



# **Alameda Corridor-East Construction Authority**

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4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 [www.theaceproject.org](http://www.theaceproject.org)

## **ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY BOARD OF DIRECTORS REGULAR MEETING AGENDA Monday, October 23, 2017 – 12:00PM San Gabriel City Hall 425 S. Mission Drive San Gabriel, CA 91776**

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Members of the public may comment on any item on the agenda at the time it is taken up by the Board. We ask that members of the public come forward to be recognized by the Chair and keep their remarks brief. If several persons wish to address the Board on a single item, the Chair may impose a three-minute time limit on individual remarks at the beginning of the discussion.

San Gabriel City Hall is accessible to persons using wheelchairs and with other disabilities. Informational material will be available in large print. Assistive listening devices, materials in other alternate formats, American Sign Language interpreters and other accommodations will be made available upon request. Requests should be made to Deanna Stanley at 626-962-9292 ext. 142 or [dstanley@theaceproject.org](mailto:dstanley@theaceproject.org). Providing at least 72 hours notice will help ensure availability.

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- I. Pledge of Allegiance
- II. Roll Call and Introductions
- III. Public Comment
- IV. Approval of Regular Meeting Minutes of September 25, 2017 (Pages 1 – 4) Action
- V. Chairman’s Remarks
- VI. Board Member Comments
- VII. Chief Executive Officer’s Report (Pages 5 – 6) Information
- VIII. Project Construction Progress Reports Information

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The ACE Construction Authority is constituted of seven (7) member jurisdiction; the Cities of El Monte, Industry, Montebello, San Gabriel and Pomona, the County of Los Angeles and the San Gabriel Valley Council of Governments. Each member or alternate has one vote. A quorum of the ACE Construction Authority is no less than four (4) of its total voting membership. Actions taken by the ACE Construction Authority shall be by simple majority of the members present with a quorum in attendance except for personnel actions, the annual budget, matters dealing with the Administrative Code or matters requiring subsequent approval by the SGVCOG, all of which shall require five (5) votes. All disclosable public records related to this meeting are available for viewing at the ACE office above during normal working hours.

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|-------|---|-----------------|--------|
| IX.   | Hearing on Notice of Resolution of Necessity No. 17-02<br>Property Address: 4820 Durfee Avenue, Pico Rivera, CA 90660<br>Property Owner: Stephens LLC, a California Limited Liability Company | (Pages 7 – 43)  | Action |
| X.    | Approval of Local Hire Policy   | (Page 44)       | Action |
| XI.   | Approval of Contract Amendment with HNTB Corp. for grant application preparation services for the Turnbull Canyon Road Grade Separation Project   | (Page 45)       | Action |
| XII.  | Approval of Contract Amendment with Moffatt & Nichol for grant application preparation services for the Montebello Corridor Grade Separation Project  | (Page 46)       | Action |
| XIII. | Approval of Chief Executive Officer Compensation  | (Pages 47 – 48) | Action |
| XIV.  | Receive and File Quarterly Project Progress & Financial Reports   | (Pages 49 – 58) | Action |
| XV.   | Receive and File Environmental Mitigation Monitoring Reports  | (Pages 59 – 73) | Action |
| XVI.  | Adjournment   |                 | Action |





# Alameda Corridor-East Construction Authority

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## ACE Construction Authority Board of Directors Meeting September 25, 2017 Minutes

Vice Chair Martinez called the meeting of the Board of Directors of the Alameda Corridor-East Construction Authority to order at 12:11pm at the San Gabriel City Hall Council Chambers.

1. **Pledge of Allegiance** – Member Tim Sandoval led the pledge of allegiance.

2. **Roll Call:** Mr. Christoffels called the roll.

In attendance was:

Victoria Martinez, El Monte, Vice Chair

Jack Hadjinian, Montebello

Barbara Messina, SGVCOG

Tim Sandoval, Pomona

Hilda Solis, LA County Board of Supervisors

### **Staff:**

Mark Christoffels, CEO

Gregory Murphy, Burke, Williams & Sorensen, legal counsel

Deanna Stanley

Amy Hanson

Charles Tsang

Phil Balmeo

Rachel Korkos

Cecilia Cardenas

Ricky Choi

### **Guests:**

John Burton, LA County DPW

Javier Hernandez, LA County BOS SDI

Waqas Rehman LA County BOS SDI

Juan Diaz, JMD

Alex Gonzales, City of Industry

Charlie Takamoto, Jacobs

3. **Public Comments** – Judy Mooradian presented an update on her relocation efforts from the property purchased by ACE for the Durfee Avenue grade separation project. She requested staff coordinate schedules to meet at the property on October 2 to surrender the keys to the property and for ACE to take possession. Staff indicated ACE would coordinate schedules.

4. **Approval of July 24, 2017 Board meeting minutes** – A motion was made by member Sandoval and seconded by member Messina to approve the July 24, 2017 regular Board meeting minutes.

M/S/C/Sandoval/Messina/Unanimous

5. **Chairman Remarks** – Vice Chair Martinez expressed condolences to Juli Costanzo for the passing of her husband Lou Costanzo. She congratulated staff on the milestone of trains running on the San Gabriel Trench tracks.

6. **Board Member Comments** – Member Hadjinian requested clarification of SGVCOG’s selection process for Ad Hoc Committee members addressing the ACE merger. He expressed his condolences for the passing of Lou Costanzo and asked the Board to adjourn in his memory.

Member Messina also expressed her condolences to the family of Juli Costanzo.

Member Sandoval responded to member Hadjinian’s inquiry regarding his appointment to the Ad Hoc Committee. He indicated he was contacted by the SGVCOG’s Chair requesting he serve. He indicated if necessary, he would relinquish his seat.

7. **Chief Executive Officer’s Report** – Mr. Christoffels indicated staff was diligently working toward filling the funding gap to finish the ACE Program. He reported that Paul Hubler was in Sacramento monitoring the guidelines. He reported the retirement of Senior Project Manager Genichi Kanow. Lastly, Mr. Christoffels reported the City of Palo Alto was interested in information related to the construction of the San Gabriel Trench as they were entertaining the idea of building a similar project.

8. **Construction Progress Reports** – Charles Tsang, Senior Project Manager reviewed construction project photos for the Fairway Drive grade separation project that included storm drain construction. Mark Christoffels reviewed the progress photos for Fullerton Road indicating a closure at Railroad Street was necessary to adjust and relocate a 96 inch sewer line. Phil Balmeo reviewed the Puente Avenue project’s bridge deck construction and installation of siding. He also reviewed construction progress of the Temple Avenue train diversion culvert box. Mr. Christoffels reminded the board that this was the final work ACE is contractually required to perform on this project. Phil Balmeo reviewed the San Gabriel Trench progress and schedule for street closures for repaving.

9. **Approval of Task Order 1 for Pre-Science Corporation for Construction Management Services for the Durfee Avenue Grade Separation Project** – Mr. Christoffels reminded the Board that Pre-Sciences was selected for construction management for the Durfee Avenue grade separation project and services were

required to prepare for construction. He indicated task order 1 included a constructability analysis, surveying the area prior to construction to assure potential claims could be substantiated or denied and advanced coordination for utilities. He reminded the board that the project was expected to begin in March. There were no questions.

A motion was made to authorize the Chief Executive Officer to execute the full task order 1 under the construction management services contract with PreScience Corporation for a not-to-exceed amount of \$235,979 for the Durfee Avenue grade separation project.

M/S/C/Solis/Sandoval/Unanimous

10. **Approval of Amended Work Authorization for Southern California Gas Company Transmission for the Fairway Drive Grade Separation Project** – Mr. Christoffels indicated the Southern California Gas Company has prior rights in the area of the Fairway Drive grade separation project and because of this ACE is required for the costs of utility relocation. He indicated a 30-in high pressure gas line was required to be relocated within the project and the work would be done by Southern California Gas. He indicated a prior estimate of \$1,008,478 was prepared and approved by the Board based on the design plans presented at the time, however revision to the plans and installation method resulted in a much higher estimate. He indicated an additional \$1,564,759 is needed.

A motion was made to approve an updated additional reimbursement payment to Southern California Gas in the amount of \$1,564,759 to cover ACE's portion of the total relocation costs.

M/S/C/Solis/Martinez/Unanimous

11. **Closed Session** – Mr. Murphy announced the board would adjourn to closed session in accordance with Government Code Section 54957 to discuss the performance review of the Chief Executive Officer and in accordance with Government Code Section 54956.8 to discuss conference with real property negotiators for the property address at 4754 Durfee Avenue, Pico Rivera.

The Board returned to open session and Mr. Murphy announced the board agreed to discuss the salary of the Chief Executive Officer at the October meeting; and with regard to the property at 4754 Durfee Avenue, the Board discussed a settlement of price and terms which will be made available at the ACE offices once complete.

12. **Adjournment** – The Chair reminded the Board that the next meeting would be held on October 23<sup>rd</sup> at noon. The meeting adjourned in memory of Lou Costanzo at 1:26PM.

X 

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Deanna Stanley  
Clerk of the Board



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MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Mark Christoffels  
Chief Executive Officer

DATE: October 23, 2017

SUBJECT: CEO Report

The following are items of note since the last meeting:

**TIGER Grant Program** – ACE has submitted an application seeking funding from Transportation Investment Generating Economic Recovery or “TIGER” discretionary grant program for the Durfee Avenue grade separation project. The FY 17 program will make \$500 million available.

**Nogales Project Award** – The Nogales Street project was recognized with an award of merit in the highway/bridge category in the annual California and Hawaii Best Projects competition organized by Engineering News-Record, a national publication. Projects were evaluated on the ability of the project team to overcome challenges, contribution to the industry and community, safety record and construction and design quality.

**SGVCOG General Assembly** – Board members and alternates are invited to join the ACE Construction Authority table at the SGVCOG General Assembly scheduled for 8 a.m. to 4 p.m. on Wednesday, October 25 at the Pacific Palms Hotel in the City of Industry. Discussion panels will focus on preparing our region to respond to evolving energy and transportation trends in the San Gabriel Valley.

**SGVCOG/ACE Merger** – At the first Capital Projects Ad Hoc Committee, the group worked on the language of the bylaws and joint powers authority agreement for discussion at the October Governing Board meeting.

**Contracting** – Our Administrative Code delegates to the CEO the authority to approve new contracts or change orders for Board-approved contracts within certain limits, with a requirement that I report to the Board any such contract action. Since my last report, I have approved the following:

Consultant/Vendor	Reason for Change	Change Amount	Total Contract Value
Walsh Construction Co.	San Gabriel Trench Project - CCO # 34 - Irrigation Point of Connection; RFC 083 – RFC 088	\$136,516	\$167,635,937

Shimmick Construction Company, Inc.	Fullerton Road Grade Separation project: Change Order No. 6 – Puente Hills Plaza Switchboard Replacement and Electrical Service Rewire	\$190,345	\$81,996,514
Horizons Construction Company	Construction Related Services at 921-985 Fairway Drive: Change Order No. 2 – Additional Electrical Work; Miscellaneous Site/Civil Work; Project Global Settlement	\$25,773	\$241,922
Prince Global Solutions	Amend scope of services	\$0.00	\$720,000
Moffatt & Nichol	Additional design services and extend task order term for Montebello project	\$127,000	\$5,658,168

**Community Outreach Update** – Staff conducted the following project outreach activities:

- Distributed construction alert notices regarding temporary crossing closure at Mission Road for the San Gabriel Trench project;
- Distributed construction alert notices regarding temporary traffic lane impacts on San Gabriel Boulevard for the San Gabriel Trench project;
- Coordinated project progress update mailer for the Montebello Corridor Grade Separation project;
- Provided presentation at a community group meeting in Rowland Heights for the Fairway Drive and Fullerton Road projects;
- Staffed an ACE exhibit table at the Mobility 21 transportation summit in Anaheim; and
- Conducted ongoing community outreach and support activities for the San Gabriel Trench, Puente Avenue, Fairway Drive and Fullerton Road grade separation projects.



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MEMO TO: ACE Construction Authority Board Members and Alternates

FROM: Mark Christoffels  
Chief Executive Officer

DATE: October 23, 2017

SUBJECT: Resolution of Necessity for Property Acquisition - No. 17-02  
Durfee Avenue Grade Separation  
Owner: Durfee Stephens, LLC  
Property Address: 4820 Durfee Avenue, Pico Rivera, CA 90660  
ACE Parcel No.: 208L-UE-2  
APN: 6375-014-011

**RECOMMENDATION:** Staff recommends the ACE Construction Authority:

1. Conduct a hearing on Resolution 17-02 of the ACE Construction Authority finding and determining that, among other things, the public interest, convenience and necessity require the acquisition of certain property for public purposes for the Durfee Avenue Grade Separation Project; and
2. Review the evidence presented, including this staff report and public comments and close the hearing; and
3. Adopt the attached Resolution 17-02 authorizing the commencement of eminent domain proceedings so as to acquire, for construction purposes, one (1) non-exclusive permanent utility easement that is 1,597 square feet, in that certain parcel bearing Los Angeles Assessor Parcel Number 6375-014-011, which is 109,924 square feet. (Note: This requires an affirmative TWO-THIRDS (2/3) vote of the ACE Construction Authority Board).

**BACKGROUND:** The ACE Construction Authority was formed pursuant to the California Joint Powers law (Govt. Code section 6500 et seq.) for purposes of implementing the Alameda Corridor East ("ACE Project"). The ACE Project is a multi-phase project that will improve the safety and efficiency of railroad crossings from Los Angeles, east to San Bernardino County to mitigate some of the impacts created by increased rail traffic from the Ports of Long Beach and Los Angeles.

Included in the ACE project is a grade separation of the existing at-grade crossing of Durfee Avenue and the Union Pacific Railroad (UPRR) mainline (Los Angeles Subdivision). The Durfee Avenue Grade Separation Project will eliminate the existing at-grade crossing with the construction of a Durfee Avenue roadway underpass between Olympic Boulevard to the north and West Boulevard to the south. Durfee Avenue will be

lowered under the existing two (2) UPRR railroad tracks. To provide continued connectivity, both Walnut Avenue and Stephens Street, located north and south of the UPRR right-of-way, respectively, will be lowered to accommodate grade changes resulting from the lowering of Durfee Avenue. The underpass will be constructed utilizing a combination of slopes and vertical retaining walls along the eastern and western limits of the Durfee Avenue public right-of-way. The new bridge structure will accommodate the two existing tracks and a maintenance road or potential future third track for the UPRR.

The larger parcel ("Property") identified in Resolution 17-02 consists of land, approximately 109,924 square feet, and includes two (2) buildings, consisting of approximately 80,066 and 2,812 square feet. The larger building is subdivided into nine (9) separate smaller spaces and is occupied by six (6) business tenants. The smaller building located on the westerly edge of the Property which is scheduled for demolition is currently vacant. The site also includes asphalt/cement paved parking areas, irrigation system and landscaping.

ACE contact with the property owner began in November 2014 and has been ongoing as project design has evolved. On October 24, 2016, ACE Staff tendered an offer to the Owner in the amount of Four Hundred Twenty-Nine Thousand Dollars (\$429,000) for the purchase of a: Permanent Road Easement (208L-RE), 1,886 square feet, Permanent Utility Easement (208L-UE-1), 2,451 square feet, Permanent Utility Easement (208L-UE-SD2), 2,041 square feet, Permanent Slope Easement (208L-SLOPE), 6,920 square feet, and Temporary Construction Easement (208L-TCE), 22,610 square feet.

ACE attempted in earnest to negotiate a settlement agreement, and although negotiations were ongoing, the acquisition of the subject property had not been consummated and in December 2016 the ACE Board adopted RON 16-04. A complaint in condemnation was filed in January 2017 and negotiations have been ongoing.

Following the adoption of RON 16-04, it was determined that additional utility rights were needed for the Project, as described and depicted in 208L-UE-2. In August 2017, Permanent Easement 208L-UE-2 was appraised and the just compensation was established at Thirty-Five Thousand, Four Hundred Dollars (\$35,400) An offer in the aforementioned amount was tendered in August 2017, and although negotiations continue, there are no assurances that an agreement between the parties will be reached in order to meet the construction schedule and a second Resolution of Necessity associated with Non-Exclusive Permanent Utility Easement 208L-UE-2, is being requested.

In order to accommodate the grade separation at Durfee Avenue, the following permanent easement interest in ACE Parcel Number 208L, bearing Los Angeles Assessor Parcel Number 6375-014-011 is required:

A Non-Exclusive Permanent Utility Easement (208L-UE-2) 1,597 square feet, for utility purposes in, on, over, through, under, across, and along as well as all activities required to construct, reconstruct, maintain, alter, inspect, repair, remove, or replace utility facilities and together with the reasonable right of ingress and egress to and from the permanent easement during the construction, maintenance, inspection, repair, or replacement on that property described in Exhibit A to Exhibits 2 and 3. Said Easement is required for the relocation and maintenance of electrical, communication, fiber optic and cable TV facilities.

No other easement or easements shall be granted on, under or over said utility easement without previous written consent of easement holder. Easement holder shall have the right to assign any portions, or all of the rights granted under the Non-Exclusive Permanent Utility Easement area. No building, fences, walls or other permanent structures of any kind, and no deep rooted tree, deep rooted shrubs or other plants or vegetation shall be installed, constructed, erected, placed, planted or maintained in the Permanent Utility Easement area without prior written consent of easement holder. Easement holder shall have the right to mark the location of the easement in a manner which will not interfere with the underlying fee owner's reasonable and lawful use of the Non-Exclusive Permanent Utility Easement area.

