RESOLUTION
FOR DONATION OF ANIMAL CONTROL TRUCK FROM
CLARK COUNTY DEPARTMENT OF FINANCE, AUTOMOTIVE SERVICES DIVISION,
TO THE CITY OF ELY, NEVADA,
ANIMAL CONTROL DIVISION

WHEREAS, NRS Chapter 244.1505 authorizes the Board of County Commissioners to donate commodities, supplies, materials and equipment the Board determines to have reached the end of its useful life to another governmental entity to be used for any purpose which shall provide a substantial benefit to the inhabitants of the County; and

WHEREAS, Clark County Department of Finance, Automotive Services Division, has identified one 2008 Ford F350 Animal Control Truck as Clark County Finance Department surplus property; and

WHEREAS, the City of Ely, Nevada, Animal Control Division, expressed an interest in obtaining the 2008 Ford F350 Animal Control Truck for incorporation into its existing fleet transportation as part of its Animal Control Program in providing animal care and control services in Ely and White Pine County; and

WHEREAS, the Board of County Commissioners hereby determines that the 2008 Ford F350 Animal Control Truck has reached the end of its useful life; and

WHEREAS, the Board of County Commissioners hereby determines that this donation of vehicle, for the purpose of providing animal care and control services, shall be of substantial benefit to the inhabitants of Ely, Clark County, and the surrounding area. The City of Ely is located in the State of Nevada's only National Heritage Area which is designed to provide enhanced recreational and educational opportunities to the citizens in the surrounding area, including Clark County. Donation of this vehicle will improve Ely's ability to maintain a clean, well-run destination area for thousands of Clark County visitors each year, who are attracted to Ely's many fishing tournaments, open road races, elk and deer hunting, golf tournaments, and other events in addition to being
a substantial stopping point for northern “snowbirds” during their round trips to warm southern Nevada to their permanent homes in the north.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners as follows:

1. The 2008 Ford F350 Animal Control Truck with vehicle number 14314 as identified by Clark County Department of Finance, Automotive Division, shall be donated to the City of Ely, Nevada, Animal Control Division, for the purpose of providing continuous, 24-hour, animal care and control services to all unincorporated areas of White Pine County, including pick up services for live, sick, injured and dead stray animals.

2. The donation of the vehicles is conditioned upon the terms of the attached Acceptance of Donation, and the execution thereof by the City of Ely, Nevada.

PASSED, ADOPTED, AND APPROVED this 3rd day of June, 2014.

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

By: STEVE SISOLAK, Chairman

ATTEST:

Diana Alba, County Clerk

APPROVED AS TO FORM

Deputy District Attorney
ACCEPTANCE OF DONATION

The COUNTY OF CLARK (hereinafter referred to as COUNTY) hereby agrees to donate one Department of Finance, Automotive Services Division, 2008 Ford F350 Animal Control Truck to the CITY OF ELY, NEVADA, ANIMAL CONTROL DIVISION, in Ely, (hereinafter referred to as RECEIVER) of 501 Mill Street, Ely, Nevada, 89301.

RECEIVER acknowledges that prior to signing this agreement it has examined, or had the opportunity to examine the 2008 Ford F350 Animal Control Truck with vehicle number 143'4. RECEIVER accepts the donation of one 2008 Ford F350 Animal Control Truck with vehicle number 14314 "AS IS" and acknowledges that the 2008 Ford F350 Animal Control Truck is used. There is no warranty applicable to the 2008 Ford F350 Animal Control Truck whatsoever, and by signing this Acceptance of Donation, RECEIVER waives its right to seek damages of any nature from COUNTY or its employees arising out of the transfer of said goods to RECEIVER.

To the extent limited in accordance with NRS 41.0305 – 41.039, RECEIVER shall indemnify, hold harmless and defend COUNTY, its officers, employees and board members, with counsel reasonably acceptable to COUNTY, against and from any and all liability, damage or expense (including attorneys’ fees) of whatsoever nature growing out of or in connection with this donation. In the event that COUNTY incurs any expenses in this regard, it shall have a right to charge said expenses made in good faith to RECEIVER. An itemized statement of expenses shall be prima facie evidence of the fact and extent of the liability of RECEIVER. RECEIVER shall not institute any action in law or equity against COUNTY, nor in any way and in the institution or prosecution of any action for equitable relief or damages arising out of, in any way, the terms of this Donation.

RECEIVER is responsible for the pick-up and transport of the vehicles from the using department to its point of destination. The vehicles donated by the COUNTY must be picked up and accepted by the RECEIVER within 20 working days after notice of the donation.
RECEIVER agrees to use vehicles solely as part of its transportation fleet equipment to enhance and improve its animal care and control program.

