

**INLAND VALLEY DEVELOPMENT AGENCY**  
**ACTION MEETING MINUTES**  
**September 23, 2009**

A Regular Meeting of the Inland Valley Development Agency Board was called to order by Co-Chair Josie Gonzales at approximately 3:39 p.m. on Wednesday, September 23, 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	Co-Chair/Supervisor Josie Gonzales 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  
C. Eric Ray, Airport Operations Manager  
Kelly Berry, Director of Information Services | Clerk of the Board  
Amelia Alanis, Assistant Clerk of the Board

**A. CALL TO ORDER**

**B. ROLL CALL**

Roll call was duly noted and recorded.

**C. ITEMS TO BE ADDED OR DELETED**

There were no items to be added or deleted.

**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.

The following conflicts were declared:

- Agenda Item No. 7: Supervisor Josie Gonzales
- Agenda Item No. 8: Supervisor Neil Derry
- Agenda Item No. 9: Mayor Patrick J. Morris; Mayor Kelly J. Chastain; Supervisor Josie Gonzales; Supervisor Neil Derry
- Agenda Item No. 10: Supervisor Neil Derry
- Agenda Item No. 12: Mayor Patrick J. Morris; Mayor Kelly J. Chastain.

The Board members whose name appears next to the above-listed Agenda Item Nos. did not participate in the discussion of or voting on the listed Agenda Item No. The record will reflect Agenda Item No. 12 was not discussed during closed session.

**Item #2 – Informational Items**

There were no informational items.

**E. BOARD CONSENT ITEMS**

**Item #3 – Receive Register of Demands**

**Item #4 – Receive and File Cash Report for July 31, 2009, for the Inland Valley Development Agency (IVDA)**

**Item #5 – Approve Meeting Minutes: August 26, 2009**

**ACTION:** Approve the Consent Calendar.

<b>Motion</b>	<b>Second</b>	<b>Aye</b>	<b>Aye</b>	<b>Aye</b>
Petersen	Yzaguirre	Brinker	Chastain	Derry
<b>Aye</b>	<b>Aye</b>	<b>Aye</b>	<b>Aye</b>	
Estrada	Gonzales	Morris	Popescu	

**Motion carried unanimously.**

**F. BOARD DISCUSSION ITEMS**

**Item #6 - Approve Resolution No. 2009-13 of the Inland Valley Development Agency (IVDA) Approving the Form of an Airline Joint Air Service Development Agreement for Signatory Airlines**

**ACTION:** Approve Resolution No. 2009-13 of the Inland Valley Development Agency (IVDA) approving the form of an Airline Joint Air Service Development Agreement for Signatory Airlines; and Authorize execution of said Form Agreement by the Interim Executive Director or his designee with one or more Signatory Airlines.

<b>Motion</b>	<b>Second</b>	<b>Aye</b>	<b>Aye</b>	<b>Aye</b>
Morris	Petersen	Brinker	Chastain	Derry
<b>Aye</b>	<b>Aye</b>	<b>Aye</b>	<b>Aye</b>	
Estrada	Gonzales	Popescu	Yzaguirre	

**Motion carried unanimously.**

Co-Chair Josie Gonzales declared a conflict and left the meeting during the discussion of and voting on Agenda Item No. 7. Co-Chair Patrick J. Morris chaired the meeting at this point.

**Item #7 - Approve Amendment No. 4 with Cordoba Corporation in an Amount Not to Exceed \$75,092 for the Preparation of Plans, Specifications, and Cost Estimate and to Provide Contract Administration Services 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. 4 with Cordoba Corporation in an Amount Not to Exceed \$75,092 for the Preparation of Plans, Specifications, and Cost Estimate and to Provide Contract Administration Services 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.

<b>Motion</b>	<b>Second</b>	<b>Aye</b>	<b>Aye</b>	<b>Aye</b>
Petersen	Chastain	Brinker	Derry	Estrada
<b>Aye</b>	<b>Aye</b>	<b>Aye</b>	<b>Absent</b>	
Morris	Popescu	Yzaguirre	Gonzales	

**Motion carried.**

Co-Chair Josie Gonzales returned and chaired the meeting at this point.

