

ORDINANCE NO. _____

**AN ORDINANCE OF THE NAPA COUNTY BOARD OF SUPERVISORS,
STATE OF CALIFORNIA, REVIEWING AND APPROVING
PREVIOUSLY ADOPTED ORDINANCE NO. 1476 RELATING TO THE
SHERIFF'S OFFICE MILITARY EQUIPMENT USE POLICY
PURSUANT TO AB 481**

WHEREAS, AB 481, signed into law in September, 2021, requires California law enforcement agencies to obtain approval from their governing body of a military equipment use policy prior to taking certain actions relating to the funding, acquisition, and/or use of military equipment; and

WHEREAS, AB 481 requires that the governing body make certain findings with respect to the military equipment use policy prior to its approval as set forth in Government Code Section 7071(d)(1); and

WHEREAS, the Napa County Sheriff's Office does not possess any equipment that was purchased from the military, but is interpreting AB 481 broadly in the spirit of transparency; and

WHEREAS, the Napa County Board of Supervisors adopted Ordinance No. 1476 in May, 2022, in compliance with AB 481, making the requisite findings and approving the Military Equipment Use Policy, which was attached to Ordinance No. 1476 as Exhibit A; and

WHEREAS, the Military Equipment Use Policy was made, and continues to be made, available to the public via the Napa County Sheriff's Office website; and

WHEREAS, AB 481 requires that the Board of Supervisors annually review Ordinance No. 1476 and vote on whether the Ordinance should be renewed; and

WHEREAS, the Sheriff's Office has submitted an annual military equipment report, attached to this Ordinance as Exhibit A.

NOW, THEREFORE, the Napa County Board of Supervisors, State of California, ordains as follows:

SECTION I. The Board has reviewed the following: Ordinance No. 1476, the Military Equipment Policy (No. 704) attached to Ordinance No. 1476, and the annual (2024) Military Equipment Report submitted by the Sheriff's Office.

SECTION II. Ordinance No. 1476 is reaffirmed and both Ordinance No. 1476 and the Military Equipment Policy shall continue to remain in full force and effect.

SECTION III. The Board further finds that the considerations and standards set forth in Government Code Section 7071(d)(l) have been met:

- A. The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety;
- B. The military equipment use policy will continue to safeguard the public's welfare, safety, civil rights, and civil liberties;
- C. The purchase of new equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety; and
- D. Military equipment use has complied with the Military Equipment Policy No. 704, approved by the Board in 2022.

SECTION IV. Annual review of Ordinance No. 1476, the Military Equipment Policy and future military equipment reports may be reviewed and approved/disapproved by resolution of the Board of Supervisors.

SECTION V. This Ordinance shall take effect thirty (30) days after its passage.

SECTION VI. The Board of Supervisors finds that adoption of this ordinance is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

SECTION VII. A summary of this ordinance shall be published at least once five (5) days before adoption and at least once before the expiration of fifteen (15) days after its passage

in the Napa Valley Register, a newspaper of general circulation published in Napa County, together with the names of members voting for and against the same.

The foregoing Ordinance was introduced and read at a regular meeting of the Napa County Board of Supervisors, State of California, held on the 7th day of May 2024, and passed at a regular meeting of the Napa County Board of Supervisors, State of California, held on the ____ day of May 2024, by the following vote:

AYES:	SUPERVISORS	_____
NOES:	SUPERVISORS	_____
ABSTAIN:	SUPERVISORS	_____
ABSENT:	SUPERVISORS	_____

NAPA COUNTY, a political subdivision of the
State of California

JOELLE GALLAGHER, Chair of the
Board of Supervisors

Board of Supervisors

APPROVED AS TO FORM Office of County Counsel By: S. Darbinian Deputy County Counsel By: <u>Brandon Aguilera</u> Code Services Date: <u>May 14, 2024</u>	APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS Date: _____ Processed By: _____ Deputy Clerk of the Board	ATTEST: NEHA HOSKINS Clerk of the Board of Supervisors By: _____
---	--	--

I HEREBY CERTIFY THAT THE ORDINANCE ABOVE WAS POSTED IN THE OFFICE OF THE CLERK OF THE BOARD IN THE ADMINISTRATIVE BUILDING, 1195 THIRD STREET, ROOM 310, NAPA, CALIFORNIA ON _____.

_____, DEPUTY
NEHA HOSKINS, CLERK OF THE BOARD