

INLAND VALLEY DEVELOPMENT AGENCY
ACTION MEETING MINUTES
June 10, 2009

A Regular Meeting of the Inland Valley Development Agency Board was called to order by Co-Chair Patrick J. Morris at approximately 3:36 p.m. on Wednesday, June 10, 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
County of San Bernardino	Supervisor Neil Derry
City of San Bernardino	Co-Chair/Mayor Patrick J. Morris Councilmember Esther Estrada Councilmember Tobin Brinker (alt)

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
Kelly Berry, 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 items to be added or deleted.

Mr. Michael Burrows, Assistant Director, requested a revision to the December 10, 2008, minutes before the Board for approval as Agenda Item No. 5. Mr. Burrows noted that Councilmember Rikke Van Johnson was not in attendance at the December 10, 2008 meeting, and that his name should be removed from the list of Board Members Present.

D. CONFLICT OF INTEREST DISCLOSURE/INFORMATIONAL ITEMS

Item #1 - Conflict of Interest Disclosure

Co-Chair Patrick J. Morris stated Board members should note the item(s) listed which might require member abstentions. Supervisor Neil Derry declared a conflict on Agenda Item No. 11. Councilmember Vincent Yzaguirre declared a conflict on Agenda Item No. 14. The record will reflect Mayor Kelly Chastain declared a conflict on Agenda Item No. 14.

Item #2 – Informational Items

There were no informational items.

E. BOARD CONSENT ITEMS

Item #3 – Receive Register of Demands

Item #4 – Approve Meeting Minutes: May 13, 2009

Item #5 – Approve Revised Meeting Minutes: December 10, 2008

Item #6 – Receive and File Cash Report for April 30, 2009, for the Inland Valley Development Agency (IVDA)

Item #7 – Approve 2008-2009 Annual Audit Engagement Letter with Rogers, Anderson, Malody & Scott, LLP

Item #8 – Authorize Staff to Issue a Request for Qualifications (RFQ) for the Parking Lot Area Infrastructure Improvements Located Around Building 730

ACTION: Approve the Consent Calendar, with the following revision to the December 10, 2008, meeting minutes: Councilmember Rikke Van Johnson be removed from the list of Board Members Present.

Motion	Second	Aye	Aye	Aye
Estrada	Derry	Brinker	Chastain	Morris
Aye	Aye	Aye		
Petersen	Popescu	Yzaguirre		

Motion carried unanimously.

F. BOARD DISCUSSION ITEMS

Item #9 - Approve a Professional Services Agreement with Rogers, Anderson, Malody, & Scott, LLP in an Amount Not to Exceed \$30,000

ACTION: Approve a Professional Services Agreement with Rogers, Anderson, Malody & Scott, LLP in an amount not to exceed \$30,000; and authorize the Interim Executive Director or his Designee to Execute the Agreement and all Related Documents.

Motion	Second	Aye	Aye	Aye
Petersen	Estrada	Brinker	Chastain	Derry
Aye	Aye	Aye		
Morris	Popescu	Yzaguirre		

Motion carried unanimously.

Item #10 - Approve a Professional Services Agreement with Joseph E. Bonadiman & Associates, Inc. in an Amount Not to Exceed \$30,000

ACTION: Approve a Professional Services Agreement with Joseph E. Bonadiman & Associates, Inc. in an amount not to exceed \$30,000; and authorize the Interim Executive Director or his Designee to Execute the Agreement and all Related Documents.

Motion	Second	Aye	Aye	Aye
Petersen	Estrada	Brinker	Chastain	Derry
Aye	Aye	Aye		
Morris	Popescu	Yzaguirre		

Motion carried unanimously.

Supervisor Neil Derry left the meeting during the discussion of and voting on Agenda Item No. 11.

Councilmember Tobin Brinker left the meeting and was not present during the discussion of and voting on Agenda Item No. 11.

Item #11 - Approve Amendment No. 3 with Cordoba Corporation in an Amount Not to Exceed \$98,696 for the Preparation of Plans, Specifications, and Cost Estimate and Provide Contract Administration Related to Street Improvements Adjacent to the Landfill Parking Lot Redevelopment Street Improvements on the South Side of Third Street East of Central Avenue

ACTION: Approve Amendment No. 3 with Cordoba Corporation in an amount not to exceed \$98,696 for the Preparation of Plans, Specifications, and Cost Estimate and Provide Contract Administration Related to Street Improvements Adjacent to the Landfill Parking Lot Redevelopment Street Improvements on the South Side of Third Street East of Central Avenue; and Authorize the Interim Executive Director or his designee to execute all related documents.

