

ORDINANCE NO. 2525

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY READOPTING MILITARY EQUIPMENT USE POLICY

WHEREAS, on May 23, 2022, the City of Redwood City adopted an ordinance approving and adopting a military equipment use policy found within Policy 703 of Redwood City Police Department Policy Manual ("Policy 703"); and

WHEREAS, under Government Code section 7071(e), the City Council must annually review the ordinance and vote on whether to renew the ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDWOOD CITY DOES ORDAIN AS FOLLOWS:

Section 1. The recitals set forth above are true and correct, and are hereby incorporated herein by this reference as if fully set forth in their entirety.

Section 2. The City Council of the City of Redwood City finds and determines as follows:

(a) Based on the annual military equipment report submitted pursuant to Government Code section 7072, each type of military equipment identified in that report has complied with the standards for approval set forth in Government Code section 7071(d).

(b) The military equipment identified in the report and Policy 703 is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.

(c) Policy 703 will safeguard the public's welfare, safety, civil rights, and civil liberties.

(d) The military equipment identified in the report and Policy 703 is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.

(e) Prior military equipment use complied with prior military equipment use policy in effect at the time.

Section 3. Policy 703, attached hereto as Exhibit A and incorporated by reference, is hereby approved and adopted.

Section 4. The City Council will review this Ordinance at least annually, and at that time vote on whether to renew the Ordinance at a regular meeting. The City Council will determine, based on the annual military equipment report submitted pursuant to Government Code section 7072, whether each type of military equipment identified in that report has complied with the standards for approval set forth in Government Code section 7072(d). If City Council determines that a type of military equipment identified in the annual military equipment report has not complied with the standards for approval, the City Council shall either disapprove a renewal of the authorization for that type of military equipment or require modifications to the policy in a manner that will resolve the lack of compliance.

Section 5. This Ordinance has been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.). This Ordinance is not a project under CEQA Guidelines, section 15378, because adopting an ordinance to approve a military equipment use policy is an organizational or administrative activity that will not result in any direct or indirect physical changes in the environment.

Section 6. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion or sections of the Ordinance. The City Council of the City of Redwood City hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Section 7. This Ordinance shall go into effect 30 days following its adoption.

Section 8. The City Clerk shall publish this Ordinance in accordance with the provisions of the City Charter.

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At a Joint City Council/Successor Agency Board/Public Financing Authority Meeting thereof held on the 26th day of June 2023 by the following votes:

AYES, and in favor of the passage and adoption of the foregoing ordinance:

AYES: Aguirre, Eakin, Howard, Martinez Saballos, Sturken, Vice Mayor Espinoza-Garnica, and Mayor Gee

NOES: None

ABSENT: None

ABSTAINED: None

RECUSED: None



Jeff Gee
Mayor of the City of Redwood City

Attest:



Pamela Aguilar, CMC
City Clerk of Redwood City

I hereby approve the foregoing Ordinance
this 29th day of June 2023.



Jeff Gee
Mayor of the City of Redwood City