

**RESOLUTION NO. 2019-53**

**RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF SAN JUAN BAUTISTA DECLARING THE 1999 MACK FIRE ENGINE  
SURPLUS AND DONATING TO CHARITY**

**WHEREAS**, the City of San Juan Bautista accepted a donated 1990 MACK Fire Engine from the City of San Jose on April 4, 2011 and used this engine on an emergency back-up basis until the City contracted for fire services with the City of Hollister; and

**WHEREAS**, Consistent with Municipal Code 2-8-110, the City typically relies upon a municipal bidding company to sell its surplus equipment, but fire apparatus is so specialized, no one bids on it, and is deemed to have no value; and

**WHEREAS**, the Department of Transportation has outlawed the use of the cab-over truck design now for several years, and the diesel engine no longer meets the current California air quality regulations, meaning that even if the Engine were ready for duty, it would not be legal to use; and

**WHEREAS**, the Fire Engine has been sitting unused for five to six years, and despite this neglect, it still “runs and pumps,” and

**WHEREAS**, a non-profit organization “4 the World” has stepped forward asking the City to donate this fire engine to their efforts to support the medical services in other countries to improve the quality of life in these communities; and

**WHEREAS**, “4 the World” is a charitable non-profit established in 2004 that focusses on the social determinants of health to improve quality of life, build awareness of prevention techniques, provide training, and provide equipment to rural communities; and

**WHEREAS**, this Fire Engine has no value to those fighting fires in the United States, and by donating it to a charity for use in other countries is not a gift of public funds, and is in the best interest of the community and the City.

**NOW THEREFORE, BE IT RESOLVED**, that the City Council of the City of San Juan Bautista, here by proclaims:

1. The 1990 Mack Westlake Cab-Over Fire Engine is no longer of value to the City of San Juan Bautista.
2. The City does hereby find that donating the Fire Engine to a charity is not a gift of public funds.
3. “4 the World” is registered with the Internal Revenue Services as a legal 501(c) 3, as a charitable organization and has agreed to accept this Fire Engine on behalf of the City, and donate it to a needy community in another country.

4. "4 the World" accepts the Fire Engine in "as is" condition without cause for reservation and agrees to waive any and all cause of damages or liability upon the City after receipt of the Engine.
5. "4 the World" will pay for the transfer of title and all transportation costs to make this donation effective and legal.

**ADOPTED** this 19<sup>th</sup> day of November, 2019 at a regular meeting of the City Council of the City of San Juan Bautista by the following vote:

**AYES: DeVries, Freeman, Jordan, Edge, Flores**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

  
**César E. Flores, Mayor**

**ATTEST:**

  
**Laura Cent, City Clerk**