

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM: 3.24
(ID # 23400)

MEETING DATE:

FROM : SHERIFF-CORONER-PA:

Tuesday, February 06, 2024

SUBJECT: SHERIFF-CORONER-PA: Accept FY23-24 Tobacco Grant Program Funding in the amount of \$336,618, Administered by the California Department of Justice (Cal DOJ); Adopt Resolution No 2024-032 Authorizing the Sheriff, Undersheriff, Assistant Sheriff, Chief Deputy Sheriff, Deputy Director Sheriff's Administrative Services, or Administrative Services Manager, to execute the Memorandum of Understanding and to Administer the Program, District 3. [\$336,618 - State of California Proposition 56 Funds - 100%] 4/5 Vote Required.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Accept the Fiscal Year 2023-2024 California Department of Justice, Tobacco Law Enforcement Grant Program in the amount of \$336,618 from the grant period of November 1, 2023, through June 30, 2027, and approve the Memorandum of Understanding (MOU) No. DOJ-PROP56-2023-24-1-024 with the Cal DOJ;
2. Adopt Resolution No. 2024-032, authorizing the Sheriff, Undersheriff, Assistant Sheriff, Chief Deputy Sheriff, Deputy Director Administrative Services, or Administrative Services Manager to sign and execute the MOU with the DOJ and any related grant documents, including modifications, amendments, extensions, progress reports, reimbursement requests and other related documents for the acceptance of the funds; as approved by County Counsel, on behalf of the County; and
3. Approve and direct the Auditor-Controller to make the budget adjustments in the attached Schedule A.

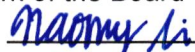
ACTION:4/5 Vote Required


Donald Sharp, Undersheriff 1/26/2024

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Spiegel and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: February 6, 2024
xc: Sheriff

Kimberly A. Rector
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$112,206	\$112,206	\$336,618	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: State of California Proposition 56 Funds 100%			Budget Adjustment:	Yes
			For Fiscal Year:	23/24- 26/27

C.E.O. RECOMMENDATION: Approve

BR# 24-064

Prev Agn Item: 3/1/22, 3.35

BACKGROUND:

Summary

In November 2016, California voters approved the California Healthcare, Research and Prevention Tobacco Tax Act of 2016 (Proposition 56). This initiative increased the tax on specific tobacco products to provide local public agencies with funding to promote a healthier California by reducing illegal sales and marketing of cigarettes and tobacco products, including e-cigarettes, to minors. The Office of the Attorney General makes these annual funds available to local law enforcement agencies through the California Department of Justice Tobacco Grant Program.

This will be the Riverside Sheriff's Office (RSO) third year of funding through the Tobacco Grant Program. On November 18, 2021, RSO was awarded the FY21-22 Tobacco Grant and it was approved by the Board of Supervisors on March 1, 2022 (Minute Order 3.35). On June 2, 2023, California Attorney General Rob Bonta announced the release of \$24.6 million in funding for the Tobacco Grant FY23-24. On June 21, 2023, the Riverside Sheriff's Office submitted a grant proposal to the Department of Justice (DOJ) in response to the grant solicitation to provide continued support for local enforcement efforts to reduce the illegal sale of tobacco products to minors.

On October 11, 2023, the DOJ approved RSO's application and awarded \$336,618 to expand the RSO's efforts in reducing youth access to tobacco products by increasing enforcement of and compliance with existing and new tobacco laws. The RSO will use the funds to increase enforcement of underage tobacco sales and marketing tobacco products to minors and highlight their growing tobacco use.

This grant funds overtime and benefits for Deputies to enforce a local ordinance or state law related to the illegal sale and marketing of tobacco products to minors. This includes conducting investigative activities and compliance checks at local tobacco retailers throughout Southwest Riverside County. The performance period for these funds is November 1, 2023, to June 30, 2027.

