

Agenda Report

June 10, 2019

TO: Honorable Mayor and City Council

FROM: Public Health Department

SUBJECT: RECOGNIZE REVENUE AND APPROPRIATE FUNDS OF \$30,736 TO THE FISCAL YEAR 2019 OPERATING BUDGET FOR THE PUBLIC HEALTH DEPARTMENT TOBACCO CONTROL 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 15060(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;
2. Authorize the City Manager to enter into a Memorandum of Understanding ("MOU") with the California Department of Public Health to accept and administer the Step Tobacco Access to Kids Enforcement (STAKE) Act program for a 32 month term in the amount not to exceed \$110,015; and
3. Amend the Public Health Department Fiscal Year 2019 operating budget by recognizing and appropriating funds of \$30,736 in the California Department of Public Health, Food and Drug Branch grant funds.

BACKGROUND:

In 2016, California voters approved Proposition 56, an initiative increasing taxes on cigarettes and other tobacco products by \$2 per pack to fund tobacco control education, research, and enforcement of state and local tobacco control laws. The goal of the California Department of Public Health (CDPH), Food and Drug Branch, and the Tobacco Enforcement Section is to distribute funds to local law enforcement agencies to implement activities related to the Stop Tobacco Access to Kids Enforcement

(STAKE) Act program. Activities include eliminating the illegal sale, consumption, and marketing of tobacco products to underage youth.

In May 2019, CDPH awarded the Pasadena Public Health Department (“Department”) a total of \$110,015 over the next 32 months (June 1, 2019 – January 31, 2022) to conduct tobacco enforcement activities. This funding varies from an existing enforcement grant, which is focused on unannounced compliance check operations. If approved by City Council, new activities will include developing a city-wide signage project that would update existing no-smoking signs to include no-vaping/electronic cigarettes and no-cannabis smoking in public places. Additionally, the funds will support law enforcement training on no-smoking laws within the Pasadena Municipal Code to refresh Pasadena police patrol officer understanding and enforcement of smoking violations.

The Department requests the following appropriations for the FY 2019 program budget:

Budget Category	Item	Amount
Other Contracted Services	Signage Design	\$25,000
Materials & Supplies	Office Supplies	\$1,600
Internal Printing Services	Duplication of training materials	\$4,136
TOTAL		\$30,736

The Department administers tobacco use prevention and control programs including the Tobacco Control Proposition 99 and Tobacco Control Proposition 56. This new CDPH funding will complement existing prevention and control programming with a focus on law enforcement training and signage activities.

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 to 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 tobacco enforcement activities 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 the action is not a project subject to CEQA, no environmental document is required.

FISCAL IMPACT:

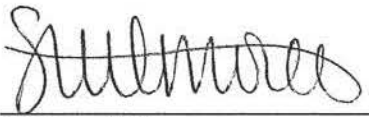
It is anticipated that \$30,736 of the grant award of \$110,015 will be expended in the current fiscal year. Pending approval by the City Council, the FY19 operating budget will be increased by \$30,736 for project implementation. Future funding will be included in the annual budget submission for FY20, FY21, and FY22.

Respectfully submitted,



YING-YING GOH, MD, MSHS
Director/Health Officer
Department of Public Health

Prepared by:



Statrice Wilmore
Program Coordinator
Department of Public Health

Approved by:



STEVE MERMELL
City Manager