Supervisor Neil Derry declared a conflict and left the meeting during the discussion of and voting on Agenda Item Nos. 8, 9 and 10, and did not return to the meeting.

**Item #8 - Approve a Professional Services Agreement with Tom Dodson & Associates in an Amount Not to Exceed \$42,000 for Environmental Consulting Services for Proposed Third and Fifth Street Improvements**

**ACTION:** Approve a Professional Services Agreement with Tom Dodson & Associates in an Amount Not to Exceed \$42,000 for Environmental Consulting Services for Proposed Third and Fifth Street Improvements; and Authorize the Interim Executive Director or his designee to execute the Agreement and all related documents.

<b>Motion</b>	<b>Second</b>	<b>Aye</b>	<b>Aye</b>	<b>Aye</b>
Petersen	Yzaguirre	Brinker	Chastain	Estrada
<b>Aye</b>	<b>Aye</b>	<b>Aye</b>	<b>Absent</b>	
Gonzales	Morris	Popescu	Derry	

**Motion carried.**

Co-Chairs Josie Gonzales and Patrick J. Morris and Vice-Chair Kelly J. Chastain declared a conflict and left the meeting during the discussion of and voting on Agenda Item No. 9. By consensus of the Board Councilmember Floyd Petersen chaired the meeting at this point.

**Item #9 - Approve and Authorize the Execution of Certain Releases and Water Easements in the Westgate Development Area**

**ACTION:** Approve and authorize the execution of certain releases and water easements in the Westgate area (formerly the 900 Series Area of Parcel I-3); more specifically, to a) approve an amendment to the 2004 Easement to remove an old waterline easement description, and b) to approve a new Waterline Easement Agreement with the City of San Bernardino to reflect the current location of the reconfigured waterline easement; and authorize the Interim Executive Director or his designee to execute all necessary documents.

<b>Motion</b>	<b>Second</b>	<b>Aye</b>	<b>Aye</b>	<b>Aye</b>
Estrada	Brinker	Petersen	Popescu	Yzaguirre
<b>Absent</b>	<b>Absent</b>	<b>Absent</b>	<b>Absent</b>	
Chastain	Derry	Gonzales	Morris	

**Motion carried.**

Co-Chair Josie Gonzales, Co-Chair Patrick J. Morris and Vice-Chair Kelly J. Chastain returned to the meeting at this point. Co-Chair Josie Gonzales resumed chairing the meeting.

**Item #10 - Approve Resolution No. 2009-14 of the Inland Valley Development Agency (IVDA) Requesting the City of San Bernardino Adopt an Ordinance Declaring the California Vehicle Code Shall Apply to Certain IVDA Owned Streets and Roadways Located on the Former Norton Air Force Base**

**ACTION:** Approve Resolution No. 2009-14 of the Inland Valley Development Agency (IVDA) requesting the City of San Bernardino adopt an ordinance declaring the California Vehicle Code shall apply to certain IVDA-owned streets and roadways located on the Former Norton Air Force Base.

<b>Motion</b>	<b>Second</b>	<b>Aye</b>	<b>Aye</b>	<b>Aye</b>
Petersen	Chastain	Brinker	Estrada	Gonzales
<b>Aye</b>	<b>Aye</b>	<b>Aye</b>	<b>Absent</b>	
Morris	Popescu	Yzaguirre	Derry	

**Motion carried.**

**G. ADDED AND DEFERRED ITEMS**

There were no added or deferred items.

**H. PUBLIC COMMENT**

There were no public comments.

**I. CLOSED SESSION**

Co-Chair Josie Gonzales recessed to closed session at 4:15 p.m. Mr. Timothy J. Sabo, of Lewis Brisbois Bisgaard & Smith, LLP, read the closed session items as posted on the Agenda. The record will reflect Agenda Item No. 12 was not discussed during closed session.

The record will reflect that Supervisor Neil Derry was not present during closed session.

The meeting reconvened at 4:46 p.m., and Co-Chair Josie Gonzales asked Agency Counsel if there were any reportable items.

