



CONSENT CALENDAR

Agenda Item # 2

AGENDA REPORT SUMMARY

Meeting Date: July 10, 2018

Subject: Resolution 2018-27: Department of Justice grant funding acceptance

Prepared by: Sarah Henricks, Management Analyst Fellow

Reviewed by: J Logan, Assistant City Manager

Approved by: Chris Jordan, City Manager

Attachment(s):

1. Resolution 2018-27
2. Tobacco Law Enforcement Grant Budget Detail

Initiated by:

Staff

Previous Council Consideration:

None

Fiscal Impact:

The grant will increase available funds for tobacco enforcement related activities by \$23,228

Environmental Review:

Not applicable

Policy Question(s) for Council Consideration:

- Does the Council wish to adopt a resolution that will accept grant funds dedicated to tobacco enforcement programs and activities?
- Does the Council wish to authorize the City Manager to sign a service agreement with the County of Santa Clara to administer said grant funds?

Summary:

- In partnership with the County of Santa Clara, the City of Los Altos will implement new or continued tobacco enforcement activities, such as purchasing and installing new signs on municipal campuses to educate the public about new smoking prohibitions; training a new SRO to implement the Tobacco Prevention Toolkit and develop custom programming to provide tobacco prevention education in schools; and participating in training and conducting decoy operations to enforce tobacco sales to minors laws.

Staff Recommendation:

Move to adopt Resolution 2018-27 authorizing acceptance of \$23,228 in grant funding from the California Department of Justice and to authorize the City Manager to sign a service agreement with the County of Santa Clara.



Subject: Resolution 2018-27: Department of Justice grant funding acceptance

Purpose

Consider adopting Resolution 2018-27 which accepts grant funds of \$23,228 from the California Department of Justice as part of the joint application to the DOJ for the implementation of tobacco education and enforcement programs. Consider authorizing the City Manager to sign a service agreement with the County of Santa Clara, the primary applicant, which will oversee fund distributions and assist in monitoring and reporting on program activities.

Background

Proposition 56, the California Healthcare, Research and Prevention Tobacco Tax Act of 2016 raised the cigarette tax by \$2.00 per pack and added an equivalent increase to other tobacco products. Proposition 56 specifically allocates \$30 million of revenue to be distributed annually by the California Department of Justice to local law enforcement agencies for the support of peace officers for various activities, including investigations intended to reduce the illegal sale of tobacco products to minors.

In May 2018, the California DOJ released a Request for Proposal to fund tobacco enforcement activities, particularly as they relate to preventing youth access and exposure to tobacco products. The County of Santa Clara sought interested applicants to apply jointly for the grant funding, with the County acting as the primary applicant and handling the application submission process and grant oversight. The City agreed to partner with the County, as the secondary applicant, and applied for \$23,228 in grant funding for the following:

- Purchase and installation of Smoke-free Public Places signs on all municipal campuses and parks
- School Resource Officer tobacco prevention training and program development
- Quarterly decoy operations with County-led training

The County of Santa Clara was awarded \$575,000 from the DOJ, of which \$23,228 will be allocated to the City of Los Altos.

Discussion/Analysis

The programs to be funded by the DOJ grant are described below.

Educational Campaign-Signs

The City of Los Altos recently adopted new smoking prohibitions across the City to improve the health and well-being of its residents, workforce, and visitors. The prohibitions increase the number of smoke-free environments, particularly in unenclosed public places. As an educational campaign to update the community on these new prohibitions, signs will be installed at all City parks, on the Civic Center Campus and at the Maintenance Services Center.



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Educational Campaign- SRO training and program development

Every three years, the Los Altos Police Department trains a new School Resource Officer to serve as a liaison between local schools and the department. The Department is currently onboarding its new SRO and staff feels this is an appropriate time to provide training aimed at educating youth on the dangers associated with electronic cigarettes/vape pens. Stanford University has developed a Tobacco Prevention Toolkit that provides comprehensive instruction on educating minors about the dangers of tobacco use with a specific module on electronic cigarettes/vape pens and JUULS. The new SRO will receive training via the toolkit and develop customized programming to provide tobacco prevention training in Los Altos schools. This programming supplements the D.A.R.E. programming currently provided by Los Altos SROs.

Enforcement Campaign-Training and decoy operations

The Los Altos Police Department currently conducts operations to ensure that tobacco retailers are adhering to California's tobacco sales laws. Working with the County of Santa Clara, the Police Department conducts two decoy operations per year to enforce tobacco sales to minors laws. Funding from this grant will enable the Police Department to double its tobacco enforcement activities, participating in one County-led training on tobacco enforcement protocol per quarter, followed by a decoy operation for each quarter of FY2018/19 and FY2019/20.