The grade separation project is statutorily exempt from CEQA pursuant to Public Resources Code Section 21080.13. As required for the use of federal funds, the Project has also been found to be in compliance with NEPA.

Pursuant to California Government Code sections 6500 et seq., 7267.2, 37350.5, and 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, and other authorities, the ACE Construction Authority is authorized to acquire the aforementioned subject property in its entirety by eminent domain, provided certain procedural steps are followed.

The ACE Construction Authority must make an offer to purchase to the property owner, which offer must be transmitted in writing, based upon an appraisal. The ACE Construction Authority tendered a statutory Offer to Purchase to the property owner as required by law based upon an approved appraisal (**Exhibit 1**). To date, the offer has not been accepted.

It is now necessary that an action in eminent domain be commenced to acquire the property interests referenced above. Prior to the filing of the action, the ACE Construction Authority must hold a hearing on the proposed Resolution of Necessity, (**Exhibit 2**) and provide the owner of the affected property an opportunity to be heard, provided that the

owner has filed a request to be heard in writing with the ACE Construction Authority prior to the hearing.

In addition, the hearing must be duly noticed. Attached is a copy of the Notice of Hearing and Request to Be Heard, which were delivered in accordance with the applicable statutes **(Exhibit 3)**.

After conducting the public hearing, if the ACE Construction Authority finds that the public necessity so requires, the ACE Construction Authority should adopt the attached Resolution of Necessity 17-02, authorizing condemnation proceedings for the purpose of acquiring the property interests which are described in Resolution 17-02.

The findings, which need to be made, are as set forth in the Resolution of Necessity. Specifically, the ACE Construction Authority must find:

1. That the public interest, convenience and necessity require the acquisition of the proposed project.

As proposed, the Durfee Avenue Grade Separation Project will serve public purposes, as discussed above;

2. That the Durfee Avenue Grade Separation Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

ACE 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. Additionally, ACE conducted an Engineering Value Analysis workshop that engaged stakeholders and technical experts to analyze and vet the various design scenarios with a goal of optimizing design and minimizing real estate impacts. Based on the foregoing, it was determined that the proposed underpass design would have the least private impact while providing the greatest public utility.

The Durfee Avenue Grade Separation Project, constructed as a roadway underpass, will eliminate the existing at-grade crossing of Durfee Avenue at the UPRR mainline (Los Angeles Subdivision). Construction of the roadway underpass, between Olympic Boulevard to the north of the crossing and West Boulevard to the south of the crossing, will lower Durfee beneath the existing UPRR tracks. Walnut Avenue to the north of the crossing and Stephens Street to the south of the crossing will be lowered to the new elevation of Durfee Avenue at their respective intersections in order to maintain connectivity.

3. That the property interest sought to be acquired is necessary for the Durfee Avenue Grade Separation Project.

- a. Parcel 208L-UE-2: A Non-Exclusive Permanent Utility Easement 1,597 square feet is required for utility purposes in, on, over, through, under, across, and along as well as all activities required to construct, reconstruct, maintain, alter, inspect, repair, remove, or replace utility facilities and together with the reasonable right of ingress and egress to and from the permanent easement and the right to use the larger parcel for reasonable rights of ingress and egress to and from the permanent easement that is described in Exhibit A to Exhibits 2 and 3. Said Easement is required for the relocation and maintenance of electrical, communication, fiber optic and cable TV facilities.

No other easement or easements shall be granted on, under or over said utility easement without prior written consent of easement holder. Easement holder shall have the right to assign any portions, or all of the rights granted under the Non-Exclusive Permanent Utility Easement area. No building, fences, walls or other permanent structures of any kind, and no deep rooted tree, deep rooted shrubs or other plants or vegetation shall be installed, constructed, erected, placed, planted or maintained in the Permanent Utility Easement area without prior written consent of easement holder. Easement holder shall have the right to mark the location of the easement in a manner which will not interfere with the underlying fee owner's reasonable and lawful use of the Non-Exclusive Permanent Utility Easement area.

4. That ACE made the offer to purchase as required by section 7267.2 of the California Government Code.

The Statutory Offer to Purchase was tendered to the Owner on September 21, 2017.

5. That the necessary notice of hearing to consider the adoption of the Resolution of Necessity has been given, as required by Code of Civil Procedure section 1245.235.

As evidenced by Exhibit 3, this has been done.

6. That ACE has complied with CEQA.

The Durfee Avenue Grade Separation Project is categorically exempt pursuant to Public Resources Code section 21080.13.

The Legislature created an absolute exemption for railroad grade separations via Public Resources Code § 21080.13, which provides that CEQA “does not apply to any railroad grade separation project which eliminates an existing grade crossing or which reconstructs an existing grade separation.” Cal. Pub. Res. Code § 21080.13. The Durfee Avenue Grade Separation Project eliminates an existing grade crossing and is therefore, exempt from CEQA.

Questions relating to value are not relevant to this proceeding. However, that does not mean that negotiations for the acquisition of the property interests are at an end. If the ACE Construction Authority adopts the Resolution of Necessity, after the hearing, negotiations for the acquisition of the property interests may continue.

**BUDGET IMPACT:** Federal, Measure R and Proposition C Funds are available for the acquisition of this property and are included in the Authority’s FY 2017 budget.

***ATTACHMENTS***

- Exhibit 1- Offer Letter dated September 20, 2017.
- Exhibit 2- Resolution of Necessity No. 17-02 with Exhibits
- Exhibit 3- Notice of Hearing and Request to Be Heard

# Exhibit 1



## Alameda Corridor-East Construction Authority

4900 Rivergrade Rd., Ste. A120, Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 [www.theaceproject.org](http://www.theaceproject.org)

Durfee Stephens, LLC  
Attn: Tom Sutro  
811 Brigadoon Blvd.  
Sequim, WA 98382-8107

**RE: Durfee Avenue Grade Separation Project**  
**Property Address: 4820 Durfee Avenue, Pico Rivera, CA**  
**APN: 6375-014-011**  
**ACE Parcel No.: 208L**

To Tom Sutro and William Sutro:

The Alameda Corridor-East Construction Authority (ACE) is constructing the Alameda Corridor-East Project, which is a corridor-wide improvement program. The project boundaries are from East Los Angeles, at the Union Pacific Railroad Redondo Junction, easterly to the City of Pomona in Los Angeles County.

As a part of that project, ACE is planning to construct a grade separation of the Union Pacific Railroad (UPRR) between Beverly Road and Whittier Boulevard which will require the lowering of Durfee Avenue under the existing Union Pacific Railroad tracks in the City of Pico Rivera. It has been determined that the project will require the acquisition of a portion of your property located at 4820 Durfee Avenue, Pico Rivera, California bearing Los Angeles County Assessor Parcel Number (APN) 6375-014-011 and which is referred to as ACE Parcel No. 208L.

The property interest to be acquired is a: Permanent Utility Easement (208L-UE-2) 1,597 square feet in size. A map delineating the property interest to be acquired is enclosed.

It is the policy of ACE to acquire property, which is in private ownership, only when it is essential to do so, and through voluntary purchase, if possible. While ACE has the power of eminent domain, at this time condemnation has not been authorized with respect to the property interest referenced above.

California law requires that before making an offer for the acquisition of real property for the Alameda Corridor-East Project, ACE must: obtain an appraisal to determine the fair market value of the real property being acquired; establish an amount which it believes to be Just Compensation for that property; and make an offer to the owner for an amount not less than the Just Compensation so determined. Accordingly, ACE has had your property appraised to determine its fair market value, as defined in California Code of Civil Procedure Section 1263.320. It was appraised in accordance with commonly accepted appraisal standards and included consideration of the Highest and Best Use of the land, the land's current use and any improvements located thereon. The appraisal has been completed and reviewed, and ACE has determined an amount, which constitutes Just Compensation for the real property.

Durfee Avenue Grade Separation Project  
File No.: 1G2.436.07  
APN: 6375-014-011  
ACE Parcel No. 208L-UE-2

ACE hereby offers you the sum of Thirty-Five Thousand, Four Hundred Dollars (\$35,400) for the acquisition of one (1) Permanent Utility Easement interest in ACE Parcel No. 208L designated as 208L-UE-2. The enclosed Appraisal Summary Statement dated August 4, 2017 (Attachment No. 1) outlines the basis for this offer.

The amount of the offer is predicated on the assumption that clear title is capable of being conveyed to ACE and that there exists no hazardous substance, product, waste, or other material of any nature whatsoever which is or becomes listed, regulated, or addressed pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, 42 United States Code Section 9601 et seq., on the subject property. Furthermore, please be advised that the amount offered is subject to an environmental site inspection, and the cost to remediate any identified problems may affect the valuation of the subject property.

This is an offer to purchase one (1) Permanent Utility Easement on your property designated as ACE Parcel No. 208L free of all liens and other encumbrances, except as may be expressly agreed to by ACE. If more than one person has an interest in the property which ACE is seeking to acquire, all parties with such interests must accept this offer.

If you are not satisfied with ACE's offer, you are encouraged to present to us any material you believe to be relevant to the value of the property. This material will be carefully considered by ACE, and if, in ACE's opinion, the additional information warrants a change in the offer, ACE's offer will be adjusted accordingly.

You may engage a State of California Certified Appraiser to provide you with an independent opinion of the value of the portion of your property necessary for the project. If you do so, ACE will reimburse you an amount of up to \$5,000 for an appraisal performed for you by your certified appraiser. Please submit a copy of the invoice from your appraiser with your request for reimbursement.

California regulations provide that each Owner from whom ACE purchases real property or an interest therein, or each tenant owning improvements on said property, be provided with information relating to the acquisition procedures pursuant to the Government Code, Paragraph 7267.2(a). This information is provided in Attachment 3: "When a Public Agency Acquires Your Property."

If for any reason you should see fit not to accept ACE's offer, please be advised that this letter, the offer made herein, and all matters stated herein are made under the provisions of California Evidence Code Section 1152, and shall not be admissible in evidence in any eminent domain proceeding which may subsequently be instituted for acquisition of the subject property, or in any other action.

ACE has retained Paragon Partners Ltd. ("Paragon") to work with you throughout this process. Phillip L. Bonina of Paragon is available to meet with you and respond to any questions you may have relating to this offer. He can be reached at 714-379-3376. If ACE's offer is acceptable, please have the appropriate person(s) sign the acceptance on the enclosed copy of this letter, and

Durfee Avenue Grade Separation Project  
File No.: 1G2.436.07  
APN: 6375-014-011  
ACE Parcel No. 208L-UE-2

return the signed copy to Paragon Partners Ltd., 5660 Katella Avenue, Suite 100, Cypress, CA 90630. Upon receipt of your acceptance, you will be forwarded a Purchase and Sale Agreement and Joint Escrow Instructions.

Sincerely,



Mark Christoffels  
ACE CEO and Chief Engineer

Dated: 9/20/17

## Exhibit 2

### RESOLUTION NO. 17-02

A RESOLUTION OF THE ALAMEDA  
CORRIDOR EAST – GATEWAY TO AMERICA  
CONSTRUCTION AUTHORITY FINDING AND  
DETERMINING THAT THE PUBLIC INTEREST,  
CONVENIENCE AND NECESSITY REQUIRE  
THE ACQUISITION OF CERTAIN PROPERTY  
FOR PUBLIC PURPOSES

THE ALAMEDA CORRIDOR EAST – GATEWAY TO AMERICA CONSTRUCTION  
AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Alameda Corridor East – Gateway to America Construction Authority (hereafter "ACE Construction Authority"), after consideration of the staff report, staff presentation, discussion, oral testimony and evidence presented at its Board Meeting on Monday, October 23, 2017 at 12 p.m. hereby finds, determines and declares as follows:

- (a) ACE Construction Authority on behalf of the San Gabriel Valley Council of Governments is authorized by statute and pursuant to that certain Joint Powers Agreement dated September 17, 1998, as amended, to acquire property by eminent domain within the City of Pico Rivera, County of Los Angeles, CA for the Alameda Corridor-East Project ("ACE Project"); and
- (b) The public interest, convenience and necessity require the proposed Durfee Avenue Grade Separation Project in Los Angeles County, City of Pico Rivera, State of CA as part of the ACE Project, which includes railroad crossing safety and efficiency improvements and all uses appurtenant thereto intended to partially mitigate the impacts of increased rail traffic from the completed Alameda Corridor on motor vehicle traffic; and
- (c) The interest in real property to be acquired (collectively the "Easement"):
  - i. A Non-Exclusive Permanent Utility Easement (208L-UE-2) 1,597 s.f. in size, for utility purposes in, on, over, through, under, across, and along as well as all activities required to construct, reconstruct, maintain, alter, inspect, repair, remove, or replace utility facilities and together with the reasonable right of ingress and egress to and from the permanent easement during the construction, maintenance, inspection, repair, or replacement on that property described in Exhibit A. Said easement is required for the relocation and maintenance of electrical communication, fiber optic and cable TV facilities.

No other easement or easements shall be granted on, under or over said utility easement without previous written consent by easement holder.

Easement holder shall have the right to assign any portions, or all of the rights granted under the Non-Exclusive Permanent Utility Easement area. No building, fences, walls or other permanent structures of any kind, and no deep rooted tree, deep rooted shrubs or other plants or vegetation shall be installed, constructed, erected, placed, planted or maintained in the Non-Exclusive Permanent Utility Easement area without prior written consent of easement holder. Easement holder shall have the right to mark the location of the easement in a manner which will not interfere with the underlying fee owner's reasonable and lawful use of the Non-Exclusive Permanent Utility Easement area.

Said Easement is described on Exhibit A, attached hereto and incorporated herein by this reference. The Easement is located within the City of Pico Rivera, State of CA. A map showing the general location of the Easement is attached hereto, marked Exhibit B and is incorporated herein by reference and made a part hereof;

- (d) The Durfee Avenue Grade Separation Project is planned and located in a manner that will be the most compatible with the greatest public good and least private injury.
- (e) The taking of the Property is necessary for the Durfee Avenue Grade Separation Project and such taking is authorized by Section 19, Article I of the California Constitution, Sections 6500 et seq., 37350.5, 40401 et seq. and 40404 of the California Government Code, Section 1230.010 et seq., 1240.020 and 1240.410 of the California Code of Civil Procedure, and other applicable law; and
- (f) The offer to purchase required by California Government Code Section 7267.2 has been made to the owner of the Property.
- (g) The necessary notice of hearing on this Resolution has been given, as required by Code of Civil Procedure section 1245.235.
- (h) ACE has fully complied with the California Environmental Quality Act ("CEQA") as the Durfee Avenue Grade Separation Project is statutorily exempt pursuant to Public Resources Code section 21080.13.
- (i) ACE has complied with all conditions and statutory requirements necessary to exercise the power of eminent domain (the "right to take") to acquire the Property.

SECTION 2. ACE Construction Authority hereby declares that it is its intention to acquire said Property in accordance with the provision of the laws of the State of California governing condemnation procedures.

SECTION 3. ACE Construction Authority further finds that if any portion of the area of the Property has been appropriated to some public use, the public uses to which it is to be applied by ACE Construction Authority, as described above, are more necessary and paramount public uses, pursuant to Code of Civil Procedure section 1240.610 or, alternatively, are compatible with those other uses pursuant to Code of Civil Procedure section 1260.510.

SECTION 4. ACE Legal Counsel is authorized and directed to prepare, institute and prosecute such proceedings in the proper Court having jurisdiction thereof as may be necessary for the acquisition of said Property, including the filing of an application for an Order for Possession prior to judgment.

SECTION 5. This Resolution shall be effective immediately upon its adoption.

SECTION 6. The Assistant to the Clerk of the Board of the ACE Construction Authority shall certify the adoption of this Resolution and certify this record to be a full true, correct copy of the action taken.

PASSED, APPROVED AND ADOPTED this 23rd day of October, 2017.

ATTEST:

Deanna Stanley, Clerk of the Board

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES       )  
CITY OF SAN GABRIEL            )

I HEREBY CERTIFY that the foregoing Resolution 17-02 was duly adopted by the ACE Construction Authority at a regular meeting thereof, held on the 23<sup>rd</sup> day of October 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Deanna Stanley, Clerk of the Board



# PSOMAS

## EXHIBIT 'A'

### Legal Description for Nonexclusive Utility Easement Purposes

#### ACE Parcel No. 208L-UE-2

1  
2  
3  
4  
5  
6 That portion of Lot 47, Rancho Paso De Bartolo, in the City of Pico Rivera, County of  
7 Los Angeles, State of California, as shown on the Partition Map filed in Case No. 20613  
8 of the Superior Court of the State of California for the County of Los Angeles, recorded  
9 in Book 999, Page 81, of Deeds, in the office of the Recorder of said County, described  
10 as follows:

11  
12 **Commencing** at the centerline intersection of West Boulevard and Durfee Avenue as  
13 shown on Tract No. 10171, filed in Book 144, Pages 17 and 18 of Maps, in the office of  
14 the Recorder of said County; thence along the centerline of said Durfee Avenue  
15 North 14° 23' 11" East 568.82 feet; thence South 75° 36' 49" East 40.00 feet to the  
16 intersection of the southerly line of the Union Pacific Railroad Right-of-Way  
17 (formerly the San Pedro, Los Angeles and Salt Lake Railway Company) as described in  
18 the deed recorded May 22, 1901 in Book 1444, page 318 of Deeds, in the office of the  
19 County Recorder of said County, and the easterly line of the land described in  
20 Resolution No. 3498, recorded September 22, 1988 as Instrument No. 88-1520353 of  
21 Official Records, in the office of the County Recorder of said County, said southerly line  
22 being a curve concave northerly having a radius of 2964.89 feet, a radial line to said  
23 curve bears South 00° 52' 14" West; thence easterly along said curve and said southerly  
24 line 49.62 feet through a central angle of 00° 57' 32" to the **True Point of Beginning**,  
25 said beginning being a curve concave Northwesterly having a radius of 205.00 feet, a  
26 radial line to said curve bears South 73° 56' 44" East ; thence southerly along said curve  
27 36.33 feet through a central angle of 10° 09' 14"; thence South 26° 12' 30" West  
28 128.36 feet; thence North 35° 55' 48" West 11.31 feet to a line that is 10.00 feet westerly  
29 of and parallel with the previously described course having a bearing of  
30 South 26° 12' 30" West; thence along said parallel line North 26° 12' 30" East

# PSOMAS

1 123.07 feet to a curve concentric with and 10.00 feet westerly of the 205.00 foot radius  
2 curve, said concentric curve having a radius of 195.00 feet; thence northerly along said  
3 curve 31.68 feet through a central angle of 09° 18' 26" to said curved southerly line, a  
4 radial line to said curve bears South 00° 06' 47" West; thence easterly along said curve  
5 and said southerly line 10.43 feet through a central angle of 00° 12' 05" to the **True**  
6 **Point of Beginning.**

7  
8 Containing 1,597 square feet.

