

WHY IT WAS IN WALNUT'S BEST INTEREST TO SETTLE THE LAWSUIT

October 2009

Dear Walnut Resident:

The City Council would like to take this opportunity to provide this update related to the proposed Stadium & Entertainment Complex Project in the City of Industry. On September 22, 2009, the Walnut City Council authorized a settlement with the City of Industry and Majestic Realty by a 3-1 vote with Mayor Mary Su and Council members Tony Cartagena and Nancy Tragarz in support, Council member Joaquin Lim opposed and Mayor Pro-Tem Tom King unable to participate due to a nearby family residence. On September 24, 2009, the Industry City Council also approved the settlement that ends the City of Walnut's lawsuit filed on March 24, 2009 challenging the sufficiency of the project's Supplemental Environmental Impact Report (SEIR).

The ultimate passage of Assembly Bill AB X3 81 (Hall), signed by Governor Schwarzenegger on October 22, 2009, to exempt the proposed project from the California Environmental Quality Act, the City of Industry General Plan and retroactively eliminate the pending lawsuits, would have left Walnut unprotected. The City Council needed to take a pro-active role in protecting the quality of life for Walnut and obtain as much protection and mitigation as possible to ensure the long-term quality of life within the City. If built, the project will be a far better one than the one that was originally approved. With the help of Former Attorney General John Van de Kamp serving as mediator, Majestic Realty and the City of Industry agreed to the settlement summarized on the reverse side.

There have been questions in the community about a comparison to the Diamond Bar Settlement Agreement. We believe that it is not possible to make a direct numeric or monetary comparison between the two Agreements as each community will be impacted differently from the project. Diamond Bar is immediately surrounded on three sides of the project site, while Walnut is approximately a mile away across Valley Boulevard. Based on the projected trip distribution information contained in the SEIR traffic analysis, approximately 85% of the traffic would go through Diamond Bar, while 15% through Walnut. The number of impacted intersections are different between the cities. The population of Diamond Bar is approximately twice that of Walnut. Diamond Bar settled first and Former Attorney General Van de Kamp used that Agreement as a basis to work from. Up to this point, Majestic and the City of Industry had not offered Walnut anything.

The City Council remains committed to safeguard the health, safety and general welfare of the community. We look forward to your continued support in our efforts. As always, City Hall staff is available at (909) 595-7543 to answer any questions that you may have. A full copy of the Agreement is available on our web site at www.ci.walnut.ca.us.

Summary of Key Provisions in Agreement

TRAFFIC MITIGATION

- \$9 Million for additional traffic and safety related improvements with flexibility for Walnut to choose how best to protect the community.
- Industry/Majestic to pay 100% of intersection improvements @ Valley Blvd./Fairway/Camino de Teodoro.
- Industry/Majestic to pay their fair-share of any improvements to intersections along Grand Avenue.
- Industry to take actions on event-days to prevent cut-through traffic in Walnut neighborhoods.
- City of Walnut to actively participate in the Transportation Planning Working Group, along with other governmental agencies, to address and evaluate event-day traffic operations.
- Industry to form an Advisory Committee to the Transportation Planning Working Group which is to include at least three Walnut residents and three Walnut business owners.

COMMUNITY FUND

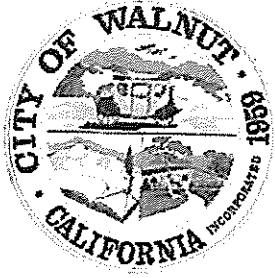
- Walnut to receive between \$350,000 and \$500,000 annually, depending on the number of events at the stadium, which may be used at the City's sole discretion for community programs and operations.
- All of Walnut's attorney and consultant costs are to be reimbursed up to \$725,000, whether or not the project moves forward.

PUBLIC SAFETY

- Open access lanes are to be provided on Grand Avenue between Valley Blvd. and the 57/60 Freeway during stadium events.
- City of Walnut to actively participate in the Public Safety Working Group, along with other governmental agencies, to address safety related concerns at the stadium and surrounding communities, including Walnut.
- Industry to form an Advisory Committee to the Public Safety Working Group which is to include at least three Walnut residents and three Walnut business owners.
- Industry to continue to work with Los Angeles County Fire to provide a new Fire Station in the vicinity of the stadium along Grand Avenue.
- Industry and Walnut will continue to work with Metrolink to provide service to the site on stadium event-days.

NOISE

- Amplified noise from stadium must satisfy Walnut Noise Standards at the closest residence. Monitoring and enforcements provisions are included to ensure compliance.
- A "No-Fly" zone will be designated around the stadium for general aviation aircraft (except blimps, media, emergency services).



