



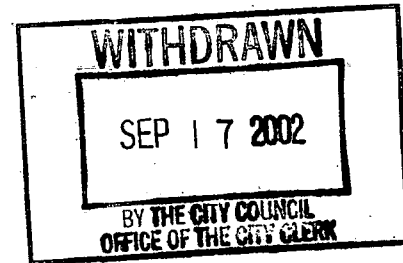
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NEIGHBORHOOD SERVICES
DEPARTMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET, SUITE 400
SACRAMENTO, CA
95814

September 4, 2002



City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Authorization to Accept State Grant Funding for Local Enforcement of Tobacco Control Laws

LOCATION AND COUNCIL DISTRICT: City-wide.

RECOMMENDATION:

It is recommended that the City Council, by resolution:

- Contingent upon approval of grant funds from the State of California 2002-03 Budget,
- approve and accept grant funding from the State Department of Health Services for local enforcement of tobacco control laws; and,
 - amend the FY02-03 Operating Budget to recognize grant funding and the addition of 1.0 FTE.

CONTACT PERSONS: Max B. Fernandez, Area Director - 264-7940
Bob Rose, Chief of Code Enforcement - 264-5947

FOR COUNCIL MEETING OF: September 17, 2002

SUMMARY:

The Tobacco Control Section of the State Department of Health Services issued a Request for Applications from qualified agencies to conduct local enforcement of tobacco control laws. The Neighborhood Services Department applied for this grant opportunity and recently received notification that the application was approved. The

State intends to award a grant to the City in the amount of \$299,500 for the 33-month grant term of October 1, 2002 to June 30, 2005. However, grant funding is contingent upon the allocation of funds in the Governor's budget for fiscal year 2002-2003. Due to the timing of the application deadline, the Neighborhood Services Department applied for this grant opportunity prior to receiving Council approval.

COMMITTEE/COMMISSION ACTION: None.

BACKGROUND INFORMATION:

The State Department of Health Services announced in May 2002 the availability of funding for local enforcement of tobacco control laws. The source of this funding is from the Tobacco Master Settlement Agreement.

According to the State Department of Health Services, research has demonstrated that increasing compliance with tobacco control laws protects youth and adults from tobacco addiction and health hazards related to secondhand smoke. Reduction of exposure to secondhand smoke at California work sites since the passage of state Labor Code section 6404.5 (relating to smoking in enclosed workplaces) has been tremendous. In 1999, 93.4 percent of adults reported no secondhand smoke exposure at work. However, nearly 32 percent of restaurant/bar workers report they are still exposed to secondhand smoke in their workplace, suggesting that Labor Code 6404.5 is still inadequate.

Illegal sales to minors continues to be a problem as well. Even though California's illegal tobacco sales have dropped from 52.1 percent in 1994 to 17.1 percent in 2001, nearly half of all 10th graders report that it is easy for them to buy or obtain tobacco products from stores. It has been strongly demonstrated through practical application, longitudinal tracking and field studies that the continued presence of enforcement is the most effective means of ensuring compliance with tobacco control laws.

The Neighborhood Services Department Code Enforcement Division, as well as the Police Department, enforces the City's tobacco control laws, however, enforcement of these laws have been on a referral/complaint only basis due to limited resources for both code enforcement and the police department. With this grant opportunity, the City's code enforcement and police enforcement activities will be enhanced greatly. Grant funding would provide for a full time code enforcement officer, overtime pay for existing police officers, and equipment necessary to carry out enforcement activities. Also included in this grant is funding for the hiring of youth operatives.

The Neighborhood Services Department and the Police Department would work in

collaboration with the City Attorney's office and the Sacramento County Department of Health and Human Services Tobacco Education Program. Emphasis under this grant would be on the enforcement of retail distribution of tobacco products to minors, tobacco advertising signage, and smoking in bars.

FINANCIAL CONSIDERATIONS:

The anticipated total funding amount by the California Department of Health Services Tobacco Control Section is \$299,500 for the 33-month grant term of October 1, 2002 - September 30, 2005. Grant funding is contingent upon the allocation of funds in the Governor's budget for fiscal year 2002-2003. Agencies funded by this grant are required to provide indirect expenses to the project "in-kind". There is no cash match required under this grant. Grant funding would provide for a 1.0 full time equivalent (FTE) code enforcement officer, overtime pay for existing police officer positions, and equipment and other resources necessary to carry out grant funded operations.

