

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MAY 17, 2022 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 K9 “Vinny” from the La Vista Police Department and entrust K9 “Vinny” to the care and ownership of Police Officer Mike Loyd.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval.

BACKGROUND

Mike Loyd has requested to take ownership of police canine “Vinny”. He will become a house dog. Mike Loyd has taken care of Vinny and will continue to do so.

A *Transfer of Ownership Agreement* (Exhibit A) is attached. The document addresses that all future costs regarding K-9 “Vinny” will be the responsibility of Mike Loyd as, with this action, we are officially transferring the ownership of “Vinny” to Mike Loyd who also agrees to accept the responsibility for all future needs, including medical, of “Vinny”. As part of the *Transfer of Ownership Agreement*, Mike Loyd will make arrangements for a private donor to purchase a replacement K-9 for the amount of \$10,000.

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 VINNY FROM THE LA VISTA POLICE DEPARTMENT AND ENTRUSTING POLICE SERVICE DOG VINNY TO THE CARE AND OWNERSHIP OF MIKE LOYD.

WHEREAS, PSD "VINNY" has rendered faithful and dedicated service to the City of La Vista; and

WHEREAS, PSD "VINNY" is retiring; and

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

WHEREAS, Mike Loyd has made arrangements for a private donor to purchase a replacement K9 in the amount of \$10,000.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, resolves that PSD "VINNY" 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 "VINNY" to Mike Loyd. A copy of the agreement is attached hereto as Exhibit A and incorporated by this reference.

PASSED AND APPROVED THIS 17TH DAY OF MAY 2022.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Patricia Anderson
Deputy City Clerk

EXHIBIT A

**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, VINNY, to Officer Mike Loyd.

1. The parties hereby agree that, effective after the City Council approves this Agreement that on May 17, 2022, VINNY will be retired from service for the City.

2. As a result of the retirement, the City agrees to transfer ownership of VINNY 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 VINNY; Officer Loyd agrees to accept ownership of VINNY "as is" and that he is taking full responsibility for any and all costs associated with the care and maintenance of VINNY. This transfer means that all ownership and rights after May 17, 2022 belong to Officer Loyd.

3. Officer Loyd agrees that he will not put VINNY 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 VINNY for profit, loan VINNY out, or give him away, if the purpose of such transfer is for the purpose of VINNY engaging in narcotics detection, searches or patrol functions.

4. Officer Loyd agrees that VINNY's certification for conducting narcotics detection, searches or patrol functions will expire upon VINNY's retirement from service with the City on May 17, 2022. Officer Loyd agrees that he will not attempt to re-certify VINNY for narcotics detection, searches and patrol functions, and will not offer VINNY's services to any private or public entity, or personally use VINNY 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 VINNY's service to the City, VINNY'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 VINNY.

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

8. Officer Loyd agrees to provide funding for a replacement canine in the amount of \$10,000 by May 31, 2022.

9. 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 VINNY to Officer Loyd.

CITY OF LA VISTA

POLICE OFFICER MIKE LOYD

Douglas Kindig, Mayor

Mike Loyd

ATTEST:

Pamela A. Buethe, MMC
City Clerk