



City of Grass Valley
City Council
Agenda Action Sheet

Title: Introduction of an ordinance for the Police Military Equipment Use Policy pursuant to AB481

Recommendation: Introduce the attached ordinance (#815) related to the police military equipment use policy, waive full reading, and read by Title Only

Prepared by: Alexander K. Gammelgard, Chief of Police

Council Meeting Date: April 26, 2022

Date Prepared: April 19, 2022

Agenda: Administrative

Background Information: On March 22, staff presented to Council a draft police department military equipment use policy, starting the process required by AB-481, signed by the Governor in September of 2021.

The police department has in its possession (and did prior to January 2022) certain specified “military equipment” as defined by AB-481. Information about this equipment, as well as a draft policy, was presented in the March meeting. In addition, staff laid out a timeline for additional public engagement, draft policy posting on the police department webpage, and the future process for adoption of the policy.

AB-481 requires that the police department’s policy be adopted by ordinance by the “governing body” - the City Council. The ordinance is attached to this report as well as the policy in its proposed form and associated policy attachments (inventory and use information, etc) as required by the law.

By way of delineating what has occurred, and what still needs to occur, below is the timeline as presented on March 22, 2022, including notes about progress thus far:

COMPLETED

- (03/22/2022) - Report to City Council and presentation of a *proposed* military use policy and inventory
 - *Modifications were made to the draft based upon feedback from the Council and are incorporated into this version to be adopted by ordinance*
- (03/23/2022) - Posting of proposed policy and inventory to the Police Department's webpage
 - *Completed on 03/23/2022*
- (04/07/2022) - Public outreach effort and public meeting to engage with the public, share the policy, and use cases for each item of equipment, which will be available for public viewing (not required but desired by the police department)
 - *The police department posted to its Facebook page and responded to media inquiries*
 - *The police department held a meeting on 04/07/2022. No comments related to suggested/needed policy changes were presented*
 - *The Union Editorial Board wrote an Our View editorial mentioning the process and meeting*

ACTION FOR THIS MEETING

- (04/26/2022) - Final policy proposed to City Council for Ordinance adoption and policy approval

TO BE COMPLETED

- (05/01/2022) - Policy implementation into the Police Department's policy manual, including posting the military use policy to the webpage with other police policies already available on the webpage
- (05/10/2022) - Second reading of Ordinance
- (Ongoing) Future annual reports, public meetings, requests for acquisition (if any), and updated inventory/use documents.

There is not a current need to acquire additional equipment. As time goes by, there will be a need to acquire expired and/or expended (likely due to use pursuant to training requirements) equipment. Also, staff is beginning to research the replacement of the department's most advanced sUAV (small unmanned arial vehicle) platform and the replacement costs and benefits. The existing platform was acquired in June of 2018 and like with any technologically advanced item, has a useful life of approximately 5 years. The department anticipates trying to consolidate any "military equipment" acquisition requests to the Council to aid in transparency and expediency in the review, legal findings, and documentation of any future requests. However, based on type of equipment and potential needs, some future requests may not be part of an annual consolidated request. Absent any changes in state law, the department anticipates annual review pursuant to the law in January to February each year.

The following are updates/amendments to the attached documents since March 22, 2022 introduction of the topic:

- Incorporated policy wording changes related to use of “city council” rather than “governing body”.
- Added a training requirement to the policy attachments.
- Updated/added data to the fiscal impact section of the inventory spreadsheet, including estimated maintenance costs for any assets requiring potential maintenance.
- Updated lifespan data for Section 1 of the inventory spreadsheet.
- Formatting/clerical updates to all documents (removal of “draft” designation on policy, etc.)

Council Goals/Objectives: The execution of this action attempts to achieve Strategic Goal #6 - Exceptional Public Safety

Fiscal Impact: None. Police Department and legal counsel staff time was utilized to prepare the information, inventory, documentation, policy, and ordinance for this state mandated local program. Those costs were absorbed in the current police department/general government services budgets.

Funds Available: N/A

Account #: 100-201

Reviewed by:

Attachments:

Ordinance #815 and associated Military Equipment Use Policy (including attached military equipment inventory and use information documents)