



AGENDA NO: 6.c

MEETING DATE: August 12, 2025

Staff Report

TO: Honorable Mayor and City Council

DATE: August 5, 2025

FROM: Police Chief Amy Watkins

SUBJECT: Receive and File the Required Annual Military Equipment Use Report per CA Assembly Bill No. 481

RECOMMENDED ACTION

Receive and file of the required Annual Military Equipment Use Report per Assembly Bill No. 481.

ALTERNATIVES

There are no currently available alternatives as CA. Assembly Bill No. 481 requires Morro Bay Police Department create a Military Equipment Use policy to be adopted and reported annually to the agency governing body through ordinance.

FISCAL IMPACT

No current fiscal impacts at this time.

BACKGROUND

Assembly Bill 481 (AB 481 or the Bill), codified in Government Code sections 7070 through 7075 requires a law enforcement agency (LEA) to obtain approval from the applicable governing body, via adoption of a "Military Equipment" use policy (the Policy) by ordinance (the Ordinance), prior to the LEA funding, acquiring, or using military equipment. The Morro Bay Police Department (MBPD) seeks City Council affirm, with no changes, the adopted ordinance of the attached Military Equipment Use Policy – MBPD Policy #707 (Exhibit "A"), in order to allow MBPD to continue to use the vital equipment specified therein, as well as continue to use equipment operated through our Regional S.W.A.T. (Special Weapons and Tactics) Team and allied agencies as would be requested in emergency situations.

Items deemed to be "military equipment" by AB 481 are used as a component of overall best practices for Law Enforcement Agencies (LEAs) throughout the country. These tools have been tested in the field and are used by LEAs to enhance citizen and officer safety. Loss of these items would jeopardize the welfare of citizens and peace officers within the City of Morro Bay and surrounding communities. The term "military equipment", as used in AB 481, in fact does not necessarily indicate equipment that has been used by the military. Pursuant to AB 481, items deemed to be "military equipment" include, but are not limited to, unmanned aerial or ground vehicles, armored vehicles, command and control vehicles, pepper balls, less lethal shotguns, less lethal 40mm projectile launchers, long range acoustic devices, and flashbangs.

Prepared By: AW

Dept Review: _____

City Manager Review: AL_____

City Attorney Review: RWS_____

MBPD is committed to using the most up to date tools and equipment to safeguard the citizens of Morro Bay. Many of the items deemed to be “military equipment” by AB 481 are in fact employed by MBPD, and LEAs across the country, in order to specifically reduce risk to community members. These items provide peace officers with the ability to safely resolve volatile situations which otherwise might rise to the level of a lethal force encounter. To that end, the items at issue in this report, and accompanying Military Equipment Use Policy, also provide MBPD’s peace officers with vital tools that facilitate compliance with its stringent use of force policy.

Other items deemed to be “military equipment” via AB 481 include foundational equipment such as rifles. These rifles allow peace officers to address lethal threats from a greater distance and with greater precision.

Along with seeking authorization to use preexisting equipment, the MBPD also seeks authorization to continue to partner with and utilize (by request) the assistance of our Regional SWAT team and allied agencies, and the equipment owned/utilized by these agencies as members of this regional team travel between our communities to provide emergency law enforcement assistance (as outlined in AB481).

DISCUSSION

On April 12, 2022, the Morro Bay City Council adopted City Ordinance in accordance with CA Assembly Bill 481, Military Use Equipment Policy. Council was presented with Morro Bay Police Department Military Equipment Policy #707, and the current Morro Bay Police Department Equipment Inventory List as required by AB 481.

Council approved the use of the listed military equipment by Morro Bay Police Department as presented by Chief Jody Cox including the background documented in this staff report. This item is being submitted to Council as a requirement of AB 481 listed in Section 7072. (a) which states:

A law enforcement agency that receives approval for a military equipment use policy pursuant to Section 7071 shall submit to the governing body an annual military equipment report for each type of military equipment approved by the governing body within one year of approval, and annually thereafter for as long as the military equipment is available for use. The law enforcement agency shall also make each annual military equipment report required by this section publicly available on its internet website for as long as the military equipment is available for use. The annual military equipment report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of military equipment:

- (1) A summary of how the military equipment was used and the purpose of its use.
- (2) A summary of any complaints or concerns received concerning the military equipment.
- (3) The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
- (4) The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.
- (5) The quantity possessed for each type of military equipment.
- (6) If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

Financial Considerations: There are no new financial considerations for existing/currently owned equipment and/or munitions.

CONCLUSION

Assembly Bill 481, codified at California Government Code sections 7070 through 7057, requires law enforcement agencies to obtain approval of the applicable governing body, by an ordinance adopting a “military equipment” use policy, at a regular meeting held pursuant to open meeting laws, prior to taking certain actions relating to the funding, acquisition, or use of military equipment. The Term “military equipment” is defined in California Government Code section 7070. Assembly Bill 481 requires all law enforcement agencies submit an annual review of the use of listed military equipment.

This report is presented to satisfy the requirements of AB481 to allow the Morro Bay Police Department to continue to use the listed “military equipment”.

ATTACHMENTS

1. Ordinance No. 649 with Exhibits A & B
 - a. MBPD Policy #707 “Military Equipment” (Exhibit “A”)
 - b. MBPD Equipment Inventory (Exhibit “B”)
2. 2024 Annual Use Report of Military Equipment (Exhibit “C”)