

IRWA

ORANGE COUNTY
CHAPTER 67

AWARD WINNING
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MONTHLY Bundle of Writes

NEWS AND EVENTS FOR IRWA CHAPTER 67

August 2023

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PRESIDENT'S MESSAGE

Rudy Romo, SR/WA
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Hello Chapter 67 Members,

I hope you are having a pleasant summer whether you've been out of town or at home enjoying a staycation.

As you may recall, at the end of June, Matt and I attended the International Conference in Denver, Colorado. There were many Chapter 67 members there and it was wonderful to see a number of them conduct "break-out" presentations. In addition, our very own Janella Cordova, who received her SR/WA earlier this year, was recognized on stage at the awards ceremony.

Most of all, I have to give a big "shout-out" to Alyson Suh, our Newsletter Editor, because Chapter 67 won the "International Newsletter of the Year" award! Way to go Alyson!!! We competed against another finalist from Chapter 10, Indiana in Region 5. Kudos are also due to Amanda Fitch, RWA who assists with photos and information,



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Joe Munsey for providing articles, and Christy Porter who performs the magic behind the scenes to always make our newsletters look amazing. And thank you to everyone else who contributes to our award-winning newsletter--congratulations on a job well done! We will present the plaques at our September luncheon.

With regard to other awards, the following chapters and individuals were recognized as follows:

1. State Association of Real Property Agents (SARPA) scholarship: Kasy, Baldauf, SR/WA
2. Canadian Right of Way Education Foundation (CRWEF) scholarship: Irham Khimji
3. Newsletter of the Year: Chapter 67, Orange County, Region 1 (Yay!)
4. Website of the Year: Chapter 57, Inland Empire, Region 1 (Yay!)
5. Chapter of the Year: Chapter 3, Beaver State, Region 7
6. Gene L. Land Award: Chapter 83, South Africa
7. Young Professional of the Year: Jesse Ray, SR/WA, Chapter 4, Region 7
8. W. Howard Armstrong Instructor of the Year: Fred Walasavage, Chapter 3, Region 7
9. Ronald Jourdan, SR/WA Advancement Award: Janet Walker, SR/WA
10. Dan Beardsley Memorial IRWA Builder Award: James Finnegan, SR/WA, Chapter 27, Sacramento, Region 1
11. Frank C. Balfour Professional of the Year Award: Cyndi Whelpley, SR/WA

Also, here is a summary of various items that were voted upon:

- a. Vacancy in the International Executive Committee (IEC): This resolution passed which permits a vacancy to remain if it occurs 90 days or less before the Annual Board meeting. If the vacancy occurs more than 90 days before the Annual meeting, the IEC shall immediately call a special meeting of the Board of Directors for the purpose of electing a replacement for the remainder term before the Annual meeting.
- b. Minimum Qualifications to the IEC: This resolution did not pass which would have required a prospective candidate to the IEC have a certain number of years experience at the region level. The rationale being that the IEC would have a limited number of qualified candidates apply for the positions.
- c. Election of International Executive Committee (IEC) Officers: We voted on the new IEC offices, many which held previous positions on the Board of Directors, and the new secretary, Cyndi Whelpley, SR/WA.
- d. Election of Region Officers: Region Chairs and Region Vice Chairs were elected by the Board of Directors for each of the 10 regions.

If you recall, the Right of Way International Education Foundation (RWIEF) offered a \$2,500 scholarship to one member of each of our 68 Chapters. I'm proud to announce that Sarah Downs, Esq. and Lara Boyko of our Chapter each received a scholarship. Congratulations to them both! We know they will put the scholarship money to good use.

In case you missed our last luncheon before the summer break, we were honored to have Jim Beil, Executive Director of Capital Programs for the Orange County Transportation Authority, talk about the OC Streetcar Project. When completed, it will be the only light rail project in Orange County servicing Santa Ana's busy downtown and run a distance of approximately 4.15 miles. It was a very informative presentation and we look forward to riding the OC Streetcar soon.

