

**MINUTES  
CITY COUNCIL REGULAR MEETING  
OCTOBER 8, 2013 - 6:00 p.m.**

**CALL TO ORDER**

The regular meeting of the City Council of the City of Highland was called to order at 6:02 p.m. by Mayor Pro Tem Lilburn at the Donahue Council Chambers, 27215 Base Line, Highland, California.

The invocation was given by Councilman Sam Racadio and the Pledge of Allegiance was led by Councilwoman Scott.

**ROLL CALL**

Present: Lilburn, Racadio, Scott  
Absent: McCallon, Timmer

**REPORT FROM CLOSED SESSION**

No Reportable Action

**SPECIAL PRESENTATIONS**

None

**PUBLIC COMMENT**

Mr. Sesario Perez stated he would like to see staff members present when that particular department has an agenda item this way it will allow the public to address the staff with questions and concerns.

Mayor Pro Tem Lilburn stated management staff is present at all Council meetings to address any questions or concerns regarding agenda items.

**CITY COUNCIL CONSENT CALENDAR**

**A MOTION** was made by Councilman Racadio, seconded by Councilwoman Scott, to approve the consent calendar as submitted. Motion carried on a roll call vote, 3-0, with Mayor McCallon and Councilman Timmer being absent.

1. Waive the Reading of All Ordinances  
Waived the reading of all Ordinances in their entirety and read by title only.
2. Minutes – September 24, 2013 City Council Regular Meeting  
Approved the Minutes as submitted.

3. Warrant Register  
Approved Warrant Register No. 570 for October 8, 2013, in the amount of \$3,382,321.59 and Payroll of \$75,800.57.
4. Treasurer's Report for August 2013  
Received and filed the Treasurer's Report for August 2013.

### **CITY COUNCIL PUBLIC HEARING**

No Public Hearing.

### **CITY COUNCIL LEGISLATIVE**

5. Construction Support Services for the Greenspot Road Bridge and Street Realignment Project (Project No. brq04005)

Mr. Dennis Barton gave a brief review of the staff report.

Councilwoman Scott asked if this will be the only one cost over runs or will this come back again?

Mr. Dennis Barton stated it is ready for construction.

Councilwoman Scott stated so barring something happening in which we did not foresee in the construction this should take care of it.

Mr. Dennis Barton stated for TY Lin construction support services.

**A MOTION** was made by Councilman Racadio, seconded by Councilwoman Scott, to:

1. Approve an amendment to the Professional Services Contract with TY Lin International (TYLI) for construction support services in the amount of \$249,945 for the Greenspot Road Bridge and Street Realignment Project; and
  2. Authorize the Public Works Director/City Engineer to approve up to 10% of the fee amount as contingency for unforeseen services. Motion carried, 3-0, with Mayor McCallon and Councilman Timmer being absent.
6. Construction Management Services for Greenspot Road Bridge and Street Realignment Project (Project No. brq04005)

Mr. Dennis Barton gave a brief review of the staff report.

City Manager Hughes stated this is for construction management, not for construction, and when we actually do the construction we have to go out to bid and you will end up with the lowest bidder.

Councilwoman Scott asked if we have to go with the lowest bidder.

City Manager Hughes stated the lowest responsible bidder.

Councilwoman Scott stated sometimes the low bidder does not have a very good track record.

City Manager Hughes stated it is hard to disqualify the lowest bidder unless a grave mistake is made in their bid.

**A MOTION** was made by Councilman Racadio, seconded by Councilwoman Scott, to:

1. Approve the Professional Services Agreement for construction management services with Harris & Associates for Greenspot Road Bridge and Street Realignment Project, contingent upon a pre-award audit approval by Caltrans for a not-to-exceed fee of \$1,207,284; and
2. Authorize the Public Works Director/City Engineer to approve up to 10% of the fee amount as contingency for unforeseen services. Motion carried, 3-0, with Mayor McCallon and Councilman Timmer being absent.

7. Base Line Safety Improvement Project (SR201 to Boulder Avenue) Cooperative Work Agreement

Assistant Public Works Director Zamano gave a brief review of the staff report.

Councilwoman Scott asked when we first received the grants to do this, wasn't the undergrounding included in the project to begin with?

Assistant Public Works Director Zamano stated it was, but we have been coordinating with all of the utility companies as there is a major switch for them. The problem is we have been at their mercy to get this work done and we have finally made some progress.

Councilwoman Scott asked so it really was not our delay as it was the utility's delay?

Assistant Public Works Director Zamano stated another delay, again at no fault of the City, was right-of-way acquisition. Caltrans required the City to do some additional right-of-way acquisition as part of a comment we received relative to the permitting process.

**A MOTION** was made by Councilman Racadio, seconded by Mayor Pro Tem Lilburn, to:

1. Approve submittal of an application for a Cooperative Work Agreement to request a 24-month extension of Federal Highway Safety Improvement Program funds to be used on the Base Line Safety Improvement Project; and
2. Authorize the Public Works Director/City Engineer to sign and submit the application to Caltrans. Motion carried, 3-0, with Mayor McCallon and Councilman Timmer being absent.