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Impact on Residents and Businesses

The Riverside Sheriff's Office will use these funds to conduct retail inspections and provide anti-tobacco education to retailers in an effort to reduce access to tobacco through collaboration with law enforcement and increase enforcement of laws prohibiting underage tobacco sales to minors.

Additional Fiscal Information

This grant allocation is funded through the State of California Proposition 56 revenue and is 100% reimbursable, with no match requirement. The California Department of Justice will reimburse selected public agencies for approved expenditures upon receipt of approved invoices and proof of payment. The State will appropriate funding as follows:

Fiscal Year	Amount
2023/2024	\$112,206
2024/2025	\$112,206
2025/2026	\$112,206
Total	\$336,618

The RSO will spend \$112,206 in funding for Fiscal Year 2023/2024; therefore, a budget adjustment is required for FY 2023/2024. The remaining \$224,412 will be included in the Fiscal Year 2024/2025 and 2025/2026 respective budgets.

ATTACHMENTS:

1. Schedule A FY 23-24
2. Grant Award Letter
3. Resolution
4. MOU

**SCHEDULE A
FY 23-24**

Increase Appropriations

10000-2500300000-510420	Overtime	\$99,180
10000-2500300000-518080	Other Budgeted Benefits	\$6,614
10000-2500300000-527780	Special Program Expense	\$1,069

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10000-2500201500-523680	Office Equipment Non-Fixed Assets	\$1,500
10000-2500201500-523700	Office Supplies	<u>\$3,843</u>
Total Increase in Estimated Appropriations		\$112,206

Increase Estimated Revenues:

10000-2500300000-755680	CA – Other Operating Grants	\$106,863
10000-2500201500-755680	CA – Other Operating Grants	<u>\$5,343</u>
Total Increase in Estimated Revenues		\$112,206

Heydee Koury

Heydee Koury, Sr Accountant - Auditor 1/24/2024

Rebecca S Cortez

Rebecca S Cortez, Principal Management Analyst 1/29/2024

Aaron Gettis

Aaron Gettis, Deputy County Counsel 1/24/2024

RESOLUTION NO. 2024-032

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, AUTHORIZING THE SHERIFF’S OFFICE TO ACCEPT FY2023-24 TOBACCO LAW ENFORCEMENT GRANT PROGRAM FUNDS FROM THE CALIFORNIA DEPARTMENT OF JUSTICE

WHEREAS, the Sheriff’s Office, on behalf of the County of Riverside, desires to undertake a project to strengthen and increase the Sheriff’s capacity provide outreach and improve education efforts for the existing tobacco retailers, expand decoy operations for tobacco sales under 21 years of age, eliminate the illegal sales of tobacco products by unpermitted retailers; and

WHEREAS, the California Department of Justice (Cal DOJ) has awarded the Sheriff’s Office grant funds through the Tobacco Law Enforcement Grant Program, as administered by the Office of the Attorney General.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on February 6, 2024, that the Board of Supervisors of the County of Riverside, located on the first floor of the County Administrative Center, 4080 Lemon Street, Riverside, California, hereby authorizes the Sheriff, Undersheriff, or Assistant Sheriff of the County of

FORM APPROVED COUNTY COUNSEL
BY KRISTINE BELL-VALDEZ
DATE

1 Riverside to accept grant funding in the amount of \$336,618.

2
3 BE IT FURTHER RESOLVED that the Sheriff, Undersheriff, Assistant Sheriff, Chief
4 Deputy Sheriff, Deputy Director, Sheriff's Administrative Services, or Administrative
5 Services Manager are hereby designated as Authorized Officials for the limited purpose of
6 executing and submitting, for and on behalf of the County of Riverside, the Memorandum of
7 Understanding with Cal DOJ, and all other related documents necessary and appropriate to
8 carry out the purpose and intent of this resolution.

9
10 BE IT FURTHER RESOLVED that this resolution shall be in effect for the duration of the
11 grant period, beginning November 1, 2023, and ending June 30, 2027.

