

RESOLUTION NO. RES-2024-083

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE SANTA ROSA POLICE DEPARTMENT MILITARY EQUIPMENT REPORT AND DETERMINING THAT CITY MILITARY EQUIPMENT USE ORDINANCE, CODIFIED AS CHAPTER 2-38 OF THE SANTA ROSA CITY CODE, SHOULD NOT BE REPEALED OR AMENDED AT THIS TIME

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 entitled Military Equipment Use Ordinance 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equipment at least annually and vote, at a regular meeting, on whether the Military Equipment Use Ordinance should be repealed or amended ; and

WHEREAS, the Council of the City of Santa Rosa shall determine, based on the annual military equipment report submitted, whether the City's use of 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 City's use of military equipment has complied with the standards for approval set forth in the Military Equipment Use Ordinance; and

WHEREAS, the Council of the City of Santa Rosa wishes to take no action at this time to modify the Military Equipment Use Ordinance.

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.

BE IT FURTHER RESOLVED that the Council of the City of Santa Rosa determines that the Military Equipment Use Ordinance, codified as Chapter 2-38 of the Santa Rosa City Code, should not be repealed or amended at this time.

IN COUNCIL DULY PASSED this 4th day of June 2024.

AYES: (6) Mayor N. Rogers, Vice Mayor Stapp, Council Members Alvarez, Fleming, MacDonald, Okrepkie

NOES: (0)

ABSENT: (1) Council Member C. Rogers

ABSTAIN/RECUSE: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney

Exhibit A – Santa Rosa Police Department Military Equipment Report