

INLAND VALLEY DEVELOPMENT AGENCY

REGULAR MEETING BOARD ACTIONS

WEDNESDAY, OCTOBER 10, 2018

3:00 P.M. (Closed Session, immediately followed by Open Session)

MAIN AUDITORIUM – Norton Regional Event Center – 1601 East Third Street, San Bernardino, CA



A regional joint powers authority dedicated to the reuse of Norton Air Force Base
for the economic benefit of the East Valley

Board Members

City of Colton

Mayor Richard A. DeLaRosa	Present
Councilmember Isaac T. Suchil	Present (arrived at 3:19 p.m.)
Mayor Pro Tempore Jack R. Woods (alt)	Present (In audience and closed session)

City of Loma Linda

Councilmember Ovidiu Popescu, Co-Chair	Present
Mayor Rhodes Rigsby	Present (arrived at 3:09 p.m.)
Councilmember Phillip Dupper (alt)	Absent

County of San Bernardino

Supervisor Josie Gonzales, Co-Chair	Present
Supervisor James C. Ramos	Present
Supervisor Curt Hagman (alt)	Absent

City of San Bernardino

Mayor R. Carey Davis, Vice-Chair	Present (arrived at 3:06 p.m.)
Councilmember Fred Shorett	Present
Councilmember Virginia Marquez	Present
Councilmember James L. Mulvihill (alt)	Present (In audience and closed session)

Staff Members and Others Present

Michael Burrows, Executive Director	Michael Lewin, Legal Counsel, Mirau, Edwards, Cannon, Lewin, & Tooke, LLP
William Garay, Director of Finance	Catherine Pritchett, Director of Administrative Services
Jim Harris, Manager of Capital Projects	Brandi Goodman, Deputy Clerk of the Board
Mark Gibbs, Director of Aviation	

The Regular Meeting of the Inland Valley Development Agency Board was called to order by Co-Chair Josie Gonzales at approximately 3:02 p.m. on Wednesday, October 10, 2018 in the Main Auditorium of the Norton Regional Event Center, 1601 East Third Street, San Bernardino, California.

A. CALL TO ORDER / ROLL CALL

Roll call was duly noted and recorded.

Members of the Board and the public joined Co-Chair Josie Gonzales in the Pledge of Allegiance.

B. CLOSED SESSION PUBLIC COMMENT

There was no closed session public comment.

C. CLOSED SESSION

Co-Chair Josie Gonzales recessed to closed session at 3:03 p.m. Mr. Michael Lewin, Legal Counsel, Mirau, Edwards, Cannon, Lewin, & Tooke, LLP, read the closed session items as posted on the Agenda.

- a. Conference with Legal Counsel pursuant to Government Code Section 54956.9(d)(1) – *Inland Valley Development Agency, the Successor Agency to the Inland Valley Development Agency, a joint powers authority/federal base reuse authority; San Bernardino International Airport Authority, a joint powers authority, v. Michael Cohen, in his official capacity as the Director of the State of California Department of Finance; DOES 1 through 50, inclusive, Case No: 34-2016-80002374.*

Let the record reflect that Co-Chair Josie Gonzales and Supervisor James C. Ramos recused themselves from discussion on Closed Session Item C.b.

- b. Conference with Legal Counsel pursuant to Government Code Section 54956.9(d)(1) – *Inland Valley Development Agency, a joint powers authority/federal base reuse authority, and Inland Valley Development Agency as a Successor Agency, v. Oscar Valdez, in his official capacity as the County of San Bernardino Auditor – Controller/Treasurer/Tax Collector; Michael Cohen, in his official capacity as the Director of State of California Department of Finance; and DOES 1 through 50, inclusive, Case No. 34-2016-80002502.*
- c. Conference with Legal Counsel pursuant to Government Code Section 54956.9(d)(1) – *Inland Valley Development Agency, a joint powers agency, v. San Bernardino Valley Municipal Water District; Oscar Valdez, in his capacity as the County of San Bernardino Auditor – Controller/Treasurer/Tax Collector; and DOES 1-50, inclusive, Case No. 34-2017-80002637.*
- d. Conference with Legal Counsel pursuant to Government Code Section 54956.9(d)(1) – *Inland Valley Development Agency, a joint powers authority/federal base reuse authority, and Inland Valley Development Agency as a Successor Agency, v. Oscar Valdez, in his official capacity as the County of San Bernardino Auditor –*

Controller/Treasurer/Tax Collector; Michael Cohen, in his official capacity as the Director of State of California Department of Finance; and DOES 1 through 50, inclusive, Case No. 34-2017-80002615.

- e. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8

Property: Approximately 100 acres of vacant land property on the Northeast portion of the San Bernardino International Airport (former Norton Airforce Base)

Negotiating Parties: Michael Burrows, Executive Director, on behalf of IVDA
John Magness, on behalf of Hillwood Enterprises, L.P.

Under negotiations: Instructions will be given to the IVDA negotiator concerning terms and price.

- f. Conference with Labor Negotiators Pursuant to Government Code Section 54957.6.

The IVDA Board will meet with its duly designated representative to discuss salaries, salary schedules and compensation, and fringe benefits payable to the following non-represented positions specified by title.