9  
10 All as shown on Exhibit "B" attached hereto and made a part hereof.

11  
12 This legal description is not intended to be used in the conveyance of land in violation of  
13 the Subdivision Map Act of the State of California.

14  
15 APN: 6375-014-011

16  
17 This legal description was prepared by me or under my direction.

18  
19  
20 Jeremy L. Evans

21 Jeremy L. Evans, PLS 5282

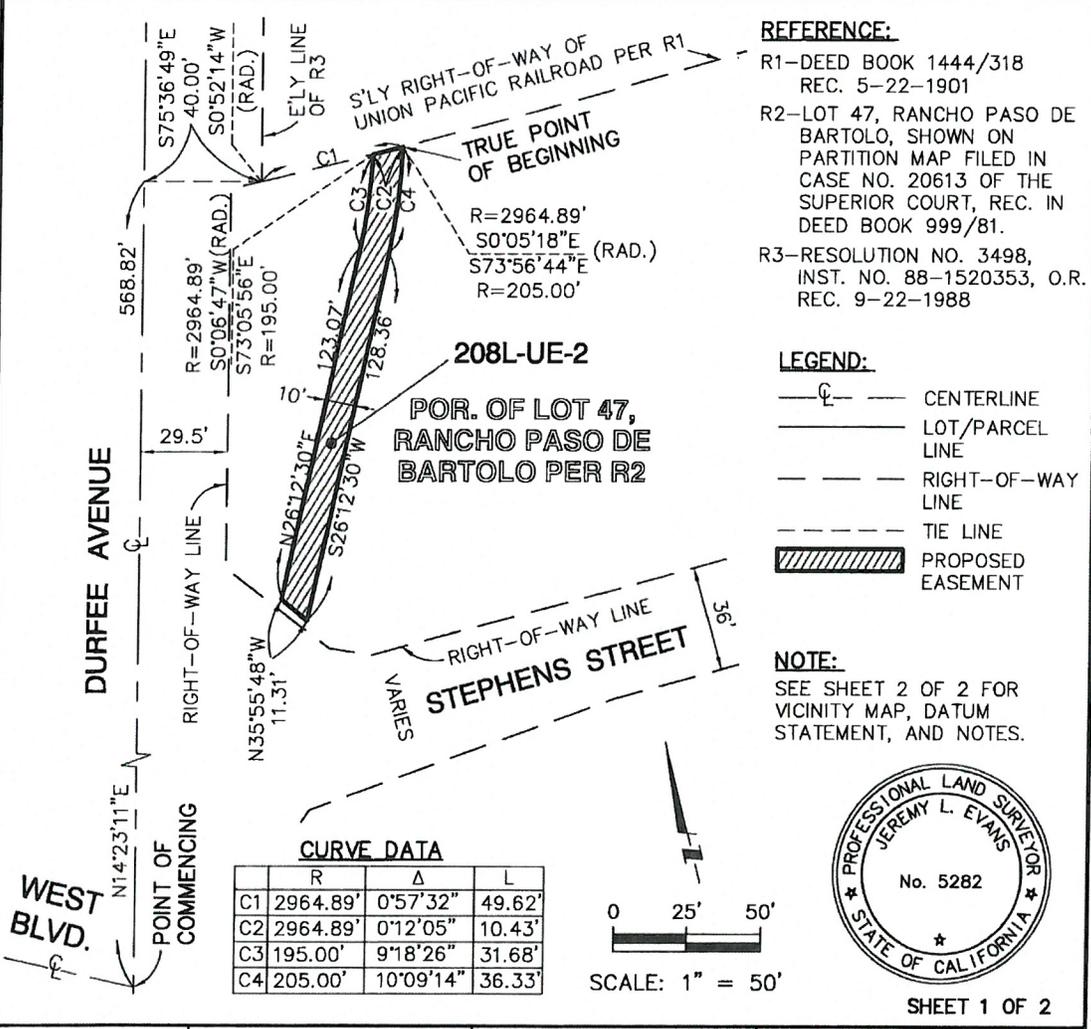
20 9.05.2017

21 Date



EXHIBIT "B"

OWNER: DURFEE STEPHENS LLC	ACE
THAT PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES,	ACCEPTED BY: <i>Paul Kelly</i> CHIEF ENGINEER
RECORDED IN BOOK 999, PAGE 81, OF DEEDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY.	DATE: 9/8/17
APN: 6375-014-011	



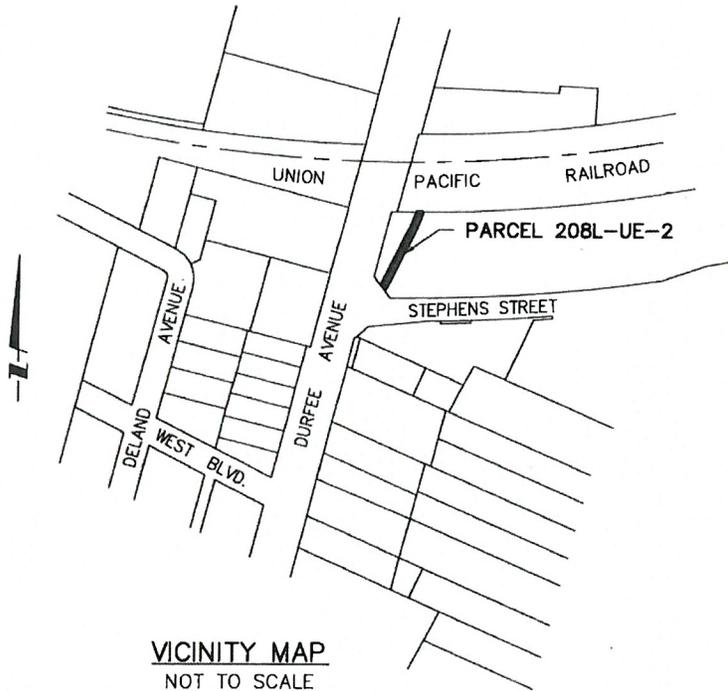
AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	109,924 SQ. FT.	1,597 SQ. FT.	108,327 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	DATE: 1-29-2016
P SOMAS		CITY OF PICO RIVERA	SCALE: 1" = 50'
APPROVED BY: <i>Jeremy L. Evans</i>	ACE REVIEWED BY: <i>Paul Kelly</i>		REV. NO. DATE:
L.S. 5282	PROJECT MANAGER		REV. NO. DATE:
	DATE: 9/8/17		ACE PARCEL NO. 208L-UE-2

EXHIBIT "B"

OWNER: DURFEE STEPHENS LLC	ACE ACCEPTED BY: <i>[Signature]</i> CHIEF ENGINEER DATE: 9/8/17
THAT PORTION OF LOT 47, RANCHO PASO DE BAROLO, IN THE CITY OF PICO RIVERA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES,	
RECORDED IN BOOK 999, PAGE 81, OF DEEDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY.	
APN: 6375-014-011	

**DATUM STATEMENT:**

THE BEARINGS AND DISTANCES SHOWN HEREIN ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83), ZONE V, RELATIVE TO THE NORTH AMERICAN DATUM OF 1983 (NAD 83; 2011.00 EPOCH). ALL DISTANCES SHOWN HEREIN ARE GRID DISTANCES, TO OBTAIN GROUND DISTANCES, DIVIDE GRID DISTANCES BY THE COMPUTED COMBINATION FACTOR OF 1.00000338.



VICINITY MAP  
NOT TO SCALE

SHEET 2 OF 2

AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	109,924 SQ. FT.	1,597 SQ. FT.	108,327 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	DATE: 1-29-2016
PSOMAS			SCALE: NONE
APPROVED BY: L.S. 5282	ACE REVIEWED BY: <i>[Signature]</i> 9/8/17 PROJECT MANAGER DATE	CITY OF PICO RIVERA	REV. NO. DATE:
			REV. NO. DATE:
			ACE PARCEL NO. 208L-UE-2

DWS Name: M:\2015\201501208\SURVEY\LEGAL5\Easements\Plata V-PLAT\_208L-UE-2.dwg Plotted by: ferdinand.silva on Sep 01, 2017 - 9:56:32

7016 2070 0000 9690 9938

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**COSTA MESA, CA 92626**

**OFFICIAL USE**

Certified Mail Fee	\$3.35	
Extra Services & Fees (check box, add fee as appropriate)	\$7.75	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$1.61	
<b>Total Postage and Fees</b>	<b>\$7.71</b>	

Postmark Here  
10/06/2017

Sent To  
**DURFEE STEPHENS, LLC**  
**ATTN: TOM AND WILLIAM SUTRO**  
**2956 PEMBA DRIVE**  
**COSTA MESA, CA 92626**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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**SEQUIM, WA 98382**

**OFFICIAL USE**

Certified Mail Fee	\$3.35	
Extra Services & Fees (check box, add fee as appropriate)	\$7.75	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$1.61	
<b>Total Postage and Fees</b>	<b>\$7.71</b>	

Postmark Here  
10/06/2017

Sent To  
**DURFEE STEPHENS, LLC**  
**ATTN: TOM SUTRO**  
**811 BRIGADOON BLVD.**  
**SEQUIM, WA 98382-8107**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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**GLENDAL, CA 91203**

**OFFICIAL USE**

Certified Mail Fee	\$3.35	
Extra Services & Fees (check box, add fee as appropriate)	\$7.75	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$1.61	
<b>Total Postage and Fees</b>	<b>\$7.71</b>	

Postmark Here  
10/06/2017

Sent To  
**GRAHAM VAAGE LLP**  
**ATTN: ARNOLD K. GRAHAM**  
**801 NORTH BRAND BLVD., STE 1180**  
**GLENDAL, CA 91203**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



## **Alameda Corridor-East Construction Authority**

4900 Rivergrade Rd., Ste. A120, Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

### **NOTICE OF HEARING**

**NOTICE OF HEARING REGARDING THE INTENTION OF THE ALAMEDA CORRIDOR-EAST ("ACE") CONSTRUCTION AUTHORITY TO ADOPT A RESOLUTION OF NECESSITY FOR THE ACQUISITION OF PROPERTY LOCATED AT 4820 DURFEE AVENUE, IN THE CITY OF PICO RIVERA, STATE OF CALIFORNIA, BEARING APN: 6375-014-011, AND WHICH IS LEGALLY DESCRIBED ON ATTACHED EXHIBIT A AND DEPICTED ON ATTACHED EXHIBIT B, PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES, RECORDED IN BOOK 999, PAGE 81 OF DEEDS, IN THE OFFICE OF THE LOS ANGELES COUNTY RECORDER.**

**TO: DURFEE STEPHENS, LLC  
ATTN: TOM SUTRO  
811 BRIGADOON BLVD.  
SEQUIM, WA 98382-8107**

**DURFEE STEPHENS, LLC  
ATTN: TOM AND WILLIAM SUTRO  
2956 PEMBA DRIVE  
COSTA MESA, CA 92626**

**GRAHAM VAAGE LLP  
ATTN: ARNOLD K. GRAHAM  
801 NORTH BRAND BLVD., STE 1180  
GLENDALE, CA 91203**

**YOU ARE HEREBY NOTIFIED**, pursuant to Code of Civil Procedure Section 1230.010, *et seq.*, that the ACE Construction Authority intends to consider the adoption of a Resolution of Necessity for acquisition by eminent domain certain real property ("Property") in connection with the Alameda Corridor East – Gateway to America Project (the "Project") related to the Durfee Avenue Grade Separation Project.

The Larger Parcel is 109,924 square feet in size, and includes two (2) buildings, consisting of approximately 80,066 and 2,812 square feet. The larger building is subdivided into nine (9) separate smaller spaces and occupied by six (6) business tenants. The Property is located at 4820 Durfee Avenue, in the City of Pico Rivera, Los Angeles County, State of CA and bears the APN: 6375-014-011. The Easement sought to be acquired is:

- i. A Non-Exclusive Permanent Utility Easement (208L-UE-2) 1,597 s.f. in size, for utility purposes in, on, over, through, under, across, and along as well as all activities required to construct, reconstruct, maintain, alter, inspect, repair, remove, or replace utility facilities and together with the reasonable right of ingress and egress to and from the permanent easement during the construction, maintenance, inspection, repair, or replacement on that property described in Exhibit A. Said Easement is required for the relocation and maintenance of electrical communication, fiber optic and cable TV facilities.

No other easement or easements shall be granted on, under or over said utility easement without previous written consent of easement holder. Easement holder shall have the right to assign any portions, or all of the rights granted under the Non-Exclusive Permanent Utility Easement area. No building, fences, walls or other permanent structures of any kind, and no deep rooted tree, deep rooted shrubs or other plants or vegetation shall be installed, constructed, erected, placed, planted or maintained in the Permanent Utility Easement area without prior written consent of easement holder. Easement holder shall have the right to mark the location of the easement in a manner which will not interfere with the underlying fee owner's reasonable and lawful use of the Non-Exclusive Permanent Utility Easement area.

The foregoing easement is legally described on attached Exhibit A and is depicted on attached Exhibit B.

The hearing will be held on **Monday, October 23, 2017 at 12 p.m.**, or as soon thereafter as the ACE Construction Authority can hear said matter, at San Gabriel City Hall, 425 South Mission Drive, San Gabriel, CA 91776.

You, as a person claiming or having an interest in and to the Property, are hereby notified that you have the right to appear and be heard on the issues to be considered at that hearing. The issues which will be considered are set forth in California Code of Civil Procedure Section 1240.030, and include:

1. Whether or not the public interest and necessity require the Project;
2. Whether or not the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
3. Whether or not the Property sought to be acquired is necessary for this Project;

4. Whether the offer to purchase as required by section 7267.2 of the California Government Code has been made to the owner of the property;
5. Whether or not ACE Construction Authority has statutory authority to acquire the Property by eminent domain;
6. Whether or not ACE Construction Authority fully complied with the California Environmental Quality Act ("CEQA"); and
7. Whether or not ACE Construction Authority has complied with all conditions and statutory requirements necessary to exercise the power of eminent domain to acquire the Property, as well as any other matter regarding the right to take said Property by eminent domain;

If you wish to be heard at this hearing, you **MUST FILE A WRITTEN REQUEST**, indicating your intent to appear and be heard, within fifteen (15) days of the mailing of this notice by filing or delivering that written request to the ACE Construction Authority, Attn: Mark Mendoza at 4900 Rivergrade Road, Suite A120, Irwindale, California 91706. The date of mailing appears at the end of this Notice.

You may use the enclosure for the purpose of notifying the ACE Construction Authority of your intent and desire to be heard. Your failure to timely file a written request to appear and be heard may result in a waiver of your right to be heard. If you elect not to appear and not to be heard, you will only be foreclosed from raising in a court of law the issues that are the subject of this noticed hearing and that are concerned with the right to take the Property by eminent domain.

The amount of the compensation to be paid for the acquisition of the Property is not a matter or issue being heard by the Governing Board at this time. Your nonappearance at this noticed hearing will not prevent you from claiming greater compensation, as may be determined by a court of law in accordance with the laws of the State of California. This notice is not intended to foreclose future negotiations between you and ACE Construction Authority on the amount of compensation to be paid for the Property.

For further information, contact Mark Mendoza at (626) 962-9292.



---

Mark T. Mendoza  
Real Estate Manager

Dated and Mailed: October 6, 2017.

**REQUEST TO BE HEARD ON RESOLUTION OF NECESSITY  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY**

Name \_\_\_\_\_ Telephone \_\_\_\_\_

Address

\_\_\_\_\_  
\_\_\_\_\_

Date \_\_\_\_\_ Signature \_\_\_\_\_

**DECLARATION OF PROOF OF SERVICE BY CERTIFIED MAIL**

I, the undersigned, declare as follows:

I am over the age of 18 and not a party to the above-entitled action. My business address is 5660 Katella Ave. Ste. #100, Cypress, CA 90630.

