



CITY of CALABASAS
CITY COUNCIL AGENDA REPORT

DATE: NOVEMBER 22, 2021

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MICHAEL KLEIN, SENIOR PLANNER, AICP
MICHAEL MCCONVILLE, MANAGEMENT ANALYST

SUBJECT: CONSIDER ADOPTION OF RESOLUTION NO. 2021-1766,
AUTHORIZING ACCEPTANCE OF UP TO \$159,207 IN GRANT
FUNDING FROM THE CALIFORNIA DEPARTMENT OF JUSTICE, TO BE
USED FOR TOBACCO RETAILER ENFORCEMENT OPERATIONS

MEETING DATE: DECEMBER 1, 2021

SUMMARY RECOMMENDATION:

That the City Council consider adoption of Resolution No. 2021-1766, authorizing acceptance of up to \$159,207 in grant funding from the California Department of Justice (DOJ), to be used for tobacco retailing enforcement operations.

BACKGROUND:

The Office of the Attorney General established the California Department of Justice Tobacco Grant Program in 2017 to provide annual funds to local enforcement agencies throughout California. To date, the Tobacco Grant Program has distributed approximately \$124 million dollars in grant funding to approximately 260 grantees through a competitive process. This grant cycle, the Tobacco Grant Program will make available a total of \$26.8 million dollars in grant funding to promote a healthier California by reducing illegal sales and marketing of cigarettes and tobacco products, including e-cigarettes, to minors.

Any local public agency within the State of California that has authority to enforce tobacco-related state laws or local ordinances is eligible to apply. This may include

law enforcement agencies, cities, counties, public K-12 districts, and public college districts.

Grantees may use grant funds to enforce a local ordinance or state law related to the illegal sale and marketing of tobacco products, including e-cigarettes, to minors and youth. These enforcement efforts may include, retailer compliance checks and license inspections. On April 9, 2021, staff submitted an application for a grant to cover the additional expense to increase its tobacco retailing enforcement operations with the LA County Sheriff Department. On November 18, 2021, staff received notice from the DOJ that the City's grant request has been approved for up to \$159,207 to cover increased enforcement efforts over the next three fiscal years.

DISCUSSION/ANALYSIS:

In 2009, the City Council adopted Ordinance No. 2009-259 adding section 5.18 to the Calabasas Municipal Code (CMC), which requires all tobacco retailers to be registered with the City in order to sell tobacco products. Registration is required annually, and there is no fee involved. It is unlawful for any retailer to sell tobacco products without current registration. In addition to requiring a valid registration, the ordinance prohibits retailers from selling tobacco products (inclusive of vaping products) to anyone under 21 years of age (consistent with state law). The ordinance establishes policies and procedures for the regular monitoring of tobacco retailers by the City and Sheriff's Department, including the use of underage decoys for sting operations.

In accordance with Section 5.18 of the CMC, the City is required to coordinate three sting operations per year with the LA County Sheriff Department. The purpose of this grant is to provide additional funding for City and Sheriff Department time to increase the number of sting operations to six per year, for the next three years. The LA County Sheriff Department has provided the City with a letter of commitment to meet the purpose of the grant (Attachment C).

FISCAL IMPACT/SOURCE OF FUNDING:

There is no fiscal impact from acceptance of the awarded grant.

REQUESTED ACTION:

Adopt Resolution No. 2021-1766, authorizing acceptance of up to \$159,207 in grant funding from the California Department of Justice (DOJ), to be used for tobacco retailing enforcement operations.

ATTACHMENTS:

- Attachment A: Resolution No. 2021-1766
- Attachment B: Tobacco Grant Award Notification from CA DOJ
- Attachment C: Letter of Commitment from the LA County Sheriff Department