

RESOLUTION 2023-xx

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS, RENEWING ITS ORDINANCE GOVERNING THE USE OF MILITARY EQUIPMENT

WHEREAS, on September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481 ("AB 481 "), adding Chapter 12.8, "Funding, Acquisition and Use of Military Equipment", to Division 7 of Title 1 of the Government Code (sections 7070 - 7075), relating to the use of military equipment by California law enforcement agencies; and

WHEREAS, AB 481 seeks to provide transparency, oversight, and an opportunity for meaningful public input on decisions regarding whether and how military equipment is funded, acquired, or used; and

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

WHEREAS, the Town has codified its "Military Equipment Use Policy" in Chapter 21, Article III, of the Town Code; and

WHEREAS, Town Code Section 21.30.010 sets forth the standards for approval of the use of military equipment; and

WHEREAS, the Town Council 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 Town Council 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 Town Council has reviewed the annual military report submitted by the Police Department and determined the military equipment has complied with the standards for approval set forth in its Ordinance; and

NOW, THEREFORE, BE IT RESOLVED:

SECTION 1. The above recitals are true and correct and are substantial part of this resolution.

ATTACHMENT 5

SECTION 2. The Town Council determines that the military equipment identified in the annual military equipment report complies with the standards for approval set forth in Town Code Section 21.30.010.

SECTION 3. Town of Los Gatos Ordinance No. 2329 is hereby renewed.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 16th day of May, 2023, by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____

ATTEST:

TOWN CLERK OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____