

**INLAND VALLEY DEVELOPMENT AGENCY**  
**ACTION MEETING MINUTES**  
**May 28, 2008**

A Regular Meeting of the Inland Valley Development Agency Board was called to order by Co-Chair Dennis Hansberger at approximately 4:07 p.m. on Wednesday, May 28, 2008, in the Council Chambers, Loma Linda City Hall, 25541 Barton Road, Loma Linda, California.

**BOARD MEMBERS PRESENT:**

City of Colton	Mayor Pro Tem John D. Mitchell Mayor Kelly J. Chastain
City of Loma Linda	Vice-Chair/Mayor Robert Christman
County of San Bernardino	Co-Chair/Supervisor Dennis Hansberger Supervisor Josie Gonzales
City of San Bernardino	Co-Chair/Mayor Patrick J. Morris Councilmember Esther Estrada Councilmember Wendy McCammack

**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  
Penny Chua, Director of Economic Development & Marketing  
Martin Romeo, Chief Financial Officer  
Kelly Berry, Clerk of the Board

**A. CALL TO ORDER**

**B. ROLL CALL**

**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 Dennis Hansberger stated Board members should note the item(s) listed which might require member abstentions.

**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 April 30, 2008, for the Inland Valley Development Agency (IVDA)**

**ACTION:** Approve the Consent Calendar.

<b>Motion</b>	<b>Second</b>	<b>Aye</b>	<b>Aye</b>	<b>Aye</b>
Morris	Estrada	Chastain	Christman	Gonzales
<b>Aye</b>	<b>Aye</b>	<b>Aye</b>		
Hansberger	McCammack	Mitchell		

**Motion carried unanimously.**

**F. BOARD DISCUSSION ITEMS**

**Item #5 - Approve Award of Contract to the Lowest Responsible Bidder for the Abatement and Demolition for Portions of Building 747 and Abatement and Demolition of East Annex Offices Located in Hangar 763, EDA Grant No. 07-49-05672, Subject to U.S. Department of Commerce Economic Development Administration (EDA) Approval; and Approve a Ten Percent Contingency Budget Based on the Award Amount**

A supplemental staff report regarding Agenda Item No. 5 was provided to the Commission members, staff, and members of the public.

**ACTION:**

A. Accept the bid withdrawal request from Project Development Group, Inc., dba PDG Environmental, Inc., in the form of the letter agreement as executed by PDG Environmental, Inc., and authorize acceptance and execution thereof by the Interim Executive Director;

B. Approve Award of Contract to second lowest responsible bidder, Tri Span, Inc., in an amount not to exceed \$566,000 for the Abatement of East Annex of Building 763 and Abatement and Demolition of Portions of Building 747, Subject to U.S. Department of Commerce Economic Development Administration (EDA) Approval, EDA Grant No. 07-49-05672, and approve a contingency budget of \$56,600.

<b>Motion</b>	<b>Second</b>	<b>Aye</b>	<b>Aye</b>	<b>Aye</b>
Christman	Estrada	Chastain	Gonzales	Hansberger
<b>Aye</b>	<b>Aye</b>	<b>Aye</b>		
McCammack	Mitchell	Morris		

**Motion carried unanimously.**

**Item #6 - Approve Change Order No. 3 in an Amount Not to Exceed \$241,958 with DMJM+Harris, Inc. for Construction Management Services and Additional Work for the Central Avenue/Palm Meadows Drive Road Improvements Project from Valley View to Mountain View Avenue**

Mayor Robert Christman voiced concern due to the number and amount of change orders being considered by the Commission relative to this project. Mr. Alex Estrada, Director of Redevelopment and Transportation, and Mr. Michael Burrows, Assistant Director both addressed the Commission stating that DMJM+Harris, Inc. has taken on additional work not originally anticipated in this project including utility coordination, environmental issues, portions of the Mountain View connections, and waterline improvements.

Mayor Christman voiced concern that is appeared we were adding to contracts through change orders instead of going out to bid again. Agency Counsel Timothy J. Sabo stated that technically this Change Order No. 3 is an amendment to the contract. The original contract is not a public works contract; it is an engineering professional services contract and was therefore not competitively bid. DMJM+Harris, Inc. participated in a very extensive Request for Qualifications process several years ago. Mr. Sabo confirmed that under California law it is in fact against the law to competitively bid professional services contracts for legal and engineering services.

**ACTION:** Approve Change Order No. 3 with DMJM+Harris, Inc. for construction management services and additional work for the Central Avenue/Palm Meadows Drive road improvements project from Valley View Avenue to Mountain View Avenue in an amount not to exceed \$241,958.

<b>Motion</b>	<b>Second</b>	<b>Aye</b>	<b>Aye</b>	<b>Aye</b>
Morris	Mitchell	Chastain	Christman	Estrada
<b>Aye</b>	<b>Aye</b>	<b>Aye</b>		
Gonzales	Hansberger	McCammack		

**Motion carried unanimously.**

**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 Dennis Hansberger declared the meeting adjourned at 4:24 p.m.

**Minutes approved at a Regular Meeting on June 25, 2008.**

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