



# City of Rialto

## Legislation Text

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**File #:** 21-0640, **Version:** 1

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For City Council Meeting [September 28, 2021]

TO: Honorable Mayor and City Council

APPROVAL: Marcus Fuller, City Manager

FROM: Mark P. Kling, Chief of Police

Request City Council to Approve the Sale of a Police Service Dog for the Amount of \$1.00.

### **BACKGROUND**

Police service dog "Boda" has been in active service since March of 2017. Boda is a 6-year-old Belgian Malinois and has reached the normal age of retirement from police service. Boda has also recently experienced medical issues that have complicated her law enforcement career. Boda has reached the end of an honorable police service career and her handler, Corporal Jarrod Zirkle, has been promoted and reassigned to Patrol.

Boda was first assigned to Corporal Zirkle in March of 2017. The normal duties and responsibilities of our canine officers require the officer to keep their police service dogs at their residence during off-duty time. Police service dogs are fed, groomed, and maintained at the handler's residence, which is an important part of the required functions of our canine team. As a result, a strong bond between the handler and police service dog develops. Corporal Zirkle has expressed his desire to purchase Boda from the department. Corporal Zirkle has agreed to provide a comfortable, humane and caring environment for the remainder of Boda's life. Corporal Zirkle has agreed to purchase Boda for the amount of one dollar (\$1.00) and sign a "Release of Police Service Dog" agreement authored by the City Attorney's Office. The sale of police service dogs to their handler is common and the department's past practice.

Pursuant to Municipal Code Section 2.48.400, surplus property which is considered "inoperative" may be disposed of as deemed appropriate by the City. Here, Boda has reached the end of an honorable police service career and is no longer able to serve the City. Given the history and bond between Boda and Corporal Zirkle, staff believes it is appropriate for Corporal Zirkle to purchase Boda.

### **ANALYSIS/DISCUSSION**

Staff recommends City Council approve the sale of the police service dog to the handler, who has worked alongside and bonded with the animal since 2017. Boda has been honorably retired after 4 years of service.

### **ENVIRONMENTAL IMPACT**

The proposed action does not meet the definition of a project as defined by Section 15378 California Environmental Quality Act (CEQA). A "Project" means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable

indirect physical change in the environment, and excludes the following:

- 1) Continuing administrative or maintenance activities, such as purchases for supplies, personnel -related actions, general policy and procedure making.
- 2) Organization or administrative activities of governments that will not result in direct or indirect physical changes in environment.

### **GENERAL PLAN CONSISTENCY**

The City of Rialto has outlined key goals and objectives relating to public safety.

Goal 5-8: Provide effective and comprehensive policing services that meet the safety needs of Rialto.

### **LEGAL REVIEW**

The City Attorney has reviewed and supports the legal contract for the sale of the police dog and this staff report.

### **FINANCIAL IMPACT**

#### **Operating Budget Impact**

Funding in the amount of \$1.00 from the sale of the police service dog Boda will be posted to Field Services Revenue Account No. 010-400-6281-7799.

#### **Capital Improvement Budget Impact**

The report does not impact the Capital Improvement Budget.

#### **Licensing**

This action does not trigger a requirement for a business license.

### **RECOMMENDATION**

Staff recommends that the City Council authorize the Rialto Police Department to sell the police service dog Boda to her handler, Corporal Jarrod Zirkle for the amount of \$1.00.