Options

- 1) Adopt Resolution 2018-27 accepting the DOJ grant funding and authorize the City Manager to sign a service agreement with the County of Santa Clara.

Advantages: The City of Los Altos receives \$23,228 in grant funding to deter the costs associated with new tobacco-related education and enforcement campaigns; the County of Santa Clara handles the grant monitoring and reporting on behalf of the City

Disadvantages: The City of Los Altos engages in increased education and enforcement campaigns without engaging additional employees to complete the work; the City is obligated to complete the projects and programs and provide reporting to the County of Santa Clara to comply with the rules of the grant

- 2) Do not adopt Resolution 2018-27 accepting the DOJ grant funding and do not authorize the City Manager to sign a service agreement with the County of Santa Clara.

Advantages: The City is not obligated to complete the increased projects or programs and does not have to comply with reporting standards



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Disadvantages: The City does not receive the \$23,228 and must pay for the increased programming or projects with general funds, seek funding elsewhere, or choose not to implement the new programming or projects

Recommendation

The staff recommends Option 1.

RESOLUTION NO. 2018-27

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
AUTHORIZING ACCEPTANCE OF \$23,228 IN CALIFORNIA DEPARTMENT
OF JUSTICE FUNDING TO BE ADMINISTERED BY THE COUNTY OF
SANTA CLARA TO IMPLEMENT TOBACCO ENFORCEMENT RELATED
ACTIVITIES**

WHEREAS, the California Department of Justice (DOJ) administers a \$30 million per year Tobacco Enforcement Grant Program for local governments supporting local efforts to reduce the illegal sale of tobacco products to minors through enforcement and compliance interventions, and

WHEREAS, one in ten youth currently use tobacco products in Santa Clara County and rates of electronic smoking devices are increasing, and

WHEREAS, enforcement of laws preventing tobacco sales to minors has declined over the last three years and the number of stores caught selling to minors has increased, and

WHEREAS, recent changes to state laws, such as the increase in age for tobacco sales to 21, has resulted in an increased percentage of the Santa Clara population who is under the legal age to buy tobacco products: 27% of the County's population, more than 500,000 residents, and

WHEREAS, the City of Los Altos has an ordinance increasing the number of smoke-free environments in the City, in part to reduce youth exposure to tobacco use, in which language regarding the posting of "No Smoking" or "Smoke-free" signs on City facilities is included, and

WHEREAS, the City of Los Altos Police Department currently conducts operations to assess compliance with laws governing the sale of tobacco, and

WHEREAS, the City of Los Altos School Resource Officer regularly conducts training and education on the dangers of drug and alcohol use but does not have a curriculum focused on the use of electronic smoking devices.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby adopts Resolution 2018-27 to accept \$23,228 in DOJ funding to be administered by the County of Santa Clara to implement tobacco enforcement related activities including:

- Purchase and installation of non-smoking signs
- Quarterly decoy operations with County-led training
- School Resource Officer tobacco prevention training and program development.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the ____ day of ____, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jean Mordo, MAYOR

Attest:

Jon Maginot, CMC, CITY CLERK

TOBACCO LAW ENFORCEMENT GRANT BUDGET DETAIL

Costs Per Fiscal Year (July 1 - June 30)