On October 6, 2017, I served true copies of the foregoing Notice of Hearing on each of the following named persons by placing for deposit, by certified mail return receipt requested, in the United States Postal Service sealed envelopes containing the same on said date **at the United States Post Office located at 10650 Reagan Street, Los Alamitos, CA 90720-9998** and addressed respectively, as follows:

**DURFEE STEPHENS, LLC  
ATTN: TOM SUTRO  
811 BRIGADOON BLVD.  
SEQUIM, WA 98382-8107**

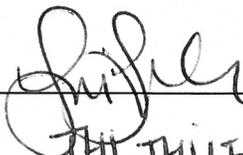
**DURFEE STEPHENS, LLC  
ATTN: TOM AND WILLIAM SUTRO  
2956 PEMBA DRIVE  
COSTA MESA, CA 92626**

**GRAHAM VAAGE LLP  
ATTN: ARNOLD K. GRAHAM  
801 NORTH BRAND BLVD., STE 1180  
GLENDALE, CA 91203**

I am familiar with the Post Office's practice for collecting and processing of correspondence for mailing at said address. The correspondence referenced above to would be deposited in the United States Postal Service that same day in the ordinary course of business; and said envelopes were sealed and placed for collection and mailing on the date following ordinary business practices.

I declare under penalty of perjury, under laws of the State of California that the foregoing is true and correct.

Executed on October 6, 2017 at Los Alamitos, California.

  
\_\_\_\_\_  
TOM THILLE

# PSOMAS

## EXHIBIT 'A'

### Legal Description for Nonexclusive Utility Easement Purposes

#### ACE Parcel No. 208L-UE-2

That portion of Lot 47, Rancho Paso De Bartolo, in the City of Pico Rivera, County of Los Angeles, State of California, as shown on the Partition Map filed in Case No. 20613 of the Superior Court of the State of California for the County of Los Angeles, recorded in Book 999, Page 81, of Deeds, in the office of the Recorder of said County, described as follows:

**Commencing** at the centerline intersection of West Boulevard and Durfee Avenue as shown on Tract No. 10171, filed in Book 144, Pages 17 and 18 of Maps, in the office of the Recorder of said County; thence along the centerline of said Durfee Avenue North 14° 23' 11" East 568.82 feet; thence South 75° 36' 49" East 40.00 feet to the intersection of the southerly line of the Union Pacific Railroad Right-of-Way (formerly the San Pedro, Los Angeles and Salt Lake Railway Company) as described in the deed recorded May 22, 1901 in Book 1444, page 318 of Deeds, in the office of the County Recorder of said County, and the easterly line of the land described in Resolution No. 3498, recorded September 22, 1988 as Instrument No. 88-1520353 of Official Records, in the office of the County Recorder of said County, said southerly line being a curve concave northerly having a radius of 2964.89 feet, a radial line to said curve bears South 00° 52' 14" West; thence easterly along said curve and said southerly line 49.62 feet through a central angle of 00° 57' 32" to the **True Point of Beginning**, said beginning being a curve concave Northwesterly having a radius of 205.00 feet, a radial line to said curve bears South 73° 56' 44" East ; thence southerly along said curve 36.33 feet through a central angle of 10° 09' 14"; thence South 26° 12' 30" West 128.36 feet; thence North 35° 55' 48" West 11.31 feet to a line that is 10.00 feet westerly of and parallel with the previously described course having a bearing of South 26° 12' 30" West; thence along said parallel line North 26° 12' 30" East

# PSOMAS

1 123.07 feet to a curve concentric with and 10.00 feet westerly of the 205.00 foot radius  
2 curve, said concentric curve having a radius of 195.00 feet; thence northerly along said  
3 curve 31.68 feet through a central angle of 09° 18' 26" to said curved southerly line, a  
4 radial line to said curve bears South 00° 06' 47" West; thence easterly along said curve  
5 and said southerly line 10.43 feet through a central angle of 00° 12' 05" to the **True**  
6 **Point of Beginning.**

7  
8 Containing 1,597 square feet.

9  
10 All as shown on Exhibit "B" attached hereto and made a part hereof.

11  
12 This legal description is not intended to be used in the conveyance of land in violation of  
13 the Subdivision Map Act of the State of California.

14  
15 APN: 6375-014-011

16  
17 This legal description was prepared by me or under my direction.

18  
19  
20 Jeremy L. Evans

9.05.2017

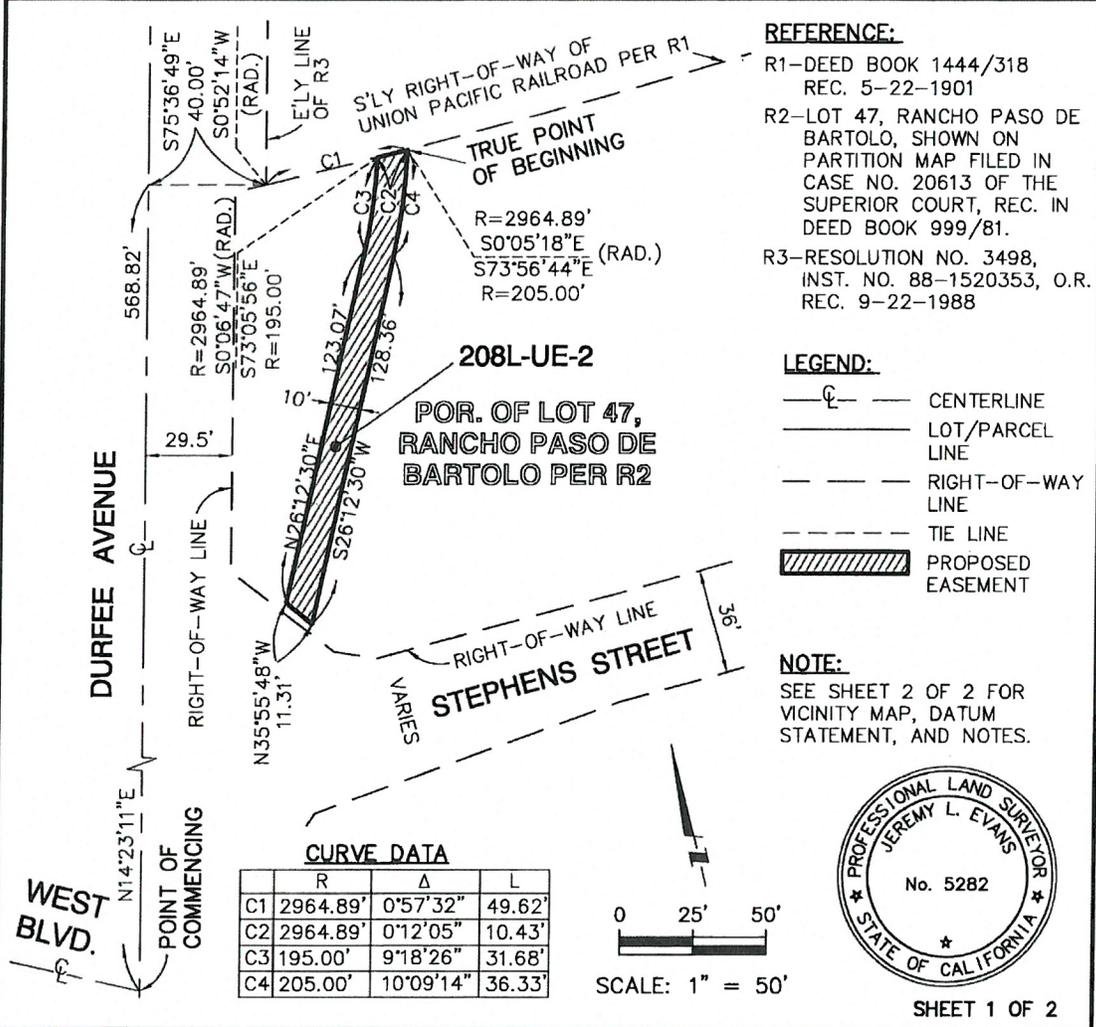
21 Jeremy L. Evans, PLS 5282

Date



EXHIBIT "B"

<b>OWNER: DURFEE STEPHENS LLC</b> THAT PORTION OF LOT 47, RANCHO PASO DE BAROLO, IN THE CITY OF PICO RIVERA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES, RECORDED IN BOOK 999, PAGE 81, OF DEEDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY. <b>APN: 6375-014-011</b>	<b>ACE</b> ACCEPTED BY: <i>Mad Kelly</i> CHIEF ENGINEER DATE: <u>9/8/17</u>
--	--



AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	109,924 SQ. FT.	1,597 SQ. FT.	108,327 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	
P S O M A S <i>Jeremy L. Evans</i> APPROVED BY: L.S. 5282		CITY OF PICO RIVERA	
ACE REVIEWED BY: <i>Mad Kelly</i> PROJECT MANAGER DATE: <u>9/8/17</u>		DATE: 1-29-2016 SCALE: 1" = 50' REV. NO. DATE: REV. NO. DATE: ACE PARCEL NO. 208L-UE-2	

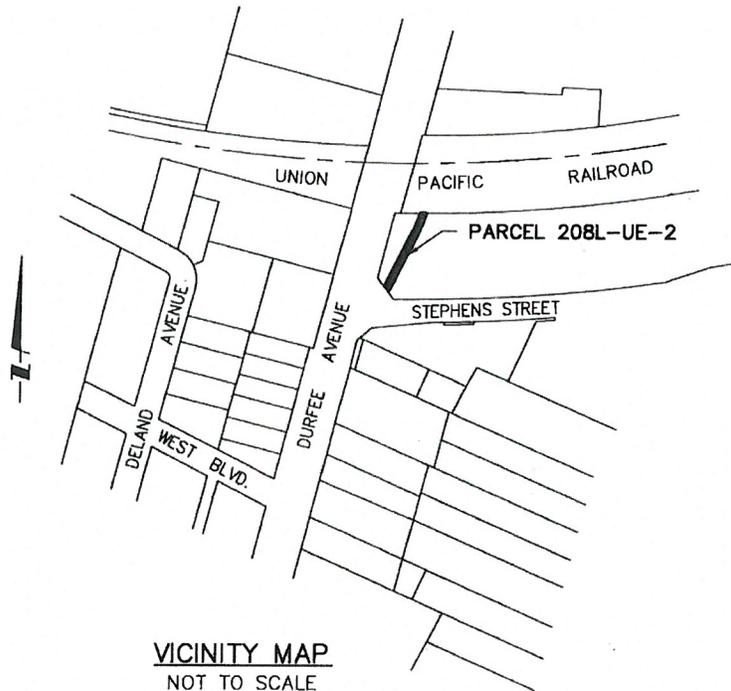
Dwg Name: \\X:\RES201208\SURVEY\LEGALS\Easement\Plats\V-PLAT\_208L-UE-2.dwg Plotted by: torid.dobash on Sep 01, 2017 - 10:01:13

EXHIBIT "B"

OWNER: DURFEE STEPHENS LLC	ACE
THAT PORTION OF LOT 47, RANCHO PASO DE BARTOLO, IN THE CITY OF PICO RIVERA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE PARTITION MAP FILED IN CASE NO. 20613 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES,	ACCEPTED BY: <i>[Signature]</i> CHIEF ENGINEER
RECORDED IN BOOK 999, PAGE 81, OF DEEDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY.	DATE: 9/8/17
APN: 6375-014-011	

**DATUM STATEMENT:**

THE BEARINGS AND DISTANCES SHOWN HEREIN ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83), ZONE V, RELATIVE TO THE NORTH AMERICAN DATUM OF 1983 (NAD 83; 2011.00 EPOCH). ALL DISTANCES SHOWN HEREIN ARE GRID DISTANCES, TO OBTAIN GROUND DISTANCES, DIVIDE GRID DISTANCES BY THE COMPUTED COMBINATION FACTOR OF 1.00000338.



VICINITY MAP  
NOT TO SCALE

SHEET 2 OF 2

AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	109,924 SQ. FT.	1,597 SQ. FT.	108,327 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	DATE: 1-29-2016
PSOMAS		CITY OF PICO RIVERA	SCALE: NONE
APPROVED BY: L.S. 5282	ACE REVIEWED BY: <i>[Signature]</i> PROJECT MANAGER DATE: 9/8/17		REV. NO. DATE:
			REV. NO. DATE:
			ACE PARCEL NO. 208L-UE-2

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## RESOLUTION NO. 17-02

### A RESOLUTION OF THE ALAMEDA CORRIDOR EAST – GATEWAY TO AMERICA CONSTRUCTION AUTHORITY FINDING AND DETERMINING THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY REQUIRE THE ACQUISITION OF CERTAIN PROPERTY FOR PUBLIC PURPOSES

THE ALAMEDA CORRIDOR EAST – GATEWAY TO AMERICA CONSTRUCTION  
AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Alameda Corridor East – Gateway to America Construction Authority (hereafter "ACE Construction Authority"), after consideration of the staff report, staff presentation, discussion, oral testimony and evidence presented at its Board Meeting on Monday, October 23, 2017 at 12 p.m. hereby finds, determines and declares as follows:

- (a) ACE Construction Authority on behalf of the San Gabriel Valley Council of Governments is authorized by statute and pursuant to that certain Joint Powers Agreement dated September 17, 1998, as amended, to acquire property by eminent domain within the City of Pico Rivera, County of Los Angeles, CA for the Alameda Corridor-East Project ("ACE Project"); and
- (b) The public interest, convenience and necessity require the proposed Durfee Avenue Grade Separation Project in Los Angeles County, City of Pico Rivera, State of CA as part of the ACE Project, which includes railroad crossing safety and efficiency improvements and all uses appurtenant thereto intended to partially mitigate the impacts of increased rail traffic from the completed Alameda Corridor on motor vehicle traffic; and
- (c) The interest in real property to be acquired (collectively the "Easement"):
  - i. A Non-Exclusive Permanent Utility Easement (208L-UE-2) 1,597 s.f. in size, for utility purposes in, on, over, through, under, across, and along as well as all activities required to construct, reconstruct, maintain, alter, inspect, repair, remove, or replace utility facilities and together with the reasonable right of ingress and egress to and from the permanent easement during the construction, maintenance, inspection, repair, or replacement on that property described in Exhibit A. Said easement is required for the relocation and maintenance of electrical communication, fiber optic and cable TV facilities.

No other easement or easements shall be granted on, under or over said utility easement without previous written consent by easement holder.

Easement holder shall have the right to assign any portions, or all of the rights granted under the Non-Exclusive Permanent Utility Easement area. No building, fences, walls or other permanent structures of any kind, and no deep rooted tree, deep rooted shrubs or other plants or vegetation shall be installed, constructed, erected, placed, planted or maintained in the Non-Exclusive Permanent Utility Easement area without prior written consent of easement holder. Easement holder shall have the right to mark the location of the easement in a manner which will not interfere with the underlying fee owner's reasonable and lawful use of the Non-Exclusive Permanent Utility Easement area.

Said Easement is described on Exhibit A, attached hereto and incorporated herein by this reference. The Easement is located within the City of Pico Rivera, State of CA. A map showing the general location of the Easement is attached hereto, marked Exhibit B and is incorporated herein by reference and made a part hereof;

- (d) The Durfee Avenue Grade Separation Project is planned and located in a manner that will be the most compatible with the greatest public good and least private injury.
- (e) The taking of the Property is necessary for the Durfee Avenue Grade Separation Project and such taking is authorized by Section 19, Article I of the California Constitution, Sections 6500 et seq., 37350.5, 40401 et seq. and 40404 of the California Government Code, Section 1230.010 et seq., 1240.020 and 1240.410 of the California Code of Civil Procedure, and other applicable law; and
- (f) The offer to purchase required by California Government Code Section 7267.2 has been made to the owner of the Property.
- (g) The necessary notice of hearing on this Resolution has been given, as required by Code of Civil Procedure section 1245.235.
- (h) ACE has fully complied with the California Environmental Quality Act ("CEQA") as the Durfee Avenue Grade Separation Project is statutorily exempt pursuant to Public Resources Code section 21080.13.
- (i) ACE has complied with all conditions and statutory requirements necessary to exercise the power of eminent domain (the "right to take") to acquire the Property.

SECTION 2. ACE Construction Authority hereby declares that it is its intention to acquire said Property in accordance with the provision of the laws of the State of California governing condemnation procedures.

SECTION 3. ACE Construction Authority further finds that if any portion of the area of the Property has been appropriated to some public use, the public uses to which it is to be applied by ACE Construction Authority, as described above, are more necessary and paramount public uses, pursuant to Code of Civil Procedure section 1240.610 or, alternatively, are compatible with those other uses pursuant to Code of Civil Procedure section 1260.510.

SECTION 4. ACE Legal Counsel is authorized and directed to prepare, institute and prosecute such proceedings in the proper Court having jurisdiction thereof as may be necessary for the acquisition of said Property, including the filing of an application for an Order for Possession prior to judgment.

SECTION 5. This Resolution shall be effective immediately upon its adoption.

SECTION 6. The Assistant to the Clerk of the Board of the ACE Construction Authority shall certify the adoption of this Resolution and certify this record to be a full true, correct copy of the action taken.

PASSED, APPROVED AND ADOPTED this 23rd day of October, 2017.

