



STAFF REPORT

AGENDA NO: 9b

MEETING DATE: May 5, 2025

To: Honorable Mayor and City Council

Date: May 5, 2025

**From: Michael Guina City Attorney – (650) 558-7204
Bob Boll, Interim Chief of Police – (650) 777-4100**

Subject: Adoption of an Ordinance Renewing the Burlingame Military Equipment Use Policy; CEQA Determination: Exempt pursuant to State CEQA Guidelines Sections 15378, 15061(b)(3)

RECOMMENDATION

Staff recommends that the City Council adopt the proposed Ordinance renewing the Burlingame Military Equipment Use Policy ("Policy"). Staff recommends the following procedure:

- A. By motion, adopt the proposed Ordinance.
- B. Direct the City Clerk to publish a summary of the Ordinance within 15 days of adoption.

DISCUSSION

AB 481 (Government Code section 7070 et seq.) requires adoption of a Policy before the law enforcement agency can take action to: request military equipment; seek funds (such as grants or in-kind donations) for acquiring military equipment; actually acquire military equipment, either permanently or temporarily by owning, borrowing, or leasing; collaborate with other law enforcement agencies to deploy or use military equipment in the agency's territorial jurisdiction; use new or existing military equipment in a manner not previously subject to AB 481's scope; solicit or respond to a proposal for, or enter into an agreement with, any person or entity to seek funds for, apply for, acquire, use, or collaborate in using military equipment; or to acquire military equipment through any other means not specifically detailed in the statute.

The City Council conducted a duly-noticed public hearing and adopted the first reading of the proposed Ordinance and Policy at its regular meeting on April 21, 2025. No changes to the proposed Ordinance were requested; therefore, the Ordinance is presented to the City Council for second reading and adoption. The staff report from the April 21 meeting is attached for reference.

FISCAL IMPACT

Since the department is not proposing to purchase new military equipment, but only seeks to continue using current equipment, there is no fiscal impact associated with approval of this Ordinance renewing the Policy.

Exhibits:

- Proposed Ordinance
 - Attachment 1: Military Equipment Use Policy
 - Exhibit A: List of Military Equipment
 - Exhibit B: 2024 Annual Military Equipment Report
- Staff report from April 21, 2025 Meeting