

RESOLUTION NO. _____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE PURSUANT TO GOVERNMENT CODE SECTION 7071 RENEWING CHAPTER 13 ENTITLED MILITARY EQUIPMENT USE OF TITLE 4 (PUBLIC SAFETY) OF THE WATSONVILLE MUNICIPAL CODE, WATSONVILLE MILITARY EQUIPMENT USE POLICY 708 AND FINDING THAT THE ANNUAL MILITARY EQUIPMENT REPORT COMPLIES WITH THE STANDARDS OF APPROVAL SET FORTH IN GOVERNMENT CODE 7071(d)

WHEREAS, effective January 1, 2022, Assembly Bill 481 (AB 481) (Government Code sections 7071 *et. seq.*) sets forth a process by which law enforcement agencies are to obtain approval and annual renewal from their governing bodies of a City ordinance and military equipment use policy; and

WHEREAS, the Watsonville Police Department currently has military equipment (of which term is defined in Government Code section 7070(c)) in its inventory; and

WHEREAS, the Watsonville Police Department works closely with other local, county, state and federal law enforcement agencies within Santa Cruz County on police related matters, including safeguarding the public's welfare and safety, working on regional task forces, conducting training exercises, and providing mutual aid and responding to emergencies; and

WHEREAS, in exigent circumstances, there is sometimes the need to deploy military equipment from or lend military equipment to outside entities to promote the safety and security of community members; and

WHEREAS, the continued collaboration with other law enforcement agencies in the deployment or other use of military equipment within the City is necessary to safeguard the public's welfare, safety, civil rights and civil liberties and there is no reasonable alternative that can achieve the same objective of officer and civilian safety, and

WHEREAS, Watsonville Police Department - Policy 708 sets forth a military equipment use policy that is consistent with the Police Department's current practices, has been posted on the Department's website since April, 2022, complies with all the requirements of AB 481, will ensure ongoing regulation and compliance with the law going forward and will provide a means of community engagement and transparency regarding use of military equipment by the Department; and

WHEREAS, a public notice has been provided and a well-publicized and conveniently located community engagement meeting held, in accordance with applicable law; and

WHEREAS, the City Council desires to renew Chapter 4-13 of the Watsonville Municipal Code and the Watsonville Police Department's Military Equipment Use Policy - Policy 708, and approve its annual Military Equipment Report in compliance with AB 481.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

1. The City Council finds that Chapter 4-13 of the Watsonville Municipal Code and Watsonville Police Department Military Equipment Use Policy 708 are exempt from the provisions of the California Environmental Quality Act ("CEQA") because they will not result in a direct or reasonably foreseeable indirect physical change in the environment and are not a "project," as defined in Section 15378 of the CEQA Guidelines.

2. The City Council has reviewed Chapter 13 entitled Military Equipment Use of Title 4 (Public Safety) of the Watsonville Municipal Code and hereby renews that Chapter without change.

3. The City Council has reviewed the Watsonville Police Department's Military Equipment Use Policy - Policy 708 and hereby renews the Policy without change.

4. The City Council has reviewed the annual military equipment report and finds that it complies with the standards of approval set forth in subdivision (d) of Government Code section 7071, a copy of which report is attached hereto and incorporated herein by this reference.
