



County of Monterey

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: 24-812

January 07, 2025

Introduced: 12/9/2024

Current Status: Criminal Justice - Consent

Version: 1

Matter Type: General Agenda Item

Authorize the District Attorney to Execute an Agreement for Tobacco enforcement by:

- a. Amending the Adopted Budget for the Office of the District Attorney - Civil Budget Unit 2240-8062-Fund 001-Appropriation Unit DIS001, account 5050, by adding \$145,565 in revenue from the Tobacco Grant from the California Department of Justice (Cal DOJ) as indicated in Attachments A, B and C;
- b. Authorizing the District Attorney or its designee, on behalf of the County, to execute Grant Agreements and Memorandums of Understandings (MOU) with the California Department of Justice (Cal DOJ) including any extension or amendments thereof;
- c. Directing the County Administrative Office and the Auditor-Controller to incorporate the approved budget changes in the FY 2024-25 Adopted Budget.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

Authorize the District Attorney to Execute an Agreement for Tobacco enforcement by:

- a. Amending the Adopted Budget for the Office of the District Attorney - Civil Budget Unit 2240-8062-Fund 001-Appropriation Unit DIS001, account 5050, by adding \$145,565 in revenue from the Tobacco Grant from the California Department of Justice (Cal DOJ) as indicated in Attachments A, B and C;
- b. Authorizing the District Attorney or its designee, on behalf of the County, to execute Grant Agreements and Memorandums of Understandings (MOU) with the California Department of Justice (Cal DOJ) including any extension or amendments thereof;
- c. Directing the County Administrative Office and the Auditor-Controller to incorporate the approved budget changes in the FY 2024-25 Adopted Budget.

SUMMARY/DISCUSSION:

The Tobacco Grant Program award provides financial support for the Office of the District Attorney (DA) to conduct undercover investigations into businesses selling flavored tobacco products. Undercover buys will be conducted both in Monterey County retail facilities and via online sales. The DA's Office has seen that misdemeanor cases for the sale of tobacco products to minors are often diverted in the Courts. For example, one retailer had multiple misdemeanor citations against individual store clerks as well as complaints from parents in the community, yet disjointed misdemeanor prosecutions against individual salesclerks failed to stop the business practice of selling to minors. Therefore, the DA plans to focus on civil prosecutions pursuant to the Unfair Competition Law, which provides for civil penalties and injunctive relief for unlawful business acts and practices.

OTHER AGENCY INVOLVEMENT:

The Budget Committee supported this recommendation on November 25, 2024, and the County Administrative Office has reviewed this report and supports it approval.

FINANCING:

This additional revenue will decrease department funding requirements from the General Fund by approximately \$145,565 for FY 2024-25, and subsequently incorporate an additional \$145,565 in the upcoming budget preparation cycle for FY 2025-26.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Supports public safety through enforcement of tobacco regulations.

Mark a check to the related Board of Supervisors Strategic Initiatives

☐ Economic Development
☐ Administration
☐ Health & Human Services
☐ Infrastructure
☒ Public Safety

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Approved by: Jeannine M. Pacioni, District Attorney, Ext. 5470

Attachments:

- A. Tobacco Grant - Summary of Award
- B. Memorandum of Understanding (MOU), Tobacco Grant
- C. Tobacco Grant - Budget Detail
- D. Resolution - Tobacco Grant