

Resolution No. 2013-18

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A RESOLUTION of the City Council of the City of Lakewood, Washington, authorizing the conversion to, and sale of Lakewood Police Canine Astor as surplus property of the City of Lakewood.

WHEREAS, Canine Police Service Dog Astor has acted for a reasonable period of time in the capacity of a Police Service Dog; and

WHEREAS, the City of Lakewood Canine Police Service Dog Astor is no longer serviceable as a Police Service Dog; and

WHEREAS, James Syler, who has been the Lakewood Officer assigned as Canine Handler for Police Service Dog Astor since the City purchased Astor to the present, has expressed the desire to acquire sole and exclusive ownership of Astor; and

WHEREAS, there is an understanding between Officer James Syler and the City of Lakewood that at the conclusion of Astor's usefulness as a Police Service Dog the City will sell Astor to its Canine Handling Officer James Syler and his or her family for the sum of one dollar and no/100 (\$1.00).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON HEREBY RESOLVES as follows:

Section 1. The City of Lakewood has determined Canine Astor has reached the end of a reasonable service period and therefore determined that the property status of said canine should be converted to surplus and should be sold in a manner that is consistent with the understanding between the City and Canine Handlers to Lakewood Police Officer James Syler for the amount of one dollar and no/100 (\$1.00) upon execution of the sale and waiver agreement as described in Exhibit A attached hereto and incorporated herein by this reference.

Section 2. The City Manager or designee is authorized to implement such administrative procedures as may be necessary to carry out the directives of this legislation.

Section 3. This Resolution shall be in full force and effect upon passage and signatures hereon.

PASSED by the City Council this 16 day of September, 2013.

Don Anderson, Mayor

Attest:

Alice M. Bush, MMC, City Clerk

Approved as to form:

Heidi A. Wachter City Attorney

EXHIBIT A

AGREEMENT BETWEEN THE CITY OF LAKEWOOD AND LAKEWOOD POLICE OFFICER JAMES SYLER FOR SALE OF SURPLUS PROPERTY

THIS AGREEMENT is made and entered into this ____ day of _____, 2013, by and between the City of Lakewood and James Syler, as follows:

James Syler shall pay to the City of Lakewood one dollar and no/100 (\$1.00) for and in consideration of the agreement of the parties for ownership of the Police Service Dog named Astor.

The City of Lakewood shall, upon receipt of said one dollar and no/100 (\$1.00) convey to all and transfer full ownership of Police Service Dog Astor to James Syler.

James Syler understands that he is receiving full ownership of this Police Service Dog, that the City of Lakewood is relinquishing all claims to this Police Service Dog, and that from the time of execution of this agreement forward, James Syler assumes total responsibility for the care, maintenance and action of this Police Service Dog.

James Syler further acknowledges that he has been the handler for this Police Service Dog and therefore has special knowledge regarding the level of Police Service training and behavioral attributes of this canine.

James Syler, for and in consideration of being sold the above named Police Service Dog by the City of Lakewood, with the City of Lakewood relinquishing all claims to this Police Service Dog for himself, his heirs, successors and assigns, does agree to defend, indemnify and hold the City of Lakewood harmless from and against any and all claims, injuries, damages, losses or suits of any nature whatsoever, including but not limited to attorney's fees arising out of or in any connection with his use of this Police Service Dog for the duration of the canine's life.

The City of Lakewood agrees to defend, indemnify and hold James Syler harmless from and against any and all claims, injuries, damages, losses or suits of any nature whatsoever, including but not limited to attorney's fees resulting solely from service provided by Police Service Dog Astor as a working Police Service Dog for the City of Lakewood.

By signing this agreement, James Syler acknowledges that Police Service Dog Astor is hereby retired and is not to be released back into police service.

Bret Farrar, Chief of Police

Date

Attest:

Alice M. Bush, MMC, City Clerk

Approved as to form:

Heidi Ann Wachter, City Attorney

James Syler, Purchaser

Date

Approved by:

John Caulfield, City Manager