

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA  
APPROVING THE ANNUAL MILITARY EQUIPMENT REPORT AND  
APPROVING RENEWAL OF SANTA CLARA CITY CODE SECTION  
2.80.080 [“MILITARY EQUIPMENT POLICY”] PURSUANT TO AB  
481**

**BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

**WHEREAS**, Santa Clara City Code Section 2.80.080 (“Military equipment policy”) was adopted in March 2022, approving the Military Equipment Policy, with the requisite findings and process, in accordance with AB 481;

**WHEREAS**, AB 481 requires the City Council to review its adopted military equipment ordinance annually and to vote on whether to renew the ordinance;

**WHEREAS**, AB 481 requires, further, that in order to renew the Ordinance, the City Council must make a finding that, based on the information contained in the annual military equipment report (attached), each type of military equipment identified in that report has complied with specific standards for approval; and,

**WHEREAS**, the City Council of the City of Santa Clara, having received the information required by AB 481, deems it to be in the best interest of the City to approve the annual military equipment report and to renew the military equipment policy ordinance SCCC 2.80.080, as set forth below.

**NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

1. That the City Council hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.

2. That the annual military equipment report submitted to the City Council by the Santa Clara Police Department contains all information required by AB 481 and is hereby approved.

3. That, based on the annual military equipment report submitted by the Santa Clara Police Department, each type of military equipment identified in that report has complied with the

following standards for approval:

- 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 safeguard the public’s welfare, safety, civil rights, and civil liberties.
- c. The equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
- d. Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

4. That the procedural requirements of AB 481 have been satisfied.

5. That Santa Clara City Code Section 2.80.080 is hereby renewed.

6. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE \_\_\_ DAY OF \_\_\_\_\_, 2023, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: \_\_\_\_\_  
NORA PIMENTEL, MMC  
ASSISTANT CITY CLERK  
CITY OF SANTA CLARA

Attachments incorporated by reference:  
1. Annual Military Equipment Report