

ITEM NO. 4J: Approving the Renewal of Ordinance of Police Department  
Military Equipment Use Policy per AB 481

**Fulton-El Camino Recreation and Park District**  
**2201 Cottage Way Sacramento, CA 95825**

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ORDINANCE NO. - 2023/24-02

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A RENEWAL OF THE ORDINANCE OF THE BOARD OF DIRECTORS  
OF THE FULTON-EL CAMINO RECREATION AND PARK DISTRICT  
APPROVING A MILITARY EQUIPMENT USE POLICY FOR POLICE SERVICES

**WHEREAS**, effective January 1, 2022, Assembly Bill 481 (AB 481) (Government Code sections 7071 et. seq.) sets forth a process by which law enforcement agencies are to obtain approval from their governing bodies of a military equipment use policy through the adoption of an ordinance; and

**WHEREAS**, pursuant to Government Code Section 7071(a)(1), such an ordinance must be timely adopted before a law enforcement agency may acquire or use new or existing military equipment and engage in other specified activities; and

**WHEREAS**, the Fulton-El Camino Recreation and Parks District Police Department currently has military equipment (as that term is defined in Government Code section 7070(c) in its inventory; and

**WHEREAS**, the Fulton-El Camino Recreation and Parks District Police Department proposes to acquire certain military equipment to replace some equipment currently in use; and

**WHEREAS**, the Fulton-El Camino Recreation and Parks District Police Department works closely with other local, county, state and federal law enforcement agencies within Sacramento County on police related matters, including safeguarding the public's welfare and safety, working on regional task forces, conducting training exercises, providing mutual aid and responding to emergencies; and

**WHEREAS**, in exigent circumstances, there is sometimes the need to deploy military equipment from or lend military equipment to outside entities to promote the safety and security of community members; and

**WHEREAS**, the continued collaboration with other law enforcement agencies in the deployment or other use of military equipment within the District and County is necessary to safeguard the public's welfare, safety, civil rights and civil liberties and there is no reasonable alternative that can achieve the same objective of officer and civilian safety; and

**WHEREAS**, Fulton-El Camino Recreation and Parks District Police Department Policy 8701 sets forth a military equipment use policy that is consistent with the Police Department's current practices, will be posted on the Department's website for at least thirty (30) days, complies with all the requirements of AB 481, will ensure ongoing regulation and compliance with the law going forward and will provide a means of community engagement and transparency regarding use of military equipment by the Department; and

**WHEREAS**, public notice has been provided in accordance with applicable law; and

**WHEREAS**, the Board of Directors desires to approve a military use policy in compliance with AB 481.

**NOW, THEREFORE**, the Board of Directors of Fulton-El Camino Recreation and Park District, DOES HEREBY ORDAIN as follows:

Section 1. Findings and Determinations.

The Board of Directors finds and determines as follows:

A. The military equipment set forth in Fulton-El Camino Recreation and Park District Police Department Policy 8701 "Military Equipment Funding, Acquisition and Use Policy" is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.

B. The proposed military equipment use policy will safeguard the public's welfare, safety, civil rights, and civil liberties.

C. If purchasing the equipment identified in the policy, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.

D. Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

Section 2. Approval.

The Board of Directors approves the renewal of the Military Equipment Use Ordinance passed in 2022.

The Board of Directors approves the Fulton-El Camino Recreation and Park District Police Department Policy 8701 "Military Equipment Funding, Acquisition and Use Policy" attached as Exhibit A.

The Board of Directors approves the inventory of equipment currently owned by the Fulton-El Camino Park District Police Department attached as Exhibit B.

Section 3.

Effective Date is 30 (thirty days) after adoption.

Section 4.

Severability. If any section, subdivision, sentence, clause, phrase, or portion of the Ordinance or this resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions.

Section 5.

Publication. This ordinance of renewal shall be posted and published in accordance with the California Government Code.

**PASSED AND ADOPTED** The foregoing Ordinance was introduced and adopted at a regular meeting of the Board of Directors of Fulton-El Camino Recreation and Park District held on April 21, 2022, and was ordered to be published at a meeting of the Board of Directors held on May 17, 2022.

I, the undersigned, hereby certify that the foregoing Ordinance Number 2023/24 – 02 was duly and regularly adopted and passed by the Board of Directors of the Fulton-El Camino Recreation and Park District on the 16<sup>th</sup> day of May 2024, by the following vote:

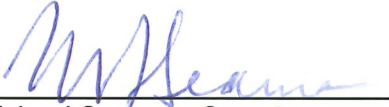
AYES:	-	Directors: 4
NOES:	-	Directors: 0
ABSTAIN:	-	Directors: 0
ABSENT:	-	Directors: 1

APPROVED



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Jessica Dias, Chair, Board of Directors

ATTEST:



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Michael Seaman, Secretary,  
Board of Director