ORDINANCE NO.: _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INGLEWOOD ADDING SECTION 2-168.1 TO CHAPTER 2 OF THE INGLEWOOD MUNICIPAL CODE REGARDING MILITARY EQUIPMENT USE POLICY.

WHEREAS, on September 30, 2021, Governor Gavin Newsome signed into law Assembly Bill 481, relating to the use of military equipment by California law enforcement agencies; and

WHEREAS, the Inglewood Police Department is in possession of certain items of equipment that qualify as “military equipment” under AB 481; and

WHEREAS, AB 481 requires that a law enforcement agency possessing and using such qualifying equipment prepare a publicly released, written, military equipment use policy document covering the inventory, description, purpose, use, acquisition, maintenance, fiscal impacts, procedures, training, oversight, and complaint process, applicable to the Department's use of such equipment; and; and

WHEREAS, the proposed Military Equipment Use policy is found within the Inglewood Police Department Policy 709; and

WHEREAS, the Inglewood Police Department Policy 709 meets the requirements of California Government Code section 7070(d); and

WHEREAS, the Inglewood Police Department Policy 709 and supporting information must be approved by the governing body by ordinance, and reviewed annually; and

WHEREAS, the City Council of the City of Inglewood, having received the information required under AB 481 regarding the Inglewood Police Department's use of military equipment as defined in said law, deems it to be in the best interest of the City to approve the Military Equipment Policy as set forth herein.
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF INGLEWOOD does
ordain as follows:

SECTION 1. A new Section 2-168.1 entitled “Military Equipment Use Policy” is
hereby added to Chapter 2 of the Inglewood Municipal Code to read as follows:

Section 2-168.1. Military Equipment Use Policy.

(a) The City Council has made the following determinations:
   (1) The military equipment inventoried and presented to the City Council is
       necessary because there is no reasonable alternative that can achieve the
       same objective of officer and civilian safety.
   (2) The proposed military equipment use policy ("Policy") will safeguard the
       public's welfare, safety, civil rights, and civil liberties.
   (3) The equipment is reasonably cost effective compared to available alternatives
       that can achieve the same objective of officer and civilian safety (if any).
   (4) Prior military equipment use complied with the applicable equipment use
       policy (which included equipment now defined as military equipment) 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.

(b) The Police Department has submitted a proposed Policy to the City Council and
    has made those documents available on the Police Department's website for at
    least 30 days prior to the public hearing concerning the military equipment at
    issue.

(c) The Policy was considered by the City Council as an agenda item in an open
    session of a regular meeting, noticed in accordance with the Ralph M. Brown Act,
    at which public comment was permitted.

(d) The Policy shall be made publicly available on the Police Department's website
    for as long as the military equipment is available for use.
(e) The Police Department shall submit an annual military equipment report to the City Council, containing the information required in Government Code Section 7072, and the City Council shall determine whether each type of military equipment identified in that report has complied with the standards for approval set forth in subsections (a)(1) - (4) above.

(f) The City Council shall review this ordinance, and vote on whether to renew it, on an annual basis at a regular meeting, in accordance with Government Code Section 7071(e)(2).

(g) The City Council approves the use of the Policy and finds that it satisfies the requirements of Government Code Section 7070(d).

SECTION 2. The City Council finds the approval of this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the City Council finds the approval of this ordinance is not a project under CEQA Regulation Section 15061(b)(3) because it has no potential for causing a significant effect on the environment.

SECTION 3. If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions this Ordinance. The City Council hereby declares that it would have passed and adopted this Ordinance, and each and all provisions thereof, irrespective of the fact that one or more provisions may be declared invalid.

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SECTION 4. The City Clerk shall certify that to the approval, passage and adoption of this Ordinance by the City Council and shall cause the same to be published in accordance with the City Charter, and thirty days from the final passage and adoption, this Ordinance shall be in full force and effect.

INTRODUCED at a regular meeting of the Inglewood City Council on ____________________, 2023.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Inglewood City Council on ____________________, 2023.

CITY OF INGLEWOOD:

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James T. Butts, Jr., Mayor

ATTEST:

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Aisha L. Thompson, City Clerk