

COTTONWOOD HEIGHTS

RESOLUTION NO. 2015-24

A RESOLUTION DECLARING CERTAIN PROPERTY CONSUMED IN NORMAL OPERATIONS AND APPROVING PURCHASE OF A POLICE FIREARM BY A RETIRING POLICE OFFICER

WHEREAS, §2.150.060 of the COTTONWOOD HEIGHTS CODE (the “Code”) establishes the procedures for disposal by the city of Cottonwood Heights (the “City”) of its surplus property; and

WHEREAS, §2.150.060(A) of the Code allows certain property that is consumed in normal operations to be disposed of, or released to ownership by someone other than the City, without a declaration that the property is surplus by the City’s city council (“Council”); and

WHEREAS, under Code §2.150.060(H)(2), the Council may, by resolution following recommendation by the City’s chief of police (“Chief”), allow a retiring City police officer to purchase his sidearm from the City for such consideration as the Council may deem appropriate; and

WHEREAS, §2.150.060H(3) of the Code provides that conveyances of equipment under Code § 2.150.060(H) may occur without compliance with the surplus and sale procedures applicable to other types of City property; and

WHEREAS, City police officer Nicolas Garcia (“Officer Garcia”) is retiring from the City police department and desires to obtain his City police department issued bullet proof vest (“Vest”) and Glock 23 sidearm (serial no. MBV052) (“Firearm”); and

WHEREAS, the Chief has recommended that (a) the Vest should be considered property that has been consumed in normal operations, and (b) the Council should allow Officer Garcia to purchase the Firearm from the City for \$75.00; and

WHEREAS, the Council met on 12 May 2015 to consider, among other things, allowing Officer Garcia to retain the Vest upon his retirement and to purchase the Firearm from the City for \$75.00; and

WHEREAS, the Council has determined the Vest was consumed in normal operations and that \$75.00 is appropriate consideration for the Firearm; and

WHEREAS, after reviewing the Chief’s recommendation and careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to (a) declare that the Vest is property consumed in normal operations for purposes of Code §2.150.060(A); (b) allow Officer Garcia to retain the Vest upon his retirement; and (c) approve Officer Garcia’s purchase of the Firearm for \$75.00 in accordance with Code §2.150.060(H)(2);

NOW THEREFORE, BE IT RESOLVED by the Cottonwood Heights city council as follows:

1. The Vest is hereby declared to be property consumed in normal operations that is no longer needed by the City and Officer Garcia may retain the Vest upon his retirement; and
2. Officer Garcia's purchase of the Firearm from the City for \$75.00 is hereby approved.

This Resolution, assigned no. 2015-24, shall take effect immediately upon passage.

PASSED AND APPROVED effective 12 May 2015.

COTTONWOOD HEIGHTS CITY COUNCIL



By

Kelvin H. Cullimore, Jr.

Kelvyn H. Cullimore, Jr., Mayor

ATTEST:

Kory Solario

Kory Solario, Recorder

VOTING:

Kelvyn H. Cullimore, Jr.	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael L. Shelton	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
J. Scott Bracken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael J. Peterson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Tee W. Tyler	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

DEPOSITED in the office of the City Recorder this 12th day of May 2015.

RECORDED this 12 day of May 2015.