ATTEST:

Deanna Stanley, Clerk of the Board

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES       )  
CITY OF SAN GABRIEL           )

I HEREBY CERTIFY that the foregoing Resolution 17-02 was duly adopted by the ACE Construction Authority at a regular meeting thereof, held on the 23<sup>rd</sup> day of October 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Deanna Stanley, Clerk of the Board



# PSOMAS

## EXHIBIT 'A'

### Legal Description for Nonexclusive Utility Easement Purposes

#### ACE Parcel No. 208L-UE-2

1  
2  
3  
4  
5  
6 That portion of Lot 47, Rancho Paso De Bartolo, in the City of Pico Rivera, County of  
7 Los Angeles, State of California, as shown on the Partition Map filed in Case No. 20613  
8 of the Superior Court of the State of California for the County of Los Angeles, recorded  
9 in Book 999, Page 81, of Deeds, in the office of the Recorder of said County, described  
10 as follows:

11  
12 **Commencing** at the centerline intersection of West Boulevard and Durfee Avenue as  
13 shown on Tract No. 10171, filed in Book 144, Pages 17 and 18 of Maps, in the office of  
14 the Recorder of said County; thence along the centerline of said Durfee Avenue  
15 North 14° 23' 11" East 568.82 feet; thence South 75° 36' 49" East 40.00 feet to the  
16 intersection of the southerly line of the Union Pacific Railroad Right-of-Way  
17 (formerly the San Pedro, Los Angeles and Salt Lake Railway Company) as described in  
18 the deed recorded May 22, 1901 in Book 1444, page 318 of Deeds, in the office of the  
19 County Recorder of said County, and the easterly line of the land described in  
20 Resolution No. 3498, recorded September 22, 1988 as Instrument No. 88-1520353 of  
21 Official Records, in the office of the County Recorder of said County, said southerly line  
22 being a curve concave northerly having a radius of 2964.89 feet, a radial line to said  
23 curve bears South 00° 52' 14" West; thence easterly along said curve and said southerly  
24 line 49.62 feet through a central angle of 00° 57' 32" to the **True Point of Beginning**,  
25 said beginning being a curve concave Northwesterly having a radius of 205.00 feet, a  
26 radial line to said curve bears South 73° 56' 44" East ; thence southerly along said curve  
27 36.33 feet through a central angle of 10° 09' 14"; thence South 26° 12' 30" West  
28 128.36 feet; thence North 35° 55' 48" West 11.31 feet to a line that is 10.00 feet westerly  
29 of and parallel with the previously described course having a bearing of  
30 South 26° 12' 30" West; thence along said parallel line North 26° 12' 30" East

# PSOMAS

1 123.07 feet to a curve concentric with and 10.00 feet westerly of the 205.00 foot radius  
2 curve, said concentric curve having a radius of 195.00 feet; thence northerly along said  
3 curve 31.68 feet through a central angle of 09° 18' 26" to said curved southerly line, a  
4 radial line to said curve bears South 00° 06' 47" West; thence easterly along said curve  
5 and said southerly line 10.43 feet through a central angle of 00° 12' 05" to the **True**  
6 **Point of Beginning.**

7  
8 Containing 1,597 square feet.

9  
10 All as shown on Exhibit "B" attached hereto and made a part hereof.

11  
12 This legal description is not intended to be used in the conveyance of land in violation of  
13 the Subdivision Map Act of the State of California.

14  
15 APN: 6375-014-011

16  
17 This legal description was prepared by me or under my direction.

18  
19  
20 Jeremy L. Evans

9.05.2017

21 Jeremy L. Evans, PLS 5282

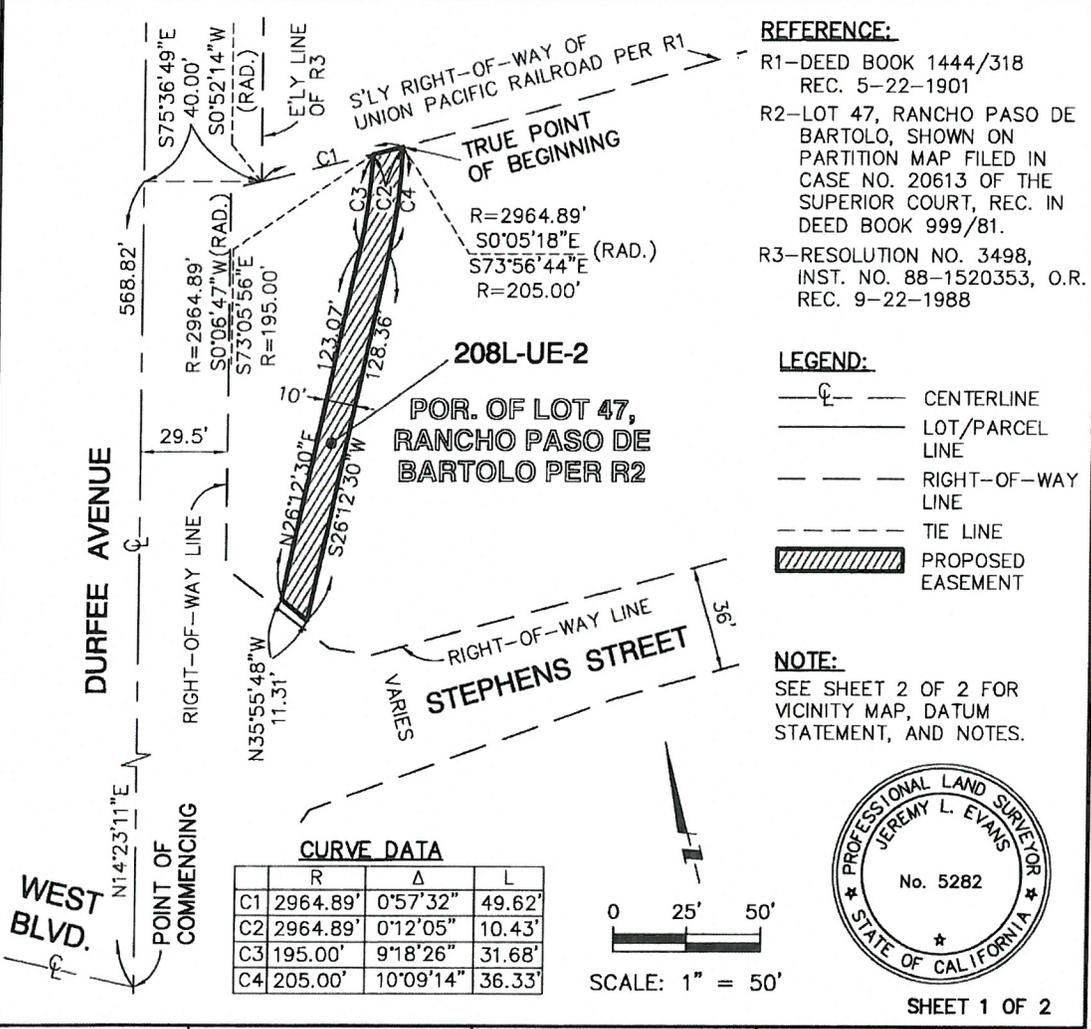
Date



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EXHIBIT "B"

OWNER: DURFEE STEPHENS LLC	ACE
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RECORDED IN BOOK 999, PAGE 81, OF DEEDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY.	DATE: 9/8/17
APN: 6375-014-011	



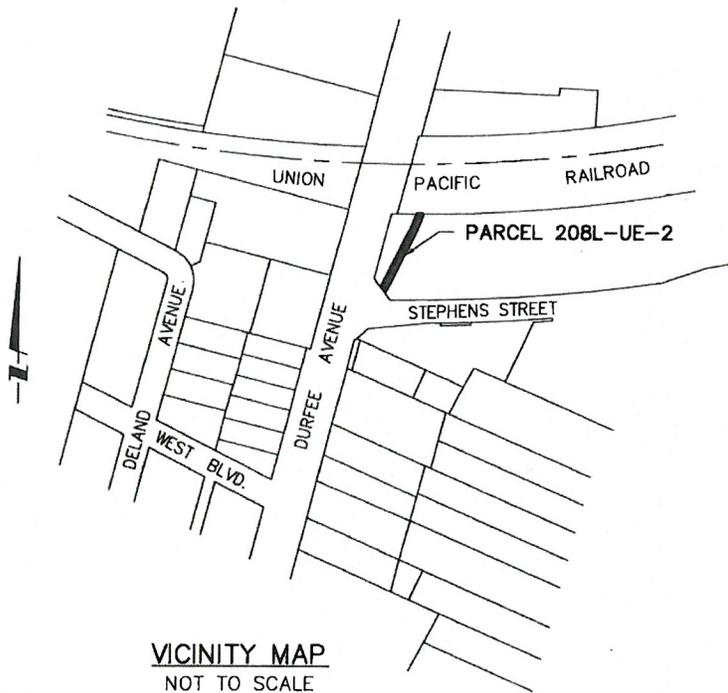
AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	109,924 SQ. FT.	1,597 SQ. FT.	108,327 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	DATE: 1-29-2016
P SOMAS		CITY OF PICO RIVERA	SCALE: 1" = 50'
APPROVED BY: <i>Jeremy L. Evans</i>	ACE REVIEWED BY: <i>Paul Kelly</i>		REV. NO. DATE:
L.S. 5282	PROJECT MANAGER		REV. NO. DATE:
	DATE: 9/8/17		ACE PARCEL NO. 208L-UE-2

EXHIBIT "B"

OWNER: DURFEE STEPHENS LLC	<b>ACE</b> ACCEPTED BY: <i>[Signature]</i> CHIEF ENGINEER DATE: <u>9/8/17</u>
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**DATUM STATEMENT:**

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SHEET 2 OF 2

AREA	TOTAL	EASEMENT	REMAINDER
SQUARE FEET	109,924 SQ. FT.	1,597 SQ. FT.	108,327 SQ. FT.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		DURFEE AVENUE GRADE SEPARATION	DATE: 1-29-2016
PSOMAS			SCALE: NONE
APPROVED BY: <i>[Signature]</i> L.S. 5282	ACE REVIEWED BY: <i>[Signature]</i> PROJECT MANAGER	CITY OF PICO RIVERA	REV. NO. DATE:
	DATE: <u>9/8/17</u>		REV. NO. DATE:
			ACE PARCEL NO. 208L-UE-2

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## Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

MEMO TO: ACE Construction Authority Board Members and Alternates

FROM: Mark Christoffels  
Chief Executive Officer

DATE: October 23, 2017

SUBJECT: Approval of Local Hire Policy

**RECOMMENDATION:** Staff recommends Board approval of a Local Hire policy for the Authority's construction projects with a minimum contract value of \$2.5 million and not prohibited by funding source.

**BACKGROUND:** At the June 2017 meeting, Board members requested for additional information about implementation of a local hire policy on ACE construction projects. Staff reviewed the local hire policies by Metro, City of Los Angeles and County of Los Angeles. Based on these reviews, staff is recommending implementation of a Local Hire policy for construction projects that are not funded by Federal and state funds, as Federal and state prohibit the use of local hire as a contract requirement or as a condition of award.

Subject to any grant funding restrictions, a local hire project goal, which will be based on individual workers will include:

- Eight percent (8%) goal under Tier 1, which will be defined as San Gabriel Valley residents.
- Thirty percent (30%) goal under Tier 2, which will be defined as Los Angeles County residents.
- Similar to the Authority's Disadvantaged and Small Business Enterprise programs, prime contractors shall make certain good faith effort has been made to attain the goals established for the program.

Adoption of a Local Hire policy will help ensure that jobs go to local community members and promote local wealth. The Authority is committed to the successful realization of the Local Hire program through diligent monitoring, oversight and reporting. If the Board adopts this recommendation, a Local Hire program would be developed. Carrying out the local hire monitoring required by the Local Hire program would be an ongoing activity, which will be performed in-house.

This Local Hire policy will be reflected in the Authority's Administrative Code and Procurement Manual, as well as construction solicitation documents and contracts, as applicable.

**BUDGET IMPACT:** Sufficient funds for this effort are included in the FY 2018 budget



## Alameda Corridor-East Construction Authority

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MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Mark Christoffels  
Chief Executive Officer

DATE: October 23, 2017

SUBJECT: Approval of Contract Amendment with HNTB Corporation for the Design of the Turnbull Canyon Road Grade Separation Project

**RECOMMENDATION:** Staff recommends that the Board authorize the Chief Executive Officer to amend the contract with HNTB Corporation (HNTB) to add \$90,000 for special assignment tasks for a new contract value of \$1,908,209. Additional funds are needed for HNTB to provide support services for the preparation of applications and Benefit-Cost Analyses (BCAs) for the project to seek funding from new and revised state and federal discretionary grant programs.

**BACKGROUND:** At the January 2017 meeting, the Board approved a contract with HNTB for design engineering services for the Turnbull Canyon project. Over the course of the coming fiscal year, staff anticipates preparing applications and BCAs seeking grant funding from several discretionary grant programs. The preparation of the grant applications and BCAs under the direction of ACE staff will involve substantial additional and technical work by economists and other grant preparation specialists provided by HNTB, the designer of record. Such work has been included in the contract under Special Assignment tasks but a contract increase is needed to fund the work contemplated given the new and revised programs being developed at the state and federal levels.

Staff is anticipating submitting \$15 to \$25 million grant applications for the Turnbull Canyon Grade Separation from the following programs:

- The \$1.5 billion Federal Infrastructure for Rebuilding America (INFRA) program (previously known as the FASTLANE program).
- The \$1.3 billion new state Trade Corridors Enhancement Program (TCEP).
- The \$500 million Federal Transportation Infrastructure Generating Economic Recovery (TIGER) program.

Staff recommends approval of the additional funds as a worthwhile expenditure given the funding opportunities available. HNTB will proceed only upon acceptance of a task cost proposal reviewed and approved by ACE staff.

**BUDGET IMPACT:** Funds from this contract is available from Metro (Prop C and Measure R funds).



## Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 [www.theaceproject.org](http://www.theaceproject.org)

MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Mark Christoffels  
Chief Executive Officer

DATE: October 23, 2017

SUBJECT: Approval of Contract Amendment with Moffatt & Nichol for the design of the Montebello Corridor Grade Separation Project

**RECOMMENDATION:** Staff recommends that the Board authorize the Chief Executive Officer to amend the contract with Moffatt & Nichol (M&N) to add \$90,000 for special assignment tasks for a new contract value of \$5,658,168 for the Montebello Corridor Grade Separation Project. Additional funds are needed for M&N to provide support services for the preparation of applications and Benefit-Cost Analyses (BCAs) for the project to seek funding from new and revised state and federal discretionary grant programs.

**BACKGROUND:** At the July 2015 meeting, the Board approved a contract with M&N for design engineering services for the Montebello Corridor project. Over the course of the coming fiscal year, staff anticipates preparing applications and BCAs seeking grant funding from several discretionary grant programs. The preparation of the grant applications and BCAs under the direction of ACE staff will involve substantial additional and technical work by economists and other grant preparation specialists provided by M&N, the designer of record. Such work has been included in the contracts under Special Assignment tasks but a contract increase is needed to fund the work contemplated given the new and revised programs being developed at the state and federal levels.

Staff is anticipating submitting \$15 to \$35 million grant applications for the Montebello Blvd. grade separation from the following programs:

- The \$1.5 billion Federal Infrastructure for Rebuilding America (INFRA) program (previously known as the FASTLANE program).
- The \$1.3 billion new state Trade Corridors Enhancement Program (TCEP).
- The \$500 million Federal Transportation Infrastructure Generating Economic Recovery (TIGER) program.

Staff recommends approval of the additional funds as a worthwhile expenditure given the funding opportunities available. M&N will proceed only upon acceptance of a task cost proposal reviewed and approved by ACE staff.

**BUDGET IMPACT:** Funding for this contract is available from Measure R funds.



## Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

MEMO TO: ACE Construction Authority Board Members and Alternates

FROM: Gregory M. Murphy  
General Counsel

DATE: October 23, 2017

SUBJECT: Chief Executive Officer Compensation

**RECOMMENDATION:** The Board of Directors discuss and determine a salary adjustment for the Chief Executive Officer with an effective date of October 1, 2017. The Chief Executive Officer has requested a salary adjustment for this review period of 2.5%.

**BACKGROUND:** At the Board of Directors meeting on September 25, 2017, the Board discussed in closed session the annual performance review of the Chief Executive Officer, Mr. Mark Christoffels. Mr. Christoffels has requested that the Board consider a pay increase of 2.5%, for the purpose of allowing his compensation to remain constant relative to the Consumer Price Index for Los Angeles County. As the Board considers its options with respect to the Chief Executive Officer salary, the following facts may be relevant:

- The Board is generally aware of the ongoing activities of ACE and in particular of the number of grade separation projects running concurrently and the additional work ACE has taken on under the Chief Executive Officer's direction.
- The fiscal year 2017/18 annual budget which was approved in June 2016 by the Board included a 3% agency-wide merit pool for staff salary increases. This allowed ACE staff to potentially receive up to a 3% salary increase.
- The Consumer Price Index for Los Angeles County, to which the Chief Executive Officer has tied his request, shows an increase of 2.8% over the past twelve months.
- After discussions of the 2014, 2015, and 2016 performance reviews of the Chief Executive Officer period, the Board approved a 2% salary increase for the Chief Executive Officer for each of those years. This year, the Chief Executive Officer seeks a 2.5% increase.
- The Chief Executive Officer currently has a salary of \$248,333 and a monthly automobile allowance. A 2.5% increase would mean an adjusted salary of \$254,541, with no change sought or expected to the automobile allowance.

The Board's open session discussion about the Chief Executive Officer's performance requires reciting the general rationale for any salary increase, which can be tied to his performance in directing ACE's activities and otherwise representing ACE but can also incorporate the Consumer Price Index as a benchmark. However, the Brown Act prohibits disclosing openly any specifics of the Board's closed session discussion on September 25. If any Board Member has questions about today's open session discussion, Counsel is

available to assist. If not, then general statements about the Chief Executive Officer's performance are permissible and would substantiate any decision the Board makes.