8. Measure I Five-Year Capital Improvement Program (2013/2014 – 2017/2018)

Assistant Public Works Director Zamano gave a brief review of the staff report.

Mayor Pro Tem Lilburn asked who prioritizes this in the fiscal year that these items will happen.

City Manager Hughes stated this was already approved by the City Council as part of the five-year CIP. It has already gone to the Public Works Subcommittee and also to City Council. Council has already adopted this as part of our five-year CIP. This is just an additional step we have to go through.

Councilwoman Scott stated it states the funds will be specifically used for pavement rehabilitation and street improvements. Now when it says pavement rehabilitation it means sidewalk rehabilitation?

Assistant Public Works Director Zamano stated it is strictly pavement of streets.

Councilwoman Scott stated you have Olive Street Improvements, Base Line to Fourteenth and there is more than street improvements that are going on there.

City Manager Hughes stated we use multiple pools of funds to do a project so the Measure I portion may be only doing the street work and other sources may be used for sidewalks and curb and gutters.

**A MOTION** was made by Councilman Racadio, seconded by Councilwoman Scott, to approve Resolution No. 2013-034 adopting the Five-Year Capital Improvement Program and Expenditure Strategy (2013/2014 – 2017/2018) for the Measure I Local Street Program. Motion carried, 3-0, with Mayor McCallon and Councilman Timmer being absent.

RESOLUTION NO. 2013-034  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, ADOPTING THE FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM  
FOR MEASURE I LOCAL STREET PROGRAM  
(2013/2014 – 2017/2018)

9. Construction Management Services for 5th Street Storm Drain and Water Pipeline Project (Project No. str07002)

Assistant Public Works Director Zamano gave a brief review of the staff report.

Councilwoman Scott asked will the City take the lead?

Assistant Public Works Director Zamano stated correct.

Councilwoman Scott asked when will this start and what is the timeframe?

Assistant Public Works Director Zamano stated by January, 2014, will be the start of the project. Staff is looking to award this contract by November 26, 2013.

Councilman Racadio asked has Arcadis done work with East Valley Water District prior?

Assistant Public Works Director Zamano stated yes, they have.

Councilwoman Scott stated they do not have e-verify in this contract; do we have that in all of our contracts?

City Manager Hughes stated yes.

Councilwoman Scott stated she does not see it, and can it be put into this contract?

City Manager Hughes stated it is in our standard contract.

Councilwoman Scott stated make sure it is included and she would also like a copy of it.

**A MOTION** was made by Councilwoman Scott, seconded by Councilman Racadio, to approve the Professional Services Agreement with Arcadis for construction management services for the 5th Street Storm Drain and Water Pipeline Project. Motion carried, 3-0, with Mayor McCallon and Councilman Timmer being absent.

10. Cooperative Agreement with East Valley Water District for 5th Street Storm Drain and Water Pipeline Project

Assistant Public Works Director Zamano gave a brief review of the staff report.

Councilwoman Scott asked the design cost was \$568,200 and the only reimbursement we will receive is the \$220,000, correct?

Assistant Public Works Director Zamano stated what the district is going to do is they will provide a \$220,000 deposit to us. We will incur costs for their portion of the project, so rather than having us front the funds for their work, the District will give us the money up front.

Councilwoman Scott stated number 7, we have the \$220,000 and then item #2 it says they will be sending a progress payment within 30 days of getting the notice. Item #3 states they are going to send a final payment within 30 days and item #4 states they are going to send a single payment of \$42,075. Is 2, 3 and 4 included in the \$220,000?

Assistant Public Works Director Zamano stated no they are all separate. The first one is an earnest deposit, the second one is they will basically process the monthly payments to us as we submit to the District.

Councilwoman Scott stated so we do not know how much that is but we do know that #4 is \$42,000.

Assistant Public Works Director Zamano stated correct.

**A MOTION** was made by Councilman Racadio, seconded by Councilwoman Scott, to:

1. Approve the Cooperative Agreement with East Valley Water District (EVWD) for the 5th Street Storm Drain and Water Pipeline Project, contingent upon final approval of the Agreement by the City Attorney; and
2. Authorize the City Manager to sign the Cooperative Agreement. Motion carried, 3-0, with Mayor McCallon and Councilman Timmer being absent.

11. Update on SANBAG, SCAG, Omnitrans, Work Program and Regional/Legislative Issues/Development Issues/Subcommittees/AB 1234 Updates

Mayor Pro Tem Lilburn stated there is a group effort to put together a Task Force Committee to see how to save funds with the different agencies. She also went to Chicago to attend the AFTA Conference.

Councilman Racadio stated a request was received from the League of California Cities to provide input on the League's strategic planning goals. The League usually sets three goals and these goals will be adopted in November, 2013. If there are any goals to be considered they can be submitted to the League by October 25, 2013.

12. San Bernardino International Airport Authority and IVDA

None

**ANOUNCEMENTS**

None

**CLOSED SESSION**

None

## ADJOURN

There being no further business, Mayor Pro Tem Lilburn adjourned the meeting at 6:58 p.m. in memory of Rena Uffer and Donna Davidson.

Submitted By:

Approved By:

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Betty Hughes, MMC  
City Clerk

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Larry McCallon  
Mayor