



CITY COUNCIL AGENDA REPORT



DEPARTMENT: Public Works

MEETING DATE: September, 20, 2011

PREPARED BY: Ron Bow, Director

AGENDA LOCATION: CC-3

TITLE: Amendment to Contract with William Marino Enterprises, Inc., for Fiscal Year 2010-2011 in the Amount of \$6,735.59 for Additional Graffiti Removal.

OBJECTIVE: To amend the graffiti removal services contract for an additional \$6,735.59 in Fiscal Year 2010-2011

BACKGROUND: The Graffiti Removal Program has been contracted since 1993, providing for the removal of graffiti from City sidewalks, buildings, signs, freeway underpasses, alleys, and walls viewed from the public streets. The City's current graffiti removal contract with William Marino Enterprises, Inc., expired on June 30, 2011, and was not to exceed \$49,724.74. There was no increase to the hourly service rate for fiscal years 2010-2011 and 2011-2012.

ANALYSIS: William Marino Enterprises, Inc., continues to deliver quality service to the City, providing daily and weekend services in order to remove graffiti within 24 hours. The additional funds are needed to cover the costs of an unanticipated increase of graffiti over previous year. Staff recommends amending the contract with William Marino Enterprises, Inc., for Fiscal Year 2010-11.

ENVIRONMENTAL IMPACT: William Marino Enterprises, Inc., uses environmentally friendly cleaning products and water-based paints in its daily operations, which are in support of action items 5 and 16 of the Environmental Accords calling for the reduction of toxics use. The immediate removal of graffiti improves the appearance of our neighborhoods and business communities.

FISCAL IMPACT: Funds are available in the general fund.

OPTIONS: The following options are provided for consideration:

- 1) Approve the Amendment to the contract with William Marino Enterprises, Inc.
- 2) Deny the Amendment; however, the contractor has already performed the additional graffiti removal services during fiscal year 2010-2011.

RECOMMENDATION: Staff recommends approval of option one, amending the contract with William Marino Enterprises, Inc., in the amount of \$6,735.59 for Fiscal Year 2010-2011.

COUNCIL ACTION REQUIRED: If the City Council concurs, the appropriate action would be a motion to approve an amendment to the contract with William Marino Enterprises, Inc., in the amount of \$6,735.59 for Graffiti Removal Services for Fiscal Year 2010-2011.

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**AMENDMENT TO CONTRACT
GRAFFITI REMOVAL SERVICES**

This Amendment to Contract is entered into this 20th day of September 2011, by and between the City of Monrovia, a municipal corporation ("Owner"), and William Marino Enterprises, Inc. ("Contractor").

WHEREAS, Owner and Contractor entered into an agreement effective September 15, 1993, wherein Contractor agreed to provide graffiti removal services for Owner ("the Contract"); and

WHEREAS, Contractor performed graffiti removal services pursuant to the Contract and Owner compensated Contractor for the performance of said services; and

WHEREAS, the Contract expired by its terms on June 30, 2011; and

WHEREAS, the parties desired to amend the Contract to increase the compensation amount thereof;

NOW, THEREFORE, Owner and Contractor agree as follows:

Section 1. For performance of services set forth in the Contract documents, Owner shall compensate Contractor the additional sum of \$6,735.59 for a total amount of \$55,460.33 for the period July 1, 2010 through June 30, 2011. Said amount shall include all fees, costs, and expenses incurred by Contractor in the performance of the Contract.

Section 2. All other provisions and terms of the Contract shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

CITY OF MONROVIA

WILLIAM MARINO ENTERPRISES, INC.

By:

Mary Ann Lutz
Mayor

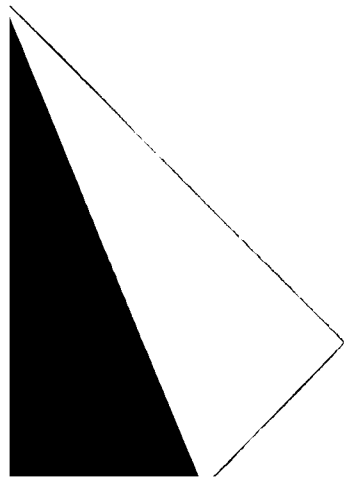
William Marino

ATTEST:

Alice D. Atkins, CMC
City Clerk

APPROVED AS TO FORM:

Craig A. Steele
City Attorney





CITY COUNCIL AGENDA REPORT



DEPARTMENT: Human Resources & Risk Management

MEETING DATE: September 20, 2011

PREPARED BY: Danielle Tellez, Human Resources Division Manager

AGENDA LOCATION: CC-4

TITLE: Denial of Liability Claim filed by Aurora Chaidez

OBJECTIVE: To provide the basis for the City Council to take action related to this liability claim filed against the City.

BACKGROUND: Ms. Chaidez alleges that on June 6, 2011, while parked near the 400 block of East Olive Avenue, her vehicle was wrongfully towed and impounded by the Police Department. As a result, she incurred impound storage fees for the release of her vehicle. Additionally, Ms. Chaidez claims that various personal items were missing from her vehicle.

ANALYSIS: The Monrovia Police Department responded to a call for service on June 6, 2011, near the 400 block of East Olive Avenue. During investigation of the complaint, Officers acted in accordance with Monrovia Police Department policy and ordered the vehicle be towed to a vehicle storage facility. The officers conducted an inventory check of the vehicle and documented all items contained in the vehicle. Storage of the vehicle was done in accordance with Monrovia Police Department policy and the California Vehicle Code.

ENVIRONMENTAL IMPACT: There is no environmental impact associated with this report.

FISCAL IMPACT: Claimant is seeking \$2,720.00 in damages.

OPTIONS: The City Council has the following options to consider:

1. Deny the claim
2. Settle the claim based on alleged costs of \$2,720.00.

RECOMMENDATION: Staff recommends that the City Council deny this claim.

COUNCIL ACTION REQUIRED: If the City Council concurs, the appropriate action would be a motion to deny the claim filed by Aurora Chaidez against the City of Monrovia.

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