This Voucher NOT Valid for Online Courses, is NOT Transferable and has NO Cash Value</b></p>	
<p><b>Course Registration Must be Arranged in Advance Through Course Coordinator</b></p>	
<p><b>MEMBER NAME</b> _____</p>	
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<p><b>COURSE COORDINATOR SIGNATURE</b> _____</p>	
<p><b>PDC CHAIR SIGNATURE</b> _____</p>	
<p align="center"><b>Must be presented to course coordinator at registration - Expires JUNE 30, 2020</b></p>	

## Relocation Memories...



David Richman,  
Relocation Chair

As I approach my 20<sup>th</sup> year in the “relocation” business, I have noticed more than a few changes. Some of those changes include more gray hair; less of the “old” faces; and more new “younger” faces. I have also noticed that I have to think harder to remember things and some of those “things” may not even be known by newer practitioners.

So, what are those “things”? In some instances, they are important things to remember that should impact our day-to-day activities. Some are litigation related whose nuances may be easily forgotten and more importantly, something that a new practitioner may be unaware. It is with that thought that I felt it important to point out some of those areas.

As a cautionary note, the below reminders are not meant to be “all-inclusive” nor a complete legal analysis and may require you to perform some research. If you want to discuss further, please feel free to contact me at [david@autotempservices.com](mailto:david@autotempservices.com)

### SAVE TARA.

Do “words” whether spoken or written make a difference, whether in an informational letter, relocation plan or some other document?

Does it commit the Agency to a specific action?

Does it preclude the Agency from alternatives?

Have significant resources been committed to the project?

Is the project sufficiently well-defined to permit meaningful review?

The analysis is not whether something is a “Project” but whether there was an “approval” by the Agency.

Reference: *Save Tara v. City of West Hollywood* (45Cal. 4<sup>th</sup> 116)

### PRICE v. STOCKTON

City establishes an intensive code enforcement program for a neighborhood. The program results in closure of 10 buildings and displacement of 200 tenant households.

Are the displaced tenants entitled to relocation benefits?

Would the answer be different if the neighborhood was in a project area with established goals of eliminating dilapidated buildings with code enforcement problems?

The City or a developer with funding from the City makes offers to purchase five of the buildings closed and three others and actually buys three of the five buildings closed by code enforcement.

Are all the displaced tenants entitled to relocation benefits?

Are only those displaced from the units the City or developer offered to or actually did buy entitled to relocation benefits?

Reference: GC 7265.3(a); CCR 6008(f)(3)(E); *Price v. City of Stockton*, 390 F. 3d 1105 (9<sup>th</sup> Cir. 2004)

## Relocation Memories... *(continued)*

### GOODWILL/IN-LIEU PAYMENT OFFSET LETTER

An Agency condemns property on which a small business operates and requires the small business to vacate the property. The small business cannot easily relocate and so goes out of business, receiving a \$20,000 "in lieu" payment from the Agency. In the condemnation trial, a jury requires the Agency to pay the small business \$30,000 for the small business' loss of business goodwill due to the Agency acquisition.

Can the Agency offset the "in lieu" relocation payment against the goodwill award?

Does it make a difference if the Agency informed the small business at the time of making the "in lieu" payment of the portion of the payment that reflects loss of goodwill?

Reference: CCP 1263.510; CCR 6100

### WHAT IS AN UNLAWFUL OCCUPANT?

Is it a non-conforming, non-permitted use?

Is it someone who moves out because they know they haven't paid their rent?

Reference: CCR 6008 (f), (v), 6058

### DOES A RELOCATION PLAN HAVE A "SHELF-LIFE"?

Agency prepares and approves a relocation plan in April 2017 expecting to begin relocation in July 2018. However, the project is delayed resulting in the delay of relocation to August 2019.

Is it necessary to prepare and approve a new or updated relocation plan before the relocation is carried out in 2019? What would the update include?

Reference: CCR 6038, 6052

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- Must hold CA Real Estate License
- Preferably Spanish-bilingual

### Relocation Agent

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## Relocation Memories... *(continued)*

### VIEWS TO KILL FOR...

Agency acquires a residential building that has views of the Estuary from the top floor. Ms. Vista lives on the top floor. The Agency offers Ms. Vista five replacement units that are in all ways comparable to her current unit except none have a view of the Estuary.

Has the Agency met its obligation to provide Ms. Vista comparable replacement housing?

References: CCR 6008(c), 6042

### SUFFICIENT REPLACEMENT HOUSING

The Agency's relocation plan for relocation of 50 households shows that the vacancy rate in the community for rental housing of the type that the households will occupy is only 2% i.e., only 2% of the units are vacant at any one time. However, the relocation plans also shows that there are at least 60 vacant units available for the households to move to.

Is the relocation plan adequate in showing that there will be sufficient relocation resources to house the 50 households to be relocated?