We will be kicking off the 2023-2024 fiscal year at our luncheon on Tuesday, September 12th with a joint event with the Southern California Chapter of the Appraisal Institute. We are very excited to have Jacinto "Jay" Munoz, MAI, SRA, AI-GRS, AI-RRS of Cognito Realty Partners and Eric Schneider, MAI, SRA, AI-GRS, R/W-AC of Jones, Roach & Caringella give a presentation on "Bias in Real Estate Valuations: A Discussion of the Past, Present, and Future". In this presentation, Mr. Munoz and Mr. Schneider will discuss bias in the valuation industry, including historical issues regarding bias as well as current and future trends. The presentation will also feature a case study on Bruce's Beach, a property that was unjustly condemned but recently given back to the Bruce family. It will be an outstanding presentation that you don't want to miss.

Remember that the Tri-Chapter Luncheon is just around the corner. Mark your calendars now for Tuesday, December 5th. The luncheon will be held at the beautiful Nixon Library in Yorba Linda. Keep reading for more information, including sponsorship opportunities. I would like to give a special "thank you" to Nazani Temourian, Esq. for all of her hard work putting this event together. You are doing a terrific job, Nazani! In fact, she may be asking some of you for assistance--so don't be surprised if you get a call, e-mail, or tap on the shoulder from her...

In conclusion, this is my final message as your President. I would like to take this opportunity to thank each and every one of you for making this past year so memorable. I would especially like to thank the Board of Directors for your assistance, guidance, and support this past year. It takes a great team to be successful, I really do think we have a great team and have had a successful year. Thank you all very much.

I'm honored to welcome your new President Matthew VanEck. Good luck and take it away Matt!

Rudy Romo, SR/WA
Outgoing Chapter President



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Welcome back readers to the August edition of our newsletter. If you would like to contribute content to the newsletter, advertise, have questions or any ideas to improve the content, please contact us.

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UPCOMING EVENTS

September Monthly Luncheon

Tuesday September 12, 2023 12:00 p.m.

Speakers: Jacinto Munoz, MAI, SRA, AI-GRS, AI-RRS and Eric C. Schneider, MAI, SRA, AI-GRS, R/W-AC.

Topic: Bias in Real Estate Valuations: A Discussion of the Past, Present & Future

Tri-Chapter Luncheon

Tuesday December 5, 2023

Richard Nixon Presidential Library and Museum. Yorba Linda, CA



Chapter 67 Is now on LinkedIn!

[Please join us. here.](#)



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CASE OF THE MONTH

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SEPTEMBER LUNCHEON

Jacinto Munoz, MAI, SRA, AI-GRS, AI-RRS

Eric C. Schneider, MAI, SRA, AI-GRS, R/W-AC

Bias in Real Estate Valuations: A Discussion of the Past,
Present, and Future

In this presentation, Mr. Munoz and Mr. Schneider will discuss bias in the valuation industry, including historical issues regarding bias as well as current and future trends regarding this topic. The presentation will also feature a case study on Bruce's Beach, a property that was unjustly condemned but recently given back to the Bruce family. The presenters will discuss Mr. Munoz's valuation analysis of the property and the impact on value.

Please Join Us

Tuesday, September 12, 2023 at 12:00 PM

Holiday Inn - Santa Ana/OC ARPT
2726 S Grand Ave, Santa Ana, CA 92705

[RSVP HERE](#)



Save the Date
2023 Tri-Chapter Luncheon
December 5, 2023



Richard Nixon Presidential Library and Museum





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Bronze - \$250

Includes 1 - 8.5 x 11 company logo poster on display during the luncheon.

All sponsors will receive a special thank you in Chapter 67's January newsletter and will be promoted on Chapter 67's website and linkedIn.

All promotional items can be displayed throughout the venue.
Please contact us to coordinate.

