

RESOLUTION NO. 496
DIRECTING ASSUMPTION OF LIABILITY ON FIRE EQUIPMENT
LOANED CITY BY THE CITY OF SAN DIEGO, CALIF.

WHEREAS, certain fire apparatus of the City of Chula Vista, California requires certain repairs thereto, and for that purpose will be taken out of service and removed to a suitable shop without the limits of said City; and

WHEREAS, the Fire Department of the City of San Diego has proffered to the City of Chula Vista the use of certain equipment without charge, during the time the said repairs are being made and until this said City's equipment is returned to service; and

WHEREAS, the said borrowed equipment while in the service of the City of Chula Vista will be cared for and operated by the Fire Department of the City of Chula Vista and said Department's personnel; and

WHEREAS, the Chief of the Fire Department of the City of San Diego has requested that said Department and said City be held harmless against any and all liability to persons and to property arising from the possession or use of said borrowed equipment during the time the said equipment is held by the City of Chula Vista as bailee, and until said borrowed equipment is returned to the possession of the owner thereof; and

WHEREAS, it is essential that said equipment be so procured, and proper and necessary that the said parties be held harmless as aforesaid during said period;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA:

That the City of Chula Vista, California, do and it does hereby assume any and all liability arising from injury to person or property occasioned by the use or possession of any and all fire apparatus loaned by the City of San Diego to the City of Chula Vista as aforesaid; and said City hereby agrees to hold said City of San Diego and the said Fire Department thereof harmless against any and all such liability that may be incurred during the time said apparatus is in the use or possession of the City of Chula Vista; provided, however

That the City Clerk of the City of Chula Vista be, and he is hereby instructed to confer with the insurance carrier of said City and to make any and all necessary arrangements to the end that this City will be fully covered by insurance on said borrowed equipment in the manner and to the extent that this City hereby agrees to hold the City of San Diego and the Fire Department thereof harmless; that upon the procurement of written assurance that said coverage is effective, the said Clerk shall then and thereupon certify a copy hereof and deliver the same to the Chief of the Fire Department of the City of Chula Vista for delivery to the proper official of the said bailor City together with a certified copy of said written assurance from said insurance carrier.

PASSED, ADOPTED AND APPROVED the 15th day of September 1937 by the following vote, to wit:

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| AYES | COUNCILMEN | Timmons, Brown and Howe. |
| NOES | COUNCILMEN | None. |
| ABSENT | COUNCILMEN | Bryant and Boltz. |

C. V. Brown
(C.V. Brown) Mayor of the City of Chula Vista, California

ATTEST:
R. A. Riggs
(R. A. Riggs)
City Clerk of the City of Chula Vista, California