

COTTONWOOD HEIGHTS

RESOLUTION NO. 2016-66

A RESOLUTION DECLARING POLICE K-9 "GINO" SURPLUS AND AUTHORIZING SALE TO SGT. MICHAEL ALCIVAR

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

WHEREAS, the City's police department (the "CHPD") recently determined to retire police K-9 "Gino" ("*Gino*") from active service with the CHPD, and has informed the City's finance director of the surplus nature of Gino; and

WHEREAS, consequently, the finance director has informed the City's city council (the "Council") that Gino is surplus property of the City as required by Code §2.150.060(C); and

WHEREAS, the chief of the CHPD has informed the Council that Michael Alcivar, a CHPD officer who has worked with Gino in CHPD-related activities, desires to purchase Gino for nominal value and, in connection therewith, to covenant to provide good care for Gino for the balance of his natural life and to indemnify the City and its related parties from any claims, actions, proceedings, etc. arising from or related to Gino or his actions after the date of the conveyance, as provided in Code §2.150.060(H)(1); and

WHEREAS, the Council met on 9 August 2016 to consider, among other things, (a) declaring Gino surplus; and (b) approving the City's entry into an agreement (the "*Agreement*") whereby the City would sell Gino to Mr. Alcivar for \$10.00, conditioned on, *inter alia*, Mr. Alcivar's covenant to provide good care to Gino for the balance of his natural life and to indemnify the City and its related parties from any claims, actions, proceedings, etc. related to or arising from Gino or his actions after the effective date of the Agreement; and

WHEREAS, after 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 Gino surplus; and (b) approve the City's entry into the Agreement, a copy of which is annexed hereto;

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


1. Police K-9 Gino is hereby declared to be surplus and no longer needed by the City; and
2. Gino is hereby declared to be of nominal value; and

3. The City's entry into the Agreement is hereby approved, and the City's mayor and recorder are hereby authorized to execute and deliver the Agreement, following such modifications to the Agreement as the mayor, in consultation with the City's manager and attorney, may deem to be reasonable and in the City's best interest.

This Resolution, assigned no. 2016-66, shall take effect immediately upon passage.

PASSED AND APPROVED effective 9 August 2016.

COTTONWOOD HEIGHTS CITY COUNCIL

By 
Kelvyn H. Cullimore, Jr., Mayor

ATTEST:


Paula Melgar, 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 9th day of August 2016.

RECORDED this 9 day of August 2016.