



## COUNCIL REFERRAL MEMORANDUM

**DATE:** September 24, 2019

**TO:** Mayor and Council

**FROM:** Al Mendall, Elisa Márquez and Francisco Zermeño

**SUBJECT:** Consider an item for discussion on a future City Council agenda regarding modifying regulations on tobacco retailers to reduce teen smoking and vaping.

### **RECOMMENDATION:**

It is recommended that the City Council instruct staff to schedule a Council discussion of whether to enact stronger restrictions on tobacco retailers to reduce teen smoking and vaping in Hayward. The recommendation is to schedule this item as either a Council work session or refer it to the Council Economic Development Committee for consideration.

### **DISCUSSION:**

Despite our community's efforts to combat teen smoking and vaping, the prevalence of teen smoking and vaping appears to be on the rise across the country and in the Hayward community. Vaping is especially prevalent among teens; and studies show that it leads to higher rates of tobacco use among teens. Flavored tobacco and vaping products have been shown to be especially popular among teens.

Given this worrisome trend, the City of Hayward should revisit its rules and regulations in place to govern tobacco and vaping retailers.

### **DESIRED COUNCIL ACTION:**

Council approval of this referral would constitute instruction to staff to place this topic on a future agenda for Council discussion. That discussion would enable Council to provide guidance to staff on whether to investigate possible changes to our tobacco retailer regulations or related ordinances.

This referral does NOT intend to dictate what changes might be recommended by Council in such a future discussion. However, some possible changes that could be considered include, but are not limited to:

- Restrictions on the sale of flavored tobacco and vaping products,
- Restrictions on the sale of small or inexpensive tobacco and vaping products,
- Further regulation of the location of tobacco and vaping product sales,
- Additional monitoring of tobacco and vaping retailers to reduce sales to minors,
- Other changes to help reduce teen use of tobacco and vaping products.

If this referral is approved by Council, then the next step would be for staff to bring the item back to a full Council work session or to the Council Economic Development Committee for discussion. For that discussion, staff would provide an outline of potential regulatory actions for the Council to consider. This would enable Council to build consensus on whether to pursue any such changes and what types of changes the Council wants staff to investigate further.

**TIMELINE:**

The initial discussion should occur at a Council work session or the Council Economic Development Committee within 6 months.

**KEY STAKEHOLDER GROUPS:**

Likely interested parties include, but are not limited to...

- Hayward Coalition for Healthy Youth
- Tobacco retailers
- Hayward Unified School District
- Hayward Chamber of Commerce
- Hayward Promise Neighborhood
- St. Rose Hospital
- Tiburcio Vázquez Health Center
- Hayward Police and Fire Departments
- Alameda County Tobacco Control
- Alameda County Tobacco Control Coalition

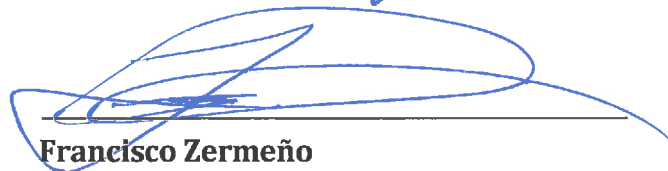
*Prepared and Submitted by:*



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