Please contact
matthew.vaneck@kidder.com
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EDUCATION

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For questions regarding IRWA education, whether it be information on a particular course, how to register, potential upcoming courses, or the credentialing program, please reach out to James.

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IRWA RFP



RFP - Appraisal Course Rewrites

On behalf of the International Right of Way Association, the International Professional Education Committee (IPEC) is issuing a bundled request for proposals (RFP) for the rewrite of the following six IRWA appraisal courses:

- Course 400/400C: Principles of Real Estate Appraisal (two-day)
- Course 421/421C: Valuation of Partial Acquisitions (reduce to three-day)
- Course 431/431C: Problems in the Valuation of Partial Acquisitions (increase to two-day)

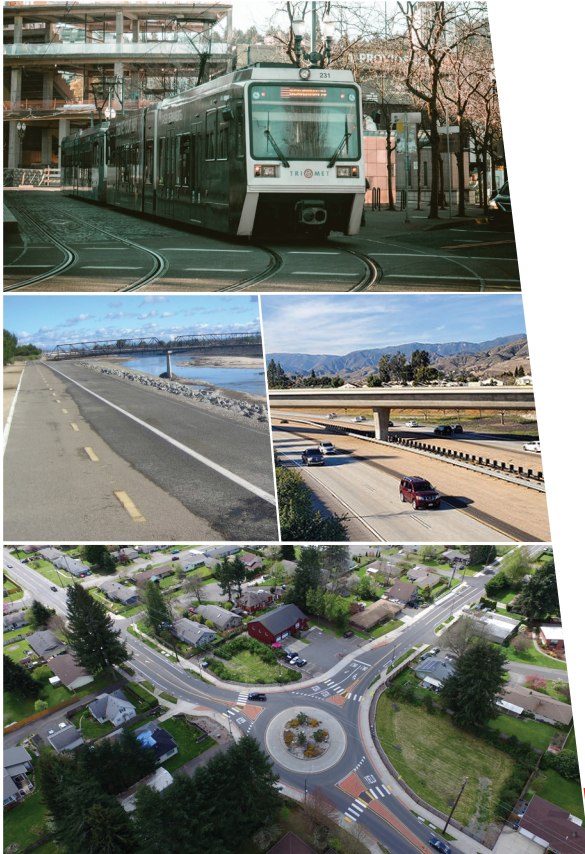
The course rewrite teams will be composed of three (3) U.S. subject matter experts (Team 1) and three (3) Canadian subject matter experts (Team 2), each reporting to their country-specific team leads, who will be responsible for coordinating the rewrites and delivering the course materials based on the project scope in the RFP.

The successful bidders from both teams will be compensated upon completion of this project on or before December 31, 2024. To learn more about this RFP, [click here!](#)

The submission deadline is Monday, September 18, 2023.

If you have any questions, please contact Amir Vafamanesh, IRWA Organizational Learning & Development Manager, at vafamanesh@irwaonline.org or 310-538-0233 Ext. 142.





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CASE OF THE MONTH

HOT TOPIC CASE OF THE MONTH

Robinson v. Superior Court (2023) 88 Cal.App.5th 1144.

Ed. Note: Joseph D. Larsen, Esq., Partner, Rutan & Tucker, LLP, presented this Case of the Month at Chapter 67's June 13th, 2023 Luncheon. [Click here for a full copy of the case \(which has been certified for publication\).](#)

Southern California Edison Company (“Edison”) initiated legal action through eminent domain to acquire an easement across a landowner’s property. The purpose of this acquisition is to facilitate access to and maintenance of existing power transmission lines. Edison also submitted a motion requesting an order for prejudgment possession under the quick-take provisions outlined in Code of Civil Procedure section 1255.410. Subsequently, the trial court approved Edison’s motion. In response, the landowners submitted a petition for a writ of mandate, urging the court to nullify the order that granted Edison prejudgment possession rights.