12
13
14
15 ROLL CALL:

16 Ayes: Jeffries, Washington, Spiegel, Perez, and Gutierrez
17 Nays: None
18 Absent: None

19 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors
20 on the date therein set forth.

21 KIMBERLY A. RECTOR, Clerk of said Board

22 By: Naomy Li
Deputy



DIVISION OF OPERATIONS
OFFICE OF THE CHIEF
GRANT SERVICES BRANCH
TOBACCO GRANT PROGRAM
P.O. Box 160187
Sacramento, CA 95816-0187
Telephone: (916) 210-6422
E-Mail Address: TobaccoGrantRFP@doj.ca.gov

October 11, 2023

Lisa Salazar, Administrative Services Analyst
Riverside County Sheriff's Department
4095 Lemon Street
Riverside, CA 92501

Re: Tobacco Grant Award Notification Fiscal Year 2023-24 (RFP: DOJ-PROP56-2023-24-1)

Dear: Lisa Salazar

Congratulations! On behalf of the California Department of Justice (DOJ), Tobacco Grant Program, I am pleased to inform you that your agency's grant application for the fiscal year 2023-24 grant cycle has been approved for grant funds authorized under the California Healthcare, Research and Prevention Tobacco Tax Act of 2016. The total amount of your agency's grant award is \$336,618.

The Tobacco Grant Program's award process is highly competitive, and for the 2023-24 grant cycle, the Department received over \$48 million in requests. As noted in the application materials, grant funding prioritized support for local retailer enforcement and education efforts, including enforcement of flavored tobacco bans. Consequently, some awards were approved with modifications based upon funding priorities.

To accept the 2023-24 grant award, please complete and return the following by email within 15 calendar days of the date of this letter:

1. Signed Letter of Intent (template attached), affirming either:
 - a. Your agency will seek a resolution from the governing body to accept the award (*if your agency has a governing body*); or
 - b. No governing body exists and no resolution is required.
25. Summary of Award (template attached)

Please email the signed Letter of Intent and Summary of Award as indicated above to TobaccoGrantRFP@doj.ca.gov with the subject line including the name of your agency: "FY 23-24_Letter of Intent_Riverside County Sheriff's Department." Upon receipt of this information, the Department will provide your agency with additional documents for execution/use (e.g.,

October 11, 2023

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Memorandum of Understanding, Grantee Handbook, etc.). These documents will contain more information about the process for reimbursement and other important details. Activities for reimbursement under this grant may commence November 1, 2023.

Should you have any questions regarding this letter or the required follow up information, please email TobaccoGrantRFP@doj.ca.gov.

Sincerely,

STACY HEINSEN
Manager, Tobacco Grant Program

For ROB BONTA
Attorney General

Attachments:
Letter of Intent
Summary of Award
Budget Detail



Tobacco Grant Program

Grant Services Branch – Local Assistance

Division of Operations

Riverside County Sheriff's Office

DOJ-PROP56-2023-24-1-024

MEMORANDUM OF UNDERSTANDING

PURPOSE

This Memorandum of Understanding (“MOU”) is entered into by the Department of Justice (“DOJ”) and the Riverside County Sheriff's Office (“Grantee”), for the purpose of disbursing grant funds to Grantee for reimbursement of expenditures in compliance with the California Code of Regulations and the Fiscal Year 2023-24 Grantee Handbook.

Commencing January 1, 2023, the [California Code of Regulations, Title 11, Division 1, Chapter 5: Department of Justice Tobacco Grant Program](#) (“TGP Regulations”) shall govern the policies and procedures of the Tobacco Grant Program.

The TGP Regulations, Request for Proposals, Grantee Handbook (dated March 2023), and Summary of Award document are hereby incorporated by reference into this MOU. Grantee will expend funds for the purposes identified in the approved Summary of Award document. Reimbursements are to be funded under the California Healthcare, Research and Prevention Tobacco Tax Act of 2016, approved by the voters as Proposition 56.

