



MIKE FEUER
CITY ATTORNEY

MEMORANDUM

To: The Honorable Eric Garcetti Honorable Members of City Council
Mayor of Los Angeles City of Los Angeles
City Hall City Hall
Los Angeles, CA 90012 Los Angeles, CA 90012
Attention: Mandy Morales Attention: Patrice Lattimore

From: Leela Kapur, Chief of Staff 

Cc: Michiko Reyes, Budget Director
Janette Flintoft, Director of Grants Operations

Date: December 27, 2018

Re: FY 2018 – 21 Prop. 56 CA Healthcare, Research and Prevention Tobacco
Tax Act of 2016 Grant Award

Transmitted herewith for Mayor and City Council consideration is a continuation grant award totaling \$1,650,593 for FY 2018-21 to address illegal sales of tobacco products to minors.

Funding originates from the Prop. 56 California Healthcare, Research and Prevention Tobacco Tax Act of 2016, which is administered by the California Attorney General's Office through a competitive grant process. Council previously accepted a FY 2017-20 award (CF #12-1204-S6) to launch LA DATA (Decreasing Adolescent Tobacco Access), which is a comprehensive citywide youth tobacco cessation program.

Through the new \$1,650,593 grant award, the City Attorney's Office will enhance DATA through the following: 1) maintaining retailer compliance checks; 2) increasing outreach and enforcement activities at tobacco only stores; and 3) developing new regulations around flavored tobacco products.

Specifically, City Attorney's Office will continue to contract with the California Department of Public Health Food and Drug Branch (CDPH) to conduct compliance checks utilizing undercover minor decoys throughout the City. In addition, funding will support personnel costs to conduct outreach to tobacco only stores regarding illegal sales to minors and the development of policies to regulate flavored tobacco products that have surged in popularity among youth.



City of Los Angeles
Grant Award Notification and Acceptance

Recipient Department

This Grant Award is:	<input checked="" type="checkbox"/> New	<input checked="" type="checkbox"/> Continuation/Renewal	<input type="checkbox"/> Supplemental	<input type="checkbox"/> Suballocation
Grants Coordinator:	Jessica Law	E-Mail:	jessica.law@lacity.org	Phone: 213-482-7498
Project Manager:	Celina Porras	E-Mail:	celina.porras@lacity.org	Phone: 213-202-5576
Department/Bureau/Agency:	City Attorney			Date: 12/14/2018

Grant Information

Name of Grantor:	California Department of Justice	Pass Through Agency:	
Grant Program Title:	California Healthcare Research and Prevention Tobacco Tax Act 2018	Notification of Award Date:	12/04/2018
Funding Source (Public / State)	Grant Type: Competitive/Discretionary	Funds Disbursement: Reimbursement	Agency's Grant ID: CFDA#: Other ID#: eCivis ID#: LAC0041
Match Requirement:	None	Amount:	\$0.00 %Match 0
Match Type:		Identify Source of Match:	
Fiscal Information:	Awarded Funds: \$1,650,593.00	Match/In-Kind Funds: \$0.00	Additional/Leverage Funds: Total Project Budget: \$1,650,593.00

Approved Grant Budget Summary

Category	Awarded	Match	Additional	Explanation
Personnel				
Salaries				
City Attorney Administrative Coordinator	\$12,068.00	\$0.00		FY 18-19 \$120,682 x 10% FTE
Deputy City Attorney IV	\$20,421.00	\$0.00		FY 18-19 \$204,208 x 10% FTE
City Attorney Administrative Coordinator	\$12,068.00	\$0.00		FY 19-20 \$120,682 x 10% FTE
Deputy City Attorney IV	\$20,983.00	\$0.00		FY 19-20 \$209,825 x 10% FTE
City Attorney Administrative Coordinator	\$12,068.00	\$0.00		FY 20-21 \$120,682 x 10% FTE
Deputy City Attorney IV	\$21,559.00	\$0.00		FY 20-21 \$215,590 x 10% FTE
Benefits				
City Attorney Administrative Coordinator	\$5,566.00	\$0.00		FY 18-19 \$120,682 x 10% FTE
Deputy City Attorney IV	\$9,418.00	\$0.00		FY 18-19 \$204,208 x 10% FTE
City Attorney Administrative Coordinator	\$5,566.00	\$0.00		FY 19-20 \$120,682 x 10% FTE
Deputy City Attorney IV	\$9,677.00	\$0.00		FY 19-20 \$209,825 x 10% FTE
City Attorney Administrative Coordinator	\$5,566.00	\$0.00		FY 20-21 \$120,682 x 10% FTE
Deputy City Attorney IV	\$9,943.00	\$0.00		FY 20-21 \$215,590 x 10% FTE
Contractual Services				
Compliance Checks (STAKE)	\$490,000.00	\$0.00		FY 2018-19 700 checks X \$700 each
Compliance Checks (STAKE)	\$490,000.00	\$0.00		FY 2019-20 700 checks X \$700 each
Compliance Checks (STAKE)	\$490,000.00	\$0.00		FY 2020-21 700 checks X \$700 each
Other				
Indirect Cost @ 35.99% of Salary	\$11,693.00	\$0.00		FY 18-19 \$32,489 x 35.99%
Indirect Cost @ 35.99% of Salary	\$11,895.00	\$0.00		FY 19-20 \$33,051 x 35.99%
Indirect Cost @ 35.99% of Salary	\$12,102.00	\$0.00		FY 20-21 \$33,627 x 35.99%
Total	\$1,650,593.00	\$0.00		

