



**AGENDA AND NOTICE OF THE MEETING OF THE
SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS
CAPITAL PROJECTS AND CONSTRUCTION COMMITTEE
MONDAY, NOVEMBER 21, 2022 - 12:00 PM
Teleconference Meeting**



Zoom Link:

<https://us06web.zoom.us/j/84628935094?pwd=NIExYINPMm9lbVXZU9KVndDRDBCdz09>

Youtube Link: <https://youtu.be/jxDvqr4WG2A>

CHAIR

Cory Moss

Mayor, City of Industry
ACE City

VICE CHAIR

Tim Hepburn

Mayor, City of La Verne
Northeast District

MEMBERS

Becky Shevlin

SGVCOG President
Councilmember, City of
Monrovia

Hon. Hilda Solis

LA County Supervisor
District 1

Susan Jakubowski

Mayor, City of San
Marino
Northwest District

Nancy Lyons

Councilmember, City of
Diamond Bar
Southeast District

Diana Mahmud

Councilmember, City of
South Pasadena
Southwest District

Dr. Maria Morales

Councilmember, City of
El Monte
Central District

Angie Jimenez

Councilmember, City of
Montebello
ACE City

Tim Sandoval

Mayor, City of Pomona
ACE City

The San Gabriel Valley Council of Governments (SGVCOG)'s Capital Project and Construction Committee consists of five (5) regional districts; Northeast, Southeast, Central, Southwest, Northwest, the County of Los Angeles and the San Gabriel Valley Council of Governments. Members of the former Alameda Corridor-East Construction Authority (ACE) Board shall maintain a seat on the Committee unless or until completion of all ACE Project(s) in their respective cities. Each member or alternate shall have one vote. A quorum is 50% of its membership. Action taken by the Committee shall be by simple majority of the members present. All disclosable public records related to this meeting are available at <https://www.sgvco.org/capitalprojects> and viewing at the Rivergrade Road office during normal business hours.

MEETINGS: Regular meetings of the Capital Projects and Construction Committee are held on the fourth Monday of each month at 12:00 PM at the West Covina City Hall MRC Room, 3rd Floor (1444 West Garvey Avenue South, West Covina, CA 91791). The agenda packet is available at the San Gabriel Valley Council of Government's (SGVCOG) Office, 1333 S. Mayflower Ave., Suite 360, Monrovia CA, and on the website, www.sgvco.org. A copy of the agenda is also viewable at Alhambra City Hall, 111 S 1st St, Alhambra, CA. Copies are available via email upon request (sgv@sgvco.org). Documents distributed to a majority of the Committee after the posting will be available for review in the SGVCOG office and on the SGVCOG website. Your attendance at this public meeting may result in the recording of your voice.

PUBLIC PARTICIPATION: Your participation is welcomed and invited at all Capital Projects and Construction Committee meetings. Time is reserved at each regular meeting for those who wish to address the Board. SGVCOG requests that persons addressing the meeting refrain from making personal, slanderous, profane or disruptive remarks.

TO ADDRESS THE COMMITTEE: At a regular meeting, the public may comment on any matter within the jurisdiction of the SGVCOG during the public comment period at the beginning of the agenda, on any item(s) that is on the Consent Calendar prior to action taken on the Consent Calendar, and on any other agenda item prior to the time it is considered by the Committee. At a special meeting, the public may only comment on items that are on the agenda. Members of the public are requested to state their name prior to speaking, and comments are limited to a maximum of three minutes per person. The Committee Chair may impose additional time limits if comments become repetitious, an individual member of the public seeks to speak on numerous items, or a large number of members of the public seek to speak on an item. The Committee may not take action on items not on the agenda and is restricted in discussing items on the agenda.



In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the SGVCOG office at (626) 962-9292. Notification 48 hours prior to the meeting will enable the SGVCOG to make reasonable arrangement to ensure accessibility to this meeting.



AGENDA ITEMS: The Agenda contains the regular order of business of the Committee. Items on the Agenda have generally been reviewed and investigated by the staff in advance of the meeting so that the Committee can be fully informed about a matter before making its decision.

CONSENT CALENDAR: Items listed on the Consent Calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion on these items unless a Committee member so requests. In this event, the item will be removed from the Consent Calendar and considered after the Consent Calendar.

***MEETING MODIFICATIONS DUE TO THE STATE AND LOCAL EMERGENCY RESULTING FROM THE THREAT OF COVID-19:** AB 361 (Rivas), signed by California Governor Gavin Newsom on September 16, 2021, authorizes local agencies to hold public meetings via teleconferencing and allows for members of the public to observe and address the meeting telephonically or electronically to promote social distancing due to the state and local emergency resulting from the threat of the Novel Coronavirus (COVID-19).