COST REIMBURSEMENT

DOJ agrees to reimburse Grantee in arrears, for Grantee’s actual expenditures in performing the project or scope of work included in the approved Summary of Award document. Reimbursements will be made upon receipt of invoices from Grantee and approval of the invoices by DOJ, in accordance with the reimbursement procedures set forth in the TGP Regulations and Grantee Handbook.

BUDGET CONTINGENCY CLAUSE

It is mutually agreed, if the Budget Act of the current fiscal year and/or any subsequent years covered under the MOU does not appropriate sufficient funds, the MOU shall be of no further force and effect. In the event this situation occurs, DOJ shall have no liability to reimburse/pay any funds to Grantee, or to furnish any other considerations under this MOU. As well, Grantee shall not be obligated to continue performing the provisions of this MOU, for which the Grantee would have been reimbursed.

If funding for any fiscal year is reduced or deleted in the Budget Act for purposes of this MOU, DOJ shall have the option to either cancel this MOU with no liability occurring to DOJ, or offer an addendum to the Grantee to reflect the reduced amount.

PROJECT BREACH-TERMINATION

Failure of a Grantee to comply with this MOU or the TGP Regulations shall be treated by DOJ as a breach of contract. If an act of noncompliance occurs, DOJ may take actions described within the TGP Regulations, including termination. DOJ may terminate this MOU and be relieved of any obligation to disburse grant funds to Grantee should Grantee fail to perform the scope of work at the time and in the manner provided in this MOU.

MISCELLANEOUS PROVISIONS

Addendum – No addendum or variation of the terms of this MOU is valid unless made in writing, and signed by the duly authorized representatives of the parties.

Assignment – This MOU is not assignable by Grantee in whole or in part.

Indemnification – Grantee agrees to indemnify and hold harmless DOJ, its officers, agents and employees from all claims, liabilities, or losses in connection with the performance of this MOU.

Certifications – Grantee certifies that it does not receive funding from a manufacturer, distributor, or advertiser of Cigarettes or Tobacco Products. Grantee further certifies that grant funds will not supplant existing state or local funds dedicated for the same purpose.

TERMS

Grant Duration: **11/1/2023 – 6/30/2027**

Category of Expenditure	Award Amount			
	Budget FY 2023-2024	Budget FY 2024-2025	Budget FY 2025-2026	Budget FY 2026-2027
Personal Services	\$105,794	\$105,794	\$105,794	\$
Operating Expenses and Equipment	\$1,069	\$1,069	\$1,069	\$
Administrative Costs (Not to Exceed 5%)	\$5,343	\$5,343	\$5,343	\$
TOTAL AWARD AMOUNT	\$336,618			

The time limit for reimbursements against this award ends 6/30/2027. Requests for reimbursement received after 7/15/2027 cannot be considered by DOJ.

GRANTEE CONTACT INFORMATION

Lisa Salazar, Administrative Services Analyst
 Riverside County Sheriff's Office
 4095 Lemon Street
 Riverside, CA 92501
 916-478-8167
 lmsalaza@riversidesheriff.org

AUTHORIZATION

DOJ and Grantee, by their duly authorized officials, have executed this MOU on the respective dates indicated below. This MOU and any future addendums shall be e-mailed to TobaccoGrants@doj.ca.gov, care of the Division of Operations, Grant Services Branch, Local Assistance Unit, Tobacco Grant Program, and will become fully executed upon completion of signatures from all parties.

DONALD SHARP
Undersheriff
Riverside County Sheriff's Office

Date

FORM APPROVED COUNTY COUNSEL
BY *[Signature]*
KRISTINE BELL-VALDEZ DATE

JENNIFER IVERY JOHNSON, Grant Manager
Division of Operations
California Department of Justice

Date

STACY HEINSEN, Administrative Manager
Division of Operations
California Department of Justice

Date

CHRIS RYAN, Chief
Division of Operations
California Department of Justice

Date