**BUDGET IMPACT:** Up to a threshold (and including the amount sought), funds for a Chief Executive Officer salary increase have been included in the Fiscal Year 2016/17 budget and so no impact to the budget is anticipated. If the Board's proposed increase exceeds that threshold, a budget adjustment would be necessary.



## Alameda Corridor-East Construction Authority

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MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Mark Christoffels  
Chief Executive Officer

DATE: October 23, 2017

SUBJECT: Receive and File: Quarterly Project Progress & Financial Reports

**RECOMMENDATION:** Receive and file the ACE Program Quarterly Progress Reports for the period covering the 1<sup>st</sup> quarter of Fiscal Year 2018.

**BACKGROUND:** To keep the ACE Board as well as the interested public informed about ACE's progress in designing and constructing the projects in the adopted ACE program, staff prepares and submits to the Board progress reports on a quarterly basis. The attached reports are prepared by the Project Managers for each respective active ACE project and provide a one-page summary of expenditures, schedules, work completed and to be done, as well as any areas of concerns. In addition to these reports, staff will make an oral presentation to provide updates on the following for the period from July 1, 2017 through September 30, 2017:

- Major Activities Completed
- Construction and Design Progress
- Current Project Schedules
- Current Project Cost Estimates
- Project Funding

**ALAMEDA CORRIDOR-EAST PHASE II  
AT-GRADE CROSSING SAFETY IMPROVEMENTS (City of Pomona)**

**As of September 2017**

<b>LOCATION:</b> Pomona	<b>CONSTRUCTION MANAGER:</b> TBD
<b>DESIGN CONSULTANT:</b> Railpros	<b>CONTRACTOR:</b> TBD

<b>PHOTO</b> Pedestrian Crossing at Main Street	<b>WORK COMPLETED PAST QUARTER</b>
	<ul style="list-style-type: none"> <li>Continued work on the 35% Prelim Engineering Plan Development</li> <li>Completed Screencheck Review of Draft 35% Plans</li> <li>Completed Underground Utility Location Survey</li> <li>Performed Additional Traffic Analysis at San Antonio</li> </ul>

<b>EXPENDITURE STATUS</b> (\$ in Millions)				<b>SCHEDULE ASSESSMENT</b>			
ACTIVITIES	PERCENT EXPENDED	\$ CURRENT ESTIMATE	\$ EXPENDED AMOUNT	MAJOR SCHEDULE ACTIVITIES	PRIOR PLAN	CURRENT PLAN	VARIANCE WEEKS +/-
DESIGN (35% only)	25%	\$4.5	\$1.6	<b>Environmental</b>			
				Statutory Exemption	Nov-17	Jan-18	11
RIGHT-OF-WAY	0%	\$1.1	\$0.0	<b>Design</b>			
				Notice To Proceed	May-15 A	May-15 A	
				Final PS&E Complete	Dec-18	Apr-19	16
CONSTRUCTION	0%	\$17.4	\$0.0	<b>Right-of-Way</b>			
				All Parcels Available	N/A	N/A	
TOTAL	7%	\$22.9	\$1.6	<b>Construction</b>			
				Notice To Proceed	Jul-19	Dec-19	21
				Construction Complete	Jun-20	Nov-20	21

<b>AREAS OF CONCERN</b>	<b>CRITICAL ACTIVITIES / 3 MONTH LOOK AHEAD</b>		
	<ul style="list-style-type: none"> <li>Continue work on the 35% Prelim Engineering Plan Development</li> <li>Submit and Review 35% Plans</li> <li>Complete the Final Hydrology and Hydraulics Report</li> <li>Complete the Geotechnical Report</li> </ul>		
<b>ROW ACQUISITION</b>	<b>Plan</b>	<b>Acquired</b>	<b>Remaining</b>
o Permanent Parcels	0	0	0
o Temporary Parcels	0	0	0
<b>o Total Parcels</b>	<b>0</b>	<b>0</b>	<b>0</b>

**ALAMEDA CORRIDOR-EAST PHASE II  
GRADE SEPARATION - DURFEE AVENUE (City of Pico Rivera)**

**As of September 2017**

<b>LOCATION:</b> Pico Rivera	<b>CONSTRUCTION MANAGER:</b> PreScience
<b>DESIGN CONSULTANT:</b> URS	<b>CONTRACTOR:</b> TBD

<b>PHOTO</b> Traffic Back-up at Crossing	<b>WORK COMPLETED PAST QUARTER</b>
	<ul style="list-style-type: none"> <li>▪ Continued Stakeholder, Utility, and Other Agency Coordination</li> <li>▪ Received and addressed remaining comments from City, County, and UPRR 100% PS&amp;E Reviews</li> <li>▪ Continued ROW Acquisition and Relocation Activities</li> <li>▪ Continued demolition activities - coordination and specs</li> <li>▪ Continued Coordination with Private Property Owners for Final Approval of Site Improvements</li> <li>▪ Provided support for eminent domain legal proceedings</li> </ul>

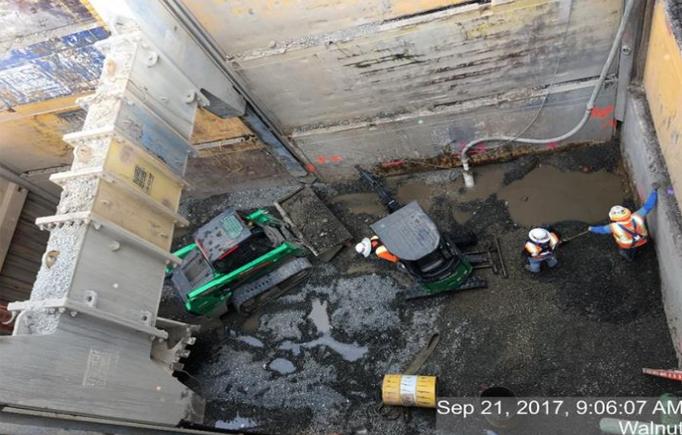
<b>EXPENDITURE STATUS</b> (\$ in Millions)				<b>SCHEDULE ASSESSMENT</b>			
ACTIVITIES	PERCENT EXPENDED	\$ CURRENT ESTIMATE	\$ EXPENDED AMOUNT	MAJOR SCHEDULE ACTIVITIES	PRIOR PLAN	CURRENT PLAN	VARIANCE WEEKS +/-
DESIGN	87%	\$9.6	\$8.1	<b>Environmental</b>			
				NEPA/CEQA	Jul-14 A	Jul-14 A	
RIGHT-OF-WAY	65%	\$32.6	\$17.3	<b>Design</b>			
				Notice To Proceed	Oct-12 A	Oct-12 A	
				Final PS&E Complete	Sep-17	Apr-18	30
CONSTRUCTION	0%	\$48.9	\$0.0	<b>Right-of-Way</b>			
				All Parcels Available	Oct-17	Mar-18	19
<b>TOTAL</b>	<b>28%</b>	<b>\$91.1</b>	<b>\$25.4</b>	<b>Construction</b>			
				Notice To Proceed	Jul-18	Oct-18	16
				Construction Complete	Jan-21	Apr-21	16

<b>AREAS OF CONCERN</b>				<b>CRITICAL ACTIVITIES / 3 MONTH LOOK AHEAD</b>			
				<ul style="list-style-type: none"> <li>▪ Continue Stakeholder, Utility, and Other Agency Coordination</li> <li>▪ Address structural comments from UPRR when received</li> <li>▪ Continue ROW Acquisition and Relocation Activities</li> <li>▪ Continue demolition activities (Demo 208A)</li> <li>▪ Continue Coordination with Private Property Owners for Final Approval of Site Improvements</li> <li>▪ Provide support for eminent domain legal proceedings</li> <li>▪ Circulate C&amp;M Agreement for Review and Signature</li> <li>▪ Draft ROW Certification for Caltrans' Review</li> </ul>			
<b>ROW ACQUISITION</b>	<b>Plan</b>	<b>Acquired</b>	<b>Remaining</b>				
o Permanent Parcels	48	11	37				
o Temporary Parcels	42	3	39				
<b>o Total Parcels</b>	<b>90</b>	<b>14</b>	<b>76</b>				

**ALAMEDA CORRIDOR-EAST PHASE II  
GRADE SEPARATION - FAIRWAY AVENUE (LA Sub)(City of Industry)**

**As of September 2017**

<b>LOCATION:</b> City of Industry	<b>CONSTRUCTION MANAGER:</b> PB Americas
<b>DESIGN CONSULTANT:</b> CH2M Hill	<b>CONTRACTOR:</b> OHL USA

<b>PHOTO</b> <b>Jacking Pit for 42" Sewer Line</b>	<b>WORK COMPLETED PAST QUARTER</b>
	<p>Completed the 8' x 14' RCB storm drain crossing Walnut Dr.</p> <p>Developed the jacking pit in preparation of the County 42" Sewer Main</p> <p>Continued the construction of retaining walls #5 &amp; #6.</p> <p>Lemon Avenue Ramps Construction:-</p> <p>Began the roadway grading for WB on-ramp.</p> <p>Completed the retaining walls along the EB off-ramp.</p> <p>Completed the shoring for the last retaining wall at EB on-ramp.</p>

<b>EXPENDITURE STATUS</b> (\$ in Millions)			
ACTIVITIES	PERCENT EXPENDED	\$ CURRENT ESTIMATE	\$ EXPENDED AMOUNT
DESIGN	100%	\$8.2	\$8.2
RIGHT-OF-WAY	87%	\$30.1	\$26.2
CONSTRUCTION	37%	\$140.6	\$43.1
<b>TOTAL</b>	<b>43%</b>	<b>\$178.9</b>	<b>\$77.4</b>

<b>SCHEDULE ASSESSMENT</b>			
MAJOR SCHEDULE ACTIVITIES	PRIOR PLAN	CURRENT PLAN	VARIANCE WEEKS +/-
<b>Environmental</b>			
IS/ND	Oct-12 A	Oct-12 A	
<b>Design</b>			
Notice To Proceed	Apr-11 A	Apr-11 A	
Final PS&E Complete	Jul-14 A	Jul-14 A	
<b>Right-of-Way</b>			
All Parcels Available	Apr-14 A	Apr-14 A	
<b>Construction</b>			
Notice To Proceed	Dec-14 A	Dec-14 A	
Construction Complete	Jan-21	Jan-21	2

**AREAS OF CONCERN**

Fairway - ground water dewatering needs to be maintained to allow construction to continue.

Lemon - SCE needs to energize the service pedestals by Nov. to complete the traffic signal work.

**CRITICAL ACTIVITIES / 3 MONTH LOOK AHEAD**

Complete the relocation of CSD sewer line work by Nov 2017.

Obtain the approval from UPRR to construct the shoo-fly tracks.

<b>ROW ACQUISITION</b>	Plan	Acquired	Remaining
o Permanent Parcels	40	13	27
o Temporary Parcels	26	14	12
<b>o Total Parcels</b>	<b>66</b>	<b>27</b>	<b>39</b>

**ALAMEDA CORRIDOR-EAST PHASE II  
GRADE SEPARATION - FULLERTON ROAD (City of Industry)**

**As of September 2017**

<b>LOCATION:</b> City of Industry	<b>CONSTRUCTION MANAGER:</b> Berg & Associates
<b>DESIGN CONSULTANT:</b> Biggs Cardosa Associates	<b>CONTRACTOR:</b> Shimmick Construction Co

<b>PHOTO</b> Sawcutting Existing Sewer on Railroad St	<b>WORK COMPLETED PAST QUARTER</b>
	Pump Station subsurface structure Continued SB Fullerton Road Outside Widening Continued NB Fullerton Road Outside Widening SB Fullerton Road Sidewalk at SR-60 NB Fullerton Road Sidewalk at SR-60 Signalized Rowland/Lawson Intersection Closed Fullerton Road north of Railroad Street Completed Potable and Reclaimed Water Relocations Started sewer work on Railroad Street

<b>EXPENDITURE STATUS</b> (\$ in Millions)				<b>SCHEDULE ASSESSMENT</b>			
ACTIVITIES	PERCENT EXPENDED	\$ CURRENT ESTIMATE	\$ EXPENDED AMOUNT	MAJOR SCHEDULE ACTIVITIES	PRIOR PLAN	CURRENT PLAN	VARIANCE WEEKS +/-
DESIGN	100%	\$10.7	\$10.7	<b>Environmental</b>			
				Categorical Exemption IS/ND	Oct-13 A	Oct-13 A	
RIGHT-OF-WAY	95%	\$26.6	\$21.2	<b>Design</b>			
				Notice To Proceed	Oct-12 A	Oct-12 A	
				Final PS&E Complete	Dec-15 A	Dec-15 A	
CONSTRUCTION	17%	\$115.1	\$19.9	<b>Right-of-Way</b>			
				All Parcels Available	Oct-15 A	Oct-15 A	
TOTAL	34%	\$152.4	\$51.8	<b>Construction</b>			
				Notice To Proceed	Jul-16	Jul-16 A	
				Construction Complete	Dec-20	Dec-20	1

<b>AREAS OF CONCERN</b>				<b>CRITICAL ACTIVITIES / 3 MONTH LOOK AHEAD</b>			
				Complete South Fullerton Road widening outside lanes Complete North Fullerton Road widening outside lanes Pump Station electrical/mechanical Construct SR-60 On/Off Ramps Fullerton Road widening inside lanes			
<b>ROW ACQUISITION</b>	<b>Plan</b>	<b>Acquired</b>	<b>Remaining</b>				
o Permanent Parcels	35	25	10				
o Temporary Parcels	18	16	2				
<b>o Total Parcels</b>	<b>53</b>	<b>41</b>	<b>12</b>				

**ALAMEDA CORRIDOR-EAST PHASE II  
GRADE SEPARATION - Various (Montebello)**

**As of September 2017**

<b>LOCATION:</b> Montebello	<b>CONSTRUCTION MANAGER:</b> TBD
<b>DESIGN CONSULTANT:</b> Moffat & Nichol	<b>CONTRACTOR:</b> TBD

<b>PHOTO</b> <b>Montebello Boulevard</b>	<b>WORK COMPLETED PAST QUARTER</b>
	<ul style="list-style-type: none"> <li>Continued Coordination with Stakeholders and Impacted Property Owners</li> <li>Continued work on the 35% Prelim Engineering Plan Development</li> <li>Continued Work on Final Hydrology and Hydraulics Memorandum, coordinating with City and County</li> <li>Coordinated field work for soil borings and Phase 1 SI with property owners</li> </ul>

<b>EXPENDITURE STATUS</b> (\$ in Millions)				<b>SCHEDULE ASSESSMENT</b>			
<b>ACTIVITIES</b>	<b>PERCENT EXPENDED</b>	<b>\$ CURRENT ESTIMATE</b>	<b>\$ EXPENDED AMOUNT</b>	<b>MAJOR SCHEDULE ACTIVITIES</b>	<b>PRIOR PLAN</b>	<b>CURRENT PLAN</b>	<b>VARIANCE WEEKS +/-</b>
DESIGN (35% only)	28%	\$13.5	\$4.2	<b>Environmental</b>			
				CEQA/NEPA	May-18	May-18	0
RIGHT-OF-WAY	2%	\$29.7	\$0.6	<b>Design</b>			
				Notice To Proceed	Sep-15 A	Sep-15 A	
				Final PS&E Complete	Nov-19	Nov-19	0
CONSTRUCTION	0%	\$116.9	\$0.0	<b>Right-of-Way</b>			
				All Parcels Available	Nov-19	Nov-19	0
<b>TOTAL</b>	<b>3%</b>	<b>\$160.0</b>	<b>\$4.8</b>	<b>Construction</b>			
				Notice To Proceed	Apr-20	Apr-20	0
				Construction Complete	Apr-23	Apr-23	0

<b>AREAS OF CONCERN</b>				<b>CRITICAL ACTIVITIES / 3 MONTH LOOK AHEAD</b>			
				<ul style="list-style-type: none"> <li>Obtain Right-of-Entries for Phase II Site Investigation</li> <li>Begin the Phase II Site Investigation</li> <li>Continue Coordination with Stakeholders and Impacted Property Owners</li> <li>Continue work on the 35% Prelim Engineering Plan Development</li> <li>Complete Final Hydrology and Hydraulics Memorandum</li> <li>Perform Additional Soil Borings and Complete Geotechnical Foundation Reports</li> <li>Complete Traffic Study Addendum</li> <li>Complete CEQA for Grade Separation and At-Grade Improvements</li> <li>Complete Draft CEQA for Maple Ped OH Structure</li> </ul>			
<b>ROW ACQUISITION</b>	<b>Plan</b>	<b>Acquired</b>	<b>Remaining</b>				
o Permanent Parcels	26	1	25				
o Temporary Parcels	44	0	44				
<b>o Total Parcels</b>	<b>70</b>	<b>1</b>	<b>69</b>				

**ALAMEDA CORRIDOR-EAST PHASE I  
GRADE SEPARATION - NOGALES ST. (LA SUB) (INDUSTRY)**

**As of September 2017**

<b>LOCATION:</b> City of Industry	<b>CONSTRUCTION MANAGER:</b> PB Americas
<b>DESIGN CONSULTANT:</b> AECOM	<b>CONTRACTOR:</b> Griffith Company

<p><b>PHOTO</b> Traffic on new Nogales Street</p> 	<p><b>WORK COMPLETED PAST QUARTER</b></p> <p>Completed walk throughs with Agencies on all roadway items.</p> <p>Continued to work with City and RWD to resolve interim ground water dewatering arrangements.</p> <p>Submitted the survey monument records to County for recordation.</p> <p>Continued with the out-grant of property process with agencies.</p> <p>Continued on with the Project Closeout.</p>
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<b>EXPENDITURE STATUS</b> (\$ in Millions)				<b>SCHEDULE ASSESSMENT</b>			
ACTIVITIES	PERCENT EXPENDED	\$ CURRENT ESTIMATE	\$ EXPENDED AMOUNT	MAJOR SCHEDULE ACTIVITIES	PRIOR PLAN	CURRENT PLAN	VARIANCE WEEKS +/-
DESIGN	100%	\$4.7	\$4.7	<i>Environmental</i>			
				IS/EA	Sep-09 A	Sep-09 A	
RIGHT-OF-WAY	95%	\$50.3	\$47.7	<i>Design</i>			
				Notice To Proceed	Jul-08 A	Jul-08 A	
				Final PS&E Complete	Dec-09 A	Dec-09 A	
CONSTRUCTION	99%	\$65.8	\$64.7	<i>Right-Of-Way</i>			
				All Parcels Available	Mar-12 A	Mar-12 A	
TOTAL	97%	\$120.8	\$117.1	<i>Construction</i>			
				Notice To Proceed	Jan-13 A	Jan-13 A	
				Construction Complete	Jun-16 A	Jun-16 A	

<b>AREAS OF CONCERN</b>				<b>CRITICAL ACTIVITIES / 3 MONTH LOOK AHEAD</b>			
<b>ROW ACQUISITION</b>	Plan	Acquired	Remaining				
o Permanent Parcels	2	2	0				
o Temporary Parcels	40	40	0				
<b>o Total Parcels</b>	<b>42</b>	<b>42</b>	<b>0</b>				

**ALAMEDA CORRIDOR-EAST PHASE II  
GRADE SEPARATION - PUENTE AVENUE (City of Industry)**

**As of September 2017**

<b>LOCATION:</b> City of Industry	<b>CONSTRUCTION MANAGER:</b> AECOM
<b>DESIGN CONSULTANT:</b> Moffatt & Nichol	<b>CONTRACTOR:</b> OHL USA

<b>PHOTO</b> Valley Blvd. Bridge	<b>WORK COMPLETED PAST QUARTER</b>
	Excavation continues. ACE Contractor has completed siding and new mainline work Waiting for track crews to cut and shift off of shoofly to new mainline SCE and Waterline work continue Valley bridge poured and reopened.