Motion	Second	Aye	Aye	Aye
Petersen	Estrada	Chastain	Morris	Popescu
Aye	Absent	Absent		
Yzaguirre	Brinker	Derry		

Motion carried.

Supervisor Neil Derry and Councilmember Tobin Brinker returned to the meeting after consideration of and voting on Agenda Item No. 11.

Item #12 - Approve Award of Contract to Green It Up Landscaping, Inc. in an Amount Not to Exceed \$89,794.46 for the Kelly Space & Technology, Inc., Jet & Rocket Test Site Landscape Improvements Phase II Project, Pursuant to U.S. Department of Commerce Economic Development Administration (EDA) Grant No. 07-49-05623, Subject to EDA Approval

Mr. Michael Burrows, Assistant Director, noted for Board members this Phase II project is for the interior of the Kelly Space & Technology, Inc. (KST), compound, which KST leases from the IVDA. The property is not owned by KST.

ACTION: Approve Award of Contract to Green It Up Landscape, Inc., in an amount not to exceed \$89,794.46 for the Kelly Space & Technology, Inc., Jet & Rocket Test Site Landscape Improvements Phase II, U. S. Department of Commerce Economic Development Administration (EDA) Grant No. 07-49-05623; and Approve a Contingency Budget of \$17,800, Both Subject to EDA Approval.

Motion	Second	Aye	Aye	Aye
Petersen	Yzaguirre	Brinker	Chastain	Derry
Aye	Aye	Aye		
Estrada	Morris	Popescu		

Motion carried unanimously.

Item #13 - Ratify and Approve Change Order Nos. 8, 9, 11 and Balancing Change Order No. 1 with GLE Group for Construction Management Services of the Abatement and Demolition for Portions of Building 747 and Abatement and Demolition of East Annex Offices Located in Hangar 763 Pursuant to U.S. Department of Commerce Economic Development Administration (EDA) Grant No. 07-49-05672 Phase II

ACTION: Ratify and Approve Change Order Nos. 8, 9, 11 and Balancing Change Order No. 1 with GLE Group for Construction Management Services of the Abatement and Demolition for Portions of Building 747 and Abatement and Demolition of East Annex Offices Located in Hangar 763 Pursuant to U.S. Department of Commerce Economic Development Administration (EDA) Grant No. 07-49-05672 Phase II.

Motion	Second	Aye	Aye	Aye
Petersen	Yzaguirre	Brinker	Chastain	Derry
Aye	Aye	Aye		
Estrada	Morris	Popescu		

Motion carried unanimously.

Item #14 - Reconsideration of Resolution No. 2009-10 of the Inland Valley Development Agency (IVDA) Authorizing Expenditures in an Amount Not to Exceed \$8,500,000 to be Deposited into a Certain Bank Account with First American Fund Control, Inc., for the Continued Development of the Airport Fixed Base Operator (FBO) Facility

Councilmember Vincent Yzaguirre gave a brief statement clarifying his request for reconsideration of Agenda Item No. 14. Mayor Kelly J. Chastain declared a potential conflict on this item, and accordingly would not be voting on this item.

Councilmember Vincent Yzaguirre and Mayor Kelly J. Chastain left the meeting at this point and were not present during the discussion of or voting on Agenda Item No. 14.

ACTION:

- (1) Reconsider Prior Adoption of Resolution No. 2009-10 of the Inland Valley Development Agency (IVDA);
- (2) Adopt Resolution No. 2009-10 of the Inland Valley Development Agency (IVDA); (i) 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; and (ii) Authorizing Expenditures in an Amount Not to Exceed \$8,500,000 for the Fixed Base Operator (FBO) Facility including the U.S. Customs Facility.

Motion	Second	Aye	Aye	Aye
Estrada	Derry	Brinker	Morris	Petersen
Aye	Absent	Absent		
Popescu	Chastain	Yzaguirre		

Motion carried.

Councilmember Vincent Yzaguirre and Mayor Kelly J. Chastain returned to the meeting after consideration of and voting on Agenda Item No. 14.

G. ADDED AND DEFERRED ITEMS

There were no added or deferred items.

H. PUBLIC COMMENT

There were no public comments.

I. CLOSED SESSION

There was no closed session.

J. ADJOURN MEETING

There being no further business before the Board at this session, Co-Chair Patrick J. Morris declared the meeting adjourned at 3:54 p.m.

Minutes approved at a Regular Meeting on July 22, 2009.

Kelly Berry
Clerk of the Board