To follow the new provisions in AB 361 and ensure the safety of Committee Members and staff for the purpose of limiting the risk of COVID-19, in-person public participation at the Capital Projects and Construction Committee meeting will not be allowed. To allow for public participation, the Capital Projects and Construction Committee will conduct its meeting through Zoom Video Communications. To participate in the meeting, download Zoom on any phone or computer device and copy and paste the following link into your browser to access the live meeting: <https://us06web.zoom.us/j/84628935094?pwd=NIExYlNPMm9lbVZXZU9KVndDRDBCdz09> . You may also access the meeting via the livestream link on the front of the agenda page.

Instructions for Public Comments: For those wishing to make public comments on agenda and non-agenda items, but within the SGVCOG's subject matter jurisdiction, you may submit written comments via email or provide a verbal comment by participating through Zoom.

Written Comments (Email): If you wish to submit written public comments to be distributed to the committee members prior to or during the meeting, please submit these materials via email to CapitalProjects@sgvcog.org at least 1 hour prior to the scheduled meeting time. Please indicate in the Subject Line of the email "FOR PUBLIC COMMENT." Emailed public comments will be read into the record and will be part of the recorded meeting minutes. Written public comments may include, but are not limited to letters, reports, and presentations. While there is no page or word count limit for written comments, the time for reading written public comments into the record will be limited to three minutes, which is the same time allotted for verbal comments.

Verbal Comments (Zoom): Through Zoom, you may provide a verbal comment by using the web interface "Raise Hand" feature. Wait to be called upon by staff, and then you may provide verbal comments for up to 3 minutes. Public comment is taken at the beginning of the meeting for items not on the agenda. Public comment is also accepted at the beginning of each agenda item.

Any member of the public requiring reasonable accommodation to participate in this meeting should contact SGVCOG Management Analyst/Capital Projects and Construction Committee liaison, Charlotte Stadelmann, at least 48 hours prior to the meeting at (626) 962-9292 or at CapitalProjects@sgvcog.org.

PRELIMINARY BUSINESS

1. Pledge of Allegiance
2. Roll Call
3. Public Comment

CONSENT CALENDAR

4. Resolution 22-11 CPCC Making Specific Findings to Enable the Capital Projects and Construction Committee to Continue to Hold Meetings Via Teleconferencing ([Pages 5-6](#))
Recommended for Action: Adopt Resolution 22-11 CPCC making certain findings that the existence of a local and state of emergency in California caused by the ongoing COVID-19 pandemic continues to directly impact the ability of the SGVCOG to hold public meetings safely in person thereby necessitating an ability to continue holding meetings via teleconferencing.
5. Meeting Minutes of October 24, 2022 ([Pages 7-9](#))
Recommended Action: Adopt Capital Projects and Construction Committee meeting minutes.

ACTION ITEMS

6. Preview of The Hearings to Consider Resolutions of Necessity for Parcels for the Turnbull Canyon Grade Separation Project ([Pages 10-15](#))
Recommended Action: Recommend that the Resolutions of Necessity (“RONs”) proceed to a hearing before the Governing Board at its December 15, 2022 regularly scheduled Board meeting:
 1. Conduct public hearings to consider condemnation of real property required for the Turnbull Canyon Road Grade Separation Project (the “Project”) in the City of Industry; and unincorporated areas of Los Angeles County; and
 2. Upon completion of a public hearing, consider the adoption of Resolution of Necessity No. 22-54 authorizing and directing General Counsel, or his designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property from: Turnbull Management, L.P. (Assessor Parcel Number [APN] 8217-004-006) (hereinafter “Turnbull Management Property”); and
 3. Upon completion of a public hearing, consider the adoption of Resolution of Necessity No. 22-55 authorizing and directing General Counsel, or his designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property from: Richard L. Reeves & Cindy Z. Reeves AB Living Trust (Assessor Parcel Number [APN] 8208-017-027) (hereinafter “Reeves Property”); and
 4. Upon completion of a public hearing, consider the adoption of Resolution of Necessity No. 22-56 CPCC authorizing and directing General Counsel, or his designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property from: Pek Leng Choo & Chin Sho Choo (Assessor Parcel Number [APN] 8208-017-023) (hereinafter “Choo Residential 1 Property”); and
 5. Upon completion of a public hearing, consider the adoption of Resolution of Necessity No. 22-57 CPCC authorizing and directing General Counsel, or his designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property from: Pek Leng Choo & Chin Sho Choo (Assessor Parcel Number [APN] 8208-017-021 & 8208-017-024) (hereinafter “Choo Residential 2 Property”); and
 6. Upon completion of a public hearing, consider the adoption of Resolution of Necessity No. 22-58 CPCC authorizing and directing General Counsel, or his designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property from: 515 Turnbull Canyon LLC (Assessor Parcel Numbers [APNs] 8208-015-021) (hereinafter “515 Turnbull Canyon Property”); and

