

CITY COUNCIL AGENDA: AUGUST 6, 2013

SUBJECT: RETIREMENT OF POLICE SERVICE DOG "DIAGO"

SOURCE: Police Department

COMMENT: Police Canine Diago was born on October 23, 2004. He was placed into service with the Porterville Police Department in August of 2006. In September of 2012 Diago was diagnosed with liver disease and was permanently placed on a special diet and prescription medication in an effort to help alleviate the issue. Since this time, Diago's health has continued to suffer and he has displayed symptoms that his condition is worsening. These symptoms include his becoming fatigued easily, falling during training, and an overall lack of energy and drive. In addition to these symptoms, Diago has lost approximately ten pounds since September 2012.

On July 8, 2013, Diago was re-evaluated by the treating veterinarian, Dr. Charles Albers. After examining Diago, Dr. Albers has concluded that Diago's health condition will not improve due to the ongoing liver disease and it is his recommendation that Diago be retired from police work.

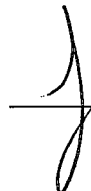
Diago is being retired from service with the Porterville Police Department and his former handler, Sergeant Chris Contreras, has requested to purchase the dog at the fair market value. Due to his deteriorating health and because he will no longer be able to act in the capacity of a police service dog, the fair market value of "Diago" is one dollar (\$1.00).

RECOMMENDATION: That the City Council:

- 1) Approve the sale of "Diago" to Chris Contreras for one dollar (\$1.00); and
- 2) Authorize the Mayor to execute the agreement and document to sell "Diago" to Chris Contreras.

D.D. 

C.M. 

Appropriated/Funded 

Item No. 22

AGREEMENT TO PURCHASE CITY PROPERTY

This agreement to Purchase City Property (hereinafter referred to as "AGREEMENT") is made and entered into by and between Chris Contreras (hereinafter referred to as "CONTRERAS") and the CITY OF PORTERVILE (hereinafter referred to as "CITY") and the Porterville Police Department (hereinafter referred to as "PPD") and (hereinafter collectively referred to as "PARTIES").

RECITALS

WHEREAS, CONTRERAS is currently a Police Sergeant with the PPD.

WHEREAS, CONTRERAS is the former handler of "Diago," a nine-year-old Belgian Malinois.

WHEREAS, CONTRERAS has offered to purchase "Diago" from the CITY and the PPD at the time "Diago" ceases to work as a police service dog for the CITY.

WHEREAS, CONTRERAS understands that "Diago" is a trained police dog and assumes any liability arising out of, connected with, or resulting from the actions of "Diago" from and after the date of this agreement.

WHEREAS, the PARTIES desire to enter into this AGREEMENT.

NOW, THEREFORE, in consideration of the mutual promises herein contained, the PARTIES hereby agree as follows:

1. CONTRERAS shall purchase "Diago" from the CITY for the sum of one dollar (\$1.00) and ownership shall pass to CONTRERAS as of the DATE OF THIS AGREEMENT.
2. CONTRERAS shall assume all risk of loss and expenses related to the care and maintenance of "Diago" as of the DATE OF THIS AGREEMENT.
3. CONTRERAS shall assume all liability arising out of, connected with, or resulting from the actions of "Diago" as of the DATE OF THIS AGREEMENT.

Executed at Porterville, California, this ____ day of August, 2013.

Chris Contreras, POLICE SERGEANT

Virginia Gurrola, MAYOR