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# CITY OF POMONA

## COUNCIL REPORT

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November 18, 2024

To: Honorable Mayor and Members of the City Council

From: Anita D. Gutierrez, City Manager

Submitted By: Michael Ellis, Chief of Police

**SUBJECT: ACCEPTANCE OF A TOBACCO GRANT PROGRAM IN THE  
AMOUNT OF \$381,591**

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### RECOMMENDATION:

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution (Attachment No.1):

**RESOLUTION NO. 2024-149 – A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2024-25  
OPERATING BUDGET BY INCREASING REVENUE ESTIMATES AND  
APPROPRIATIONS IN THE AMOUNT OF \$381,591**

- 2) Accept a Tobacco Grant Program from the California Department of Justice (DOJ) in the amount of \$381,591 beginning November 1, 2024 through June 30, 2028;
- 3) Authorize the City Manager, or designee, to execute any and all agreements on behalf of the City, in substantially the form submitted, subject to review and approval as to form by the City Attorney.

### EXECUTIVE SUMMARY:

Action on this item will accept a grant (Tobacco Grant Program) in the amount of \$381,591. Funding will run from November 1, 2024 through June 30, 2028. The Department of Justice provides funding to law enforcement agencies to focus on enforcing state laws and local ordinances related to illegal tobacco sales. This includes enforcement operations related to sales to minors, tobacco retailer compliance, and the ban on flavored tobacco.

**SB1439/GOVERNMENT CODE §84308 APPLICABILITY:**

☐ When this box is checked, it indicates the agenda item is subject to the Levine Act SB1439 requirements. Council members are reminded to check their campaign contributions and determine whether they have received a campaign contribution of \$250 or more that would require disclosure and/or refusal from discussing or acting on this agenda item. Campaign contributions of \$250 or more made 1) by any person or entity who is identified in the agenda report as the applicant or proposer or 2) on behalf of the applicant or participant, including a parent, subsidiary or otherwise related business entity, or 3) by any person who has a financial interest in the agenda item requires a council member to comply with SB1439.

**FISCAL IMPACT:**

Approval of this item will amend the FY 2024-25 Operating Budget by increasing revenue estimates (215-2090-40873-58802) and appropriations (215-2090-5XXXX-58802) in the amount of \$381,591.

**PREVIOUS RELATED ACTION:**

On March 15, 2021, the City Council accepted a Tobacco Law Enforcement Grant in the amount of \$406,989.

**DISCUSSION:**

The Police Department has been awarded a 36-month grant in the amount of \$381,591 to enforce state tobacco laws and local ordinances, including the statewide flavor ban through retailer inspections, and enforcement operations. The tobacco grant application is a highly competitive process. The Department of Justice received over \$50 million in requests and the Pomona Police Department was successful in securing funds. The grant will provide funding for four (4) fiscal years from November 1, 2024 through June 30, 2028. Due to the timing of the award letter sent on October 16, 2024, acceptance of the award will be retroactive to November 1, 2024. As the delay prevented the Department from preparing for Council action before the grant, performance period began.

All tobacco grant enforcement operations will be performed on an overtime basis. These efforts will include minor decoy operations, shoulder tap, and undercover buys. The grant will support the conduct of retailer education, compliance checks, and inspections for tobacco retailers, as well as provide education to enforcement officers on state tobacco laws and ordinances. The objective is to decrease the illegal distribution and promotion of tobacco products, including e-cigarettes, to minors and youth.

**COUNCIL PRIORITIES & GOALS:** This item supports the 2021-2022 City Council Priority 1: Fiscal and Operational Responsibility – Goal C: Obtain additional grant funding and other revenues to help achieve City goals.

Prepared by:

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Natalie Diaz, MPA, Management Analyst  
Claudia Huerta, Administrative Services Manager

**ATTACHMENT(S):**

Attachment No. 1 - Resolution No. 2024-149  
Attachment No. 2 – Tobacco Award Letter FY 2024-25