7. *Upon completion of a public hearing, consider the adoption of Resolution of Necessity No. 22-59 CPCC authorizing and directing General Counsel, or his designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring an interest in real property from: Turnbull Canyon Properties, LLC (Assessor Parcel Number [APN] 8218-009-032) (hereinafter “Turnbull Canyon Properties Property”).*
8. *Upon completion of a public hearing, consider the adoption of Resolution of Necessity No. 22-60 CPCC authorizing and directing General Counsel, or his designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring an interest in real property from: Corporate Logistics, LLC (Assessor Parcel Number [APN] 8218-009-033) (hereinafter “Corporate Logistics Property”).*
9. *Upon completion of a public hearing, consider the adoption of Resolution of Necessity No. 22-61 CPCC authorizing and directing General Counsel, or his designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring an interest in real property from: Puro Descansando Partners II, LP, a California Limited Partnership (Assessor Parcel Number [APN] 8208-026-041) (hereinafter “Puro Descansando Partners II Property”).*

UPDATE ITEMS

7. Director of Capital Projects Monthly Report ([Pages 16-17](#))
8. Active Construction Projects – Verbal Report
9. Chair’s Report
10. Announcements/ Member Comments

CLOSED SESSION

Conference with Real Property Negotiators pursuant to Government Code section 54956.8.

Property:	405 South Del Mar, San Gabriel, CA
SGVCOG Negotiators:	Executive Director Marisa Creter, General Counsel David DeBerry
Negotiating Parties:	San Gabriel Valley Regional Housing Trust and San Gabriel Valley Council of Governments
Under negotiation:	Price and terms of payment.

ADJOURNMENT

DATE: November 21, 2022

TO: Capital Projects and Construction Committee Members & Alternates

FROM: Marisa Creter, Executive Director

RE: **ADOPT RESOLUTION 22-11-CPCC MAKING SPECIFIC FINDINGS TO ENABLE THE CAPITAL PROJECTS AND CONSTRUCTION COMMITTEE TO CONTINUE TO HOLD MEETINGS VIA TELECONFERENCING**

RECOMMENDED ACTION

Adopt Resolution 22-11-CPCC making certain findings that the existence of a local and state of emergency in California caused by the ongoing COVID-19 pandemic continues to directly impact the ability of the SGVCOG to hold public meetings safely in person thereby necessitating an ability to continue holding meetings via teleconferencing.

BACKGROUND

Introduced by Assembly member Robert Rivas (D-Hollister) on February 1, 2021, AB 361 codifies portions of Governor Gavin Newsom's existing Ralph M. Brown Act exemptions pertaining to teleconferencing if a local agency issues an emergency finding, and reissues it every 30 days, that it is unsafe to meet in person. Specifically, the Brown Act exemptions include requirements to provide a public teleconference location, to maintain a member quorum within the agency's jurisdiction and to provide for public comment at each teleconference location, such as a private residence. The legislation expires in December 2024. On September 16, 2021, California Governor Gavin Newsom signed AB 361 into law, effective immediately.

A local agency wishing to rely on the provisions of AB 361 must meet one of the following criteria:

1. The local agency holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; or
2. The local holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
3. The local agency holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.


On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California due to the threat of COVID-19 and shortly thereafter issued Executive Order N-29-20 suspending certain Brown Act provisions relating to teleconferencing as public meetings began to be held online.¹ However, this Executive Order expired on September 30, 2021, despite the State of Emergency remaining in place.

¹ Similarly, on March 4, 2020, the Los Angeles County Board of Supervisors and Los Angeles County Health Officer declared a local and health emergency due to the threat of COVID-19.

The threat that COVID-19 has presented continues to directly impact the ability of the SGVCOG to conduct Governing Board/committee meetings safely in person. Updated guidelines issued by the Centers for Disease Control and Los Angeles Department of Public Health in July and August 2021 advise governmental entities to refrain from conducting indoor meetings and consider moving operations outdoors, where feasible, to prevent transmission. SGVCOG staff has been unable to find a suitable outdoor space with the requisite audio/visual capabilities at which the monthly Capital Projects and Construction Committee meetings can be held safely. Similarly, an indoor space with sufficient capacity to accommodate safe social distance practices among members, staff, and the public could not be identified.

