



CITY COUNCIL STAFF REPORT



April 21, 2026

ITEM TITLE

Annual Military Equipment Report: Accept the Annual AB 481 Military Equipment Report, Review and Renew Ordinance No. 3549, and Amend the Chula Vista Police Department Military Equipment Policy

Report Number: 26-0117

Location: No specific geographic location

Department: Police

G.C. § 84308 Regulations Apply: No

Environmental Notice: The activity is not a “Project” as defined under Section 15378 of the California Environmental Quality Act State Guidelines. Therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

Recommended Action

Conduct a public hearing and adopt a resolution: (A) accepting the 2025 Annual AB 481 Military Equipment Report, (B) renewing Ordinance No. 3549, and (C) amending Chula Vista Police Department Military Equipment Policy 714.

SUMMARY

California Assembly Bill 481 requires law enforcement agencies to obtain approval of a military equipment use policy from their governing body and to submit an annual military equipment report. The governing body must annually review the report, determine whether each type of military equipment identified complies with the standards for approval set forth in Government Code section 7071(d), and vote on whether to renew the policy.

On May 3, 2022, City Council adopted Ordinance No. 3520, approving Chula Vista Police Department Military Equipment Policy 714. In April 2023, City Council adopted Ordinance No. 3549, amending that policy. The Police Department now submits the 2025 Annual Military Equipment Report in accordance with Government Code section 7072 and requests that the City Council review Ordinance No. 3549, consider its renewal, and approve amendments to Military Equipment Policy 714.

ENVIRONMENTAL REVIEW

The proposed activity has been reviewed for compliance with the California Environmental Quality Act (CEQA), and it has been determined that the activity is not a “Project” as defined under Section 15378 of the State CEQA Guidelines because it will not result in a physical change in the environment. Therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA.

COMMUNITY ENGAGEMENT

The Police Department is committed to community engagement and to maintaining transparency in the use of military equipment. Consistent with that commitment, the 2025 Annual Military Equipment Report has been available for public review on the Police Department website since March 12, 2026.

On April 2, 2026, the Police Department held a community engagement meeting at the Chula Vista Police Department, where members of the public were able to review the report and ask questions regarding the funding, acquisition, and use of military equipment.

Members of the public will have an opportunity to provide additional comment during the City Council public hearing.

The Police Department has also scheduled a community engagement meeting in City Council Chambers for April 29, 2026, within 30 days following submission of the report to the City Council, as required by Assembly Bill 481. (Gov. Code § 7072(b).) The meeting will be publicized on the Police Department website and social media accounts.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable.

DISCUSSION

RELEVANT LAW

On September 30, 2021, California Governor Gavin Newsom approved Assembly Bill 481 (AB 481), codified in Government Code sections 7070 through 7075. AB 481 requires law enforcement agencies to obtain approval of a military equipment use policy from their governing body prior to acquiring, deploying, using, funding, or contracting for military equipment. Once a policy has been adopted, the agency must submit an annual military equipment report to the governing body for each type of approved military equipment and make the report available on its website.

The annual military equipment report required by Government Code section 7072 must contain the following information 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.

In addition, within 30 days after submitting the annual report, the law enforcement agency must hold at least one well-publicized and conveniently located community engagement meeting at which the public may discuss and ask questions regarding the report and the law enforcement agency's funding, acquisition, and use of military equipment.

The governing body must annually review the annual report regarding acquisition and use of military equipment and determine whether the equipment identified complies with the standards for approval set forth in Government Code section 7071(d). Based on that review, the governing body must vote on whether to renew or modify the previously approved policy. If the governing body determines that a type of military equipment does not meet those standards, it may disapprove of continued authorization for that type of equipment or require modifications to the policy to address the deficiency.

Government Code section 7071(d) establishes the standards for approval. The governing body must determine that:

- (A) The military equipment 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, 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.

CHULA VISTA POLICE DEPARTMENT COMPLIANCE AND REPORTING

On May 3, 2022, City Council adopted Ordinance No. 3520, approving the Chula Vista Police Department Military Equipment Policy ("Policy 714"), after determining it satisfied the standards set forth in Government Code section 7071(d). Policy 714 governs the Police Department's use of military equipment. It identifies each type of equipment, including quantity, capabilities, expected lifespan, and manufacturer description, and specifies the purposes and authorized uses for each item. The policy outlines fiscal impacts, including acquisition and annual maintenance costs, and establishes the legal and procedural requirements governing

use, including required training to ensure protection of the public's welfare, safety, civil rights, and civil liberties. It further requires compliance, sets forth enforcement mechanisms and sanctions for violations, and establishes procedures for receiving and responding in a timely manner to public complaints, concerns, and questions.

In April 2023, City Council adopted Ordinance No. 3549, amending Policy 714 to add equipment descriptions for additional unmanned aircraft and specialized firearms, to delete equipment no longer in use, and to clarify that the Police Chief is authorized to order replacement types of equipment authorized in the policy. In April 2025, the City Council conducted its most recent annual review and determined that the equipment identified in the 2024 Annual Military Equipment Report complied with the standards set forth in Government Code section 7071(d). The proposed amendments to Policy 714 would further clarify procurement authority by allowing, under rare and exigent circumstances, the City Manager or designee to approve the purchase of replacement supplies for previously authorized equipment to maintain operational readiness.

The Police Department submits this 2025 Annual Military Equipment Report ("Report") in compliance with AB 481 (Attachment 4). The Report provides all information required by Government Code section 7072, including a summary of how the equipment was used, whether any complaints were received, whether any violations occurred, and the fiscal impacts associated with such equipment, including the total annual costs for each type of equipment, the quantity possessed for each type of equipment, and whether the Police Department intends to acquire additional equipment in the next year.

Based on the information contained in the Report and Policy 714, the Police Department maintains that the equipment identified in the Report continues to satisfy the standards for approval set forth in Government Code section 7071(d). The equipment remains necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety. Policy 714 continues to safeguard the public's welfare, safety, civil rights, and civil liberties by establishing clear standards governing the use and oversight of such equipment.

To the extent such equipment has been purchased, the Department maintains that it is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety. As reflected in the 2025 Annual Military Equipment Report, prior use of the equipment complied with Policy 714, and no violations requiring corrective action were identified.

The Police Department submits the 2025 Annual Military Equipment Report (Attachment 4) to City Council and requests approval of the proposed resolution accepting the Report, renewing Ordinance No. 3549, and approving amendments to Policy 714.

DECISION-MAKER CONFLICT

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the real property holdings of the City Council members do not create a disqualifying real property-related financial conflict of interest under the Political Reform Act. (Cal. Gov't Code § 87100, et seq.)

Staff is not independently aware and has not been informed by any City Council member of any other fact that may constitute a basis for a decision maker conflict of interest in this matter.

CURRENT-YEAR FISCAL IMPACT

Approval of this item has no current-year fiscal impact. All costs related to the Military Equipment Policy are included in the fiscal year 2025-26 budget for the Police Department.

ONGOING FISCAL IMPACT

The Military Equipment Report identifies the inventory of military equipment. During the budget process, ongoing maintenance and repair costs for this equipment will continue to be incorporated into the proposed annual budget. If additional appropriations are required for, staff will return to City Council for approval.

ATTACHMENTS

1. Ordinance No. 3549
2. CVPD Military Equipment Policy 714 (Redline)
3. CVPD Military Equipment Policy 714 (Clean)
4. CVPD 2025 Military Equipment Report

*Staff Contact: Acting Chief of Police Dan Peak
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