



DATE: October 16, 2018

TO: Mayor and City Council

FROM: Chief of Police

SUBJECT: Authorization for the City Council to Accept and Appropriate \$30,609 from the Department of Justice for Enforcement of Illegal Tobacco Sales

RECOMMENDATION

That City Council adopts the attached resolution to appropriate a total of \$30,609 awarded from a Department of Justice California Healthcare grant to fund underage tobacco decoy operations.

SUMMARY

The Hayward Police Department applied for and was awarded monies to be used for underage tobacco enforcement. To address the problem of underage tobacco use, the Hayward Police Department would conduct an additional four undercover decoy operations at licensed tobacco retail businesses to ensure compliance on a continuous basis. The Hayward Police Department was awarded \$10,203 for three fiscal years (total of \$30,609) to conduct underage decoy operations at tobacco retail establishments

BACKGROUND

The State of California recently passed a new grant program that aims to reduce the illegal sale of tobacco products, especially to minors. The multimillion-dollar grant program was established and is funded by the California Healthcare, Research and Prevention Tobacco Tax Act of 2016 (Proposition 56). The Hayward Police Department applied for and was awarded monies to be used for underage tobacco enforcement. These funds obtained from the California Department of Justice will be used to provide four additional underaged decoy tobacco operations. The additional operations will allow the Hayward Police Department to conduct multiple visits to tobacco retail license businesses each year to ensure consistent compliance on a continuous basis. The Hayward Police Department was awarded \$10,203 per fiscal year (total of \$30,609) for these additional tobacco enforcement operations.

DISCUSSION

The Hayward Police Department Vice-Intelligence personnel currently conducts two underaged decoy tobacco enforcement operations a year, in addition to regular compliance/inspections, which are funded through local permit fees. Appropriation of the grant monies would allow the Vice Unit to conduct four additional decoy operations on an

overtime basis authorized by the grant. The goal of the Hayward Police Department is to prevent sales of tobacco products to minors from licensed retailers.

Per the California Department of Public Health's (CDPH) 2016 Youth Tobacco Purchase Survey, illegal tobacco sales to minors are up by 10.3%. The City of Hayward currently has 138 licensed tobacco retail establishments. During FY2016/17, two underage decoy tobacco operations were conducted by the Vice Unit. The decoy operations resulted in 19 establishments unlawfully selling tobacco to underage decoy operators. The clerks of these establishments were subsequently cited and released on the charge of PC 308(a)- Furnishing a tobacco product to a minor. The City of Hayward Code Enforcement Division also followed up on these investigations.

FISCAL IMPACT

There is no General Fund Impact with the approval of this item. This agreement will result in \$30,609 (over three years) in funds appropriated from the awarded grant.

STRATEGIC INITIATIVES

This agenda item supports the Complete Communities Strategic Initiative. The purpose of the Complete Communities initiative is to create and support structures, services and amenities to provide inclusive and equitable access with the goal of becoming a thriving and promising place to live, work and play for all. This item supports the following goal and objectives:

- Goal 1: Improve quality of life for residents, business owners, and community members in all Hayward neighborhoods.
- Objective 1: Increase neighborhood safety and cohesion

NEXT STEPS

If the Council authorizes this action, staff will appropriate the funding into the Police Department's budget and will work to execute the agreements with the California Department of Justice to provide additional underage tobacco enforcement.

Prepared by: Captain Jason Martinez

Recommended by: Chief of Police Mark Koller

Approved by:



Kelly McAdoo, City Manager