In order to continue to conduct meetings in a safe manner and to prevent unnecessary COVID-19 exposure to members, staff and the public, staff is recommending that the Capital Projects and Construction Committee adopt Resolution 22-11-CPCC making certain findings in order to be able to continue teleconferencing for its meetings.

Prepared by: _____


Yanin Rivera
Senior Administrative Assistant

Approved by: _____


Marisa Creter
Executive Director

ATTACHMENT

[Attachment A – Resolution 22-10-CPCC](#)



Capital Projects & Construction Committee Unapproved Minutes
October 24, 2022
12:00pm
Teleconference Meeting Via Zoom

PRELIMINARY BUSINESS

1. Pledge of Allegiance
Vice Chair Tim Hepburn led the pledge of allegiance.

2. Roll Call

Members Present:

Cory Moss, Chair, City of Industry
Tim Hepburn, Vice Chair, La Verne
Becky Shevlin, Monrovia
Susan Jakubowski, San Marino
Nancy Lyons, Diamond Bar

Members Absent:

Hilda Solis, LA County
Angie Jimenez, Montebello
Diana Mahmud, So. Pasadena
Maria Morales, El Monte
Tim Sandoval, Pomona

Staff/Guests:

Marisa Creter, Executive Director
David DeBerry, General Counsel
Rene Coronel, Senior Project Manager
John Beshay, Senior Project Manager
Carrie Inciong, Senior Project Manager
Gary Cardamone, Senior Project Manager
Yanin Rivera, Senior Administrative Assistant
Stephanie Wong, Management Analyst
Roy Choi, Manager of Transportation
Ricky Choi, Director of Gov. and Comm. Relations
Phil Balmeo, Senior Project Manager Moffat & Nichol

3. Public Comment
There were no public comments at this meeting.

CONSENT CALENDAR

4. Adoption of Resolution 22-10-CPCC Making Specified Findings to Enable the Capital Projects and Construction Committee to Continue to Hold Meetings Via Teleconferencing
Recommended for Action: Adopt Resolution 22-10-CPCC making certain findings that the existence of a local and state of emergency in California caused by the ongoing COVID-19 pandemic continues to directly impact the ability of the SGVCOG to hold public meetings safely in person thereby necessitating an ability to continue holding meetings via teleconferencing.
5. Special Meeting Minutes of September 15, 2022
Recommended Action: Adopt Capital Projects & Construction Committee minutes.
6. Meeting Minutes of Governing Board Meeting September 15, 2022

Recommended Action: Adopt meeting minutes.

There was a motion to approve the consent calendar. (M/S B. Shevlin/N. Lyons)

[Motion Passed]

AYES:	C. Moss, T. Hepburn, S. Jakubowski, N. Lyons, B. Shevlin
NOES:	
ABSTAIN:	N. Lyons – Item 5 only.
ABSENT:	D. Mahmud, H. Solis, M. Morales, A. Jimenez, T. Sandoval

ACTION ITEMS

7. Task Order 4 Revision 23 with Moffat & Nichol for the Montebello Blvd Grade Separation Projects

There was a motion to authorize the Executive Director to approve Task Order 4 Revision 23 with Moffat & Nichol, not to exceed \$331,500 to continue services under Revision 23 for the Montebello Boulevard Grade Separation Project.

(M/S T. Hepburn/C. Moss)

[Motion Passed]

AYES:	C. Moss, T. Hepburn, S. Jakubowski, N. Lyons, B. Shevlin
NOES:	
ABSTAIN:	
ABSENT:	D. Mahmud, H. Solis, M. Morales, A. Jimenez, T. Sandoval

8. Task Order 3 Revision 13 with Moffat & Nichol for the Montebello Boulevard Grade Separation Project

There was a motion to authorize the Executive Director to approve Task Order 3 Revision 13 with Moffat & Nichol, in an amount not to exceed \$466,982 to prepare the final plans, specifications, and estimate for the at-grade safety improvements at Maple Avenue, to prepare and finalize the CPUC GO-88 form for each of the three at-grade safety improvements projects, and to provide counts related to vehicular, pedestrian, and other construction items for the Montebello Boulevard Grade Separation Project.

(M/S N. Lyons/B. Shevlin).