Reference: CCR 6052(d)(3)



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<b>Asset Management</b>	<b>Frances Impert, SR/WA</b> <i>LACMTA</i>	213-922-2410	impertf@metro.net
<b>Communication</b>	<b>Amy Betonte, JD, RWA</b> <i>Paragon Partners, Ltd</i>	949-637-6734	amybetonteirwa1@gmail.com
<b>Education</b>	<b>Alexandra Nguyen-Rivera, SR/WA</b> <i>LA County DPW</i>	626-458-7052	alnguyen@dpw.lacounty.gov
<b>Educational Conference Bid - 2024</b>	<b>David Graeler, Esq.</b> <i>Nossaman LLP</i>	213-612-7836	dgraeler@nossaman.com
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<b>Fall Seminar/Acquisition Negotiation</b>	<b>Brian Everett</b> <i>OPC</i>	562-304-2000	beverett@opcservices.com
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<b>Membership</b>	<b>Diane Dominguez, SR/WA</b> <i>LACMTA</i>	213-922-5253	dominguezd@metro.net
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<b>Oil &amp; Gas Industry</b>	<b>Steve Parent, SR/WA</b> <i>CBRE</i>	916-919-7262	steve.parent@cbre.com
<b>Pipeline</b>	<b>April Harvey, SR/WA</b> <i>Crimson Pipeline</i>	562-714-3201	aharvey@crimsonpl.com
<b>Project Management</b>	<b>Ray Mehler, SR/WA, PMP</b> <i>Right of Way Management Consulting</i>	562-313-9439	Raymond.d.mehler@gmail.com
<b>Relocation</b>	<b>David Richman, R/W-RAC</b> <i>Autotemp</i>	888-202-9195	david@autotempservices.com
<b>Transportation</b>	<b>Cheryl DeMucci, SR/WA</b> <i>Paragon Partners, Ltd</i>	310-844-4514	cdemucci@paragon-partners.com
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<b>Valuation</b>	<b>William Larsen, SR/WA</b> <i>Integra Realty Resources-Los Angeles</i>	818-290-5428	wlarsen@irr.com
<b>Webmaster</b>			
<b>Young Professionals</b>	<b>Maya Hamouie, Esq.</b> <i>Nossaman LLP</i>	323-640-5610	mhamouie@nossaman.com

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# HOLIDAY LUNCHEON

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NOVEMBER 14, 2019

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December 11, 2019



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## GUEST SPEAKER

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[www.irwa57.org](http://www.irwa57.org)



**IRWA CHAPTER 1**

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**JANUARY 23, 2020**

**More Details to Follow**

# SAVE THE DATE VALUATION SEMINAR

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# **SAVE THE DATE**

**Join IRWA Chapter 1 for the Annual**

*Joint luncheon with  
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Appraisal Institute!*

**TUESDAY, MARCH 24, 2020**

**More Details to Follow**



## SAVE THE DATE



**MAY 21  
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**IRWA CHAPTER 1  
LUNCHEON AND  
1/2 DAY PIPELINE  
SEMINAR**



MORE DETAILS TO FOLLOW

# The Rose City Classic

## The Reserve Vineyard and Golf Club, Aloha, Oregon

The Foundations' 23<sup>rd</sup> annual golf tournament, was held on June 11 at The Reserve Vineyards and Golf Club, a semi-private facility about 30 minutes outside of Portland. The Reserve boasts two 18-hole courses with enough juice in the layouts to challenge the games greatest players. The course has hosted the PGA Champions Tour and seen play by the likes of Jack Nicklaus, Arnold Palmer, Tom Watson, Fred Couples, Phil Mickelson and Sergio Garcia, just to name a few. Under a brilliant blue sky and low 90 degree temps (and we thought it was cool and rainy in Portland), an adventurous field of 108 golfers enjoyed their round on the pristine South Course, a par 72 track measuring from 5,189 to 7,172 yards. Everyone enjoyed contests for chipping, closest-to-the pin on the par 3 holes, men and women's long drives as well as the top three tournament finishes and a closing raffle. While being challenged by the course and having loads of fun, we raised net proceeds of \$20,000 for right of way education!

### THE FOUNDATIONS WISH TO THANK OUR GOLFERS AND GENEROUS SPONSORS:



# The Rose City Classic Golf Tournament



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# Monday Night at the Square

## Pioneer Square, Portland, Oregon

Everyone had a blast at Pioneer Square, downtown Portland's outdoor historical venue, where the Foundations hosted their annual fundraiser! Over 700 attendees were greeted by Brian Kidd, AKA The Unipiper, an amazing local entertainer dressed as Darth Vader, riding a unicycle while playing bagpipes that threw flames as he played. (Honest. You can't make this stuff up.) New this year was a silent auction on-going through the evening using the fun, real-time electronic app by Handbid. We could follow auction items on our mobile devices and see who was outbidding who. Delicious salmon, chicken, beef, salads, vegetables and strawberry shortcake were enjoyed, followed by a live auction featuring a puppet of our outgoing IRWA President, Jeff Jones. Then we danced the night away with fantastic music by Five Guys Named Moe, performing everything from Motown to Rock 'n Roll classics to great American standards. Bringing the evening to a close, Chapter 3's own Tanya Johnson, SR/WA, RW-RAC, serenaded us with her sultry rendition of Patty Cline's big hit, "Crazy". Approximate net proceeds of \$30,000 were raised for right of way education!

### THE FOUNDATIONS WISH TO THANK OUR ATTENDEES AND GENEROUS SPONSORS:

