

INLAND VALLEY DEVELOPMENT AGENCY
ACTION MEETING MINUTES
February 25, 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, February 25, 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 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. The record will reflect Supervisor Josie Gonzales declared a conflict on Agenda Item Nos. 7 and 8 and Agenda Item No. I. II., Supervisor Neil Derry declared a conflict on 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 – Receive and File Cash Report for January 31, 2009, for the Inland Valley Development Agency (IVDA)

Item #5 – Approve Meeting Minutes: February 11, 2009

Item #6 – Approve Release of Owner Participation Agreement No. 262, recorded with the San Bernardino County Recorder’s Office on March 15, 1991, between the Inland Valley Development Agency Rose Juanita Moore

ACTION: Approve the Consent Calendar.

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

Motion carried unanimously.

F. BOARD DISCUSSION ITEMS

Co-Chair Josie Gonzales left the meeting during the discussion of and voting on Agenda Item Nos. 7 and 8. Co-Chair Patrick J. Morris chaired the meeting at this point.

Item #7 - Approve Change Order No. 15 for a Credit in the Amount of \$72,409.82; and Approve a Notice of Completion with Matich Corporation for the Construction of Tippecanoe Avenue Street Improvements and Storm Drain Improvements between Harry Sheppard Boulevard and Santa Ana River

ACTION: Approve Change Order No. 15 for a Credit in the Amount of \$72,409.82; and Approve a Notice of Completion and with Matich Corporation for the Construction of Tippecanoe Avenue Street Improvements and Storm Drain Improvements between Harry Sheppard Boulevard and Santa Ana River; and Authorize Release of Retention upon Recordation with the County of San Bernardino.

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

Motion carried.

Item #8 - Approve Change Order No. 23 in an Amount Not to Exceed \$97,168.92; 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

At the request of staff, Agenda Item No. 8 was deferred to March 11, 2009, the next regular meeting of the Inland Valley Development Agency Board.

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

Item #9 - Approve Amendment No. 1 to Professional Services Agreement with Overland Pacific & Cutler, Inc. in an Amount Not to Exceed \$24,320 for Right-of-Way Consulting Services for Tippecanoe Avenue Improvement Project

ACTION: Approve Amendment No. 1 to Professional Services Agreement with Overland Pacific & Cutler, Inc. in an Amount Not to Exceed \$24,320 for Right-of-Way Consulting Services for the Tippecanoe Avenue Improvement Project; and authorize the Interim Executive Director or his designee to execute the amendment.

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

Motion carried unanimously.

Item #10 - Approve Amendment No. 1 to Professional Services Agreement with Overland Pacific & Cutler, Inc., in an Amount Not to Exceed \$17,800 for Appraisal and Right-of-Way Consulting Services for the South Lena Road Extension Project

ACTION: Approve Amendment No. 1 to Professional Services Agreement with Overland Pacific & Cutler, Inc., in an Amount Not to Exceed \$17,800 for Appraisal and Right-of-Way Consulting Services for the South Lena Road Extension Project; and authorize the Interim Executive Director or his designee to execute the amendment.

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

Motion carried unanimously.

Item #11 - Approve a Contract with MACM, Inc. in an Amount Not to Exceed \$33,054.99 for Construction Management Services for the Construction of South Tippecanoe Avenue Phase I from East Mill Street to Santa Ana River Crossing

A supplemental staff report regarding Agenda Item No. 11 was provided to the Board members, staff, and members of the public.

ACTION: Approve a Contract with MACM, Inc. in an Amount Not to Exceed \$33,054.99 for Construction Management Services for the Construction of South Tippecanoe Avenue Phase I from East Mill Street to the Santa Ana River Crossing; Approve a Ten Percent (10%) contingency budget of \$3,305.49; and authorized the Interim Executive Director or his designee to execute the contract.

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

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

Co-Chair Josie Gonzales recessed to closed session at 3:53 p.m. Mr. Timothy J. Sabo, of Lewis Brisbois Bisgaard & Smith, LLP, read the closed session items as posted on the Agenda.

Supervisor Josie Gonzales and Supervisor Neil Derry left the meeting at 4:19 p.m. during closed session and did not participate in the discussion of Agenda Item No. I. II.

Co-Chair Patrick J. Morris reconvened the meeting at 4:44 p.m. Co-Chair Josie Gonzales resumed chairing the meeting at this time.

J. ADJOURN MEETING

There being no further business before the Board at this session, Co-Chair Josie Gonzales declared the meeting adjourned at 4:44 p.m.

Minutes approved at a Regular Meeting on March 11, 2009.

/s/

Kelly Berry
Clerk of the Board