[Motion Passed]

AYES:	C. Moss, T. Hepburn, S. Jakubowski, B. Shevlin, N. Lyons
NOES:	
ABSTAIN:	
ABSENT:	D. Mahmud, M. Morales, H. Solis, A. Jimenez, T. Sandoval

SGVCOG Capital Project & Construction Committee

October 24, 2022 Minutes

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9. Amendment No. 2 to Agreement 22-10 with National Railroad Safety Services, Inc. for Railroad Flagging Services

There was a motion to authorize the Executive Director to execute an agreement with National Railroad Safety Services, Inc. for railroad flagging services in an amount not to exceed \$150,000 to continue providing railroad flagging services for the Fairway Drive Grade Separation Project. (M/S T. Hepburn/C. Moss)

[Motion Passed]

AYES:	C. Moss, T. Hepburn, S. Jakubowski, B. Shevlin, N. Lyons
NOES:	
ABSTAIN:	
ABSENT:	D. Mahmud, M. Morales, H. Solis, A. Jimenez, T. Sandoval

UPDATE ITEMS

10. Major Capital Projects Quarterly Progress Reports – FY22/21 First Quarter
J. Beshay provided an update on this item.
11. Director of Capital Projects Monthly Report
J. Beshay provided an update on this item.
12. Active Construction Projects – Presentation of Progress Photos
Project Managers provided a verbal update presentation with construction progress photos.
13. Chair's Report
Chair Moss announced that the SGVCOG's ATP Cycle 6 application for Montebello's Railroad Safety Crossings Improvements was recommended for funding in the amount of \$5.9 million by CTC staff. The program will be presented before the California Transportation Commission (CTC) for adoption at its December 7-8, 2022 meeting.

ANNOUNCEMENTS/MEMBER COMMENTS

Member Hepburn thanked Member Lyons for her dedication and knowledge. He said it has been an honor working and learning from her all this time. Member Lyons mentioned that her last attendance to our CPCC meeting will be in December 2022.

President Shevlin reminded everyone that our new office location will be in Monrovia as of November 1st.

ADJOURN

The meeting was adjourned at 12:49 PM.

DATE: November 21, 2022

TO: Capital Projects and Construction Committee Members & Alternates

FROM: Marisa Creter, Executive Director

RE: **PREVIEW OF THE HEARINGS TO CONSIDER RESOLUTIONS OF NECESSITY FOR PARCELS FOR THE TURNBULL CANYON GRADE SEPARATION PROJECT**

RECOMMENDED ACTION

Recommend that the following Resolutions of Necessity (“RONs”) proceed to a hearing before the Governing Board at its December 15, 2022, regularly scheduled Governing Board meeting at which the Governing Board would:

1. Conduct public hearings to consider condemnation of real property required for the Turnbull Canyon Road Grade Separation Project (the “Project”) in the City of Industry and unincorporated areas of Los Angeles County; and
2. Upon completion of a public hearing, consider the adoption of Resolution of Necessity No. 22-54, authorizing and directing General Counsel, or his designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property from: Turnbull Management, L.P. (Assessor Parcel Number [APN] 8217-004-006) (hereinafter “Turnbull Management Property”); and
3. Upon completion of a public hearing, consider the adoption of Resolution of Necessity No. 22-55, authorizing and directing General Counsel, or his designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property from: Richard L. Reeves & Cindy Z. Reeves AB Living Trust (Assessor Parcel Number [APN] 8208-017-027) (hereinafter “Reeves Property”); and
4. Upon completion of a public hearing, consider the adoption of Resolution of Necessity No. 22-56, authorizing and directing General Counsel, or his designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property from: Pek Leng Choo & Chin Sho Choo (Assessor Parcel Number [APN] 8208-017-023) (hereinafter “Choo Residential 1 Property”); and
5. Upon completion of a public hearing, consider the adoption of Resolution of Necessity No. 22-57, authorizing and directing General Counsel, or his designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property from: Pek Leng Choo & Chin Sho Choo (Assessor Parcel Number [APN] 8208-017-021 & 8208-017-024) (hereinafter “Choo Residential 2 Property”); and

6. Upon completion of a public hearing, consider the adoption of Resolution of Necessity No. 22-58, authorizing and directing General Counsel, or his designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property from: 515 Turnbull Canyon LLC (Assessor Parcel Numbers [APNs] 8208-015-021) (hereinafter “515 Turnbull Canyon Property”); and
7. Upon completion of a public hearing, consider the adoption of Resolution of Necessity No. 22-59, authorizing and directing General Counsel, or his designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring an interest in real property from: Turnbull Canyon Properties, LLC (Assessor Parcel Number [APN] 8218-009-032) (hereinafter “Turnbull Canyon Properties Property”).
8. Upon completion of a public hearing, consider the adoption of Resolution of Necessity No. 22-60, authorizing and directing General Counsel, or his designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring an interest in real property from: Corporate Logistics, LLC (Assessor Parcel Number [APN] 8218-009-033) (hereinafter “Corporate Logistics Property”).
9. Upon completion of a public hearing, consider the adoption of Resolution of Necessity No. 22-61, authorizing and directing General Counsel, or his designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring an interest in real property from: Puro Descansando Partners II, LP, a California Limited Partnership (Assessor Parcel Number [APN] 8208-026-041) (hereinafter “Puro Descansando Partners II Property”).

