

RESOLUTION NO. RES-2023-134

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE SANTA ROSA POLICE DEPARTMENT MILITARY EQUIPMENT REPORT AND RENEWING CITY OF SANTA ROSA ORDINANCE NO. ORD-2022-007, CODIFIED AS CHAPTER 2-38 OF THE SANTA ROSA CITY CODE - MILITARY EQUIPMENT ORDINANCE

WHEREAS, on September 30, 2021, Governor Newsom signed Assembly Bill 481 requiring law enforcement agencies to obtain approval of their local governing body prior to taking certain action related to funding, acquisition, or use of items deemed military equipment; and

WHEREAS, on August 9, 2022, the Council of the City of Santa Rosa adopted Ordinance ORD-2022-07, adding Chapter 2-38 to the Santa Rosa City Code, and approved Santa Rosa Police Department's Military Equipment Use Policy 707, setting guidelines related to Santa Rosa Police's funding, acquisition, and use of items deemed military equipment; and

WHEREAS, AB 481 requires the Police Department submit to the Council of the City of Santa Rosa an annual military equipment report for each type of military equipment approved by the Council; and

WHEREAS, the Council of the City of Santa Rosa shall review its Ordinance approving the funding, acquisition or use of military equipment at least annually and vote on whether to renew the Ordinance at a regular meeting; and

WHEREAS, the Council of the City of Santa Rosa shall determine, based on the annual military equipment report submitted, whether each type of military equipment identified in that report has complied with the standards for approval set forth in its Ordinance; and

WHEREAS, the Council of the City of Santa Rosa has reviewed the annual military equipment report and determined the military equipment has complied with the standards for approval set forth in its ordinance; and

WHEREAS, the Council of the City of Santa Rosa wishes to renew Ordinance No. ORD-2022-007, codified as Chapter 2-38 of the Santa Rosa City Code.

NOW, THEREFORE, BE IT RESOLVED the Council of the City of Santa Rosa approves the annual military equipment report submitted by the Santa Rosa Police Department and confirms that it complies with the requirements of AB 481, attached to this resolution as Exhibit A and made a part of herein.

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BE IT FURTHER RESOLVED that City of Santa Rosa Ordinance No. ORD-2022-007, codified as Chapter 2-38 of the Santa Rosa City Code, is hereby renewed.

IN COUNCIL DULY PASSED this 25th day of July, 2023.

AYES: (5) Vice Mayor MacDonald, Council Members Alvarez, Okrepkie, C. Rogers, Stapp

NOES: (0)

ABSENT: (2) Mayor N. Rogers, Council Member Fleming

ABSTAIN:

ATTEST: _____ APPROVED: _____
City Clerk Vice Mayor

APPROVED AS TO FORM: _____
City Attorney

Exhibit A - Santa Rosa Police Department Military Equipment Report