

DATE SUBMITTED 01/21/26
 SUBMITTED BY Police Department
 DATE ACTION REQUIRED 02/04/26

COUNCIL ACTION (X)
 PUBLIC HEARING REQUIRED ()
 RESOLUTION (X)
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS ()

**IMPERIAL CITY COUNCIL
 AGENDA ITEM**

SUBJECT	DISCUSSION/ACTION:		
	<p>1. Consideration and Adoption of a Military Use Policy in Compliance with Assembly Bill 481 and adopt City of Imperial Resolution No. 2026-05 as per Assembly Bill 481</p>		
	DEPARTMENT INVOLVED: Police		
	BACKGROUND/SUMMARY:		
	<p>Assembly Bill 481 was signed into law in 2021 and became effective January 1, 2022. The legislation was enacted to increase transparency, accountability, and community oversight regarding the use of military-style equipment by local law enforcement agencies.</p> <p>Under AB 481, law enforcement agencies are prohibited from acquiring, funding, or using military equipment unless the governing body:</p> <ul style="list-style-type: none"> • Approves the acquisition or use of the equipment at a public meeting; • Adopts a Military Equipment Use Policy; and • Conducts at least one annual review of the policy and equipment usage. <p>AB 481 defines “military equipment” broadly and includes, but is not limited to, armored vehicles, specialized firearms and ammunition, launchers, drones, and command-and-control technology.</p>		
	FISCAL IMPACT: None	FINANCE INITIALS	<u>NMC</u>
	STAFF RECOMMENDATION: Approve	DEPT. INITIALS	<u>MS</u>
	MANAGER'S RECOMMENDATION: <u>approve</u>	CITY MANAGER'S INITIALS	<u>OTM</u>
	MOTION:		
SECONDED: AYES:	APPROVED () DISAPPROVED ()	REJECTED () DEFERRED ()	

NAYES:
ABSENT:

REFERRED TO:

RESOLUTION NO. 2026-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL APPROVING A MILITARY EQUIPMENT USE POLICY FOR THE IMPERIAL POLICE DEPARTMENT PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTIONS 7070–7075 (ASSEMBLY BILL 481)

WHEREAS,

A. Assembly Bill 481 (codified at California Government Code Sections 7070 through 7075), relating to the funding, acquisition, and use of “military equipment” by law enforcement agencies, as that term is defined in Government Code Section 7070, became effective on January 1, 2022; and

B. Assembly Bill 481 requires that before a law enforcement agency may fund, acquire, or use military equipment, the governing body must approve a military equipment use policy at a duly noticed public meeting; and

C. The Imperial Police Department has developed a Military Equipment Use Policy in coordination with Lexipol, which policy is attached hereto as **Exhibit “A”** (“Policy”); and

D. The Imperial Police Department has posted the Policy on its website for at least thirty (30) calendar days prior to the public hearing on this matter and shall maintain the Policy on its website for the duration of its use; and

E. Assembly Bill 481 authorizes the City Council to approve the funding, acquisition, or use of military equipment upon making specific findings at a duly noticed public hearing; and

F. On February 4, 2026, during a regular meeting conducted in compliance with the Ralph M. Brown Act, the City Council considered the Policy, the presentation by the Imperial Police Department, and public testimony, and based thereon makes the following findings:

1. The military equipment described in the Policy is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety; and
2. The Policy will safeguard the public’s welfare, safety, civil rights, and civil liberties; and
3. To the extent military equipment is purchased, such equipment is reasonably cost-effective compared to available alternatives that can achieve the same objective of officer and civilian safety; and
4. Prior uses of military equipment complied with the military equipment use policy that was in effect at the time, or, if prior uses did not comply, corrective action has been taken to remedy any nonconforming use and to ensure future compliance; and

G. The Policy will be maintained by the Imperial Police Department, which shall submit an annual military equipment report to the City Council and conduct a community engagement meeting as required by Government Code Section 7072.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Imperial as follows:

- 1. **Findings Adopted.**
The foregoing recitals and findings are true and correct and are hereby adopted.
- 2. **Approval of Policy.**
The City Council hereby approves and adopts Imperial Police Department Policy 706, Military Equipment Use Policy, as set forth in **Exhibit "A"**, attached hereto and incorporated by reference.
- 3. **Term and Annual Review.**
This Resolution shall take effect immediately upon adoption and shall remain in effect for one (1) year unless renewed by the City Council in accordance with Government Code Section 7072, as it may be amended from time to time.
- 4. **Severability.**
If any provision of this Resolution or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions or applications. The City Council declares it would have adopted this Resolution and each provision thereof irrespective of the invalidity of any other portion.

PASSED AND ADOPTED

by the City Council of the City of Imperial, California, at a regular meeting held on the 4th day of February, 2026, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

CITY OF IMPERIAL

By: _____
IDA OBESO-MARTINEZ
Mayor

ATTEST:

By: _____
KRISTINA SHIELDS
City Clerk