



STAFF REPORT

TO: CLAYTON CITY COUNCIL

FROM: Jeremy Crone, Police Chief

DATE: May 5, 2026

SUBJECT: Consider Renewal of Ordinance No. 495, which adopted the Military Equipment Use Policy, with public engagement and making certain findings, and review and approve acquisition of drones.

RECOMMENDATION

Staff recommends that the City Council: 1) review and approve the Annual Military Equipment Use Report for 2025; 2) conduct the required community engagement/public hearing; 3) find that each approved type of military equipment identified in the annual report continues to satisfy the standards set forth in Government Code section 7071(d)(1)(A) through (D); 4) review and approve the Department's intent to acquire drones and implement a UAS program; and 5) consider and approve renewal of Clayton Ordinance No. 495 adopted May 3, 2022

BACKGROUND

Assembly Bill 481 ("AB 481"), approved on September 30, 2021 by Governor Gavin Newsom (codified as Chapter 12.8 of the California Government Code and commencing with section 7070 et seq.), requires a local law enforcement agency, such as the Clayton Police Department, to have a Military Equipment Use Policy ("Policy") approved by the City Council prior to requesting, seeking funding, acquiring, collaborating with other jurisdictions about the deployment of military equipment, or using military equipment. On May 3, 2022, the City Council adopted Ordinance 495 adopting the Military Equipment Use Policy.

The term "military equipment", as defined by Government Code section 7070(c), does not necessarily indicate just equipment used by the military. 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 flashbang diversionary devices. The list of items considered "military equipment" by AB 481 are employed by many law enforcement agencies across the country as best practices to enhance community and officer safety.

ANALYSIS

The Clayton Police Department is committed to safeguarding our community through crime reduction strategies such as: Community Policing, Progressive Training, and Technology. Using the most up-to-date tools and equipment to safeguard the community of Clayton is

essential to keeping our community safe. Some items deemed to be “military equipment” are in fact employed by the Clayton Police Department to specifically reduce risk to community members during critical incidents.

To further the Department’s mission in using the most up-to-date tools and equipment to safeguard the community of Clayton, the Department is seeking approval of drone equipment and the creation of an Unmanned Aircraft System (UAS) program.

There is no current City budget allocation for the acquisition of military equipment for the upcoming (26-27) cycle.

However, as presented to the City Council in November of 2025, the Department has completed an application with the Department of Homeland Security, via the Homeland Security Grant Program (HSGP) for the purchase of an Unmanned Aircraft System (UAS), commonly referred to as drones.

Should the Department’s application be approved and funded, it is the Department’s intent to acquire equipment to stand-up a UAS program. Due to the extended approval and funding timeline from DHS, specific manufacturers and models of drones have not been selected at this time. It is the intent of the Department to acquire drones that are compliant with the City’s purchase and acquisition policies and in accordance with the requirements set forth by the HSGP guidelines. The Department intends, if granted, to purchase at least one (1) free-fly drone and at least one (1) tethered drone. The exact number purchased will be based on the grant award, availability in the market, and Department need. The Department would also develop and implement a UAS policy to define authorized uses, privacy and Constitutional protections, program coordination and certification, prohibited uses, and training.

Should the Department’s application be approved and funded, the Department would bring before the City Council the grant award as well as the specific UAS equipment sought for review and approval.

HSGP Timeline:

- December 2025: Presentation to the County on grant requests
- Early 2026: County reviews requests and designates for submission
- Mid - Late 2026: Approved packets sent to Department of Homeland Security (DHS)
- March 2027: Approvals
- Mid 2027 – Aug 2029: Spend window

Clayton Police Department Policy 710, “Military Equipment Funding, Acquisition, and Use” adheres to California Government Code section 7070 et seq., with respect to the approval, acquisition, and reporting requirements of military equipment. In addition, Assembly Bill 481 requires the City to publish the draft Policy to the Police Department’s website thirty (30) days ahead of a public hearing to approve the Policy. The Police Department published the draft Policy on its website on March 16, 2022, and the City Council adopted the final Policy on May 3, 2022.

AB 481 also requires the Clayton Police Department to:

- Publish an annual report to include each type of military equipment approved by the City Council.
- Hold at least one well-publicized and conveniently located community engagement meeting within thirty (30) days of submitting and publicly releasing the annual military equipment report.
- Have the City Council: 1) review the annual military equipment report; 2) annually review and renew the military equipment use ordinance; 2) and determine whether to disapprove a renewal of a type of military equipment or amend the Policy if the City Council determines that the military equipment does not comply with standards for approval.

Based on the Annual Military Equipment Report, staff has reviewed each approved type of military equipment and determined :

- The military equipment identified in the policy remains necessary for officer and civilian safety and no reasonable alternatives would achieve the same objectives.
- The approved policy continues to safeguard the public's welfare, safety, civil rights, and civil liberties.
- The equipment remains reasonably cost-effective compared to alternatives.
- The Department's use of approved military equipment during the reporting period complied with Policy 710.

It is the Clayton Police Department's position that the City Council review and approve the attached Annual Military Equipment Report for 2025 and renew Clayton Ordinance No. 495 as required by AB 481.

FISCAL IMPACT

None

ATTACHMENTS

[Clayton PD Military Equipment Policy and Inventory 2025.pdf](#)

[Clayton AB 481 Annual Report 2025 \(BBK\)-c1.pdf](#)

[Military Equipment Annual Report Presentation 2025.pdf](#)