BACKGROUND

Pursuant to the Bylaws of SGVCOG’s Governing Board, the Capital Projects and Construction Committee (“Committee”) is to initially consider all resolutions of necessity (“RONs”) and determine whether to recommend that they be considered by the Governing Board. If such a recommendation is made, the RONs are then heard by the Governing Board, in this case, at its December 15, 2022 meeting.

The Turnbull Canyon Road Grade Separation Project (Project) is located within the jurisdictions of the City of Industry (City) and Los Angeles County (County). The Project will improve safety by eliminating an at-grade railroad crossing, which in turn will improve access to emergency services, improve mobility of both people and goods, protect the environment. It will be proposed that contracting incentives to employ local labor will be included in the notice inviting bids for Project construction. The Project is consistent with SGVCOG’s priorities of delivering transportation projects that promote multi-modalism, reduce greenhouse gas emissions and criteria air pollutants, and increase equity and access to historically disadvantaged and neglected communities.

The Project will install a roadway grade separation overpass along Turnbull Canyon Road and a separate pedestrian bridge over the UPRR tracks for bicyclists and pedestrians. The Project includes installation of retaining walls at each end of the overpass; relocation of utilities along

Turnbull Canyon Road prior to overpass bridge construction; relocation of a storm drain box culvert, pipes, and laterals prior to overpass bridge construction; maintaining local access and turnarounds under the overpass at Clark Avenue and Salt Lake Avenue (West); enhanced truck access to local industrial parcels; and new landscaping. The Project is located between Salt Lake Avenue and Marwood Street. Turnbull Canyon Road consists of two lanes in each direction. The Project will elevate the inner lane in each direction over the tracks, while both outer lanes will no longer cross the tracks and remain at-grade to provide local access.

Design plans and construction documents for the Project are being finalized. In advance of procuring a construction contractor, SGVCOG will proceed with the selection of a construction management team to provide construction support. In May 2023, staff will submit a request to the California Transportation Committee (CTC) for approval of the allocation of \$29 million from SB1 TCEP funding. The Invitation for Bids for construction is scheduled for release in mid-late 2023 with construction to begin in early 2024. The estimated time to complete the entire project is 36 months.

The purpose of this agenda item is to present information regarding the upcoming hearings for Resolutions of Necessity for eight (8) properties in which interests are needed for construction of the Project. SGVCOG has commissioned appraisals of all the property interests sought and has presented offers in the full amount of the appraisals to each of the following property owners:

1. Turnbull Management, L.P.
2. Richard L. Reeves & Cindy Z. Reeves AB Living Trust
3. Pek Leng Choo & Chin Sho Choo Residential 1
4. Pek Leng Choo & Chin Sho Choo Residential 2
5. 515 Turnbull Canyon LLC
6. Turnbull Canyon Properties, LLC
7. Corporate Logistics, LLC
8. Puro Descansando Partners II, LP, a California Limited Partnership

Although negotiations are ongoing with the property owners listed above, they have not yet resulted in settlements. If the negotiations are unsuccessful, the property interests will need to be acquired through the filing of an eminent domain action. During the eminent domain process, SGVCOG's ROW agent will continue to negotiate with the property owners and attempt to achieve negotiated sales for the necessary property interests.

SGVCOG was formed to implement projects and address issues of regional significance within the San Gabriel Valley. It is authorized to acquire property by eminent domain pursuant to the Joint Powers Exercise Act, Government Code section 6500 et seq. and Section 4.b.(16) of the joint powers agreement creating the SGVCOG. In exercising the power of eminent domain, the SGVCOG is governed by a number of statutes, including Government Code sections 6500 et seq., 7267.2, 37350.5, 40401 et seq. and 40404, and California Code of Civil Procedure Section 1230.010 et seq., 1240.410 and 1240.020, and Section 19, Article I of the California Constitution. Under the eminent domain law, the SGVCOG may obtain legal rights to the property interests

needed for the Project while the parties continue their efforts at a negotiated sale and if negotiations fail, the value of the property interests would be determined in a trial. Adoption of a Resolution of Necessity is a pre-requisite to the filing of an action in eminent domain. Since the process of obtaining the property interest can take several months, it is necessary to start this process now to ensure that the property interests are obtained to meet the CTC funding requirement in May 2023.