Approved Project

Descriptive Title of Funded Project:	FY 2018-19 DATA (Decreasing Adolescent Tobacco Access)
Performance Period Start/End Dates (Month/Day/Year):	Citywide: Yes

Start: 10/01/2018	End: 09/30/2021	Affected Council District(s): All
		Affected Congressional District(s):
Purpose: Through \$1,650,593 in Proposition 56 funding, the City of Los Angeles proposes to enhance DATA through retailer compliance checks.		
Identify Internal Partners (City Dept/Bureau/Agency): LAPD and CA Department of Health		
Identify External Partners:		

Summary
Please provide a project summary including goals, objectives (metrics), specific outcomes, and briefly describe the activities that will be used to achieve these goals. You may attach an additional sheet of paper if necessary.
Continuation funding for DATA to include personnel costs and compliance checks for 36 months.

Recommendations
Please provide a complete list of necessary actions for implementation, including acceptance of the award by the City, Controller instructions for fund and accounts set-up, coordination of project activities (such as contract and position authorities).
Please see attached instructions.

Fiscal Impact Statement
Please describe how the acceptance of this grant will impact the General Fund. Provide details on any additional funding that may be required to implement the project/program funded by this grant.
There is no general fund impact since the positions are fully reimbursed by the grant.

Acceptance Packet
The above named Department has received an award for the Grant Program identified above, accepts full responsibility for the coordination and management of all Grant funds awarded to the City, and will adhere to any policies, procedures and compliance requirements set forth by the Grantor and its related agencies or agents, as well as those of the City, and its financial and administrative departments. The following items comprise the Acceptance Packet and are attached for review by the CAO Grants Oversight Unit:
<input checked="" type="checkbox"/> Grant Award Notification and Acceptance <input checked="" type="checkbox"/> Copy of Award Notice
<input checked="" type="checkbox"/> Grant Project Cost Breakdown (Excel Document) <input type="checkbox"/> Copy of Grant Agreement (if applicable)
<input type="checkbox"/> Detail of Positions and Salary Costs (Excel Document) <input type="checkbox"/> Additional Documents (if applicable)
Department Head Name: _____ Department Head Signature: _____ Date: _____

For CAO Use Only
The Office of the City Administrative Officer, Grants Oversight Unit has reviewed the information as requested, and has determined that the Acceptance Packet is:
<input type="checkbox"/> Complete The Acceptance Packet has been forwarded to appropriate CAO analyst <input type="checkbox"/> Returned to Department (Additional information/documentation has been requested). <input type="checkbox"/> Flagged (See comments below.)
Comments:
CAO Grants Oversight Unit Signature: _____ Date: _____

LA DATA CONTROLLER INSTRUCTIONS

As part of the acceptance process, we request that the City Council, subject to the approval of the Mayor:

1. **AUTHORIZE** the City Attorney or his designee to approve the Standard Agreement with the State of California Department of Justice for the period of July 1, 2018 to June 30, 2020, subject to the approval of the City Attorney as to form.
2. **ACCEPT** funding in the amount of \$1,650,593 from the State of California Department of Justice for the period July 1, 2018 to June 30, 2020.
3. **ADOPT** the attached Resolution requested by the California Attorney General's Office for receipt of the grant award.
4. **AUTHORIZE** the Controller to:
 - a. Establish a receivable within Fund 368 in the amount of \$1,650,593 from the State of California Department of Justice
 - b. Establish a new appropriation account within Fund 368 as follows:

