



Board Agenda Item 34

DATE: July 10, 2018

TO: Board of Supervisors

SUBMITTED BY: Margaret Mims, Sheriff-Coroner

SUBJECT: Retroactive Grant Application/Award/Agreement and Memorandum of Understanding (MOU) for Tobacco Law Enforcement Grant Program

RECOMMENDED ACTION(S):

1. **Retroactively authorize the Sheriff-Coroner's previous submittal of a grant application in the amount of \$321,570 to the California Department of Justice for the Tobacco Law Enforcement Grant Program; and**
2. **Approve resolution authorizing the Chairman to execute a retroactive Memorandum of Understanding (MOU) with the California Department of Justice effective June 1, 2018 through June 30, 2020 (\$321,570); and authorize the Sheriff-Coroner, or their authorized representative, to sign claims for reimbursement, and progress reports.**

There is no increase in Net County Cost associated with the recommended actions. The grant application was submitted to the California Department of Justice (DOJ) contingent on your Board's approval. The Sheriff-Coroner's Office received notification from the DOJ's Division of Law Enforcement Tobacco Grant Unit on May 8, 2018 that the Fresno County Sheriff-Coroner's Office was awarded \$321,570. The Sheriff-Coroner's Office must submit a signed MOU to the DOJ to receive grant funds. Grant funding will be effective June 1, 2018 through June 30, 2020. The grant will fund overtime, operational expenses, and equipment to augment the Vice Unit's current activities and enable them to expansively target tobacco related issues and crimes in Fresno County. This item is countywide.

ALTERNATIVE ACTION(S):

There is no viable alternative action. Not approving the recommended actions will result in the loss of the Tobacco Law Enforcement Grant awarded for the period of June 1, 2018 to June 30, 2020. This would also negatively impact the enforcement of state and local laws related to the illegal sales and marketing of tobacco to minors.

RETROACTIVE AGREEMENT:

The DOJ's request for grant applications was published on February 8, 2018 with a filing deadline of March 23, 2018. In order to meet the filing deadline, the application was previously submitted to the DOJ contingent on your Board's approval. On May 8, 2018, the Sheriff-Coroner's Office was notified by the DOJ of the grant award and the application and MOU are being brought to your Board at the first available Board date.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The Sheriff-Coroner's Office was allocated \$156,988 for FY 2018-19 and \$164,582 for FY 2019-20. There is no match

requirement for receipt of the funds. Appropriations and estimated revenues are included in the Sheriff-Coroner's FY 2018-19 budget request for Org 3111 and will be included in the Department's budget request in the following year.

DISCUSSION:

On February 9, 2018 the Fresno County Department of Public Health forwarded the competitive application package to City leaders and law enforcement partners to apply for funding to enforce state and local tobacco control laws. The competitive application was submitted March 22, 2018 to the California DOJ to meet the application deadline, contingent on your Board's approval. On May 8, 2018 the Sheriff-Coroner's Office was notified the grant application for funds under the California Healthcare, Research and Prevention Tobacco Tax Act of 2016 was approved for funding in the amount of \$321,570 (\$156,988 for FY 2018-19 and \$164,582 for FY 2019-20) effective June 1, 2018 through June 30, 2020.

The provision of funding will allow the Sheriff-Coroner's Office to conduct numerous operations throughout the County of Fresno. Operations include, but are not limited to, enforcement of state and local laws related to the illegal sales and marketing of tobacco to minors through investigative activities and compliance checks targeted towards the reduction of sales of cigarettes and tobacco products to youth under the age of 21, to conduct DOJ Proposition 56 Grant Program presentations at local high schools and universities for FY 2018-19 and FY 2019-20, and continue to collaborate with local law enforcement agencies to supplement their limited personnel and resources to effectively police the 140 Tobacco licensees and address identified problem locations. Grant monies will be used to fund overtime, operational costs for Minor Decoy & Shoulder Tap operations, inspections for licensed or un-licensed businesses to develop intelligence related to possible black market or "underground" sales of tobacco, tools and equipment, and travel expenses to attend DOJ sponsored meetings and trainings.

The MOU contains indemnification language that is not the County's standard indemnification language. The MOU also requires the COUNTY to take responsibility for all liability resulting from the County's activities related to the Grant. Given the value of the Grant, the Sheriff recommends accepting the MOU as written.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - MOU with California Department of Justice
On file with Clerk - Resolution

CAO ANALYST:

Jeannie Z. Figueroa