This case addresses novel issues related to the interpretation of section 1255.410. A trial court evaluating a quick-take motion in the absence of a timely opposition shall grant the motion “if the court finds each of the following: (A) The plaintiff is entitled to take the property by eminent domain. (B) The plaintiff deposited pursuant to Article 1 (commencing with Section 1255.010) an amount that satisfies the requirements of that article.” (§ 1255.410, subd. (d)(1)).

When the condemning party is not a public entity, the court interpreted the statutory phrase “plaintiff is entitled to take the property by eminent domain” to have at least two components. First, the plaintiff must be an entity “authorized by statute to exercise the power of eminent domain” for the acquisition’s proposed use (Section 1240.020). Second, the plaintiff must demonstrate compliance with the criteria outlined in subdivisions (a) through (c) of section 1240.030. This entails establishing that the public interest and necessity require the project, the property sought is necessary for the project, and the project is planned and located to be most compatible with the greatest public good and least private injury.

An additional aspect of statutory interpretation concerns whether the trial court must explicitly confirm the satisfaction of each requirement in section 1240.030. In the context of this case—where a privately owned public utility vested with the authority to exercise eminent domain for utility objectives seeks to do so—the court concluded that the phrase “if the court finds” (Section 1255.410, subd. (d)(1)(A)) necessitates the trial court’s unequivocal on-the-record affirmation that the public utility has substantiated, by a preponderance of evidence, the fulfillment of each demand in section 1240.030. Such explicit findings will fulfill some functions akin to a public entity’s resolution of necessity and will guarantee substantive appellate review of the rationales behind the trial court’s ruling.

In this specific instance, the trial court did not make explicit findings. Notably, the court failed to affirm whether a 16-foot-wide access easement was necessary (Section 1240.030, subd. (c)), if the 16-foot-wide access easement aligned with minimal private harm (Section 1240.030, subd. (b)), or whether Edison’s right to relocate guy wires, anchors, crossarms, and other physical components onto the property was imperative.

Given these circumstances, the court thus invalidated the order granting prejudgment possession and instructed the trial court to undertake further proceedings related to the motion.

Mr. Larsen can be reached at jlarsen@rutan.com.

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ARTICLE



What Paleoclimate Tells Us About a Warming World

*By Dwayne Purvis, P.E.
Founder & Principal Advisor*

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Ed. Note: Dwayne Purvis, P.E. has been a consulting petroleum engineer for 28 years, he recently earned a degree in sustainable energy and now focuses on research, writing and speaking about the energy transition for the oil and gas industry.

No discipline knows the history of Earth's climate cold like petroleum geologists. With their help, those of us in the oil industry can see the really big picture of climate. But I wonder whether we might be missing the precious trees because we can only see the metaphorical forest.

We've intensely studied the last 500 million years or so since the Cambrian explosion of organic life made it possible to create oil from dead organic mess. In that big picture, life has thrived in many forms and under many conditions. The "old life" of the Paleozoic swarmed in the seas while the "middle life" of the Mesozoic dominated land as reptiles, and the recent life of the Cenozoic has grown hair to fit better the cooler world.

Those eons saw five major mass extinctions plus a number of smaller extinctions. In one event, an asteroid instantly rained down hellfire and pushed a tsunami over the land then covered its survivors with a sun-blocking blanket of atmospheric soot. In another, extended vulcanism flooded the air instead with greenhouse gases and changed the thermostat of the whole biosphere. In others, organic life may have altered the chemistry of the biosphere. Each time, life never completely ended, then it came back again if in a little different form.

Carbon dioxide in the atmosphere has wavered up and down from perhaps as high as about 15,000 ppm to as low as the levels seen when mankind stood upright and declared to its

Creator that it would make its own choices. In fact, much of that formerly atmospheric carbon now sits trapped in the Ordovician and especially the Cretaceous limestone formations we often target. Even in 1896 in his landmark analysis of thermal insulation of the atmosphere, Svante Arrhenius recognized this fact and used it among his multiple lines of evidence for the mechanism and feasibility of anthropogenic climate change.