爲什麼選擇庭外和解 符合胡桃市的最佳利益

2009年10月

尊敬的胡桃市居民：

市議會希望藉此機會提供有關工業城體育館和娛樂中心項目（Stadium & Entertainment Complex Project）的最新資訊。2009年9月22日，胡桃市市議會授權與工業城和 Majestic Realty 進行庭外和解。表決結果爲3比1，Mary Su 市長以及市議員 Tony Cartagena 和 Nancy Tragarz 投票贊成，市議員 Joaquin Lim 反對，候補市長 Tom King 由於在鄰近處擁有住宅而未能參加投票。2009年9月24日，工業城市議會也批准了該和解方案，從而終結了胡桃市於2009年3月24日提出的訴訟。在該訴訟中，胡桃市對該項目的「補充環境影響報告」（SEIR）的完備性提出質疑。

「州議會法案AB X3 81」（Hall）最終獲得通過，施瓦辛格（Schwarzenegger）州長於2009年10月22日簽署生效，使上述項目免于執行「加利福尼亞州環境品質法」（California Environmental Quality Act）和「工業城總體規劃」（the City of Industry General Plan），以追溯效力免除待決訴訟，本來會使得胡桃市完全不受保護。市議會需要採取積極主動的做法保護胡桃市的生活品質，盡可能地爭取保護，減少影響，以保證本市的長期生活品質。該項目如果興建，其結果將比原來批准的方案好很多。由於原司法部長 John Van de Kamp 從中斡旋，Majestic Realty 和工業城同意接受本文背頁概述的和解方案。

有些居民把該和解方案與「鑽石酒吧市和解協議」（Diamond Bar Settlement Agreement）進行比較，並提出了一些疑問。我們認爲，在這兩項和解協議之間不可能進行直接的數字或金額比較，因爲每一個社區受項目的影響程度不同。鑽石酒吧市被項目場地從三面緊緊環繞，而胡桃市則位於 Valley Boulevard 對面近一英里開外處。根據「補充環境影響報告草稿」（SEIR）交通分析報告中關於交通量分佈狀況的預測，大約85%的交通量經過鑽石酒吧市，只有15%的交通量經過胡桃市。兩個城市的受影響交通樞紐的數目也不相同。鑽石酒吧市的人口約比胡桃市多出一倍。鑽石酒吧市首先同意和解，前司法部長 Van de Kamp 把該協議用作胡桃市的和解樣本。截至目前爲止，Majestic 和工業城尙未向胡桃市提供任何賠償。

市議會仍然堅定不移地保護本社區的健康、安全和總體利益。我們期盼著你們的繼續支持。與往常一樣，市政府工作人員可以回答你們可能提出的任何問題，電話號碼 (909) 595-7543。欲查閱協議全文，請訪問我們的網站：www.ci.walnut.ca.us。

協議重要條款摘要

減輕交通影響

- 撥款 900 萬美元，用於補充的交通和安全改進措施，可由胡桃市選擇如何以最佳方式保護社區。
- 工業城/Majestic 百分之百地承擔 Valley Blvd./Fairway/Camino de Teodoro 交叉口的改建工程。
- 對於 Grand Avenue 沿線路口的任何改建工程，工業城/Majestic 將支付公平份額。
- 在舉辦比賽或活動期間，由工業城採取措施，防止車輛從胡桃市的街區穿行。
- 胡桃市與其他政府機構一道，積極參與交通規劃工作組（Transportation Planning Working Group）的工作，解決和評估與比賽/活動相關的交通問題。
- 由工業城組織一個交通規劃工作組諮詢委員會，該委員會將包括至少三名胡桃市居民和三名胡桃市業主。

社區基金

- 取決於在體育館舉辦的比賽和活動次數，胡桃市每年將獲得 35 萬至 50 萬美元，該資金由胡桃市全權決定用於哪些社區項目和運作。
- 無論項目是否落實，胡桃市都將獲得不超過 72.5 萬美元的律師費和諮詢費補償。

公共安全

- 在體育館舉辦比賽或活動期間，在 Valley Blvd.與 57/60 高速公路之間的 Grand Avenue 路段將提供任意通行車道。
- 胡桃市與其他政府機構一道，積極參與公共安全工作組的工作，以消除體育館及周圍社區（包括胡桃市）的安全隱患。
- 由工業城組織一個公共安全工作組諮詢委員會，該委員會將包括至少三名胡桃市居民和三名胡桃市業主。
- 工業城繼續與洛杉磯縣消防局協作，在 Grand Avenue 靠近體育館的路段設立一個新的消防站。
- 在體育館舉辦比賽或活動期間，工業城和胡桃市將繼續與 Metrolink 協作，提供通往體育館的交通服務。

噪音

- 來自體育館的增大的噪音必須符合胡桃市噪音標準，以距離最近的住宅為準。制定監督和執行條款，以確保噪音合乎規定。
- 針對通用飛機（不包括飛艇、新聞媒體使用的飛機、急救服務飛機）在體育館周圍設立「禁飛區」。