RECEIVER AUTHORIZED REPRESENTATIVE ACKNOWLEDGES THAT BY SIGNING BELOW THAT HE/SHE HAS READ, UNDERSTANDS AND ACCEPTS ALL THE CONDITIONS OF THIS ACCEPTANCE OF DONATION, THIS THE 13 DAY OF May, 2014.

BY: RECEIVER AGENCY

NAME
Animal Control

TITLE
Carrie M. Delosane

WITNESS
Dr. Brian Paulson  
Community Development Coordinator  
Clark County Dept. of Administrative Services  
500 S. Grand Central Parkway  
Post Office Box 551212  
Las Vegas, NV 89155

Dear Sir:

We understand you have a vehicle that we need desperately and is surplus property in your hands. The disposition of surplus property is controlled by Nevada law and we believe that NRS 334.030 suspends all laws related to property when two governmental entities are dealing with surplus property.

In addition, the State of Nevada has only one National Heritage Area. In fact, the City of Ely is the only City in the State that is part of a National Heritage Area. National Heritage Areas are designed to provide enhanced recreational and educational opportunities to the citizens in the surrounding area. By donating your surplus equipment to the City of Ely, you improve the City’s ability to maintain a clean, well run, destination area for the thousands of residents in Clark County who visit our city every year.

Ely hosts many events that are a direct benefit to Clark County, Nevada including fishing tournaments, open road races, off road races, the best Elk and Deer hunting in the West, golf tournaments and other events that attract Clark County citizens to our town.

We offer fine restaurants, a historic railroad train and district that Clark county residents visit and enjoy on a weekly basis. However, our tax base is minuscule compared to Clark County and your donated equipment goes a long way to enabling our community to keep up standards and appearances for thousands of visitors that see us each year. Besides being a major visitor center for rural Nevada we also are a substantial stopping point for “Snowbirds” on their round trips from warm southern Nevada to cold northern homesteads.

Frequent stopping points along the way encourage northern residents to travel through Las Vegas on their way to and from their ultimate destinations.

For these reasons, and many more that cannot be mentioned in this short letter, the donation of an animal control truck would greatly assist Ely in its efforts to maintain a friendly vacation stop for Clark County residents.

Very truly yours,

Richard W. Sears  
Ely City Attorney
Clark County
Surplus Property
Application Form

Submit completed applications to Clark County Automotive Division, 4241 Stephanie Street, Las Vegas, Nevada 89122.

1. APPLICANT

<table>
<thead>
<tr>
<th>NAME</th>
<th>501 Mill St</th>
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<tbody>
<tr>
<td>ADDRESS</td>
<td>Ely, NV 89301</td>
</tr>
<tr>
<td>TELEPHONE NO.</td>
<td>775-384-2430</td>
</tr>
<tr>
<td>E-MAIL ADDRESS</td>
<td><a href="mailto:ouiborri@elycity.com">ouiborri@elycity.com</a></td>
</tr>
<tr>
<td>AGENCY DUNS NUMBER</td>
<td>02097613</td>
</tr>
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2. CONTACT PERSON

<table>
<thead>
<tr>
<th>NAME</th>
<th>Jamie Walker Animal Control Officer</th>
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<tbody>
<tr>
<td>ADDRESS</td>
<td>501 Mill St</td>
</tr>
<tr>
<td>ADDRESS (Work)</td>
<td>Ely, NV 89301</td>
</tr>
<tr>
<td>TELEPHONE NO.</td>
<td>775-296-0567</td>
</tr>
<tr>
<td>E-MAIL ADDRESS</td>
<td><a href="mailto:Animalcontrol@elycity.com">Animalcontrol@elycity.com</a></td>
</tr>
</tbody>
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3. Surplus Property Information

What is the reason for this request and type of surplus property being requested? Explain purpose and/or need for surplus property.

We are in dire need of a new Animal Control Vehicle. Our current vehicle is 25 years old, and only 2 wheel drive. It service all of White Pine County. The majority of which 4x4 would be very useful, especially during winter when we get several snow storms each year. I cover nearly 8900 square miles with only about 10k people. We are very limited in funds so we cannot buy a new, suitable vehicle. I ask that our request be granted to obtain one of your surplus Animal Control Vehicles. If you have any questions, please call or email me anytime.

Thank you for all your help

3. Non-Profit Status

Is your organization a governmental entity or a non-profit 501(c) 3 non-profit entity as registered with the Internal Revenue Service?

X Yes  No  If yes, please provide current proof of status.

For County use: Vehicle Make: 2008 Ford E-350 Animal Control Unit Vehicle No. 141314