Account 12R643 – LA DATA Program (2018-21) - \$1,650,593
 - c. Transfer \$32,489 from Fund 368, Account 12R642 - LA DATA Program to Fund 100, Department 12, Account 001010 – Salaries General.
 - d. Upon approval of expenses and receipt of grant funds, transfer up to \$45,736 from Fund 368, Account 12R643 to Fund 100, Department 12, Revenue Source 5361 – Reimbursement related costs, Other as reimbursement for fringe benefits and indirect costs related to the LA DATA project for the period July 1, 2018 to June 30, 2020.
5. **AUTHORIZE** the City Council to Instruct the City Clerk to place on Council Calendar for July 1, 2019, the following action relative to the LA DATA PROGRAM:

That the City Council, subject to the approval of the Mayor, **AUTHORIZE** the Controller to:

 - a. Transfer \$33,051 from Fund 368, Department 12, Account 12R643 LA DATA program (2018-21) to Fund 100, Department 12, Account 001010 Salaries General.
6. **AUTHORIZE** the City Council to Instruct the City Clerk to place on Council Calendar for July 1, 2020, the following action relative to the LA DATA PROGRAM:

That the City Council, subject to the approval of the Mayor, **AUTHORIZE** the Controller to:

- b. Transfer \$33,627 from Fund 368, Department 12, Account 12R643 LA DATA program (2018-21) to Fund 100, Department 12, Account 001010 Salaries General.
- 7. **AUTHORIZE** the City Attorney to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer and instruct the Controller to implement the instructions.

LOS ANGELES CITY COUNCIL RESOLUTION
Proposition 56 Grant

WHEREAS the ***Los Angeles City Attorney's Office*** desires to participate in the Proposition 56 grant program administered by the California Attorney General's Office to establish LA DATA ("Decreasing Adolescent Tobacco Access). In partnership with the Los Angeles Police Department, LA DATA will feature aggressive tobacco retailer enforcement, hookah lounge enforcement/abatement, and widespread youth outreach as coordinated through a new anti-tobacco task force. LA DATA will also feature an intensive, multi-media outreach campaign to address youth centered tobacco use entitled "***Join the Conversation.***"

NOW, THEREFORE, BE IT RESOLVED that the ***City Attorney, Michael N. Feuer***, be authorized on behalf of the ***City of Los Angeles*** to enter in the FY 2018 - 2021 Grant Agreement with the California Attorney General's Office, including any amendments thereof.

BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

BE IT FURTHER RESOLVED that the ***Los Angeles City Attorney's Office*** agrees to abide by the terms and conditions of the Grant Agreement as set forth by the California Attorney General's Office.

PASSED AND ADOPTED on _____ by
the following vote of the City Council of the City of Los Angeles, to wit:

Ayes:

Noes:

Absent:

Signature:

XAVIER BECERRA
Attorney General

State of California
DEPARTMENT OF JUSTICE



DIVISION OF LAW ENFORCEMENT
P.O. BOX 161089
SACRAMENTO, CA 95816-1089
Telephone: (916) 210-7418
Fax (916) 731-2100
E-Mail Address: Shannon.Patterson@doj.ca.gov

December 4, 2018

Janette Flintoft, Director of Grants Operations
200 N. Main Street, 8th Floor
Los Angeles, CA, 90012

Re: Award Notification

Dear Janette,

Congratulations! Your grant application for funds authorized under the California Healthcare, Research and Prevention Tobacco Tax Act of 2016 has been approved for funding in the amount of \$1,650,593.

Attached you will find a government agency taxpayer ID form. This will enable the Department of Justice to reimburse your agency in a timely manner. Please complete the form and e-mail it to TobaccoGrants@doj.ca.gov. In the meantime, our team will begin working to send you a draft Memorandum of Understanding with further instruction.

The Attorney General will announce the award recipients in a press release on Thursday, December 6th. If your agency would like to coordinate and provide two sentence quote, please contact Press Secretary Jennifer Molina at (213) 247-2803 or by e-mail at Jennifer.Molina@doj.ca.gov.

December 4, 2018

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If you have any questions about this process, please do not hesitate to contact me at (916) 210-7418 or at TobaccoGrants@doj.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Shannon Patterson', with a stylized, flowing script.

SHANNON PATTERSON
Staff Services Manager II

For XAVIER BECERRA
Attorney General