

INLAND VALLEY DEVELOPMENT AGENCY
ACTION MEETING MINUTES
March 11, 2009

A Regular Meeting of the Inland Valley Development Agency Board was called to order by Co-Chair Josie Gonzales at approximately 3:46 p.m. on Wednesday, March 11, 2009, in the Council Chambers, Loma Linda City Hall, 25541 Barton Road, Loma Linda, California.

BOARD MEMBERS PRESENT:

City of Colton	Vice-Chair/Mayor Kelly J. Chastain Councilmember Vincent Yzaguirre
City of Loma Linda	Councilmember Floyd Petersen Councilmember Ovidiu Popescu Councilmember Robert Ziprick (alt) (in audience non-voting)
County of San Bernardino	Co-Chair/Supervisor Josie Gonzales Supervisor Neil Derry
City of San Bernardino	Co-Chair/Mayor Patrick J. Morris Councilmember Esther Estrada Councilmember Rikke Van Johnson

OTHERS PRESENT: Donald L. Rogers, Interim Executive Director
Michael Burrows, Assistant Director
Bill Ingraham, Aviation Director
Timothy J. Sabo, Lewis Brisbois Bisgaard & Smith, LLP
Alex Estrada, Director of Redevelopment and Transportation
Martin Romeo, Chief Financial Officer
C. Eric Ray, Airport Operations Manager
Kelly Berry, Clerk of the Board
Amelia Alanis, Assistant Clerk of the Board

A. CALL TO ORDER

B. ROLL CALL

Roll call was noted by the Clerk of the Board.

C. ITEMS TO BE ADDED OR DELETED

There were no added or deleted items.

D. CONFLICT OF INTEREST DISCLOSURE/INFORMATIONAL ITEMS

Item #1 - Conflict of Interest Disclosure

Co-Chair Josie Gonzales stated Board members should note the item(s) listed which might require member abstentions. Mayor Kelly J. Chastain and Councilmember Vincent Yzaguirre declared a conflict on Agenda Item Nos. 9 and 10. Supervisor Neil Derry declared a conflict on Agenda Item Nos. 7, 9, and 10 and Agenda Item Nos. I. II. and I. III. Supervisor Josie Gonzales declared a conflict on Agenda Item Nos. 5, 6, 7, and 10 and Agenda Item No. I. II.

Item #2 – Informational Items

There were no information items.

E. BOARD CONSENT ITEMS

Item #3 – Receive Register of Demands

Item #4 – Approve Meeting Minutes: February 25, 2009

Item #5 – Approve Balancing Change Order No. 7 for a Credit Amount of \$62,953.21; and Approve a Notice of Completion with Matich Corporation for the Central Avenue/Palm Meadows Drive Road Improvements Project from Valley View Avenue to Mountain View Avenue

Item #6 – Approve Change Order No. 24 for a Credit Amount of \$139,339.66; and Approve a Notice of Completion with Matich Corporation for the Phase I Street Improvement Project - Leland Norton Way, Rialto Avenue and Perimeter Road Pursuant to U.S. Department of Commerce Economic Development Administration (EDA) Grant No. 07-49-06137 [Continued from February 25, 2009 meeting.]

ACTION: Approve the Consent Calendar.

Motion	Second	Aye	Aye	Aye
Petersen	Johnson	Chastain	Derry	Estrada
Aye [abstained on Item Nos. 5 & 6]	Aye	Aye	Aye	
Gonzales	Morris	Popescu	Yzaguirre	

Motion carried.

F. BOARD DISCUSSION ITEMS

Co-Chair Josie Gonzales and Supervisor Neil Derry left the meeting during the discussion of and voting on Agenda Item Nos. 7, 9 and 10. Co-Chair Patrick J. Morris chaired the meeting at this point.

Item #7 - Approve Amendment No. 2 with Cordoba Corporation in an Amount Not to Exceed \$103,183 to Provide Right-of-Way Consulting and Title Services on the Third and Fifth Street Project within the City of San Bernardino, as Part of the Inland Empire Goods Movement Gateway Project

ACTION: Approve Amendment No. 2 with Cordoba Corporation in an Amount Not to Exceed \$103,183 to Provide Right-of-Way Consulting and Title Services on the Third and Fifth Street Project within the City of San Bernardino, as Part of the Inland Empire Goods Movement Gateway Project; and authorize the Interim Executive Director or his designee to execute the Amendment.

Motion	Second	Aye	Aye	Aye
Petersen	Estrada	Chastain	Johnson	Morris
Aye	Aye	Absent	Absent	
Popescu	Yzaguirre	Derry	Gonzales	

Motion carried.

The Board next considered Agenda Item No. 10.

Mayor Kelly J. Chastain and Councilmember Vincent Yzaguirre declared a Conflict of Interest on Agenda Item No. 10 and left the meeting.

Item #10 - Approve a Contract with the Recommended Short-Listed Design/Build Firm for a Total Project Cost Not to Exceed \$985,000 to Provide Architectural, Engineering and Construction Management Services for Certain Tenant Improvements to Building No. 1 on the Former Department of Finance and Accounting Service (DFAS) Property

Due to the lack of a quorum on Agenda Item No. 10, the meeting was temporarily recessed to determine options for considering this item.

Co-Chair Patrick J. Morris brought the meeting to order and stated that the Board will consider only approval of a contract with Hillwood Construction Services of California, LP. The list of qualified respondents will not be considered by the Board, removing Hodgen Miank Construction, Inc. and W.B. Allen Construction, Inc. from the action before the Board. With this removal, Mayor Kelly J. Chastain and Councilmember Vincent Yzaguirre no longer had a conflict on Agenda Item No. 10 and returned to the meeting to consider the item.

