



Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: June 13, 2022

FROM: CITY ATTORNEY

**SUBJECT: AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA
ADOPTING A MILITARY EQUIPMENT USE POLICY**

TITLE OF PROPOSED ORDINANCE

**UNCODIFIED ORDINANCE OF THE CITY OF PASADENA ADOPTING A MILITARY
EQUIPMENT POLICY**

PURPOSE OF ORDINANCE

As directed by the City Council on April 25, 2022, this ordinance adopts a military equipment use policy pursuant to Government Code Section 7071.

REASON WHY LEGISLATION IS NEEDED

Assembly Bill 481, codified as Government Code Section 7070 *et seq.*, went into effect on January 1, 2022, and requires a law enforcement agency that seeks to continue use of military equipment to "commence a governing body approval process" no later than May 1, 2022, and to have the military equipment use policy adopted by the body (here, the City Council) no later than 180 days of submission of the proposed policy.

AB 481 also requires the City Council to review the ordinance adopting the military equipment use policy at least annually, on a going-forward basis.

In response to the Council's discussion about the policy at its May 23, 2022 meeting, the Police Department has revised the Purpose of the .50 Caliber Precision Rifle (page 7 of the current equipment list, which is part of the policy) to clarify that the primary purpose of this equipment is not for use against individual persons, except if necessary in exigent circumstances.

JNR:gc
rev. 6/2/2022
#SQ741YNW0D3DN3v1

MEETING OF 06/13/2022
AGENDA ITEM NO. 21

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED

The Police Department will implement this ordinance.

FISCAL IMPACT

This ordinance will not have any fiscal impact.

ENVIRONMENTAL DETERMINATION

On April 25, 2022, the Council found that this ordinance is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines per Section 15061(b)(3), the common sense exemption that CEQA only applies to projects that may have an effect on the environment.

Respectfully submitted,

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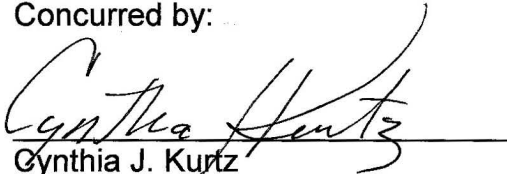
Michele Beal Bagneris
City Attorney

Prepared by:

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Javan N. Rad
Chief Assistant City Attorney

Concurred by:

A handwritten signature in black ink, appearing to read "Cynthia Kurtz", is written over a horizontal line.

Cynthia J. Kurtz
Interim City Manager