The Earth spins rapidly, leans back-and-forth each year, and wobbles very slowly in an orbit around the sun that itself rhythmically deforms and reshapes over the ages. The sun as source of our heat goes through 11-year cycles likely embedded into longer-term oscillations even as it burns a little hotter from epoch to epoch. The planet has seen ice ages, large and small, and much higher average temperatures—sometimes with glaciers into today's temperate latitudes and sometimes with tropical conditions near the poles.

We know all of this, in part, because of the rocks those climates left behind, stacked now on the continents like memory albums to be opened and decoded. Shallow tropical seas, in-land lakes, rivers meandering to massive deltas embedded in terrestrial clays, pelagic vaults of the finest detritus, and all with their own fossil record of life. Petroleum geologists, palynologists, and biostratigraphers see firsthand the big picture of a world changing widely over the eons. When engineers will stop to listen to them, we learn the same story. Ironically, that intimate familiarity with the grand picture can obscure the significance of a much more granular one, today's.

The planet's climate has changed, and life has survived through it all. But not human life. Life has grown back from widespread losses, but on a timescale much longer than human lives. .

Of the overlapping dynamics that add up to create one climate pattern or another, many have been the cause of small and large variations in the past. Human influence has varied, too, including some airborne particles that absorb and some that reflect incoming sunlight, ozone-depleting substances that open a portal in Antarctica for greater incoming sunlight, and of course the various insulating gases. Early in the science of climatology, the dynamics were still being teased apart. In the same years, the science of geology was still concluding the debate of the “theory” of plate tectonics, and sequence stratigraphy and seismic imagining were both in their infancy.

The elements of the climate system have, like drifting and colliding plates, now been postulated, proved, and relied upon to, for example, explain the largest variations in paleoclimate recorded in the geology. By affirmative and exclusionary evidence about the candidate explanations for today’s changes, the accumulation of human waste gases remains the only viable explanation, and this question has been studied by far more people over far more years than the texture of any single carbonate or the diagenesis of any single sandstone. Climatology, including research into paleoclimate, is its own body of knowledge, maturing and improving. Nature may eventually threaten humanity again in the future with a devastating meteorite or extended volcanism, but we have more agency over self-harm.

If the influence of mankind does mark the start of the Anthropocene and the sixth great extinction, mankind will probably still be one of its survivors. That is to say, the race of man will endure. When life thrived previously on a much hotter planet, the climate was perfect for lizards and fish; what mammals did exist were few, small, and mostly nocturnal. The cooling after the Cretaceous-Tertiary boundary gave rise to the age of mammals, including man. Life grew back, but with new adaptations and over millions of years.

If the planet had already been a couple of degrees warmer 10,000 years ago – along with the attendant differences in climate patterns – then mankind would still have developed the planet, but we would have done so differently. We would have settled different parts of the globe, and we would have built different structures and systems in those places: farms and crops, water supply and homes, roads and vacation spots. As it stands today, the accumulated wealth of human history—our physical infrastructure and interlocking systems to meet our needs—have all been finely tuned for exactly the climate that no longer exists. How obsolete and non-functional those assets become depend upon how much our terrarium changes. It is possible, especially given postulated but untested feedback

loops, that our terrarium could change a great deal.

We can adapt, and humanity can still survive in a world of different weather patterns. On the other hand, we have optimized our current systems to support (with varying degrees of success) about eight billion people spread into almost every crevice of the continents. If our support systems are no longer optimal in one place or another or in many places, then large contingents of people depending upon those interlocking systems face suffering. Eventually, mankind may rebuild its losses, but not without costs—financial and human—in proportion to the change.

