



COUNCIL REPORT

DATE: May 28, 2024
CATEGORY: Consent
DEPT.: Police
TITLE: **AB 481 Military Equipment Policy Adoption (Second Reading)**

RECOMMENDATION

1. Adopt an Ordinance of the City of Mountain View Repealing Chapter 2, Article IV, Division I, Section 2.69.3 of the Mountain View City Code and Finding That This Action is Not Subject to the California Environmental Quality Act, to be read in title only, further reading waived (Attachment 1 to the Council report). (First reading: 5-0-2; Hicks, Kamei absent)
2. Adopt an Ordinance of the City of Mountain View Adopting a Military Equipment Use Policy Governing the Funding, Acquisition, and Use of Military Equipment by the Mountain View Police Department Pursuant to California Assembly Bill 481 and Finding That This Action is Not Subject to the California Environmental Quality Act, to be read in title only, further reading waived (Attachment 2 to the Council report). (First reading: 5-0-2; Hicks, Kamei absent)

SUMMARY

On [May 14, 2024](#), the City Council introduced two ordinances to implement the requirements of AB 481. The first ordinance will repeal Chapter 2, Article IV, Division I, Section 2.69.3 of the Mountain View City Code, which was adopted on May 10, 2022. The proposed new ordinance includes all of the required elements of AB 481, including adoption of the revised Mountain View Police Department (MVPD) Policy 709—Military Equipment. Due to the nature of AB 481's requirements, such as annual review, renewals, and modifications to the Policy, the new ordinance will be uncodified to allow for ease of compliance. The City Council voted 5-0-2 (Hicks, Kamei absent) to approve the ordinances at first reading.

This item is the second reading and final adoption of the ordinances.

FISCAL IMPACT

The MVPD anticipates receiving limited-period (one-time) funding as part of the Fiscal Year 2024-25 Recommended Budget to purchase the less-lethal sponge round launchers and

accompanying ammunition, at an estimated cost of \$66,133. All other items will be funded through the MVPD budget.

PUBLIC NOTICING

Agenda posting. The ordinances were published at least two days prior to adoption in accordance with City Charter Section 522.

Prepared by:

Diana Fazely
Assistant City Attorney

Michael Canfield
Police Chief

DF-MC/4/CAM
013-05-28-24CR
204246

Approved by:

Audrey Seymour Ramberg
Assistant City Manager

- Attachments:
1. Ordinance Repealing Mountain View City Code Section 2.69.3
 2. Ordinance Adopting MVPD Policy 709—Military Equipment