

# AGENDA STAFF REPORT



DATE: May 12, 2025

TO: Honorable Mayor and City Council

THRU: Patrick Gallegos, Interim City Manager

FROM: Michael Henderson, Chief of Police

SUBJECT: **Seeking City Council Approval for the Seal Beach Police Department to Purchase Ammunition for Police Rifles Pursuant to the City's "Military Equipment" Use Policy and State Law**

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## **SUMMARY OF REQUEST:**

That City Council adopt Resolution 7639 approving the purchase of the .223 / 5.56mm ammunition for the Seal Beach Police Department, pursuant to the City's "military equipment" use policy.

## **BACKGROUND AND ANALYSIS:**

The Seal Beach City Council adopted Ordinance 1694, approving a "military equipment" use policy, in April of 2022. This policy complies with Government Code sections 7070 through 7075 (AB 481) and requires the Police Department to obtain approval from the City Council prior to acquiring equipment that is covered by the policy.

Under these new state laws, once the City has adopted a compliant policy, law enforcement agencies are now required to first obtain approval from their respective governing body prior to funding, seeking funding for, or acquiring "military equipment." Law enforcement agencies are not permitted to use "military equipment," as defined in state law, unless it is permitted by the policy. Law enforcement agencies are further required to submit an annual military equipment report to the governing body for as long as the equipment is available for use. Agencies are also required to attach a military equipment inventory to the policy. As stated above, Seal Beach has adopted a policy, with the required inventory attached.

Items deemed to be "military equipment" by AB 481 are used as a component of overall best practices for law enforcement agencies throughout the country. These tools have been tested in the field and are used by law enforcement agencies to enhance citizen safety, officer safety. Loss of these items would jeopardize the welfare of citizens and peace officers within the SBPD.

The term “military equipment”, as used in AB 481, does not necessarily indicate equipment that has been used by the military. Pursuant to AB 481, items deemed to be “military equipment” include, but are not limited to, unmanned aerial or ground vehicles, armored vehicles, command and control vehicles, pepper balls, less lethal shotguns, less lethal 40mm projectile launchers, long range acoustic devices, and flashbangs.

SBPD is committed to using the most up to date tools and equipment to safeguard the citizens of Seal Beach and peace officers. Many items deemed to be “military equipment” by AB 481 are employed by SBPD and law enforcement agencies across the country, to specifically reduce risk to community members and to protect peace officers with adequate weapons and supplies. Some of the items covered by the policy provide peace officers with the ability to safely resolve volatile situations which otherwise might rise to the level of a lethal force encounter. To that end, the ammunition that SBPD seeks approval to acquire are approved in the policy and will provide SBPD’s peace officers with vital tools that facilitate compliance with its stringent use of force policy.

There are no reasonable alternatives to the ammunition requested in this report. SBPD officers are already equipped and trained with rifles. SBPD needs additional ammunition for ongoing operation, training, qualification, and reserve supplies. The approved use and necessity for using this ammunition is described in the policy as follows:

Specialized firearms and ammunition including assault weapons: Patrol rifles, Special Weapons and Tactics (SWAT) rifles, and sniper rifles enable officers when in compliance with the SBPD’s Use of Force Policy, to address medium to long distance threats, or those threats who are heavily armed, armored or both. Further, in both short and long-distance deployments, they allow officers precision shot placement minimizing the risk to officers and innocent citizens. There are no known alternatives to these weapons that will provide the same level of distance or precision.

SBPD will provide an annual update to the policy and inventory, as required by AB 481, at a future meeting.

### **ENVIRONMENTAL IMPACT:**

There is no environmental impact related to this item.

### **LEGAL ANALYSIS:**

The City Attorney has reviewed and approved as to form.

**FINANCIAL IMPACT:**

The City of Seal Beach has been purchasing ammunition from Dooly Enterprise Inc., which is the sole source distributor for Winchester ammunition on the West Coast, for over 20 years. The purchase is exempt from bidding requirements under Seal Beach Municipal Code Section 3.20.025(B). The cost for these rounds will be:

10 Units (1,000 rounds per unit) = 10,000 total rounds                      Total \$5,107.35

This is a budgeted item for the Police Department.

**STRATEGIC PLAN:**

This item is not applicable to the Strategic Plan.

**RECOMMENDATION:**

That City Council adopt Resolution 7639 approving the purchase of the .223 / 5.56mm ammunition for the Seal Beach Police Department, pursuant to the City's "military equipment" use policy.

SUBMITTED BY:

NOTED AND APPROVED:

*Michael Henderson*

*Patrick Gallegos*

Michael Henderson, Chief of Police

Patrick Gallegos, Interim City Manager

Prepared by: Michael Ezroj, Operations Bureau Captain

**ATTACHMENTS:**

- A. Resolution 7639
- B. Ordinance 1694
- C. Policy 706
- D. Dooley Enterprise Inc. Price Quote