Grant Expenses	1 st year	2 nd year	3 rd year	TOTAL
Code Enforcement Officer	\$47,502	\$61,641	\$61,641	\$170,784
Police Overtime	\$11,340	\$28,586	\$33,352	\$73,278
Operating Expenses (office supplies, fleet rental charges, printing, promo items)	\$4,677	\$4,472	\$4,472	\$13,621
Equipment (computers, digital camera, cell phone, software)	\$10,642	\$1,767	\$1,767	\$14,176
Travel (required per grant)	\$7,775	\$4,125	\$6,525	\$18,425
Youth Stipends	\$1,152	\$3,456	\$4,608	\$9,216
TOTAL EXPENSES	\$83,088	\$104,047	\$112,365	\$299,500

ENVIRONMENTAL CONSIDERATIONS:

There are no environmental impacts associated with this report.

POLICY CONSIDERATIONS:

Application for the state grant opportunities and improving code enforcement activities

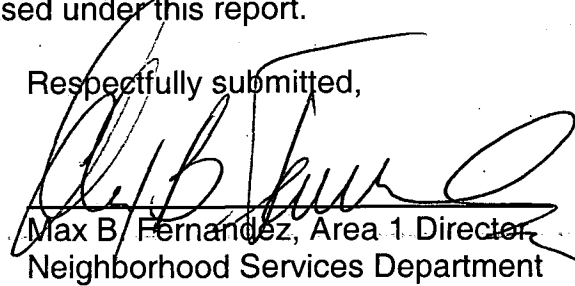
City Council
Re: Grant Funding for Enforcement of Tobacco Control Laws

is consistent with the Council approved goals to enhance and preserve the neighborhoods as well as promoting and supporting economic vitality. Enforcement activities associated with this grant are focused on the health of youth and the health of workplaces, which contribute to the effort of making Sacramento the city of choice to live, learn, work and play.

ESBD EFFORTS:

No goods or services are being purchased under this report.

Respectfully submitted,



Max B. Fernandez, Area 1 Director
Neighborhood Services Department

Recommendation Approved:



Robert P. Thomas
City Manager

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GRANT AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO TO SECURE A GRANT FROM THE STATE OF CALIFORNIA DEPARTMENT OF HEALTH SERVICES TOBACCO CONTROL SECTION FOR LOCAL ENFORCEMENT OF TOBACCO CONTROL LAWS

WHEREAS,

- A. The City of Sacramento (hereinafter referred to as "City") is a public entity established under the laws of California and empowered to enter into an agreement to receive State funds to promote code enforcement efforts.
- B. The California Department of Health Services (hereinafter referred to as the "State") is authorized to make grants to assist with code enforcement efforts.
- C. The City wished to obtain from the State a grant for assisting with code enforcement activities and intends to offer "in-kind" contributions as identified in its application.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO, THAT:

Contingent upon approval of grant funds in the State of California 2002-03 Budget,

- 1. The City may accept State grant funding for local enforcement of tobacco control laws.
- 2. The City is hereby authorized to incur an obligation to provide "in-kind" contributions for indirect expenses and to enter into a grant agreement with the State for the purposes set forth in the application and approved by the State. It also may execute a contract and other instruments necessary or required by the State to govern and secure the "in-kind" contribution and the state funding commitment.

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RESOLUTION NO.: _____

DATE ADOPTED: _____

3. The City is further authorized to request amendments, including, but not limited to funding increases in amounts up to amounts approved by the State, and to execute any and all documents required by the State to govern and secure these amendments.
4. The City authorizes the City Manager or his designee to execute in the name of the City, the application and the agreement, and other instruments necessary or required by the State for the making and securing of the grant, and any amendments thereto.
5. The program revenue budget will be increased by \$299,500 (250-OGR-Gxxx-3xxx).
6. The program operating budget will be increased by a total of \$299,500 as follows:

Salary and benefits	250-OGR-Gxxx-4101	\$170,784
Overtime	250-OGR-Gxxx-4110	73,278
Services/Supplies	250-OGR-Gxxx-42xx	22,837
Equipment	250-OGR-Gxxx-42xx	14,176
Travel/Training	250-OGR-Gxxx-42xx	<u>18,425</u>
		\$299,500

7. Increase the Neighborhood Services staffing by 1.0 FTE code enforcement officer.
8. The City Manager, or a designated representative, is hereby authorized to adjust the operating budgets for the Neighborhood Services Department and Police Department with the acceptance of the grant.

MAYOR

ATTEST:

City Clerk

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