

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION/AGENDA SUMMARY

DEPT: Sheriff's Department

*Ran J*

BOARD AGENDA # \*B-7

Urgent

Routine

*DK*

AGENDA DATE October 5, 2010

CEO Concurs with Recommendation YES  NO

(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval of the Agreement for the Sheriff to Retire One Canine from the Sheriff's Department Canine Unit

STAFF RECOMMENDATIONS:

Authorize the Sheriff to retire one canine from the Sheriff's Department service and enter into a Canine Retirement Contract with the canine's current handler.

FISCAL IMPACT:

The retiring canine, Axel, will be sold for \$1.00 to the current handler, Deputy Sheriff Bryan Albers. Due to injuries suffered by Axel, it was determined that another canine should be purchased as a replacement and appropriations were included in the Fiscal Year 2009-2010 budget for the purchase. Canine Cowboy was purchased from Adlerhorst International, in June 2010 for \$10,440. Canine Axel's last day of service for the Sheriff's Department was July 31, 2010. There is no additional impact to the General Fund associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2010-629

On motion of Supervisor O'Brien and approved by the following vote, Seconded by Supervisor Monteith

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Grover

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1)  Approved as recommended

2)  Denied

3)  Approved as amended

4)  Other:

MOTION: THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR AND PLACED ON NON-CONSENT FOR DISCUSSION AND CONSIDERATION

*Christine Ferraro*

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval of the Agreement for the Sheriff to Retire One Canine from the Sheriff's Department  
Canine Unit

**DISCUSSION:**

It has been the Department's practice to retire canines to their handlers when they reach an age or condition where they can no longer be of service. There is a need to retire one of the Sheriff's Department current canines. Canine Axel is an eight-year-old male German Shepherd breed that began service with the Sheriff's Department in November 2006. Axel is medically unable to continue in service to the Sheriff's Department due to spondylosis, a degenerative osteoarthritis in his lower back that affects his ability to perform his job duties.

The Sheriff's Department desires to retire canine Axel from law enforcement service and enter into a retirement contract with his current handler, Deputy Sheriff Bryan Albers so the dog may live out his remaining years with the handler who has and will now continue to care for him. This item is being submitted to the Board of Supervisors to approve the contract necessary to implement this action.

**POLICY ISSUES:**

Approval of this action supports the Board of Supervisors' priorities of A Safe Community and Effective Partnerships.

**STAFFING IMPACT:**

There is no staffing impact associated with this item.

**CONTACT INFORMATION:**

Lieutenant Mick Hardenbrook, Operations Division, (209) 525-7062.

## CANINE RETIREMENT CONTRACT

This AGREEMENT, made and entered into in the County of Stanislaus, State of California, this \_\_\_\_ day of September 2010, by and between the County of Stanislaus, hereinafter referred to as "COUNTY", and Bryan Albers, hereinafter referred to as "OWNER".

This AGREEMENT is made with regard to the following recitals which are part of this agreement:


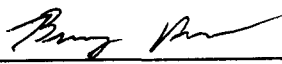
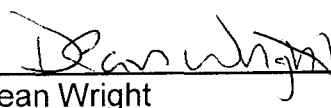
- A. OWNER wishes to assume ownership and take possession of that certain canine named Axel who is being retired from law enforcement service, described as a Male German Shepherd breed.
- B. OWNER wishes to continue and maintain custody of the above-referenced dog, and COUNTY wishes to divest itself of both ownership and all liability for any and all damages caused by the subject dog.
- C. COUNTY does hereby agree to relinquish all of it's or the rights, title and ownership interest in said dog whatsoever, effective upon OWNER's execution and return of this document and payment of the sum of \$1.00 to the COUNTY.

NOW, THEREFORE, in consideration of this AGREEMENT, the parties hereto agree as follows:

- 1. OWNER does assume ownership of the canine named Axel, and any and all risks arising from actions of said dog, including, but not limited to, risk of injury or death to third persons, and to hold COUNTY harmless from any and all liability, claims, administrative proceedings or other responsibility whatsoever arising from any injuries or damages that may occur on or after the date

is hereby fixed by agreement by and among the parties hereto as being  
~~September~~ <sup>October</sup> 5, 2010.

2. COUNTY further agrees to continue to be responsible for all liability for risks and dangers relating to the ownership of the subject canine before the aforementioned date, and to indemnify and hold OWNER harmless in the event that any legal or administrative action, whether by claim, demand or otherwise, is made by any person or entity as a consequence of or arising out of any event, act or disturbance involving the subject police dog before the date ownership is transferred from COUNTY to OWNER.
  
3. OWNER acknowledges that he has read the foregoing AGREEMENT and understands each of its provisions, and agrees to all terms.

<b>STANISLAUS COUNTY</b> Department of SHERIFF  By:  Adam Christianson Sheriff-Coroner	<b>NEW OWNER</b>  By:  Bryan Albers Deputy Sheriff-Coroner
APPROVED AS TO FORM: John P. Doering County Counsel  By:  Dean Wright Deputy County Counsel	