If the natural world also suffers large-scale loss, it will almost certainly grow back; the planet can be very patient. Paleo history tells us that the surviving species better suited to the new environment will grow in numbers to populate new vacancies, but mankind will not again see the colorful, glorious, fecund diversity of the world we were born into. The millions of years that it will take to recolor the planet are longer than mankind can expect to survive as a species, certainly longer than my grandchildren will survive.

The climate has changed many times over history but never with so much at stake to the people I love and the wild world I enjoy, never with so much for families like mine in India, Iraq, and Indonesia. Even if some form of metaphorical forest will survive for millennia, it is today’s figurative individual trees that I want to protect.

Mr. Purvis can be contacted at dpurvis@purvisenergyadvisors.com







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In Memoriam

George Hamilton Jones
1923 - 2023

On April 7, 2023 - Good Friday - George Hamilton Jones set off on his journey to reunite with his wife of 73 years, Sug O'Neil Jones. She had just left him on her own journey less than three months before.

The youngest of four, George was born in the citrus-growing community of Pomona, California, on February 22, 1923. In his more than 100 years, George filled his life with countless adventures, an abundance of cherished friends, a respected professional career, and, above all else, a family that loved him and looked up to him as a steadfast patriarch of immeasurable qualities.



George's family, led by his parents, Victor March Jones and Elizabeth Brettell Jones, had moved to Pomona from Audubon, Iowa, with George's two older sisters, Margaret and Ruth, in 1920. Big brother Tom was born shortly thereafter.

George loved his childhood and held nothing but the fondest of memories of his close-knit, always-supportive family. It was the height of the Depression, but as George used to say, "Everybody was in the same boat." Boyhood friends were plentiful, and fun was to be had in all sorts of inventive ways. George said they lacked for nothing that mattered.

George's lifetime love of sports started at Garvey Elementary School and picked up pace at Emerson Junior High. When George entered Pomona High School, he was infamously skinny. Known as "bird legs," George didn't begin to fill out until he matriculated to Stanford University, where he excelled in basketball and track and field as a high jumper. In college he was able to "jump his height" (6'4") at a time when the world record was 6'10".

After the war, George was working for Douglas Aircraft when he was recruited by Bank of America to play basketball on their national AAU team. Little did he know that it would be the launch pad for a highly successful career in real estate appraisal. Known for his ability to handle complex assignments and eminent domain work, George was highly sought after as an expert witness in court. Over his nearly 70-year career, George made significant contributions to the profession he loved and received numerous awards at both local and national levels.

George was an avid sailor from an early age. At 13, he and brother Tom, unbeknownst to their parents, took their maiden voyage to Catalina in a 21-foot sloop they had built in their backyard from a kit that they paid for with money they made on a newspaper route. Powered by sails their mother sewed together, it was the start of a love affair with the sea that the brothers shared for the rest of their lives. Forty-three years later, George, Tom and their families sailed to the South Pacific for a five-month cruise, what George called "the trip of a lifetime."

George and Sug joined the Newport Harbor Yacht Club in 1966 and shared many wonderful adventures with the close friends they made there. From Moonstone Cove on Catalina to Rhode Island, Hawaii and Alaska - and many ports in between - these were fast friendships that George and Sug treasured.

In his long, varied and fortunate life, George's greatest adventure of all was the Love Story he shared with his beloved wife, Sug. From courtship to his passing, George spent 75 of his 100 years in her warm embrace. George was absolutely devoted to Sug. No doubt about it - they were true soulmates.

George and Sug were sadly predeceased by their daughter, Patricia. They leave behind their son, Casey, his wife, Cheryl, nine grandchildren, seventeen great-grandchildren, and one great-great grandchild. Theirs was indeed the life abundant.

A memorial service was held on May 5 at St. Andrew's Presbyterian Church. In lieu of flowers or contributions, the family wishes only that those who knew George Jones simply take a moment to reflect on his zest for life, his integrity to the values he cherished, and his love and gratitude for his family and all those who walked the walk with him.

