

ITEM B

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
SEPTEMBER 17, 2013 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 service dog (PSD) "Leda" from the La Vista Police Department and entrust PSD "Leda" to the care and ownership of Police Officer John Danderand.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval.

BACKGROUND

Police canine "Leda" has reached that time in her life where she will sit back and enjoy retirement. "Leda" has been an active and productive member of the police department since her deployment on March 1, 2006. Before "Leda" can officially retire, we must release her from our custody. Her handler, John Danderand, has agreed to take ownership of her. She will become a house dog enjoying her dog food and chew toys. John has taken good care of Leda and will continue to do so. "Leda" has earned her retirement.

Over her nearly seven and 1/2 years of service, "Leda" has participated in over 1200 K-9 deployments and public demonstrations, seized nearly \$64,440.00 in cash; several pounds of marijuana, methamphetamine, heroin, and cocaine and enough drug paraphernalia to fill a trash can. In addition, Leda has assisted in 164 arrests, 113 of which were drug related. We will miss having her around.

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

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 "LEDA" FROM THE LA VISTA POLICE DEPARTMENT AND ENTRUSTING POLICE SERVICE DOG (PSD) "LEDA" TO THE CARE AND OWNERSHIP OF POLICE OFFICER JOHN DANDERAND

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

WHEREAS, PSD "Leda" is retiring due to her age; and

WHEREAS, her handler, Police Officer John Danderand has offered to provide PSD "Leda" 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 "Leda" 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 "Leda" to Police Officer John Danderand. A copy of the agreement is attached hereto as Exhibit A and incorporated by this reference.

PASSED AND APPROVED THIS 17TH DAY OF SEPTEMBER, 2013.

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 John Danderand. The parties are desirous of working out mutually agreeable arrangements for the retirement of one of the City's canine dogs, Leda, to Officer John Danderand.

1. The parties hereby agree that, effective after the City Council approves this Agreement that on September 17, 2013, Leda will be retired from service for the City.
2. As a result of the retirement, the City agrees to transfer ownership of Leda to Officer John Danderand at no cost. Officer Danderand understands and agrees that the City offers no warranty as to the current or future condition or health of Leda; Officer Danderand agrees to accept ownership of Leda "as is" and that he is taking full responsibility for any and all costs associated with the care and maintenance of Leda. This transfer means that all ownership and rights after September 17, 2013 belong to Officer Danderand.
3. Officer Danderand agrees that he will not put Leda 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 Danderand agrees not to sell Leda for profit, loan Leda out, or give him away, if the purpose of such transfer is for the purpose of Leda engaging in narcotics detection, searches or patrol functions.
4. Officer Danderand agrees that Leda's certification for conducting narcotics detection, searches or patrol functions will expire upon Leda's retirement from service with the City on September 17, 2013. Officer Danderand agrees that he will not attempt to re-certify Leda for narcotics detection, searches and patrol functions, and will not offer Leda's services to any private or public entity, or personally use Leda for narcotics detection or patrol functions.
5. Officer Danderand 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 Danderand 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 Leda's service to the City, Leda's retirement as a canine drug/patrol dog from the City, or Officer Danderand's claim for salary or benefits for prior maintenance and care of Leda.
7. Officer Danderand agrees not to retrain Leda 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 Leda to Officer Danderand.

CITY OF LA VISTA

POLICE OFFICER JOHN DANDERAND

Douglas Kindig, Mayor

John Danderand

ATTEST:

Pamela A. Buethe, CMC
City Clerk