A. Personal Services				
Salaries				
Classification/Positions	Computation	FY 2017-18	FY 2018-19	FY 2019-20
Police Officer	School Resource Officer Tobacco Prevention Training and development of custom school educational campaign (15 hours at hourly rate (\$115.18))	\$ -	\$ 1,728	\$ -
Police Officer	County-led Tobacco Enforcement Protocol Training (one hour/operation; four operations/year) (Four hours at hourly rate (\$115.18))	\$ -	\$ 461	\$ 461
Police Officer	Decoy Operations: 3 hours per operation, 4 operations per year (12 hours at hourly rate (\$115.18))	\$ -	\$ 1,382	\$ 1,382
Police Agent	Decoy Operations: 3 hours per operation, 4 operations per year (12 hours at hourly rate (\$124.75))	\$ -	\$ 1,497	\$ 125
Police Sergeant	Decoy Operations: 3 hours per operation, 4 operations per year (12 hours at hourly rate (\$134.29))	\$ -	\$ 1,611	\$ 1,611
Maintenance Worker II	Approximately 30 mins/sign x 60 signs (30 hours at hourly rate (\$68.90))	\$ -	\$ 2,067	\$ -
Maintenance Technician	Approximately 30 mins/sign x 60 signs (30 hours at hourly rate (\$103.56))	\$ -	\$ 3,107	\$ -
SUBTOTAL		\$ -	\$ 11,853	\$ 1,968
Overtime				
Classification/Positions	Computation	FY 2017-18	FY 2018-19	FY 2019-20
				\$ -
				\$ -
				\$ -
		\$ -	\$ -	\$ -
SUBTOTAL		\$ -	\$ -	\$ -
Benefits				
Classification/Positions	Computation	FY 2017-18	FY 2018-19	FY 2019-20
Police Officer- Tobacco Prevention Training and Campaign	Benefits @ 43.53%	\$ -	\$ 752	\$ -
Police Officer- County-led Tobacco Enforcement Protocol	Benefits @ 43.53%	\$ -	\$ 201	\$ 201
Police Officer- Decoy operations	Benefits @ 43.53%	\$ -	\$ 602	\$ 602
Police Agent- Decoy operations	Benefits @ 43.53%	\$ -	\$ 652	\$ 54
Police Sergeant- Decoy operations	Benefits @ 43.53%	\$ -	\$ 701	\$ 701
Maintenance Worker II	Benefits @ 43.53%	\$ -	\$ 900	\$ -
Maintenance Technician	Benefits @ 43.53%	\$ -	\$ 1,352	\$ -
SUBTOTAL		\$ -	\$ 5,160	\$ 857
TOTAL PERSONAL SERVICES		\$ -	\$ 17,012	\$ 2,824

TOBACCO LAW ENFORCEMENT GRANT BUDGET DETAIL

B. Operating Expenses (e.g. supplies, signage, tobacco products, etc.)

Description	Computation	FY 2017-18	FY 2018-19	FY 2019-20
No Smoking signs for Parks, City Facilities, and Downtown Los Altos (11" x 18")	60 signs @ \$20/sign	\$ -	\$ 1,200	\$ -
Steel sign posts	10 sign posts @ \$75/post	\$ -	\$ 750	\$ -
Concrete for sign installation	Thirty 60-lb bags concrete (\$9.97/bag)	\$ -	\$ 299	\$ -
Hardware	Steel sign post hardware (two screws/sign \$1.25/screw x 60 signs)	\$ -	\$ 150	\$ -
		\$ -	\$ -	\$ -
TOTAL		\$ -	\$ 2,399	\$ -

TOBACCO LAW ENFORCEMENT GRANT BUDGET DETAIL

C. Equipment (tangible items with a per-unit cost of \$5,000 or more)

Description	Computation	FY 2017-18	FY 2018-19	FY 2019-20
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
TOTAL		\$ -	\$ -	\$ -

D. Travel Expenses/Registration Fees*

Description and Destination	Computation	FY 2017-18	FY 2018-19	FY 2019-20
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
TOTAL		\$ -	\$ -	\$ -

*For DQT-sponsored events only. Travel will only be reimbursed under the current state rate

E. Other Expenses

Description	Computation	FY 2017-18	FY 2018-19	FY 2019-20
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
TOTAL		\$ -	\$ -	\$ -

F. Administrative Costs*

Description	Computation	FY 2017-18	FY 2018-19	FY 2019-20
Administrative costs of Personal Services	5% of Salary+benefits for employees implementing programs	\$ -	\$ 851	\$ 141
		\$ -	\$ -	\$ -
TOTAL		\$ -	\$ 851	\$ 141

*Administrative costs may not exceed 5% of the total budget.

TOBACCO LAW ENFORCEMENT GRANT BUDGET DETAIL

SUMMARY				
Budget Category	FY 2017-18	FY 2018-19	FY 2019-20	Total Request
A. Personal Services	\$ -	\$ 17,012	\$ 2,824	\$ 19,837
B. Operating Expenses	\$ -	\$ 2,399	\$ -	\$ 2,399
C. Equipment	\$ -	\$ -	\$ -	\$ -
D. Travel/Registration	\$ -	\$ -	\$ -	\$ -
E. Other Expenses	\$ -	\$ -	\$ -	\$ -
F. Administrative Costs	\$ -	\$ 851	\$ 141	\$ 992
TOTAL PROJECT COSTS	\$ -	\$ 20,262	\$ 2,966	\$ 23,228