<b>EXPENDITURE STATUS</b> (\$ in Millions)				<b>SCHEDULE ASSESSMENT</b>			
ACTIVITIES	PERCENT EXPENDED	\$ CURRENT ESTIMATE	\$ EXPENDED AMOUNT	MAJOR SCHEDULE ACTIVITIES	PRIOR PLAN	CURRENT PLAN	VARIANCE WEEKS +/-
DESIGN	100%	\$9.4	\$9.4	<b>Environmental</b>			
				Statutory Exemption	Apr-12 A	Apr-12 A	
RIGHT-OF-WAY	100%	\$30.8	\$25.5	<b>Design</b>			
				Notice To Proceed	Apr-11 A	Apr-11 A	
				Final PS&E Complete	Mar-14 A	Mar-14 A	
CONSTRUCTION	89%	\$57.1	\$37.0	<b>Right-of-Way</b>			
				All Parcels Available	Jan-14 A	Jan-14 A	
TOTAL	74%	\$97.4	\$71.9	<b>Construction</b>			
				Notice To Proceed	Sep-14 A	Sep-14 A	
				Construction Complete	Oct-18	Dec-18	8

<b>AREAS OF CONCERN</b>	<b>CRITICAL ACTIVITIES / 3 MONTH LOOK AHEAD</b>
UPRR cutover to new mainline delay	Constructing the 2nd half of the UPRR bridge is critical to completing the project UPRR cutover has delayed this.

<b>ROW ACQUISITION</b>	<b>Plan</b>	<b>Acquired</b>	<b>Remaining</b>
o Permanent Parcels	32	24	8
o Temporary Parcels	3	3	0
<b>o Total Parcels</b>	<b>35</b>	<b>27</b>	<b>8</b>

**ALAMEDA CORRIDOR-EAST PHASE II  
SAN GABRIEL TRENCH (City of San Gabriel)**

**As of September 2017**

<b>LOCATION:</b> City of San Gabriel	<b>CONSTRUCTION MANAGER:</b> Jacobs Engineering
<b>DESIGN CONSULTANT:</b> Moffatt & Nichol	<b>CONTRACTOR:</b> Walsh Construction

<b>PHOTO</b>	<b>New Mainline fully fuctional</b>	<b>WORK COMPLETED PAST QUARTER</b>
		UPRR completed track shift and fully operating on new mainline. Removal of shoofly is complete Alhambra wash modifications underway UPRR signals being removed. Final roadway reconstructions underway.

<b>EXPENDITURE STATUS</b> (\$ in Millions)				<b>SCHEDULE ASSESSMENT</b>			
ACTIVITIES	PERCENT EXPENDED	\$ CURRENT ESTIMATE	\$ EXPENDED AMOUNT	MAJOR SCHEDULE ACTIVITIES	PRIOR PLAN	CURRENT PLAN	VARIANCE WEEKS +/-
DESIGN	100%	\$33.5	\$33.5	<i>Environmental</i>			
				Statutory Exemption			
RIGHT-OF-WAY	100%	\$32.5	\$30.6	<i>Design</i>			
				NTP for Prel Design			
				Complete Prel Design			
				100 % Submittal			
CONSTRUCTION	91%	\$227.7	\$194.3	<i>Right-of-Way</i>			
				All Parcels Available			
TOTAL	88%	\$293.7	\$258.4	<i>Construction</i>			
				Notice To Proceed			
				Construction Complete			

<b>AREAS OF CONCERN</b>				<b>CRITICAL ACTIVITIES / 3 MONTH LOOK AHEAD</b>			
UPRR delay in track shift to new mainline will result in a delay claim.				Completion of Alhambra wash prior to rain season is critical.			
<b>ROW ACQUISITION</b>	<b>Plan</b>	<b>Acquired</b>	<b>Remaining</b>				
o Permanent Parcels	64	64	0				
o Temporary Parcels	62	62	0				
<b>o Total Parcels</b>	<b>126</b>	<b>126</b>	<b>0</b>				

**ALAMEDA CORRIDOR-EAST PHASE II  
GRADE SEPARATION - TURNBULL CANYON ROAD (LA SUB)**

**As of September 2017**

<b>LOCATION:</b>	City of Industry	<b>CONSTRUCTION MANAGER:</b>	TBD
<b>DESIGN CONSULTANT:</b>	HNTB	<b>CONTRACTOR:</b>	TBD

<b>PHOTO</b>	<b>Turnbull Overpass Rendering</b>	<b>WORK COMPLETED PAST QUARTER</b>
		<p>Conceptual approval with design exceptions was obtained from LACPW and UPRR. Waiting for City of Industry on comments/acceptance.</p>

<b>EXPENDITURE STATUS</b> (\$ in Millions)				<b>SCHEDULE ASSESSMENT</b>			
ACTIVITIES	PERCENT EXPENDED	\$ CURRENT ESTIMATE	\$ EXPENDED AMOUNT	MAJOR SCHEDULE ACTIVITIES	PRIOR PLAN	CURRENT PLAN	VARIANCE WEEKS +/-
DESIGN	10%	\$10.1	\$0.8	<b>Environmental</b>			
				Statutory Exemption		Mar-18	
RIGHT-OF-WAY	0%	\$33.9	\$0.0	<b>Design</b>			
				NTP for Prel Design		Feb-17	
				Complete Prel Design		Feb-18	
				100 % Submittal		Apr-19	
CONSTRUCTION	0%	\$42.3	\$0.0	<b>Right-of-Way</b>			
				All Parcels Available		Oct-19	
TOTAL	1%	\$86.2	\$0.8	<b>Construction</b>			
				Notice To Proceed		Apr-20	
				Construction Complete		Apr-22	

<b>AREAS OF CONCERN</b>				<b>CRITICAL ACTIVITIES / 3 MONTH LOOK AHEAD</b>			
				<p>Initiate 35% PSE Initiate Environmental CEQA</p>			
<b>ROW ACQUISITION</b>	<b>Plan</b>	<b>Acquired</b>	<b>Remaining</b>				
o Permanent Parcels	TBD	TBD	0				
o Temporary Parcels	TBD	TBD	0				
<b>o Total Parcels</b>	<b>0</b>	<b>0</b>	<b>0</b>				



## Alameda Corridor-East Construction Authority

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4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 [www.theaceproject.org](http://www.theaceproject.org)

MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Mark Christoffels  
Chief Executive Officer

DATE: October 23, 2017

SUBJECT: Receive and File: Environmental Mitigation Monitoring Reports

**RECOMMENDATION:** Receive and file the ACE Environmental Mitigation Monitoring Reports for the period covering the 1<sup>st</sup> quarter of Fiscal Year 2018.

**BACKGROUND:** Appended to this report are the quarterly environmental mitigation monitoring and public contact reports for each of ACE's projects currently in construction. The monitoring reports track compliance during construction with environmental mitigations and best management practices, as well as a summary of third part complaints and ACE's response.



# Alameda Corridor-East Construction Authority

4900 Rivergrade Road, Suite A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

## Construction Mitigation Measure Matrix Alameda Corridor-East Construction Authority July 1, 2017 – September 30, 2017 Fairway Drive Grade Separation Project

Mitigation Measure	Mitigation Complete	
	YES	NO
<b>Air quality</b>		
1. Use low sulfur fuel in construction equipment	<input checked="" type="checkbox"/>	
2. Minimize Dust by Watering (Rule 403)	<input checked="" type="checkbox"/>	
3. Cover Haul Trucks and Operate less than 15 MPH	<input checked="" type="checkbox"/>	
4. Suspend construction operations in unpaved areas when winds are more than 25 MPH	<input checked="" type="checkbox"/>	
5. Ballast wetted as it is unloaded from haul trucks	<input checked="" type="checkbox"/>	
6. Asphalt paving materials comply with SCAQMD Rule 453 regarding compliant paving material	<input checked="" type="checkbox"/>	

Mitigation Measure	Mitigation Complete	
	YES	NO
<b>Archaeo &amp; Paleo Monitoring</b>		
7. Worker education and briefing of monitoring archaeologists and construction inspectors conducted prior to construction	<input checked="" type="checkbox"/> Worker education briefing was conducted on July 20, 2015	
8. Conduct Paleontological Monitoring where excavation exceeds 1.5 meters (5 ft.) below ground surface (may be reduced as warranted)	<input checked="" type="checkbox"/>	
9. Plan in place for preservation and curation of significant paleontologic resources that may be discovered	<input checked="" type="checkbox"/> Archaeo/Paleo Resource Monitoring, Mitigation and Curation Plan, LSA, January 30, 2015	

Mitigation Measure	Mitigation Complete	
	YES	NO
<b>Noise &amp; Vibration</b>		
10. Conduct construction in a manner that minimizes noise and maintains noise levels below City limits at noise sensitive land uses	<input checked="" type="checkbox"/>	
11. Use effective noise mufflers on equipment	<input checked="" type="checkbox"/>	
12. Minimize noise during the evening, at nighttime, week-ends and holidays	<input checked="" type="checkbox"/> Night time construction at Carl's Jr. to install utility trench.	
13. Noise monitoring conducted to demonstrate compliance with noise limits		<input checked="" type="checkbox"/> There are no sensitive noise receptors. No pile driving is being conducted

14.	Vibration monitoring performed during vibration-intensive activities	<input checked="" type="checkbox"/>	Preconstruction bldg. condition video is on file at construction office for pre/post construction comparison of bldg. conditions. No pile driving during this phase.	
15.	Noise blanket used to reduce increased noise level during operation of detour route during construction			<input checked="" type="checkbox"/>

**Water Quality & Erosion**

		YES	NO
16.	No detrimental discharge into drainages and bodies of water	<input checked="" type="checkbox"/>	
17.	A Storm Water Pollution Prevention Plan (SWPPP) is available on-site from the RE	<input checked="" type="checkbox"/>	
18.	Construction BMPs used to minimize erosion per SWPPP	<input checked="" type="checkbox"/>	
19.	Retaining walls constructed for long-term slope stabilization	<input checked="" type="checkbox"/>	
20.	Erosion prevention planting used in conjunction with a geofabric, where feasible		<input checked="" type="checkbox"/> N/A in this phase of construction

**Hazardous Material/Wastes**

		YES	NO
21.	Construction materials that may adversely affect groundwater stored away from excavation and in a contained area (protected by a berm)	<input checked="" type="checkbox"/>	
22.	Construction equipment and materials checked daily for leaks and repaired immediately	<input checked="" type="checkbox"/>	
23.	Hazardous waste (including dewatering waste water, aerially deposited lead, etc.) disposed of in accordance with federal, state, and local regulations	<input checked="" type="checkbox"/>	

**Biological Resources**

		YES	NO
24.	Bird surveys conducted prior to pruning and/or tree removal	<input checked="" type="checkbox"/>	

**General Construction Conditions**

		YES	NO
25.	On-site construction manager available at all times	<input checked="" type="checkbox"/>	
26.	Minimize interruption to utility services	<input checked="" type="checkbox"/>	
27.	Mobile and stationary equipment maintained in proper working order	<input checked="" type="checkbox"/>	
28.	Non-potable water used for construction activities, when feasible		<input checked="" type="checkbox"/> Non-potable water is not available nearby

**Traffic**

		YES	NO
29.	Construction coordinated with other major public or private construction projects within a one-mile radius and construction contracts scheduled to avoid overlapping major activities	<input checked="" type="checkbox"/>	Ongoing coordination with the Lemon On/off-ramp project.
30.	Haul route should minimize intrusion to residential areas	<input checked="" type="checkbox"/>	
31.	Bridge construction that requires street closure scheduled so only one crossing in an area is affected at one time	<input checked="" type="checkbox"/>	Fairway is open
32.	Local residents and businesses notified in advance of proposed construction activities and road closures	<input checked="" type="checkbox"/>	
33.	Detour route to bypass construction area provided during Fairway Drive closure for bridge construction	<input checked="" type="checkbox"/>	Current closures: Fairway Drive NB and SB reduced from 2 lanes to 1 lane each direction at Business Pkwy.
34.	Advance notice of proposed transit reroutes and any other changes in stops and service made	<input checked="" type="checkbox"/>	Ongoing coordination with LA Metro and Foothill Transit
35.	Traffic handling plans approved by the City of Industry		
36.	Coordinate with City of Industry, LA County and Caltrans to provide advance notice of proposed traffic detours and their duration to the public		
37.	Coordination with Caltrans (including frwy signage) and City of Industry to ensure acceptable traffic operations are maintained on SR-60 segment from WB off-ramp to intersection of Fairway Drive and Gale Avenue/Walnut Drive		

## **Public Contacts Quarterly Report**

<b>DATE</b>	<b>CONTACT</b>	<b>QUERY</b>	<b>RESOLUTION</b>
7/14/17	Business Owner	Concern regarding fence panels on property during construction.	Contractor directed to install fence posts.
7/20/17	Property Owner	Complaint regarding construction activities on property.	Resolved matter with property owner.
8/11/17	Property Owner	Inquiry regarding easement information on property.	Staff coordinated information requested.
8/26/17	Resident	Complaint regarding traffic congestion due to lane closures and construction activities.	Staff monitored traffic conditions and directed contractor to evaluate options to alleviate traffic congestion.
8/29/17	Resident	Complaint regarding traffic congestion due to lane closures and construction activities.	Staff monitored traffic conditions and directed contractor to evaluate options to alleviate traffic congestion.
9/1/17	Resident	Complaint regarding traffic congestion due to lane closures and construction activities.	Staff monitored traffic conditions and directed contractor to evaluate options to alleviate traffic congestion.
9/11/17	Resident	Complaint regarding traffic congestion due to lane closures and construction activities.	Staff monitored traffic conditions and directed contractor to evaluate options to alleviate traffic congestion.
9/14/17	Resident	Complaint regarding traffic congestion due to lane closures and construction activities.	Staff monitored traffic conditions and directed contractor to evaluate options to alleviate traffic congestion.
9/26/17	Property Owner	Inquiry regarding landscaping and irrigation on property during construction.	Information provided.
9/27/17	Business Owner	Report traffic congestion and request signal timing adjustment.	Reported concern and request to local and county representatives.
9/28/17	Property Owner	Report water outage at property.	Confirmed water outage was not ACE project related.
9/28/17	Business Owner	Concern regarding work schedule and construction impacts to business.	Contractor directed to restore driveway access.
9/28/17	Resident	Concern regarding traffic congestion.	Information noted.
9/29/17	Agency	Inquiry regarding status of claim.	Contractor directed to respond.



