



## Legislation Text

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**File #:** 18-1033, **Version:** 1

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Sheriff's Office recommending the Board consider the following:

- 1) Accept the grant award for the Tobacco Law Enforcement Grant Program in the amount of \$924,085;
- 2) Authorize the Sheriff and the Chair to sign a Memorandum of Understanding (FENIX 3152) with the California Department of Justice (CA DOJ) for the term July 1, 2018 through June 30, 2020;
- 3) Adopt and authorize the Chair to sign the Tobacco Law Enforcement Grant Program required Governing Body Resolution **137-2018** for the purpose of authorizing the applicant to enter into a contract with the state and identifying the Sheriff as the authorized person to execute future amendments to the contract;
- 4) Adopt and authorize the Chair to sign Resolution **138-2018** amending the Authorized Personnel Allocation Resolution by adding 2.0 Limited Term Full Time Equivalent Deputy Sheriffs I/II; and
- 5) Approve and authorize the Chair to sign related budget transfer increasing revenues and appropriations in the Sheriff's Office Fiscal Year 2018/19 budget by \$460,836. (4/5 vote required)

**FUNDING:** CA DOJ Tobacco Law Enforcement Grant Program.

### **DISCUSSION / BACKGROUND**

The Tobacco Law Enforcement Grant Program has been established to provide funding to local law enforcement agencies to assist in the reduction of illegal sales and marketing of all tobacco products to minors. The CA DOJ understands that the use of tobacco products varies greatly across the state and encourages applicants to this program to tailor their strategies to meet the unique needs and use variations that exist locally.

According to the Center for Disease Control (CDC), tobacco use is the leading cause of preventable disease, disability, and death in the United States. Furthermore, approximately 4.7 million middle and high school students use at least one tobacco product, including e-cigarettes.

Based on surveys conducted throughout California, El Dorado County has a higher percentage of youth who use tobacco products than the state average. In El Dorado County, 22.7% of youth admitted to using tobacco products while the state average was only 13.8%. El Dorado County also has a higher percentage of stores that sell electronic smoking devices (e-cigarettes, vape pens, etc.) and flavored non-cigarette tobacco products than the state average. While the state only has an average of 62.3% of stores that sell electronic smoking devices, El Dorado County has 75.2% of stores selling them. Additionally, the percentage of stores in El Dorado County selling flavored non-cigarette tobacco products is 85.1% in comparison to the state average of 81.8%. The higher percentages of youth admitting to using tobacco products and stores selling electronic smoking devices and flavored non-cigarette tobacco products in El Dorado County prompted the Sheriff's Office to look for solutions that could help bring these numbers down and make tobacco products less available to youth.

The Sheriff's Office applied for this funding on March 23, 2018 and was awarded \$924,085 with a grant term of July 1, 2018 to June 30, 2020. The original application submitted included requests to

fund 1.0 FTE Deputy Sheriff I/II to act as a School Resource Officer (SRO), equipment costs related to the SRO, trainings materials and signs for retailers of tobacco products, social media efforts, costs related to tobacco mitigation operations, and the purchase and testing of new Fly Sense™ technology for school bathrooms. The original applications budget was \$465,137. During the award process, the Sheriff's Office was awarded additional funds for the addition of an additional SRO which increased the final award to \$924,085.

The Sheriff's Office will use these funds to:

- 1) Have two SROs connect with teenagers in a way that impacts how they perceive tobacco products. Our SROs will work with the youth to make them aware that these products can cause severe health problems, including death;
- 2) Enforce the laws that limit access to tobacco products by individuals under the age of 21, reduce interior and exterior tobacco marketing, enforce/ensure compliance with all tobacco laws;
- 3) Educate retailers about the types of tobacco products covered under the law including electronic smoking devices; and
- 4) Collaborate with the El Dorado County Public Health Department as a partner of the Healthy Stores for a Healthy Community (HSHC) campaign on surveys to gather data on the use of tobacco and related products by minors.

The Sheriff's Office received Letters of Support for our grant application from the El Dorado Union High School District, Assemblyman Kevin Kiley, the El Dorado County Air Quality Management District, and the owners of Santa Maria Taqueria Meat & Groceries.

The CA DOJ requires a Governing Body Resolution that authorizes the applicant to enter into a contract with the State and identifies the person authorized to execute the contract for the applicant. It also is recommended to authorize future amendments, if any, for the purpose of increasing funding provided in the original contract, without an additional resolution from the governing body. The resolution attached will authorize the Sheriff to execute any future amendments to this contract.

Since the grant award covers the cost of two SROs, the Sheriff's Office would like to add 2.0 Limited Term FTE Deputy Sheriffs I/II to the Authorized Personnel Allocation Resolution. When the grant expires in June 2020, the Sheriff's Office will determine if there is funding available to keep these allocations or consider the deletion of the allocations.

The budget transfer for FY 2018/19 would increase revenues and expenditures by \$460,836 to allow for the proper accounting of grant program expenditures and revenues separate from other Sheriff's Office functions. The remaining funds \$463,249 will be included in the Sheriff's Office's FY 2019/20 budget request.

## **ALTERNATIVES**

If recommendation is not approved, funding for the Sheriff's Office's proposal will be forfeited.

## **PRIOR BOARD ACTION**

None

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel and Risk approved the MOU. Health and Human Services Agency, Public Health

Department has taken the lead role on the HSHC campaign with the Sheriff's Office as a partner.

**CAO RECOMMENDATION**

Approve as recommended.

**FINANCIAL IMPACT**

No change to Net County Cost. Tobacco Law Enforcement Grant Program funding for the program costs and the 2.0 Limited Term FTEs will be provided for FY18/19 and 19/20. Unless new funding is received, those 2.0 FTEs will be deleted and the program will be eliminated.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

Please forward signed Governing Body Resolution to the Sheriff's Office for submittal.

Provide two originals of the signed MOU to the Sheriff's office for submission to CA DOJ for final signatures.

Forward the signed budget transfer to the Auditor's Office for processing.

**STRATEGIC PLAN COMPONENT**

Public Safety

**CONTACT**

Undersheriff Randy Peshon