



# CITY COUNCIL AGENDA STATEMENT



July 24, 2018

File ID: 18-0302

## **TITLE**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$103,078 FROM THE STATE OF CALIFORNIA DEPARTMENT OF JUSTICE AND APPROPRIATING SAID FUNDS TO THE POLICE GRANTS SECTION OF THE FEDERAL GRANTS FUND FOR THE TOBACCO LAW ENFORCEMENT GRANT (4/5 VOTE REQUIRED)

## **RECOMMENDED ACTION**

Council adopt the resolution.

## **SUMMARY**

In November 2016, the citizens of the State of California approved Proposition 56, California Healthcare, Research and Prevention Tobacco Tax Act of 2016. This legislation increased state tobacco taxes and also levied a new tax on electronic cigarettes. Beginning July 2017, funds from Proposition 56 were used to address the array of critical healthcare, research, and public health needs throughout the state. Funds have been allocated to the Chula Vista Police Department for conducting tobacco retailer inspections and educational awareness to the community. The Police Department will continue to apply for funding as new tax revenues are generated in future years.

## **ENVIRONMENTAL REVIEW**

The Director of Development Services has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines because it will not result in a physical change in the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Thus, no environmental review is required.

## **BOARD/COMMISSION/COMMITTEE RECOMMENDATION**

Not Applicable

## **DISCUSSION**

In November 2016, the citizens of the State of California approved Proposition 56, California Healthcare, Research and Prevention Tobacco Tax Act of 2016. Proposition 56 increased the tobacco tax by \$2.00, bringing the total tobacco tax up to \$2.87 per pack of cigarettes. The tobacco tax was levied on other tobacco products and e-cigarettes as well. Revenue from the additional tax has been allocated to physician training, prevention and treatment of dental diseases, Medi-Cal, tobacco-use prevention, research into

cancer, heart and lung diseases, other tobacco-related diseases, and school programs focusing on tobacco-use prevention and reduction.

A Memorandum of Understanding between the Department of Justice and the Chula Vista Police Department has been created to outline the disbursement of the tobacco tax funds. The State of California has allocated \$48 million to enforcing tobacco laws, with \$103,078 allocated specifically to The Chula Vista Police Department. The Police Department will use the funds to conduct tobacco retailer inspections and enforcement operations, install tobacco signage, release advisories and statistics, and implement a juvenile diversion program.

#### **DECISION-MAKER CONFLICT**

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the 500-foot rule found in California Code of Regulations Title 2, section 18702.2(a)(11), is not applicable to this decision for purposes of determining a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.).

Staff is not independently aware, and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision maker conflict of interest in this matter.

#### **LINK TO STRATEGIC GOALS**

The City's Strategic Plan has five major goals: Operational Excellence, Economic Vitality, Healthy Community, Strong and Secure Neighborhoods and a Connected Community. [Insert language regarding the item's link to the Citywide strategic goals. Funds received from Proposition 56 support the goal of Strong and Secure Neighborhoods and Healthy Community by providing enforcement presence at tobacco retailers and also by providing educational awareness to the community.

#### **CURRENT-YEAR FISCAL IMPACT**

Approval of this resolution will result in a one-time appropriation of \$49,450 to the personnel and supplies and services categories of the FY19 Police Grants section of the Federal Grant Fund. The funding from the State of California Department of Justice will completely offset these costs, resulting in a no net fiscal impact to the General Fund.

#### **ONGOING FISCAL IMPACT**

Adoption of this resolution will also direct staff to appropriate \$53,628 in the personnel and supplies and services category of the FY20 Police Grants section of the Federal Grant Fund.

#### **ATTACHMENTS**

None

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