Construction Mitigation Measure Matrix  
 Alameda Corridor-East Construction Authority  
 July 1, 2017 – September 30, 2017  
 Fullerton Road Grade Separation Project

	Mitigation Measure	Mitigation Complete	
<b><u>Air quality</u></b>		YES	NO
1.	Use low sulfur fuel in construction equipment	<input checked="" type="checkbox"/>	
2.	Minimize Dust by Watering (Rule 403)	<input checked="" type="checkbox"/>	
3.	Cover Haul Trucks and Operate less than 15 MPH	<input checked="" type="checkbox"/>	
4.	Suspend construction operations in unpaved areas when winds are more than 25 MPH	<input checked="" type="checkbox"/>	
5.	Ballast wetted as it is unloaded from haul trucks	<input checked="" type="checkbox"/>	
6.	Asphalt paving materials comply with SCAQMD Rule 453 regarding compliant paving material	<input checked="" type="checkbox"/>	

	Mitigation Measure	YES	NO
<b><u>Archaeo &amp; Paleo Monitoring</u></b>			
7.	Worker education and briefing of monitoring archaeologists and construction inspectors conducted prior to construction	<input checked="" type="checkbox"/>	The briefing was completed on September 12, 2016.
8.	Conduct Paleontological Monitoring where excavation exceeds 1.5 meters (5 ft.) below ground surface (may be reduced as warranted)	<input checked="" type="checkbox"/>	Grade separation excavation monitoring is being conducted on an as needed basis
9.	Plan in place for preservation and curation of significant paleontologic resources that may be discovered	<input checked="" type="checkbox"/>	Archaeo/Paleo Resource Monitoring, Mitigation and Curation Plan, LSA, September 19, 2016

	Mitigation Measure	YES	NO
<b><u>Noise &amp; Vibration</u></b>			
10.	Conduct construction in a manner that minimizes noise and maintains noise levels below City limits at noise sensitive land uses	<input checked="" type="checkbox"/>	
11.	Use effective noise mufflers on equipment	<input checked="" type="checkbox"/>	
12.	Minimize noise during the evening, at nighttime, week-ends and holidays	<input checked="" type="checkbox"/>	
13.	Noise monitoring conducted to demonstrate compliance with noise limits	<input checked="" type="checkbox"/>	Noise monitoring is being conducted on an as needed basis. Results are kept on file at the construction office

14. Vibration monitoring performed during vibration-intensive activities		<input checked="" type="checkbox"/> Preconstruction video of adjacent bldg. conditions is on file at construction office. Vibration monitoring will be conducted on an as needed basis.
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**Water Quality & Erosion**

	YES	NO
15. No detrimental discharge into drainages and bodies of water		<input checked="" type="checkbox"/> There was one discharge into a drainage in January 2017. The project construction office is coordinating with the RWQCB regarding this incident.
16. A Storm Water Pollution Prevention Plan (SWPPP) is available on-site from the RE	<input checked="" type="checkbox"/> SWPPP by Rincon Consultants, Inc., July 5, 2016, is on file at construction office	
17. Construction BMPs used to minimize erosion per SWPPP	<input checked="" type="checkbox"/>	
18. Retaining walls constructed for long-term slope stabilization	<input checked="" type="checkbox"/>	
19. Erosion prevention planting used in conjunction with a geofabric, where feasible		<input checked="" type="checkbox"/> N/A in this phase of construction

**Hazardous Material/Wastes**

	YES	NO
20. Construction materials that may adversely affect groundwater stored away from excavation and in a contained area (protected by a berm)	<input checked="" type="checkbox"/> No VOCs are currently stored on site	
21. Construction equipment and materials checked daily for leaks and repaired immediately	<input checked="" type="checkbox"/>	
22. Hazardous waste (including dewatering waste water, aerially deposited lead, etc.) disposed of in accordance with federal, state, and local regulations	<input checked="" type="checkbox"/> Currently there are no dewatering activities. Dewatering permit is pending	

**Biological Resources**

		YES	NO
23.	Bird surveys conducted prior to pruning and/or tree removal	<input checked="" type="checkbox"/>	

**General Construction Conditions**

		YES	NO
24.	On-site construction manager available at all times	<input checked="" type="checkbox"/>	
25.	Minimize interruption to utility services	<input checked="" type="checkbox"/>	
26.	Mobile and stationary equipment maintained in proper working order	<input checked="" type="checkbox"/>	
27.	Non-potable water used for construction activities, when feasible		<input checked="" type="checkbox"/> Non-potable water is not available nearby

**Traffic**

		YES	NO
28.	Construction coordinated with other major public or private construction projects within a one-mile radius and construction contracts scheduled to avoid overlapping major activities	<input checked="" type="checkbox"/>	
29.	Haul route should minimize intrusion to residential areas	<input checked="" type="checkbox"/>	
30.	Bridge construction that requires street closure scheduled so only one crossing in an area is affected at one time	<input checked="" type="checkbox"/>	
31.	Local residents and businesses notified in advance of proposed construction activities and road closures	<input checked="" type="checkbox"/>	
32.	Detour route to bypass construction area provided during Fullerton Road closure for bridge construction	<input checked="" type="checkbox"/>	
33.	Advance notice of proposed transit reroutes and any other changes in stops and service made		N/A
34.	Traffic handling plans approved by the City of Industry	<input checked="" type="checkbox"/>	
35.	Coordinate with City of Industry and LA County to provide advance notice of proposed traffic detours and their duration to the public	<input checked="" type="checkbox"/>	

**Public Contacts Quarterly Report**

DATE	CONTACT	QUERY	RESOLUTION
7/5/17	Business	Report damage to landscaping.	Confirmed work was not ACE project related. Referred to local water district.
7/21/17	Business	Inquiry regarding planned road closure.	Information provided.
8/2/17	Resident	Inquiry regarding planned road closure.	Information provided.
8/28/17	Property Owner	Request additional signage for detour route during road closure.	Direction signage and banner placed on property and additional signage placed along detour route.



Construction Mitigation Measure Matrix  
 Alameda Corridor-East Construction Authority  
 July 1, 2017 – September 30, 2017  
 Puente Avenue Grade Separation Project

Mitigation Measure	Mitigation Complete	
	YES	NO
<b><u>Air quality</u></b>		
1. Use low sulfur fuel in construction equipment	<input checked="" type="checkbox"/>	
2. Minimize Dust by Watering (Rule 403)	<input checked="" type="checkbox"/>	
3. Cover Haul Trucks and Operate less than 15 MPH	<input checked="" type="checkbox"/>	
4. Suspend construction operations in unpaved areas when winds are more than 25 MPH	<input checked="" type="checkbox"/>	
5. Ballast wetted as it is unloaded from haul trucks	<input checked="" type="checkbox"/>	
6. Asphalt paving materials comply with SCAQMD Rule 453 regarding compliant paving material	<input checked="" type="checkbox"/>	

Mitigation Measure	Mitigation Complete	
	YES	NO
<b><u>Archaeo &amp; Paleo Monitoring</u></b>		
7. Worker education and briefing of monitoring archaeologists and construction inspectors conducted prior to construction	<input checked="" type="checkbox"/> The briefing was completed on 3/30/15.	
8. Conduct Paleontological Monitoring where excavation exceeds 1.5 meters (5 ft) below ground surface (may be reduced as warranted)	<input checked="" type="checkbox"/> Grade separation excavation monitoring will be conducted on an as needed basis	
9. Plan in place for preservation and curation of significant paleontologic resources that may be discovered	<input checked="" type="checkbox"/> Archaeo/Paleo Resource Monitoring, Mitigation and Curation Plan, LSA, Oct 31, 2014	

Mitigation Measure	Mitigation Complete	
	YES	NO
<b><u>Noise &amp; Vibration</u></b>		
10. Conduct construction in a manner that minimizes noise and maintains noise levels below City limits at noise sensitive land uses	<input checked="" type="checkbox"/>	
11. Use effective noise mufflers on equipment	<input checked="" type="checkbox"/>	
12. Minimize noise during the evening, at nighttime, week-ends and holidays	<input checked="" type="checkbox"/> Night work for paving on Valley	
13. Noise monitoring conducted to demonstrate compliance with noise limits	<input checked="" type="checkbox"/> Noise monitoring is being conducted on an as needed basis. Results are	

	kept on file at the construction office	
14. Vibration monitoring performed during vibration-intensive activities		<input checked="" type="checkbox"/> Preconstruction video of adjacent bldg. conditions is on file at construction office. No vibration monitoring is planned.

**Water Quality & Erosion**

	YES	NO
15. No detrimental discharge into drainages and bodies of water	<input checked="" type="checkbox"/>	
16. A Storm Water Pollution Prevention Plan (SWPPP) is available on-site from the RE	<input checked="" type="checkbox"/> 10/15/14 SWPPP by MWH and Amendment 1, 5/14/15 are on file at construction office	
17. Construction BMPs used to minimize erosion per SWPPP	<input checked="" type="checkbox"/>	
18. Retaining walls constructed for long-term slope stabilization	<input checked="" type="checkbox"/>	
19. Erosion prevention planting used in conjunction with a geofabric, where feasible		<input checked="" type="checkbox"/> N/A in this phase of construction

**Hazardous Material/Wastes**

	YES	NO
20. Construction materials that may adversely affect groundwater stored away from excavation and in a contained area (protected by a berm)	<input checked="" type="checkbox"/>	
21. Construction equipment and materials checked daily for leaks and repaired immediately	<input checked="" type="checkbox"/>	
22. Hazardous waste (including dewatering waste water, aerially deposited lead, etc.) disposed of in accordance with federal, state, and local regulations	<input checked="" type="checkbox"/> No contaminated soil is currently stored on site.	

**Biological Resources**

	YES	NO
23. Bird surveys conducted prior to pruning and/or tree removal	<input checked="" type="checkbox"/>	

**General Construction Conditions**

	YES	NO
24. On-site construction manager available at all times	<input checked="" type="checkbox"/>	
25. Minimize interruption to utility services	<input checked="" type="checkbox"/>	
26. Mobile and stationary equipment maintained in proper working order	<input checked="" type="checkbox"/>	

27.	Non-potable water used for construction activities, when feasible		<input checked="" type="checkbox"/> Non-potable water is not available nearby
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**Traffic**

		YES	NO
28.	Construction coordinated with other major public or private construction projects within a one-mile radius and construction contracts scheduled to avoid overlapping major activities	<input checked="" type="checkbox"/> EPA well drilling activities in bldg. adjacent to the Puente construction office	
29.	Haul route should minimize intrusion to residential areas	<input checked="" type="checkbox"/>	
30.	Bridge construction that requires street closure scheduled so only one crossing in an area is affected at one time	<input checked="" type="checkbox"/> Puente Ave is closed	
31.	Local residents and businesses notified in advance of proposed construction activities and road closures	<input checked="" type="checkbox"/>	
32.	Detour route to bypass construction area provided during Puente Avenue closure for bridge construction	<input checked="" type="checkbox"/> Connector Rd is open	
33.	Advance notice of proposed transit reroutes and any other changes in stops and service made	<input checked="" type="checkbox"/> Ongoing coordination with LA Metro and Foothill Transit	
34.	Traffic handling plans approved by the City of Industry	<input checked="" type="checkbox"/>	
35.	Coordinate with City of Industry and LA County to provide advance notice of proposed traffic detours and their duration to the public	<input checked="" type="checkbox"/>	

**Public Contacts Quarterly Report**

DATE	CONTACT	QUERY	RESOLUTION
8/31/17	Property Owner	Inquiry regarding project schedule.	Information provided.



# Alameda Corridor-East Construction Authority

4900 Rivergrade Road, Suite A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

Construction Mitigation Measure Matrix  
 Alameda Corridor-East Construction Authority  
 July 1, 2017 – September 30, 2017  
 San Gabriel Trench Grade Separation Project

Mitigation Measure	Mitigation Complete	
	YES	NO
<b>Air quality</b>		
1. Use low sulfur fuel in construction equipment	<input checked="" type="checkbox"/>	
2. Dust control plan is available from RE. Compliance with Caltrans' Standard Specifications Sections 7-10F and 10	<input checked="" type="checkbox"/> Walsh Approved April 23, 2013	
3. Minimize Dust by Watering (Rule 403)	<input checked="" type="checkbox"/>	
4. Cover Haul Trucks and Operate less than 15 MPH	<input checked="" type="checkbox"/>	
5. Suspend construction operations in unpaved areas when winds more than 25 MPH	<input checked="" type="checkbox"/>	
6. Ballast wetted as it is unloaded from haul trucks	<input checked="" type="checkbox"/>	
7. Asphalt paving materials comply with SCAQMD Rule 453 regarding compliant paving material	<input checked="" type="checkbox"/>	

Mitigation Measure	Mitigation Complete	
	YES	NO
<b>Archaeo &amp; Paleo Monitoring</b>		
8. Archaeological Monitor in attendance at initial clearing and grading activities	<input checked="" type="checkbox"/> Archaeological Monitor and Native American Monitor on-site as needed during excavation.	
9. Conduct Paleontological spot checking for excavations up to 4 feet in depth to ensure sensitive sediments are not being impacted. Conduct monitoring where excavation exceeds 4 feet below ground surface. Monitoring requirements may be adjusted based upon the confirmed depth of sensitive sediments at the site	<input checked="" type="checkbox"/> Ongoing Paleo monitoring as needed during excavation activities.	

Mitigation Measure	Mitigation Complete	
	YES	NO
<b>Noise &amp; Vibration</b>		
10. Noise Plan is available from RE. The plan includes noise monitoring to demonstrate compliance with noise limits specified in the MMRP	<input checked="" type="checkbox"/> ABE Construction Services Approved November 26, 2012	
11. Avoid construction processes that generate high vibration levels within 76.5 meters (250 ft) of any residence	<input checked="" type="checkbox"/> Piles are drilled. No pile driving.	

12.	Vibration intensive construction activities (such as pile driving) limited to weekdays during daytime hours	<input checked="" type="checkbox"/>	N/A. There are no driven piles for this project	
13.	Use effective noise mufflers on equipment	<input checked="" type="checkbox"/>		
14.	Minimize noise during the evening, at nighttime, week-ends and holidays	<input checked="" type="checkbox"/>		
15.	Temporary noise barriers used to reduce construction noise at sensitive land uses per the MMRP	<input checked="" type="checkbox"/>	Temporary noise blankets installed at 2 locations per the project plans.	
16.	Vibration monitoring performed during vibration-intensive activities	<input checked="" type="checkbox"/>	Vibration monitoring is being conducted as needed and results are on file in the construction office.	

**Water Quality & Erosion**

		YES	NO
17.	No detrimental discharge into drainages and bodies of water	<input checked="" type="checkbox"/>	
18.	A Storm Water Pollution Prevention Plan (SWPPP) is available on-site from the RE	<input checked="" type="checkbox"/>	David Sluga December 2012 – Approved 12/17/12
19.	BMPs used to minimize erosion	<input checked="" type="checkbox"/>	
20.	Retaining walls constructed for long-term slope stabilization	<input checked="" type="checkbox"/>	
21.	Erosion prevention planting used in conjunction with a geofabric, where feasible	<input checked="" type="checkbox"/>	

**Hazardous Material/Wastes**

		YES	NO
22.	Construction materials that may adversely affect groundwater stored away from excavation and in a contained area (protected by a berm)	<input checked="" type="checkbox"/>	
23.	Construction equipment and materials checked daily for leaks and repaired immediately	<input checked="" type="checkbox"/>	
24.	Hazardous waste (including dewatering waste water, aerially deposited lead, etc.) disposed of in accordance with federal, state, and local regulations	<input checked="" type="checkbox"/>	No VOC containing soils are currently stored on-site.

**General Construction Conditions**

		YES	NO
25.	On-site construction manager available at all times	<input checked="" type="checkbox"/>	
26.	Emergency Response Plan available from RE	<input checked="" type="checkbox"/>	Walsh Approved 10/26/12

27.	Minimize interruption to utility services	<input checked="" type="checkbox"/>	
28.	Mobile and stationary equipment maintained in proper working order	<input checked="" type="checkbox"/>	
29.	Non-potable water used for construction activities, when feasible		<input checked="" type="checkbox"/> Non-potable water is not available nearby

### **Traffic**

		YES	NO
30.	Construction coordinated with other major public or private construction projects within a one-mile radius and construction contracts scheduled to avoid overlapping major activities	<input checked="" type="checkbox"/> Ongoing project on City San Gabriel Blvd.	
31.	Haul Route Plan is available from RE. Haul routes should minimize intrusion to residential areas	<input checked="" type="checkbox"/> Haul routes on plan sheets 257 to 264	
32.	Bridge construction that requires street closure scheduled so only one crossing in an area is affected at one time	<input checked="" type="checkbox"/> There are bridge closures at Ramona St and Del Mar Ave.	
33.	Local residents and businesses notified in advance of proposed construction activity	<input checked="" type="checkbox"/>	
34.	Advance notice of proposed transit reroutes and any other changes in stops and service made	<input checked="" type="checkbox"/> Coordination with LA Metro is ongoing	
35.	Traffic handling plans approved by the City of San Gabriel, the City of Alhambra and the City of Rosemead.	<input checked="" type="checkbox"/>	
36.	Coordinate with City of San Gabriel and the City of Alhambra to provide advance notice of proposed traffic detours and their duration provided to the public	<input checked="" type="checkbox"/> There is ongoing coordination with the Cities of San Gabriel, Alhambra and Rosemead.	

### **Public Contacts Quarterly Report**

DATE	CONTACT	QUERY	RESOLUTION
7/18/17	Resident	Inquiry regarding driveway repairs.	Staff requested contractor to make necessary repairs.
7/25/17	Resident	Complaint regarding damage to property due to construction project.	Staff met with resident and reviewed damage to property.
7/25/17	Resident	Inquiry regarding close proximity of railroad tracks to property.	Provided information regarding location of permanent railroad tracks.
7/25/17	Resident	Inquiry regarding driveway repairs.	Staff requested contractor to make necessary repairs.
7/26/17	Business	Inquiry regarding when trains will run in trench.	Information provided.
8/1/17	Business	Request project related soil reports.	Information provided.
8/10/17	Business	Inquiry regarding when trains will run in trench.	Information provided.

8/24/17	Resident	Inquiry regarding horn noise and Quiet Zone designation.	Information provided.
8/31/17	Resident	Report damage to vehicle's tires within project area.	Claim form provided.