



CITY of CALABASAS

CITY COUNCIL AGENDA REPORT

DATE: OCTOBER 29, 2024

TO: HONORABLE MAYOR AND COUNCILMEMBERS

**FROM: MICHAEL KLEIN, AICP, COMMUNITY DEVELOPMENT DIRECTOR
 RACHEL ZADIKOV, ASSISTANT PLANNER**

**SUBJECT: ADOPTION OF RESOLUTION NO. 2024-1933, TO ACCEPT GRANT
 FUNDS IN THE AMOUNT OF \$54,900 FROM THE DEPARTMENT OF
 JUSTICE, OFFICE OF THE ATTORNEY GENERAL, TOBACCO GRANT
 PROGRAM, FOR TOBACCO RETAILING ENFORCEMENT
 OPERATIONS**

**MEETING NOVEMBER 13, 2024
DATE:**

SUMMARY RECOMMENDATION:

That the City Council consider adoption of Resolution No. 2024-1933, to accept grant funds in the amount of \$54,900 from the Department of Justice, Office of the Attorney General, Tobacco Grant Program, for tobacco retailing enforcement operations.

BACKGROUND:

The Office of the Attorney General established the California Department of Justice (DOJ) Tobacco Grant Program in 2017 to provide annual funds to local enforcement agencies throughout California. To date, the Tobacco Grant Program has distributed approximately \$212 million dollars in grant funding through a highly competitive process. This grant cycle, the Tobacco Grant Program made available a total of \$28.5 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.

In accordance with the State Budget Act and Proposition 56, 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, license inspections, and education.

In November 2021, the DOJ awarded \$159,207 in grant funding to the City to increase its tobacco retailing enforcement operations with the LA County Sheriff Department. The grant cycle began on December 1, 2021 and will be ending on June 30, 2025. Because the grant cycle is nearing its end, staff submitted an application for a new grant cycle.

On June 20, 2024, staff submitted an application for a new grant to cover the additional expense to continue increased enforcement of the City's tobacco retailing enforcement operations with the LA County Sheriff Department. On October 16, 2024, staff received notice from the DOJ that the City's grant request has been approved for up to \$54,900 to cover increased enforcement efforts over the next three fiscal years.

DISCUSSION/ANALYSIS:

In 2009, the City Council adopted Ordinance No. 2009-259 adding Chapter 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). Chapter 5.18 contains 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 CMC Chapter 5.18, 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 the City to pay the Sheriff Department to continue conducting six sting operations per year, for the next three years. Within the current three-year grant cycle, the rate of illegal tobacco

sale to underage decoys in the City decreased from 14% in 2019 to 5.4% as of June 2024. The goal of the new three-year grant cycle is to continue the increased enforcement operations to reduce the rate of illegal tobacco sales to less than 3%. 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. Funds from the grant will be used to offset the costs associated with sting operations conducted by the Sheriff Department.

REQUESTED ACTION:

Adopt Resolution No. 2024-1933, to accept grant funds in the amount of \$54,900 from the Department of Justice, Office of the Attorney General, Tobacco Grant Program, for tobacco retailing enforcement operations.

ATTACHMENTS:

- A. Resolution No. 2024-1933
- B. Tobacco Grant Award Notification from CA DOJ
- C. Letter of Commitment from the LA County Sheriff Department
- D. MOU with the CA DOJ