

## NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council of the City of Sebastopol has scheduled a public hearing for the introduction and waiving of the first Reading of Proposed Ordinance of Governing Body Specific Equipment Approval. This ordinance pertains to legal requirements for the City of Sebastopol Police Department to be in compliance with Assembly Bill 481 which specifically requires the passage of an ordinance relating to the approved usage, acquisition, and continued usage of newly defined "military" equipment used by law enforcement agencies in the State of California.

On January 1, 2022, Assembly Bill 481, as passed by the California State Legislature and signed by the Governor, went into law. The bill added Chapter 12.8 (Commencing with Section 7070) to Division 7 of Title 1 of the Government Code, relating to specifically defined "military" equipment. The bill requires the creation and an adoption by ordinance of a specific equipment approved use policy for law enforcement agencies, as well as the publishing of the policy on the police department website and imposes a state-mandated local program. It also requires law enforcement agencies to provide a means to gather public feedback to any complaints or concerns regarding the use of defined "military" equipment which shall be documented in an annual report. The report shall also contain how the equipment was used, the results of any internal audits regarding misuse, the total annual cost for the equipment, maintenance, and cost of training for the use of the equipment, as well as the quantity of any type of specific equipment in the agency's possession and how it was utilized during the year.

The bill requires law enforcement agencies to obtain both the initial approval of the applicable governing body (in this instance the Sebastopol City Council) by adoption of the Governing Body Specific Equipment Approval Ordinance and the approval of the Sebastopol Police Department Governing Body Specific Equipment Approval policy, as specified, at a regular meeting prior to taking certain actions relating to the funding, acquisition, or use of newly defined "military" equipment. The bill requires similar initial and ongoing annual approval for the continued use of defined "military" equipment acquired prior to January 1, 2022. The bill and the passage of the proposed ordinance allows the governing body to approve the funding, acquisition, or use of defined "military" equipment within its jurisdiction only if it determines that the defined "military" equipment meets specified standards. The bill requires the governing body to annually review the ordinance and to either approve or disapprove a renewal of the authorization for a type, as defined, of "military" equipment, or amend the Governing Body Specific Equipment Approval ordinance and police department policy if it determines, based on an annual Governing Body Specific Equipment Approval policy report prepared by the law enforcement agency, as provided, that the defined "military" equipment does not comply with the above-described standards for approval.

This ordinance creates a new section, Section 8.70, of the Sebastopol Municipal Code to enact and comply with the provisions required with the passage of AB 481 and also adopts the newly created "Governing Body Specific Equipment Approval" policy of the Sebastopol Police Department.

The City Council Regular meeting will be held via teleconference pursuant to AB 361. Pursuant to AB 361 (2021), Teleconference Restrictions of the Brown Act Have Been Suspended, as Well as the Requirement to Provide a Physical Location for Members of the Public to Participate in the Meeting. The City of Sebastopol City Council meeting will not be physically open to the public and all City Council Members will be teleconferencing into the meeting via Zoom.

The City Council will consider this on: Tuesday, March 15, 2022  
at or after 6:00 pm

Anyone interested may attend virtually by phone or computer and be heard at this meeting. Zoom Information will be available 72 hours prior to the City Council meeting.

SUBMITTING COMMENTS: For staff report inclusion, all comments must be received one week prior to the meeting date. Comments shall be submitted by email to [kkilgore@sebpd.com](mailto:kkilgore@sebpd.com) or mailed/left at City of Sebastopol Police Department, 6850 Laguna Park Way, Sebastopol, CA 95472 or you may also leave a voice mail that will be made a part of the public record. Please call 707-829-4400 to leave a message (by recording or comments provided verbally to City staff). If recorded, your voice mail will be transcribed and provided to the City Clerk as a public record but will not be read into the minutes at the City Council meeting. Comments received after posting of the agenda will be provided to the Council and made part of the public record.

If you challenge this ordinance in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Sebastopol, at, or prior to, the public hearing.

A copy of the ordinance will be available for public review at the City of Sebastopol website [www.cityofsebastopol.org](http://www.cityofsebastopol.org).



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Mary Gourley, City Clerk/Assistant City Manager

**Please publish no later than March 3 2022**