George was a long-time member of Chapter 67. George's firm, George Hamilton Jones, Inc., was the Chapter 67 Small Employer of the Year in 2009 and the Chapter 67 Employer of the Year in 2012-2013.

WELCOME NEW MEMBERS

Tina Nguyen

We would like to extend a warm Chapter 67 welcome to Tina Nguyen, Relocation Agent at TranSystems. Tina provides relocation assistance services to residential and business displacees as a result of public project acquisitions. She has a bachelor's degree in psychology, is a California Real Estate licensee, and appraiser trainee for the State of California.

Tina enjoys her singlehood and loves all things outdoors including surfing, camping, and cooking. She has a Maltese named Bella. Her favorite food are tacos and her favorite restaurant is Animal. When lounging around, she likes to listen to a variety of music such as indie folk, ska, electro, alternative, rap, R&B, oldies, and reggae. Her favorite television show is Survivor.



The last book Tina read was "Grit" by Angela Duckworth and last movie she saw was "Burlesque." Her favorite quote in life is "c'est la vie" which means "that's life." Her proudest accomplishment is being the first person in her family to receive a bachelor's degree.

The most influential person in Tina's life is her mother because her mother has been "an incredible role model and mentor, teaching me the value of hard work and perseverance. Coming from Vietnam to the United States, she faced numerous challenges and her life and experiences have taught me important lessons about hard work and never giving up. Her determination has shown me that obstacles and setbacks are just steps toward achieving my goals."

Tina's secret to success is to not be afraid to fail and her biggest challenge is finding the perfect work/life balance. Tina loves sports, however, her most embarrassing moment was when she once scored a point for an opposing basketball team. Tina also played collegiate volleyball.

Tina's last vacation was to the Maldives. When asked what she looks for in people, she said "empathy and a sense of humor." Tina's most important unrealized goal is to pursue and obtain her R/W RAC (Relocation Assistance Certification). When asked why she joined the IRWA, she mentioned that she wants to learn as much as she can since she is new to the right of way industry. The next time you see Tina, please introduce yourself--she looks forward to meeting you.



WELCOME NEW MEMBERS

Charles Dodd

We would like to welcome Charles Dodd, Real Property Technician (and U.S. Army veteran) from the County of Orange, Real Property Services Department to Chapter 67. As a Real Property Technician, Charles conducts research and drafts easement language for use in various documents on public improvement projects.

Charles was born in Los Angeles and currently lives in Irvine. He is married and has one cat who has taken charge of the house. Charles enjoys eating sushi and traveling. His favorite restaurant is Water Grill and the last vacation he took was in Holbox, Mexico in 2021.



In his spare time, Charles likes to read, play golf and lift weights. Charles has always been an avid music buff and likes pretty much all genres of music except country (no offense to our country music loving members). The last book he read was "The Birth Dearth" by Ben Wattenberg, last movie seen was "Top Gun Maverick," and favorite television show is "Law and Order."

When asked about his favorite quote, Charles says it is the following: "hard work beats talent if talent does not work hard." One of his pet peeves is when people breathe on his food while being served. His proudest accomplishments were passing boot camp, serving his country in the U.S. Army, becoming a veteran, and retiring as basketball player for the Army.

Charles says his secret to success is to "be honest and be present at all times." His biggest challenge currently is recovering from multiple knee surgeries. When asked what he looks for in people, he said there is nothing more important than honesty. His most important unrealized goal is to learn as much as possible in this next year. When you see Charles at our next event, please say "hello" and give him a warm welcome to Chapter 67.



JUNE LUNCHEON RECAP

Our June Luncheon included guest speaker Jim Beil, the installation of new President Matt Van Eck and presentation of President's Plaque to outgoing President Rudy Romo



INTERNATIONAL CONFERENCE RECAP

IRWA 67 at the International Conference in Denver.

[Click Here for more conference photos.](#)

