

Agenda Report

July 23, 2018

TO: Honorable Mayor and City Council

THROUGH: Finance Committee

FROM: Public Health Department

SUBJECT: RECOGNIZE REVENUE AND APPROPRIATE FUNDS OF \$736,844 TO THE FISCAL YEAR 2019 OPERATING BUDGET AND INCREASE THE PERSONNEL ALLOCATION BY 2.0 FULL-TIME EQUIVALENTS (FTE) FOR THE ACTIVELY COUNTERING THE TOBACCO INDUSTRY IN OUR NEIGHBORHOODS (ACTION) PROGRAM

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the proposed action is not a project subject to the California Environmental Quality Act ("CEQA") pursuant to Section 21065 of CEQA and Sections 1506(c)(2), 15060(c)(3), and 15378 of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required for the project; and
2. Authorize the City Manager to enter into a Memorandum of Understanding (MOU) and all other related documents with the State of California Department of Justice to accept and administer these grant funds on behalf of the City of Pasadena; and
3. Amend the Public Health Department's Fiscal Year 2019 operating budget by recognizing and appropriating funds of \$540,556 in State of California Department of Justice tobacco enforcement grant funds and increase the Department's personnel allocation by 2.0 FTE limited-term, grant-funded positions; and
4. Amend the Police Department's Fiscal Year 2019 budget by recognizing and appropriating funds of \$196,288 in State of California Department of Justice tobacco enforcement grant funds.

BACKGROUND:

In 2016, California voters approved Proposition 56, an initiative increasing taxes on cigarettes and other tobacco products by \$2 per pack. These taxes are used to fund tobacco control education, schools, research, and enforcement of state and local tobacco control laws. In 2017, the California Department of Justice (DOJ) created a grant program for local governments to support efforts to reduce marketing of tobacco products and the illegal sale to underage youth of tobacco products.

In June 2018, the DOJ awarded the Pasadena Public Health Department (PPHD) a total of \$1,423,484 over the next two years to conduct tobacco enforcement activities. The goal of the grant is to decrease access to tobacco products for persons under 21 years of age. If approved by the City Council, the grant will fund activities within the City that are focused on increasing retailer compliance with state laws and compliance with local ordinances related to illegal sales and marketing of tobacco products to underage youth.

PPHD administers tobacco use prevention and control programs including the Tobacco Control Proposition 99, Tobacco Control Proposition 56, and CDC REACH programs. The Pasadena ACTION program will complement existing prevention and control programming and will be the only program focused on tobacco enforcement activities.

Approximately 27 percent of the grant funding will support a partnership with the Pasadena Police Department and will support a 1.0 FTE Police Corporal and needed overtime for grant program activities. Funding will also support 0.30 FTE (in FY19 and 0.50 FTE in FY20) of a Deputy City Prosecutor from the City Attorney's office to prosecute cases for tobacco enforcement activities. In addition, PPHD will continue to engage the Pasadena Tobacco Prevention Coalition and the Pasadena Cigarette Stompers to ensure these programs are informed by both adult and youth perspectives for effective implementation.

PPHD requests two new positions in Fiscal Year 2019; a 1.0 FTE Program Coordinator I, and a 1.0 FTE Management Analyst I. The projected cost for these two positions is \$190,830. Existing staff will be transferred from other programs to complete the staff complement. The remainder of the grant funding will support the implementation of the program.

COUNCIL POLICY CONSIDERATION:

The proposed action is consistent with the City Council's strategic planning goal to ensure public safety by increasing tobacco retail enforcement of federal, state, and local tobacco control laws that protect underage youth from illegal tobacco sales.

ENVIRONMENTAL ANALYSIS:

The action proposed herein is not a project subject to the California Environmental Quality Act (CEQA) in accordance with Section 21065 of CEQA and State CEQA

Guidelines Section 15060(c)(2), 15060(c)(3), and 15378. The acceptance and appropriation of grant funding to provide services for protecting underage youth from illegal tobacco sales is a government fiscal activity that does not involve a direct or reasonable foreseeable indirect physical change in the environment. Therefore, the proposed action is not a "project" subject to CEQA, as defined in Section 21065 of CEQA and Section 15378 of the State CEQA Guidelines. Since this action is not a project subject to CEQA, no environmental document is required.

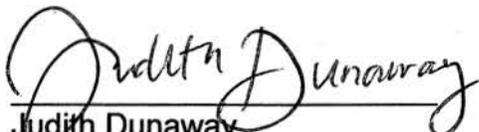
FISCAL IMPACT:

It is anticipated that the requested grant award of \$736,844 will be received and spent in Fiscal Year 2019. Pending approval by the City Council, the Fiscal Year 2019 operating budget will be increased by \$736,844 for project implementation. There is no net impact to the unappropriated fund balance. Future funding will be included in the annual budget submission for Fiscal Year 2020.

Respectfully submitted,


for MICHAEL JOHNSON
Director
Department of Public Health

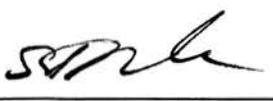
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