

INLAND VALLEY DEVELOPMENT AGENCY
ACTION MEETING MINUTES
May 13, 2009

A Regular Meeting of the Inland Valley Development Agency Board was called to order by Co-Chair Patrick J. Morris at approximately 3:30 p.m. on Wednesday, May 13, 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

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 items to be added or deleted.

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. Councilmember Esther Estrada declared a conflict on Agenda Item No. 10. Supervisor Neil Derry declared a conflict on Agenda Item No. 7.

Item #2 – Informational Items

On July 18, 2007, Resolution No. 2007-04 of the Inland Valley Development Agency (IVDA) declaring its Intent to Provide Tax Exempt Municipal Bond Financing at a Later Date for the Terminal Renovation Project and the Fixed Base Operator (FBO) Facility was approved. Mr. Donald L. Rogers, Interim Executive Director, announced that the Bond Financing was successfully closed on May 12, 2009.

E. BOARD CONSENT ITEMS

Item #3 – Receive Register of Demands

Item #4 – Receive and File Third Quarter Financial Report (July 1, 2008 – March 31, 2009) for the Inland Valley Development Agency (IVDA)

Item #5 – Approve Meeting Minutes: April 22, 2009

Item #6 – Authorize Staff to Issue a Request for Qualifications (RFQ) for the Performance of Preliminary Engineering, Engineer’s Estimate, Preparation of Plans & Specifications and Construction Management Services for the 747 Parking Lot Improvements Project Pursuant to United States Department of Commerce, Economic Development Administration (EDA) Grant (07-49-06137), Subject to EDA Approval

Item #7 – Authorize Acceptance of a Grant of Easement for Drainage Purposes from Stater Bros. Markets

ACTION: Approve the Consent Calendar.

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

Motion carried.

F. BOARD DISCUSSION ITEMS

Item #8 - Approve Resolution No. 2009-08 of the Inland Valley Development Agency (IVDA) Authorizing the Second Amendment to the Reimbursement Agreement with Union Bank of California

ACTION: Approve Resolution No. 2009-08 of the Inland Valley Development Agency (IVDA) Approving Extension to the Letter of Credit Securing the \$44,485,000 Tax Allocation Bonds, Series 1997, and Amendment of Reimbursement Agreement Relating thereto and Cancellation of Confirming Letter of Credit; and authorize the Interim Executive Director or his designee to execute all related documents thereto.

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

Motion carried unanimously.

Item #9 - Approve Professional Services Agreement with VCB Global Lobbying Mexico, S.A. DE C.V., in an Amount Not to Exceed \$78,000 to Provide Consulting Services

Councilmember Esther Estrada inquired about the amount of the additional compensation. Mr. Michael Burrows, Assistant Director, made reference to Exhibit “C” of the agreement, and emphasized additional compensation would not be paid without Board acceptance of performance as set forth in Exhibit “C.”

ACTION: Approve a Professional Services Agreement with VCB Global Lobbying Mexico, S.A. de C.V., in an Amount Not to Exceed \$78,000 to Provide Certain Consulting Services; and Authorize the Interim Executive Director or his Designee to Execute Said Agreement and all Related Documents.

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

Motion carried unanimously.

Item #10 - Adopt Resolution No. 2009-09 of the Inland Valley Development Agency (IVDA) Approving the Release of Ninety Percent (90%) of Excess Tax Increment Funds

Co-Chair Patrick J. Morris invited Mr. Gene Fortajada, Director, Accounting Services, San Bernardino City Unified School District to the podium. Mr. Fortajada thanked Board members for the release of these funds to the school districts, stating they are much needed funds and will be appreciated by the listed school districts.

ACTION: Adopt Resolution No. 2009-09 to authorize the Inland Valley Development Agency (IVDA) to release 90% of excess tax increment revenues to the various schools districts pursuant to the School District Tax Increment Pass-Through Agreements.

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

Motion carried.

Item #11 - Approve Additional Appropriation of \$20,000 to Rosenow Spevacek Group, Inc. for Professional Services

ACTION: Approve an additional appropriation to Rosenow Spevacek Group, Inc. in an amount not to exceed \$20,000 for professional services.

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

Motion carried unanimously.

Item #12 - Approve Additional Appropriation of \$90,000 to Lewis Brisbois Bisgaard & Smith, LLP for Professional Services

ACTION: Approve an additional appropriation to Lewis Brisbois Bisgaard & Smith, LLP in an amount not to exceed \$90,000 for professional legal services.

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

Motion carried unanimously.

Item #13 - Adopt Resolution No. 2009-10 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 Sections 33445 Related to Certain Airport Capital Improvements; (2) 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

ACTION: Adopt Resolution No. 2009-10 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; and (2) Authorizing Expenditures in an Amount Not to Exceed \$8,500,000 for the Fixed Base Operation (FBO) Facility including the U.S. Customs Facility.

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

Motion carried unanimously.

G. ADDED AND DEFERRED ITEMS

There were no added or deferred items.

H. PUBLIC COMMENT

Ms. Suzie Colon, VP Governmental Affairs, TCM Group, gave a brief statement on the history of TCM Group and expressed an interest in being part of future Requests for Proposals and Bid advertisements.

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 3:58 p.m.

Minutes approved at a Regular Meeting on June 10, 2009.

/s/

Kelly Berry
Clerk of the Board