Negotiating for IVDA: Executive Director

Non-represented Employees

Chief Operating Officer

D. <u>REPORT ON CLOSED SESSION</u>

Co-Chair Josie Gonzales reconvened the meeting at approximately 3:39 p.m. Co-Chair Josie Gonzales asked Mr. Michael Lewin, Legal Counsel, Mirau, Edwards, Cannon, Lewin, & Tooke, LLP, if there were any closed session reportable items. Mr. Lewin, stated that there were no reportable items and noted for the record that Co-Chair Josie Gonzales and Supervisor James C. Ramos recused themselves from discussion on Closed Session Item C.b.

E. ITEMS TO BE ADDED OR DELETED

There were no items to be added or deleted.

F. CONFLICT OF INTEREST DISCLOSURE

1. Co-Chair Josie Gonzales stated Board members should note the item(s) listed which might require member abstentions.

There were no conflicts noted.

G. INFORMATIONAL ITEMS

Mr. Michael Burrows, Executive Director, presented the following informational items.

2. Informational Items [**PRESENTER:** Michael Burrows]
 - a. Executive Director's Report [**PAGE#:** 014]
 - b. Report on FedEx [**PAGE#:** 015]
 - c. Report on Mt. View Interchange [**PAGE#:** 016]
 - d. Specific Plan Update [**PAGE#:** 017]
- 2a. Mr. Michael Burrows, Executive Director, provided a brief report on the Mt. View Interchange Project and an update on the specific plan.
- 2b. Mr. Burrows next introduced Mr. Mark Gibbs, Director of Aviation, who provided a brief summary on FedEx operations commencing on October 1, 2018, resulting in 72 direct jobs created.

H. BOARD CONSENT ITEMS

3. Receive Register of Demands – October 10, 2018
4. Receive and file Cash Report for August 31, 2018 for the Inland Valley Development Agency (IVDA)
5. Approve Meeting Minutes: September 12, 2018

ACTION: Approve Agenda Items 3-5 of the Consent Calendar.

RESULT: **ADOPTED [UNANIMOUSLY]**
MOTION/SECOND: Shorett / Marquez
AYES: Davis, DeLaRosa, Gonzales, Marquez, Popescu, Ramos, Rigsby, Shorett,
and Suchil.
NAYS: None.
ABSTENTIONS: None.
ABSENT: None.

I. BOARD ACTION ITEMS

6. Consider and discuss a local preference procurement process for construction services and provide direction to staff as appropriate for inclusion in future Inland Valley Development Agency (IVDA) policy and procedures updates

Mr. Michael Burrows, Executive Director, updated the Board on the direction given from the previous meeting regarding local preference policies pertaining to construction projects.

Mr. Burrows reported that while there are local preference procedures for certain goods and services in the current Inland Valley Development Agency procedures and in surrounding member agencies, when it comes to construction contracts, the Agency is required by law to award to the lowest responsive and responsible bidder.

Co-Chair Josie Gonzales asked Mr. Burrows if the agency has an approved bidders list currently and if not, what steps need to be taken to approve a bidders list. Mr. Burrows deferred to Mr. Michael Lewin, Legal Counsel. Mr. Lewin informed the Board that in order to generate an approved bidders list, the Agency would have to pre-qualify bidders by certain procedures. These are typically used for annual service contracts and other agreements.

Supervisor James C. Ramos inquired if the Agency uses specific language to encourage local bidders to participate in the bidding process. Mr. Burrows stated that the Agency provides notice to local companies so they have the same opportunity to participate in the bidding process.

Co-Chair Gonzales directed staff to include an approved bidders list for future construction projects.

ACTION: Consider and discuss a Local Preference Procurement Process for Construction and other services and provide direction to Staff as appropriate for Inclusion in the future Inland Valley Development Agency (IVDA) Policy and Procedures Updates.

Let the record reflect Supervisor James C. Ramos left the meeting at approximately 3:57 p.m. and did not return.

7. Review and approve updated procedures and supporting documents for the Inland Valley Development Agency (IVDA) consistent with previously approved agency policies

Ms. Catherine Pritchett, Director of Administrative Services, provided a brief report of various updates to the Agencies procedures, inaccordance with the approved agency policies.

ACTION: Review and approve updated procedures and supporting documents for the Inland Valley Development Agency (IVDA), consistent with previously approved Agency policies, and adopt updates to supporting documentation.

RESULT: **ADOPTED**
MOTION/SECOND: DeLaRosa / Shorett
AYES: Davis, DeLaRosa, Gonzales, Marquez, Popescu, Rigsby, Shorett, and Suchil.
NAYS: None.
ABSTENTIONS: None.
ABSENT: Ramos.

8. Consider and discuss the updated action plan for the Inland Valley Development Agency (IVDA) through December 31, 2018

Mr. Michael Burrows, Executive Director, referenced a PowerPoint presentation entitled, "December 31, 2018 – Proposed IVDA Focal Areas," (as contained on pages 196-198 in the Agenda Packet) and provided a brief report on Agenda Item No. 8.

This item was for discussion purposes only, no formal action was taken.

ACTION: Consider and Discuss the updated Action Plan for the Inland Valley Development Agency (IVDA) through December 31, 2018.

J. ADDED AND DEFERRED ITEMS

There were no added or deferred items.

K. OPEN SESSION PUBLIC COMMENT

There were no open session public comments.

L. BOARD MEMBER COMMENT

There were no board member comments.

M. ADJOURNMENT

There being no further business before the Board at this session, Co-Chair Josie Gonzales declared the meeting adjourned at 4:02 p.m.

Approved at a Regular Meeting of the Inland Valley Development Agency Board on Wednesday, November 14, 2018



Jennifer Farris
Clerk of the Board