



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 6.a

Title:

Recommendation to approve Disposal of Surplus Fire Department Equipment

Presenter:

Fire Chief Joseph Schelstreet

Meeting: Government Services Committee

Date: August 22, 2016

Proposed Cost: \$ N/A

Budgeted Amount: \$

Not Budgeted:

Executive Summary *(if not budgeted please explain):*

The Fire Department requests to classify the following equipment as surplus and authorized for donation to the Big Rock Fire Protection District:

(1) MSA Altair 5X 4-gas Monitor

SIN B9-41480

The equipment exceeds service life indicators, has no trade in value, and the monitor is not supported for maintenance. Additionally, it has a non-functioning sensor. Representatives from the Big Rock Fire Protection District have indicated an interest in the equipment if a donation was possible. They have signed the appropriate waiver and release form and staff supports the donation.

Attachments *(please list):*

*Ordinance for the Disposal of Surplus Fire Department Property * Waiver and Release Form

Recommendation/Suggested Action *(briefly explain):*

Recommendation to approve an Ordinance declaring the listed equipment surplus and authorize the Mayor to execute the Waiver and Release form enabling the donation of the equipment to the Big Rock Fire Protection District.

City of St. Charles, Illinois
Ordinance No. 2016-M

**Ordinance Authorizing the Disposal of Surplus Personal
Property Owned by the City Of St. Charles**

WHEREAS, the City of St. Charles is owner of certain personal property; and

WHEREAS, in the opinion of a simple majority of the Corporate authorities of the City of St. Charles, it is no longer necessary or useful to or for the best interest of the City of St. Charles to retain the personal property; and

WHEREAS, the City of St. Charles deems the personal property as surplus;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS AS FOLLOWS:

SECTION ONE: Pursuant to Illinois Compiled Statutes, 65ILCS 5/11-76-4, the City Council finds that the following personal property now owned by the City of St. Charles is no longer necessary or useful to the City of St. Charles and the best interests of the City of St. Charles will be served by declaring it surplus:

(1) MSA Altair 5X 4-gas Monitor SIN B9-41480

SECTION TWO: Pursuant to said Section 65ILCS 5/11-76-4, the Purchasing Manager be, and he is hereby authorized and directed to dispose of the foregoing described personal property in a manner that is in the best interest of the City of St. Charles.

SECTION THREE: That after the adoption and approval hereof the Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

PRESENTED to the City Council of the City of St. Charles, Illinois, this _____ day of _____ 2016.

PASSED by the City Council of the City of St. Charles, Illinois, this _____ day of _____ 2016

APPROVED by the Mayor of the City of St. Charles, Illinois, this _____ day of _____ 2016.

Ordinance No. _____
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Raymond P. Rogina, Mayor

Attest:

City Clerk

COUNCIL VOTE:

Ayes:

Nays:

Absent:

Abstain:

APPROVED AS TO FORM:

City Attorney
Date: _____

WAIVER, RELEASE OF LIABILITY AND ASSUMPTION OF RISK

In consideration of acceptance of certain donated equipment from The City of St. Charles, namely;

One (1) MSA Altair 4-gas Monitor SIN B9-14180

The Big Rock Fire Protection District, 47W863 East Second Street, Big Rock, Illinois 60511, our successors and assigns, do hereby forever release, waive, discharge and hold harmless the City of St. Charles, the St. Charles Fire Department, and their officers, agents, employees and contractors from any and all claims or liabilities for injuries, disability, death or loss or damage to person or property arising out of the use of said equipment, and hereby waive any and all claims both present and future resulting, resulting from the use of said equipment.

We are aware that the use of the equipment involves the risk of serious injury and death and that the risk is significant and that all hazards associated with the use of said equipment cannot be foreseen.

We understand that this Waiver is intended to be a broad and inclusive as permitted by the laws of the State of Illinois and agree that if a portion is held invalid, the remainder of the Waiver will continue in full force and effect.

We further agree that the venue for any legal proceedings arising out of this Waiver shall be the Circuit Court of Kane County, Illinois.

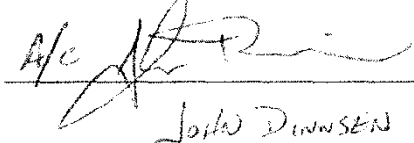
WE HAVE READ THIS WAIVER, RELEASE OF LIABILITY, AND ASSUMPTION OF RISK AGREEMENT AND FULLY UNDERSTAND ITS TERMS AND SIGNIFICANCE AND ACKNOWLEDGE THAT WE ARE GIVING UP SUBSTANTIAL RIGHTS BY SIGNING IT AND HAVE SIGNED IT FREELY AND VOLUNTARILY WITHOUT ANY INDUCEMENT.

CAUTION: READ THIS DOCUMENT CAREFULLY BEFORE SIGNING

The City of St. Charles

By: _____

Big Rock Fire Protection District

By: 
John Dinnstein

Date signed

7/23/16

Date signed