

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
NOVEMBER 3, 2020 AGENDA

Subject:	Type:	Submitted By:
TRANSFER OF OWNERSHIP – POLICE DOG	◆ RESOLUTION ORDINANCE RECEIVE/FILE	BOB LAUSTEN POLICE CHIEF

SYNOPSIS

A resolution has been prepared to authorize the mayor to retire police K-9 “Tar” from the La Vista Police Department and entrust K-9 “Tar” to the care and ownership of Police Officer Mike Loyd.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval.

BACKGROUND

Police canine “Tar” has reached that time in his life where he will sit back and enjoy retirement. Tar has been an active and productive member of the police department since his deployment in February 2011. Before Tar can officially retire, we must release him from our custody. His handler, Mike Loyd, has agreed to take ownership of Tar. He will become a house dog enjoying his dog food and chew toys. Loyd has taken good care of Tar and will continue to do so. Tar has earned his retirement.

Over Tar’s 9 years of service, he has participated in over 800 K-9 deployments and public demonstrations. Tar has assisted other agencies as well as LVPD in over \$120,000 in cash seizures, several pounds of marijuana, methamphetamines, cocaine, heroin and his fair share of drug paraphernalia. In addition, Tar has assisted in over a 100 plus arrests for narcotic violations, patrol calls, as well as 9 apprehensions as a result of patrol related calls.

A *Transfer of Ownership Agreement* (Exhibit A) is attached. The document addresses that all future costs regarding K-9 “Tar” will be the responsibility of Officer Mike Loyd as, with this action, we are officially transferring the ownership of “Tar” to him. Officer Mike Loyd also agrees to accept the responsibility for any and all future needs, including medical, of his retired partner “Tar”.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO RETIRE POLICE SERVICE DOG TAR FROM THE LA VISTA POLICE DEPARTMENT AND ENTRUSTING POLICE SERVICE DOG TAR TO THE CARE AND OWNERSHIP OF POLICE OFFICER MIKE LOYD.

WHEREAS, PSD "TAR" has rendered more than nine years of faithful and dedicated service to the City of La Vista; and

WHEREAS, PSD "TAR" is retiring due to his age; and

WHEREAS, his handler, Police Officer Mike Loyd has offered to provide PSD "TAR" a permanent retirement home and assume all of the responsibilities accompanying pet ownership;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, resolves that PSD "TAR" be retired from active service with the La Vista Police Department; and the Mayor is authorized to enter into an agreement transferring care and custody of PSD "TAR" to Police Officer Mike Loyd. A copy of the agreement is attached hereto as Exhibit A and incorporated by this reference.

PASSED AND APPROVED THIS 3RD DAY OF NOVEMBER, 2020.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

TRANSFER OF OWNERSHIP AGREEMENT

This is an Agreement by and between the City of La Vista (hereinafter the "City"), and Officer Mike Loyd. The parties are desirous of working out mutually agreeable arrangements for the retirement of one of the City's canine dogs, Tar, to Officer Mike Loyd.

1. The parties hereby agree that, effective after the City Council approves this Agreement that on November 3, 2020, Tar will be retired from service for the City.

2. As a result of the retirement, the City agrees to transfer ownership of Tar to Officer Mike Loyd at no cost. Officer Loyd understands and agrees that the City offers no warranty as to the current or future condition or health of Tar; Officer Loyd agrees to accept ownership of Tar "as is" and that he is taking full responsibility for any and all costs associated with the care and maintenance of Tar. This transfer means that all ownership and rights after November 3, 2020 belong to Officer Loyd.

3. Officer Loyd agrees that he will not put Tar into service as a canine drug/patrol dog for any entity at any time in the future, including actual use in narcotics searches, detection or patrol functions, as well as for any training associated with narcotics searches, detection or patrol functions. Officer Loyd agrees not to sell Tar for profit, loan Tar out, or give him away, if the purpose of such transfer is for the purpose of Tar engaging in narcotics detection, searches or patrol functions.

4. Officer Loyd agrees that Tar's certification for conducting narcotics detection, searches or patrol functions will expire upon Tar's retirement from service with the City on November 3, 2020. Officer Loyd agrees that he will not attempt to re-certify Tar for narcotics detection, searches and patrol functions, and will not offer Tar's services to any private or public entity, or personally use Tar for narcotics detection or patrol functions.

5. Officer Loyd agrees to return any and all Departmental property issued for use with canine drug/patrol dogs, at the direction of the Chief of Police.

6. Officer Loyd agrees to hold the City of La Vista harmless and also agrees to file no claim of any kind, including but not limited to, a grievance, lawsuit, Fair Labor Standards Act action (state or federal), or any other claim or suit arising out of Tar's service to the City, Tar's retirement as a canine drug/patrol dog from the City, or Officer Loyd's claim for salary or benefits for prior maintenance and care of Tar.

7. Officer Loyd agrees not to retrain Tar for other police-related services (i.e., patrol, search, etc.) for the purposes of financial gain.

8. This document is the full and complete agreement between the parties regarding this matter. The parties' signatures below constitute consent to the Agreement and transfer of ownership of Tar to Officer Loyd.

CITY OF LA VISTA

POLICE OFFICER MIKE LOYD

Douglas Kindig, Mayor

Mike Loyd

ATTEST:

Pamela A. Buethe, CMC
City Clerk