SUPPORT FOR RESOLUTIONS OF NECESSITY

In order to adopt the Resolutions of Necessity, SGVCOG must make four findings for each of the property interests. The issue of just compensation for these property interests is not addressed by these Resolutions of Necessity and is not to be considered at the hearings. The four necessary findings are as described below.

1. The public interest and necessity require the Project.

The Project is the last grade separation project in the ACE Program and addresses the 30th most crash prone Union Pacific Railroad (UPRR) crossing in Los Angeles County (out of 1,006 crossings). The Project is also ranked 18th on the California Grade Separation Fund Priority List for FY 2020-2021. The proposed grade separation will help alleviate the current and potential traffic impacts and safety hazards posed by the existing at-grade rail crossing, improve traffic mobility, reduce automobile travel time, improve air quality, and enhance the community's quality of life with less time spent in traffic, less local pollutants, and reduced train noise. Turnbull Canyon is a north-south corridor, and the road right of way at the railroad crossing is split between the Unincorporated Community of Hacienda Heights in LA County and the City of Industry.

2. The Project is planned and located in the manner that will be most compatible with the greatest public good and least private injury.

SGVCOG evaluated different grade separation configurations and multiple variations of design details of the selected underpass alternative to identify any overall project cost and real estate impact reductions. Based on the foregoing, it was determined that Project is a primary arterial street, serving multiple residential and commercial areas. The Project will eliminate the possibility of train—vehicle collisions at this location and the effect of stopped and moving trains on vehicular traffic capacity.

3. The property interests sought to be acquired are necessary for the Project.

While some of the Project is being constructed within existing ROW, some acquisitions from the adjacent subject properties are needed to allow for bridge construction, retaining walls, drainage systems, and required utility relocations. In addition, a temporary construction easement is needed in order to perform the work associated with the new drive entrance. For the subject properties, the following ROW interests are required:

- Turnbull Management Property: A roadway easement, bridge easement, two anchor easements, and two temporary construction easements are needed for construction of the proposed roadway and bridge and utility relocations.

- Reeves Property: A roadway easement, utility easement, and a temporary construction easement are needed for construction of the proposed retaining wall and future maintenance.
- Choo Residential 1 Property: A roadway easement, utility easement, and a temporary construction easement are needed for construction of the proposed retaining wall, sewer relocations, and grading work.
- Choo Residential 2 Property: Two temporary construction easements for construction of the proposed bridge and proposed retaining wall.
- 515 Turnbull Canyon Property: A roadway easement, a footing easement, and a temporary construction easement are needed for construction of the proposed retaining wall.
- Turnbull Canyon Properties Property: A roadway easement and temporary construction easement are needed for construction of the proposed utility relocations.
- Corporate Logistics Property: A roadway easement, anchor easement, and temporary construction easement are needed for construction of the proposed utility relocations.
- Puro Descansando Partners II Property: Two roadway easements, an anchor easement, and a temporary construction easement are needed for construction of the proposed utility relocations.

4. Offers required by Section 7267.2 of the Government Code have been made to the owner or owners of record.

The rights needed from the properties listed below were appraised and offers for the full amount of the appraisals were made to the owner or owners of record in accordance with Section 7267.2 of the Government Code.

- The offer for the Turnbull Management Property was made on October 14, 2022
- The offer for the Reeves Property was made on October 14, 2022
- The offer for the Choo Residential 1 Property was made on October 14, 2022
- The offer for the Choo Residential 2 Property was made on October 14, 2022
- The offer for the 515 Turnbull Canyon Property was made on October 14, 2022
- The offer for the Turnbull Canyon Properties Property was made on October 14, 2022
- The offer for the Corporate Logistics Property was made on October 14, 2022
- The offer for the Puro Descansando Partners II Property was made on October 14, 2022

By statute, the amount of the offers are not a subject for this proceeding, only that appraisals were conducted and the full amount of the appraisals was offered. If the Committee recommends the RONS to move forward and the Governing Board adopts the RONS, after the hearing, negotiations for the acquisition of the property interests would continue and if timely concluded may preclude the need to file an action in eminent domain on one or more the properties.

