

ORDINANCE NO. 2026-10

AN ORDINANCE OF THE CITY OF SANTA CRUZ AMENDING CHAPTER 9.90 OF THE SANTA CRUZ MUNICIPAL CODE PERTAINING TO AB 481 MILITARY EQUIPMENT

WHEREAS, on September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481, creating Government Code Section 7070, et seq., relating to the use of military equipment by California law enforcement agencies;

WHEREAS, on May 10, 2022, the Santa Cruz City Council (“City Council”) adopted Ordinance 2022-09, adding Chapter 9.90 to the Santa Cruz Municipal Code (“SCMC”) and adopting a Military Equipment Use Policy (“Policy”);

WHEREAS, the proposed amendments to SCMC Chapter 9.90 clarify that future amendments to the Policy may be approved by the City Council via resolution;

WHEREAS, it is the intent of this ordinance to clarify the procedure for introducing amendments to the Policy while maintaining the public transparency required by Assembly Bill 481.

BE IT ORDAINED by the City of Santa Cruz as follows:

SECTION 1. Chapter 9.90 of the Santa Cruz Municipal Code is amended as follows:

“9.90.010 MILITARY EQUIPMENT POLICY.

- (a) On May 10, 2022, the city council adopted Ordinance 2022-09 approving the military equipment use policy (“policy”) set forth in Santa Cruz Police Department Policy 705 after having made the following determinations:
- (1) The military equipment inventoried and presented in the policy is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety;
 - (2) The proposed policy will safeguard the public’s welfare, safety, civil rights, and civil liberties;
 - (3) The equipment identified in the policy 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 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.

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- (b) Prior to approval, the police department submitted the proposed policy to the city council and made those documents available on the police department's website for at least thirty 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 city council may approve amendments to the policy via resolution as an agenda item in an open session of a regular meeting, noticed in accordance with the Ralph M. Brown Act.
- (e) Prior to amending the policy, the police department shall submit the proposed amendments to the city council and shall make those proposed amendments available on the police department's website for at least thirty days prior to the public hearing concerning the amendments at issue. As part of any council action amending the policy, the city council shall make the findings set forth in subsections (a)(1) through (4).
- (f) The policy and amendments thereto shall be made publicly available on the police department's website for as long as the military equipment is available for use.
- (g) 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) through (4).
- (h) The city council shall review this chapter and vote on whether to renew it, on an annual basis at a regular meeting, in accordance with Government Code Section 7071(e)(2).
- (i) The city council approves the use of the policy and finds that it satisfies the requirements of Government Code Section 7070(d)."

SECTION 2. This ordinance shall take effect and be in force thirty (30) days after final adoption.

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PASSED FOR PUBLICATION this 28th of April, 2026, by the following vote:

AYES: Councilmembers Trigueiro, Brunner, Newsome, Golder, O’Hara; Vice Mayor Kalantari-Johnson; Mayor Keeley.

NOES: None.

ABSENT: None.

DISQUALIFIED: None.

APPROVED: _____
Fred Keeley, Mayor

ATTEST: _____
Bonnie Bush, City Clerk Administrator

PASSED FOR FINAL ADOPTION this 12th of May, 2026, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Fred Keeley, Mayor

ATTEST: _____
Bonnie Bush, City Clerk Administrator

This is to certify that the above and foregoing document is the original of Ordinance No. 2026-10 and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.

Bonnie Bush, City Clerk Administrator