Mr. Timothy J. Sabo, Lewis Brisbois Bisgaard & Smith, LLP, announced that Agenda Item Nos. 13, 14 and 15 were considered during closed session and the following actions were taken.

Item No. 13. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8

Property: APNs: 0280-172-04; 0280-172-11; 0280-171-16; 0280-171-18, City of San Bernardino, County of San Bernardino

Negotiating Parties: **Robert M. Tincher, P.E.** on behalf of the **San Bernardino Valley Municipal Water District**  
Michael P. Burrows, Assistant Director, on behalf of the IVDA

Under negotiations: Instruction will be given to the IVDA negotiator concerning right-of-way acquisition and dedication to the City of San Bernardino

**ACTION:** Approve the acquisition of an easement from the San Bernardino Valley Municipal Water District (SBMWD) in an amount not to exceed \$85,000.

<b>Motion</b>	<b>Second</b>	<b>Aye</b>	<b>Aye</b>	<b>Aye</b>
Yzaguirre	Petersen	Brinker	Chastain	Estrada
<b>Aye</b>	<b>Aye</b>	<b>Aye</b>	<b>Absent</b>	
Gonzales	Morris	Popescu	Derry	

**Motion carried.**

Item No. 14. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8

Property: 105 N. Del Rosa Drive, San Bernardino, CA  
 [APN: 0136-341-21]  
 1595 E. Art Townsend Drive, San Bernardino, CA  
 [APN: 0136-341-11]

Negotiating Parties: **Pastor Jeffery Morehead**, on behalf of the **Grace Chapel, Operation Grace and Grace Apostolic Church**  
 Michael P. Burrows, Assistant Director, on behalf of the IVDA

Under negotiations: Instruction will be given to the IVDA negotiator concerning acquisition of all or portions of the above-referenced property

**ACTION:** Approve an option to purchase agreement with Grace Chapel, Operation Grace, and/or Grace Apostolic Church for Parcel “J” in an amount not to exceed \$270,000, which is a six (6) year option price; and approve a purchase agreement with Grace Chapel, Operation Grace, and/or Grace Apostolic Church for Parcel “J1” in an amount not to exceed \$905,000.

<b>Motion</b>	<b>Second</b>	<b>Aye</b>	<b>Aye</b>	<b>Aye</b>
Morris	Yzaguirre	Brinker	Chastain	Estrada
<b>Aye</b>	<b>Aye</b>	<b>Aye</b>	<b>Absent</b>	
Gonzales	Petersen	Popescu	Derry	

**Motion carried.**

Item No. 15. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8

Property: Residential/Commercial vacant land  
 West Stiles Street, North of Little Third Street  
 San Bernardino, CA 92410  
 APNs: 0279-122-09, 0279-122-10, 0279-122-11,  
 0279-122-25

Negotiating Parties: **Michelle Harris**, an individual, property owner  
 Michael P. Burrows, Assistant Director, on behalf of  
 the IVDA

Under negotiations: Instruction will be given to the IVDA negotiator  
 concerning acquisition of all or portions of the above-  
 referenced property

**ACTION:** Approve a purchase agreement with Michelle Harris, an individual for Residential/Commercial vacant land at West Stiles Street, North of Little Third Street, San Bernardino, CA 92410 (APNs: 0279-122-09, 0279-122-10, 0279-122-11, 0279-122-25) in an amount not to exceed \$150,000.

<b>Motion</b>	<b>Second</b>	<b>Aye</b>	<b>Aye</b>	<b>Aye</b>
Morris	Yzaguirre	Brinker	Chastain	Estrada
<b>Aye</b>	<b>Aye</b>	<b>Aye</b>	<b>Absent</b>	
Gonzales	Petersen	Popescu	Derry	

**Motion carried.**

**J. ADJOURN MEETING**

There being no further business before the Board at this session, Co-Chair Josie Gonzales declared the meeting adjourned at 4:47 p.m.

**Minutes approved at a Regular Meeting on October 28, 2009.**

/s/  
**Kelly Berry**  
 Clerk of the Board