Accordingly, Agency Counsel, Timothy J. Sabo, suggested the Recommended Action be revised by removing the words “and Approve the list of Qualified Respondents for further Contract Negotiations, as necessary” from the Recommended Action. In the event that the initial negotiations with Hillwood Construction Services of California, LP are not successful, the IVDA Board will be required to take subsequent action.

ACTION: Approve a Contract with Hillwood Construction Services of California, LP, for a Total Project Cost Not to Exceed \$985,000 to Provide Architectural, Engineering, Construction Management and Construction Services for Certain Tenant Improvements to the First Floor of Building No. 1 on the Former Defense Finance and Accounting Service (DFAS) Property, located at 1111 E. Mill Street, Building 1, San Bernardino, CA 92408; and Authorize the Executive Director or his Designee to Execute said Contract and Related Documents.

Motion	Second	Aye	Aye	Aye
Petersen	Estrada	Chastain	Johnson	Morris
Aye	Aye	Absent	Absent	
Popescu	Yzaguirre	Derry	Gonzales	

Motion carried.

The Board next considered Agenda Item No. 9.

Given the removal of Hodgen Miank Construction, Inc. and W.B. Allen Construction, Inc. during consideration of Agenda Item No. 10, Mayor Kelly J. Chastain and Councilmember Vincent Yzaguirre stated they no longer had a conflict on Agenda Item No. 9.

Item #9 - Approve a Lease Agreement with the San Bernardino County Superintendent of Schools for Building No. 1 on the Former Department of Finance and Accounting Service (DFAS) Property

ACTION: Motion to Approve a Lease Agreement with the San Bernardino County Superintendent of Schools for Certain Portions of Building No. 1, Comprised of Approximately 32,997 square feet of Interior Office Areas, located at 1111 E. Mill Street (Former Defense Finance and Accounting Service Property); and Authorize the Executive Director or his Designee to Execute the Lease Agreement and Related Documents.

Motion	Second	Aye	Aye	Aye
Petersen	Yzaguirre	Chastain	Estrada	Johnson
Aye	Aye	Absent	Absent	
Morris	Popescu	Derry	Gonzales	

Motion carried.

Supervisor Josie Gonzales and Supervisor Neil Derry returned to the meeting at this point. Co-Chair Josie Gonzales resumed chairing the meeting.

The Board next considered Agenda Item No. 8.

Item #8 - Approve the Form of an Agreement by and between the Inland Valley Development Agency (IVDA) and the San Bernardino Municipal Water Department (SBMWD) for the Construction of the Lena Road Project to include Water Transmission Lines of the SBMWD

ACTION: Approve the Form of the Agreement by and between the Inland Valley Development Agency (IVDA) and the San Bernardino Municipal Water Department (SBMWD) for the Construction of the Lena Road Project to include Water Transmission Lines of the SBMWD, and Authorize the Execution of said Agreement by the Executive Director of the IVDA.

Motion	Second	Aye	Aye	Aye
Petersen	Yzaguirre	Chastain	Derry	Estrada
Aye	Aye	Aye	Aye	
Gonzales	Johnson	Morris	Popescu	

Motion carried unanimously.

The Board next considered Agenda Item No. 11.

Item #11 - Adopt Resolution No. 2009-03 of the Inland Valley Development Agency (IVDA) (1) Making Certain Findings and Determinations and Consenting to Payments for Public Improvements by the IVDA Pursuant to Health & Safety Code Section 33445 Related to Certain Airport Capital Improvements; and, (2) Authorizing an Expenditure in an Amount not to Exceed \$9,275,000 for the Completion of the Airport Terminal Renovation Project and Related Airport Infrastructure

Mr. Donald L. Rogers, Interim Executive Director noted that as a requirement of the transfer of funds, all contracts will go through a bid process and prevailing wage will be paid.

ACTION: Adopt Resolution No. 2009-03 of the Inland Valley Development Agency (IVDA) (1) Making Certain Findings and Determinations and Consenting to Payments for Public Improvements by the IVDA Pursuant to Health and Safety Code Section 33445 Related to Certain Airport Capital Improvements; (2) Authorizing an Expenditure in an Amount Not to Exceed \$9,275,000 for the Next Phase of the Airport Terminal Renovation Project and Related Airport Infrastructure.

Motion	Second	Aye	Aye	Aye
Petersen	Morris	Chastain	Derry	Estrada
Aye	Aye	Aye	Aye	
Gonzales	Johnson	Morris	Popescu	

Motion carried unanimously.

G. ADDED AND DEFERRED ITEMS

There were no added or deferred items.

H. PUBLIC COMMENT

Councilmember Floyd Petersen gave a brief statement on his recent trip to Washington D.C.

Councilmember Vincent Yzaguirre voiced his appreciation to staff and Board members for their talent and effort in leading the successful completion of various projects in recent years, and is looking forward to contributing toward the future success of the agency.

Co-Chair Patrick J. Morris, announced the following reappointments to the Finance and Budget Committees:

IVDA: Mayor Patrick J. Morris, Supervisor Josie Gonzales, Councilmember Vincent Yzaguirre

SBIAA: Mayor Patrick J. Morris, Supervisor Josie Gonzales, Mayor Pro Tem Ross Jones

I. CLOSED SESSION

There was no closed session.

J. ADJOURN MEETING

There being no further business before the Board at this session, Co-Chair Josie Gonzales declared the meeting adjourned at 4:31 p.m.

Minutes approved at a Regular Meeting on March 25, 2009.

/s/
Kelly Berry
Clerk of the Board