

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Hugh R. Riley, Assistant City Manager/Community Services Director
Prepared by: Teri Davis, Senior Management Analyst

DATE: June 29, 2011 (CC Meeting of 7/6/11)

SUBJECT: Consider Amending Agreement Between City of Moorpark (City) and West Coast Arborists, Inc. to Include Banner Installation Services and Consider Resolution Amending the Fiscal Year 2011/12 Budget

BACKGROUND & DISCUSSION

The City Council, on November 17, 2010, authorized the City Manager to sign the Agreement with the American Legion Post 502 (Post 502) to install, maintain, and remove banners associated with Post 502's Moorpark Military Banner Program (Program). The City Council also authorized City sponsorship of the Program to include City funding for the installation of the banners. West Coast Arborists, Inc. (West Coast) is currently retained by the City to provide tree maintenance services and has the ability to provide banner installation services. The City is being asked to amend the existing West Coast agreement to include banner installation services for an initial amount not to exceed \$4,000 (Attachment A) to install a maximum of 55 banners as specified in the Agreement Between the City and Post 502.

The City Council is also being asked to adopt a resolution (Attachment B), amending FY 2011/12 budget to formally appropriate \$4,000 from the General Fund (1000). If necessary, additional funds may be requested of City Council at a later date.

FISCAL IMPACT

The cost to the City for installing banners is \$4,000.

STAFF RECOMMENDATION ROLL CALL VOTE

Approve Amendment to Agreement and adopt Resolution No. 2011-_____.

Attachment: A – Amendment
 B – Resolution

FOURTH AMENDMENT TO THE AGREEMENT
BETWEEN THE CITY OF MOORPARK AND
WEST COAST ARBORISTS, INC.

This Fourth Amendment to Agreement is made and entered as of this _____ day of _____, 2011, between the City of Moorpark, a municipal corporation ("City") and West Coast Arborists, Inc., a corporation ("Contractor").

RECITALS

WHEREAS, on July 31, 2000, the City and Contractor entered into an Agreement pertaining to tree maintenance services; and

WHEREAS, on July 1, 2001, the City and Contractor entered into the First Amendment providing a cost of living increase and a one-year extension, and allowing a provision for additional three (3) one-year extensions with no cost; and

WHEREAS, on June 5, 2002, the City and Contractor agreed to a one-year extension with no cost increase; and

WHEREAS, on June 4, 2003, the City and Contractor agreed to a one-year extension with no cost increase; and

WHEREAS, on July 1, 2004, the City and Contractor entered into the Second Amendment providing a ten (10) year extension, at existing rates, with the Agreement now expiring on June 30, 2014; and

WHEREAS, on July 7, 2008, the City and Contractor entered into the Third Amendment allowing Contractor to store equipment, supplies, and materials at City facilities; and

WHEREAS, the City now desires to increase Scope of Services to include installation of hardware and Veterans banners on Southern California Edison (SCE) street light poles.

NOW, THEREFORE, in consideration of the mutual covenants, benefits and premises herein stated, the parties hereto agree to the following terms:

1. PAYMENT

Compensation for additional services shall be amended to include an additional four thousand dollars (\$4,000) for banner installation work occurring between July 1, 2011 and July 1, 2013.

2. SCOPE OF SERVICES

Scope of Services shall be amended to include the following: Contractor shall install hardware and Veterans banners on SCE light poles at various locations on Spring Road, at various times and in various quantities, as directed by the City. Contractor shall provide, while performing banner installation services, two (2) employees, one (1) lift truck, and traffic control. Contractor shall be responsible for obtaining from City any necessary permits and any applicable permit fee shall be waived by the City. City shall provide Contractor with all hardware and banners to be installed. This banner installation service shall be effective between July 1, 2011 and July 1 2013.

3. REMAINING PROVISIONS

Except as modified by this terms of this Fourth Amendment, all other provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Fourth Amendment to be executed the day and year first above written.

CITY OF MOORPARK

WEST COAST ARBORIST, INC.

Steven Kueny, City Manager

Andy Trotter, Vice President

Date: _____

Date: _____

Attest:

Maureen Benson, City Clerk

RESOLUTION NO. 2011-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, AMENDING THE FISCAL YEAR 2011/12 BUDGET TO APPROPRIATE \$4,000 FROM THE GENERAL FUND FOR INSTALLATION OF MOORPARK MILITARY BANNER PROGRAM BANNERS

WHEREAS, on June 15, 2011, the City Council adopted the Operating and Capital Improvement Budget for Fiscal Year 2011/12; and

WHEREAS, a staff report has been presented to the City council requesting a budget adjustment in the aggregate amount of \$4,000; and

WHEREAS, Exhibit "A" attached hereto and made a part hereof, describe said budget amendment and its resultant impacts to the budget line item(s).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That a Budget amendment in the aggregate increase of \$4,000 as more particularly described in Exhibit "A", is hereby approved.

SECTION 2. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 6th day of July, 2011.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk

Exhibit A: Budget Amendment

EXHIBIT A

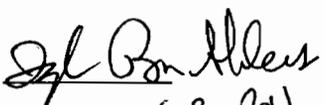
**BUDGET AMENDMENT FOR
GENERAL FUND FOR
AMERICAN LEGION POST 502 - MOORPARK MILITARY BANNER PROGRAM -
BANNER INSTALLATION
FY 2011/12**

FUND BALANCE ALLOCATION:

Fund Title	Fund-Account Number	Amount
General Fund	1000-5500	\$ 4,000.00
Total		\$ 4,000.00

EXPENDITURE APPROPRIATION:

Account Number	Current Budget	Revision	Amended Budget
1000-1100-0000-9102	\$ 6,500.00	\$ 4,000.00	\$ 10,500.00
	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -
Total	\$ 6,500.00	\$ 4,000.00	\$ 10,500.00

Finance Approval: 
6.30.11