

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

**Resolution Of The City Council Of The City Of Emeryville Approving And Accepting The Emeryville Police Department's 2024 Annual Military Equipment Use Report Pursuant To Government Code Section 7071 And Renewing City Of Emeryville Ordinance No. 22-006 "Approving Emeryville Police Department Policy Manual Policy 707- Military Equipment"**

**WHEREAS**, Government Code Section 7071 et seq. codifies Assembly Bill 481 and requires legislative bodies to adopt ordinances approving military equipment use policies before law enforcement agencies can continue to engage in activities related to the use of military equipment; and

**WHEREAS**, the Emeryville Police Department has a very limited amount of "military equipment" in its inventory (41 semi-automatic rifles) which are not often used, and may engage in limited critical public safety activities in coordination with other jurisdictions in possession of military equipment on police-related matters, including safeguarding the public's welfare and safety, working on regional task forces, conducting training exercises, providing mutual aid and responding to emergencies; and

**WHEREAS**, on September 6, 2022, the Emeryville City Council adopted Ordinance No. 22-006 which approved Emeryville Police Department Policy Manual Policy 707- Military Equipment which includes an inventory report of the police department's military equipment and procedures for use and maintenance of the same; and

**WHEREAS**, Emeryville' Military Equipment Policy 707 establishes a military equipment use policy that is consistent with Police Department's current practices, complies with the requirements of the Government Code, will continue to ensure ongoing regulation and compliance with the law going forward and will continue to provide a means of community engagement and transparency regarding the use of military equipment by the Department; and

**WHEREAS**, Government Code Section 7071 requires the City Council to conduct an annual review of its ordinance approving the City's Military Equipment Policy and to vote on whether to renew the ordinance; and

**WHEREAS**, in order to facilitate the aforesaid ordinance review, the City Council is also required to conduct an annual review of the Police Department's 2024 Annual Report on military equipment prepared and submitted pursuant to Sections 7071 and 7072 of the Government Code; and

**WHEREAS**, notice of the Council's consideration of both Ordinance No. 22-006 and the 2024 Annual Report have been provided in accordance with applicable law; and

**WHEREAS**, the City Council desires to find that the 2024 Annual Report on military equipment contains the information required by Government Code Section 7072; and

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Adopting Emeryville Police Department Policy 707: Military Equipment

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**WHEREAS**, the City Council has also reviewed and desires to renew Ordinance 22-006.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Emeryville hereby finds:

1. The above recitals are true and correct and are incorporated herein.
2. The 2024 Annual Report referenced in the above recitals and attached to the staff report prepared for the City Council’s consideration is incorporated herein by reference.
3. The 2024 Annual Report is approved and accepted.
4. Ordinance 22-006 is hereby renewed and remains in effect.

**ADOPTED**, by the City Council of the City of Emeryville at a regular meeting held Tuesday, November 19, 2024, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

ATTEST: \_\_\_\_\_

APPROVED AS TO FORM:

Signed by:  
  
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\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
SPECIAL COUNSEL

**ATTACHMENTS**

- Exhibit A – Police Department 2024 Annual Report Inventory List