Prepared by: _____


John Beshay
Senior Project Manager

Approved by: Marisa Creter
Marisa Creter
Executive Director

ATTACHMENTS

[Attachment A: Resolution of Necessity 22-54 \(Turnbull Management Property\)](#)
[Attachment B: Resolution of Necessity 22-55 \(Reeves Property\)](#)
[Attachment C: Resolution of Necessity 22-56 \(Choo Residential 1 Property\)](#)
[Attachment D: Resolution of Necessity 22-57 \(Choo Residential 2 Property\)](#)
[Attachment E: Resolution of Necessity 22-58 \(515 Turnbull Canyon Property\)](#)
[Attachment F: Resolution of Necessity 22-59 \(Turnbull Canyon Properties Property\)](#)
[Attachment G: Resolution of Necessity 22-60 \(Corporate Logistics Property\)](#)
[Attachment H: Resolution of Necessity 22-61 \(Puro Descansando Property\)](#)

DATE: November 21, 2022

TO: Capital Projects and Construction Committee Members & Alternates

FROM: Marisa Creter, Executive Director

RE: **DIRECTOR OF CAPITAL PROJECTS' MONTHLY REPORT**

RECOMMENDED ACTION

Receive and file.

BACKGROUND

Each month committee members receives an update on key programs. Committee members may contact staff for clarifications on any of the reported items prior to the scheduled meeting. The following are items of note since the last meeting:

I. PROJECTS

Diamond Bar Golf Course Project – Explanation on the First Change Order

Construction continues on the Diamond Bar Golf Course. Contractor recently completed installing the new netting poles, reaching as high as 170 feet into the air. The demolition of concrete cart paths, a maintenance building, and drainage culverts had left a large pile of debris. The contractor will use a rock crusher to recycle the material which will be used as the base for new cart paths, access roads, and construction of new maintenance building. The new maintenance building is taking shape and foundation and utility work is near completion. Rough shaping and rough grading operations are near completion on the west side.

Fairway Drive Grade Separation Project

Phase 3 bridge structural steel, including welding and painting was completed in September. Construction of Phase 3 abutment footings and walls was completed in October. Work on retaining walls and the pump station will continue through November. Walnut Valley Water District commenced installation of their main line on Fairway in October and SCE has also begun installation of electrical lines in late October. Unexpected rain in early November coupled with other delays has pushed the opening of Fairway to early March with overall project completion scheduled for late March of 2023.

Montebello Corridor Project

SGVCOG staff will attend the December 7-8, 2022 meeting of the California Transportation Commission (CTC) in support of the agency's funding requests for the Montebello Grade Separation Project. The CTC will consider approving allocations from Senate Bill 1 (SB1) Trade Corridor Enhancement Program (TCEP), \$18,851,000 from Proposition 1B (Prop 1B) Trade Corridor Improvement Fund (TCIF), and \$5,906,000 from Active Transportation Program (ATP)

Cycle 6 for construction of the grade separation project and at-grade safety improvements. SGVCOG's design consultant, Moffatt & Nichol, is currently working on the invitation for bids package, which is expected to be issued in early 2023. We anticipate issuing the construction contract by June 2023.

Fullerton Road Grade Separation Project

The Fullerton Road Grade Separation Project continues to make progress towards opening the new and improved intersection south of the tracks by Thanksgiving 2022. Roadway concrete pavement was substantially completed in September and grinding, sealing and other pavement related work has also been completed. Final striping, signage and signals is scheduled to be completed in early November. Work is underway in the UPRR ROW and efforts are underway to mitigate previous schedule delays to meet the shoofly cutover date in early February 2023.

La Verne Gold Line Pedestrian Bridge

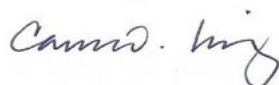
The design consultant, KPFF completed the 70% design plans and submitted the draft GO-88B application to the California Utilities Public Commission (CPUC). NEPA documentation is underway in support of the recently granted federal earmark.

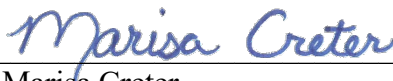
Turnbull Canyon Grade Separation Project

The Resolution of Necessity for property acquisitions will be presented for adoption at the December Governing Board meeting. The project team is working on obtaining the Construction, Operations, and Maintenance (COM) Agreement with UPRR and the City of Industry.

State Route 57/60 Interchange Improvements Project

The State Route 57/60 Interchange Improvements Project, Phase II of the State Route 57/60 Confluence Chokepoint Relief Program is currently out to bid. Invitations for Bids were released on October 18, 2022 with bids due on December 9, 2022. The Engineer's Estimate for the construction phase of the Project is approximately \$285M. Construction is scheduled to start at the beginning of Spring 2023.

Prepared by: 
Carrie Inciong, PE
Senior Project Manager

Approved by: 
Marisa Creter
Executive Director