



STAFF REPORT

Police Department

DATE: May 7, 2024

TO: Honorable Mayor and City Council

FROM: Roy Nakamura, Chief of Police
By: Amber Abeyta, Management Analyst

SUBJECT: ANNUAL MILITARY EQUIPMENT REPORT PER ASSEMBLY BILL NO. 481

CEQA: Not a Project

Recommendation: Approve

SUMMARY

On April 19, 2022, the City Council adopted Ordinance No. 2387 approving a Military Equipment Use Policy ("Policy") pursuant to Assembly Bill 481 ("AB 481"). In accordance with AB 481 and the Policy, an annual report must be submitted to the City Council for any approved military equipment. The report must be submitted within one year of equipment acquisition, and annually thereafter, for as long as the military equipment is available for use. In compliance with AB 481, outlined below is the 2023 Annual Military Equipment Report and attached is the Policy.

It is recommended that the City Council approve the Annual Military Equipment Report per Assembly Bill No. 481.

BACKGROUND

On September 30, 2021, Assembly Bill 481 ("AB 481") required law enforcement agencies to adopt a military equipment use policy ("Policy"), by ordinance, no later than May 1, 2022. The Police Department complied with AB 481 and adopted Ordinance No. 2387, approving the Policy.

AB 481 also requires law enforcement agencies to submit to the City Council an annual military equipment report ("Report") on the use of the equipment, any complaint(s) or concern(s) regarding the use of the equipment, results of any internal audits on the use of the equipment, the annual costs for the equipment, the quantity possessed by the agency and the intent to purchase additional equipment in the following year. In addition, within 30-days of submitting and publicly releasing the Report, a well-publicized community meeting must be held to allow for public comments.

DISCUSSION

To meet the requirements of the Report pursuant to AB 481, a review was conducted of the Police Department's military equipment with the findings reported below:

Military Equipment Use, Amount of Usage, and Annual Cost

Item	Military Equipment Use	Amount of Usage	Annual Cost
Robot	Field deployment	2	\$1,000
40MM Launcher	Training	65	\$2,750 (rounds and maintenance)
Launching Cup	Training	5	\$500 (munitions)
Distraction Device	a) Training b) Field deployment	a) 30 b) 0	\$1,200
Rifles	Training	40	\$500
Chemical Agent/Smoke	Training	15	\$1,500
Explosive Breaching Tools	N/A	0	\$0
Pepperball	Training	25	\$1,000 (round/co2)
Mobile Command Post	Field deployment	15	\$11,000 (maintenance/fuel)
Rescue Vehicle	a) Training b) Field deployment	a) 10 b) 15	\$4,000 (maintenance/fuel)
Kinetic Breaching Tool	a) Training b) Field deployment	a) 10 b) 2	\$2,500
Handgun Ammunition	Training	70,000 rounds	\$65,000
Rifle Ammunition (.223)	Training	15,000 rounds	\$25,000
Rifle Ammunition (.308)	Training	4,000 rounds	\$10,000

No new military equipment acquisitions occurred in the 2023 calendar year, resulting in no alterations in the Policy.

Complaints or Concerns

Staff reviewed department records and determined there were no complaints or concerns reported on the use of the equipment in 2023.

Internal Audit

The Department conducted an internal audit and determined that there were no violations of the military equipment use policy.

Intention to Purchase Additional Equipment

In the Fiscal Year 2024-25 Budget, the Department is seeking approval to procure an Unmanned Aerial Vehicle (UAV) system, commonly known as a "drone." Drones are instrumental in enhancing response times to calls, aiding in the investigation of criminal activities, and providing aerial perspectives that can assist in protecting life and property. Additionally, drones enable personnel to assess and address issues effectively by determining suitable tools, tactics, and resources even before officers reach the scene. If the budget request to acquire a drone is approved as part of the Fiscal Year 2024-25 budget, it will undergo review by the City Council and will be documented in the annual report for that fiscal year.

In compliance with the requirements of AB 481, this staff report, which includes the Annual Report and the updated Policy, were published on the Department's website as of April 1, 2024, which meets the required 30-day publishing period. In addition, a Public Hearing Notice was posted ten days prior to this meeting per Resolution No. 7483.

ENVIRONMENTAL ANALYSIS

The proposed action does not constitute a project under the California Environmental Quality Act ("CEQA"), and it can be seen with certainty that it will have no impact on the environment.

FISCAL IMPACT

There is no fiscal impact related to approving this annual report.

RECOMMENDATION

It is recommended that the City Council determine that this action does not constitute a project under California Environmental Quality Act ("CEQA"); and approve the Annual Military Equipment Report per Assembly Bill 481.

Approved:


Dominic Lazzaretto
City Manager

Attachment: Military Equipment Use Policy