



Napa County

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Legislation Text

File #: 22-924, Version: 1

TO: Board of Supervisors
FROM: Thomas Zeleny, County Counsel
REPORT BY: Silva Darbinian, Deputy County Counsel
SUBJECT: Second Reading of AB 481 Ordinance

RECOMMENDATION

Second reading and adoption of an ordinance adopting a military equipment use policy pursuant to California State Assembly Bill 481.

EXECUTIVE SUMMARY

On April 19, 2022, the Board of Supervisors conducted a first reading of an ordinance 1) approving a military equipment use policy of the Sheriff's Office, as required by AB 481; and 2) approving and authorizing the continued use of certain law enforcement equipment, acquired prior to January 1, 2022. At the conclusion of public comment, the Board unanimously passed a motion of intent to adopt the proposed ordinance. This consent calendar item requests that the Board conduct its second reading and take final action adopting the ordinance.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact?	No
Consequences if not approved:	If not approved, the Sheriff's Office would be out of compliance with AB 481.
County Strategic Plan pillar addressed:	Effective and Open Government

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

California State Assembly Bill 481 (AB 481) was authored by Assembly member David Chiu (D-San Francisco) to address funding, acquisition and use of certain law enforcement equipment, which by definition of this law, now qualifies as military equipment. AB 481 requires California law enforcement agencies, including Napa County Sheriff's Office, to obtain applicable governing body approval of a military equipment use policy by ordinance. In addition, AB 481 requires law enforcement agencies to seek approval for continued use of any qualifying equipment acquired prior to January 1, 2022. In addition, thirty (30) days prior to this public meeting, Sheriff's Office posted the following documents to its public-facing website: Policy 706 Military Equipment and AB 481 Equipment Report, both of which are attached to this board letter.

In accordance with AB 481, the Sheriff's Office presented an ordinance for at the April 19, 2022 Board meeting. After discussion, the Board unanimously passed a motion of intent to adopt the Ordinance. The Ordinance is now before the Board of Supervisors for final approval.

Attached for reference is the final version of the Ordinance. Staff and County Counsel recommend adoption of the Ordinance.