



County of Monterey

Item No.

Board Report

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

Legistar File Number: A 24-471

October 15, 2024

Introduced: 9/27/2024

Current Status: ATS Review

Version: 1

Matter Type: BoS Agreement

- a. Approve and authorize the Director of Health Services or designee to execute an Agreement with the City of Marina for the County of Monterey Health Department Tobacco Retail License Program to provide administrative and enforcement services on behalf of the City's Tobacco Retail License program, with revenue being determined by the number of tobacco retailers within the City, for the term date upon execution to October 31, 2029; and
- b. Approve a non-standard Agreement as recommended by the Director of Health Services; and
- c. Approve and authorize the Director of Health Services or designee to sign up to three future amendments where the combined amendments do not significantly change the scope of services.

RECOMMENDATION:

It is recommended that the County of Monterey Board of Supervisors:

- a. Approve and authorize the Director of Health Services or designee to execute an Agreement with the City of Marina for the County of Monterey Health Department Tobacco Retail License Program to provide administrative and enforcement services on behalf of the City's Tobacco Retail License program, with revenue being determined by the number of tobacco retailers within the City, for the term date upon execution to October 31, 2029; and
- b. Approve a non-standard Agreement as recommended by the Director of Health Services; and
- c. Approve and authorize the Director of Health Services or designee to sign up to three future amendments where the combined amendments do not significantly change the scope of services.

SUMMARY/DISCUSSION:

The primary goal of the County of Monterey Tobacco Retail License (TRL) Program is to reduce youth access to tobacco. The County TRL ordinance is structured so that incorporated cities can implement their own TRL program by adopting the county ordinance as their own ordinance.

City of Marina (City) Tobacco Retail License ordinance section 5.90.010 adopts the County of Monterey Tobacco Retailer License ordinance pertaining to tobacco retailer products. The intent of the City is to adopt regulations that mirror County Code section 7.80 so as to allow either the City or the County to oversee and enforce provisions applicable to licensing tobacco retailers.

County TRL Program staff has worked with County Counsel to develop an Agreement between the County and City which will allow the County to implement and administer the TRL program on behalf of the City. The City enacted its ordinance to encourage responsible tobacco

retailing and to discourage violations of tobacco-related laws, particularly those which prohibit or discourage the sale or distribution of tobacco products to minors.

Under the proposed Agreement, the County would assist the City in enforcing the ordinance by providing such administrative and enforcement services as are specified under the ordinance, on the terms and condition specified in this Agreement. Any costs borne by the County to administer and enforce the ordinance within the City limits shall be recovered by the fees approved by the City and received by the County from tobacco retailers within the City, pursuant to the ordinance.

The County of Monterey's Health Department appreciates the County Board of Supervisors' ongoing support of public health efforts to reduce youth tobacco access which will reduce tobacco use in Monterey County and save lives.

This work supports the following County of Monterey Health Department 2018-2024 Strategic Plan Goals: 1. Empower the community to improve health; and 2. Enhance public health and safety through prevention. It also supports the following of the ten essential public health services, specifically: 5. Create, champion, and implement policies, plans, and laws that impact health; and 6. Utilize legal and regulatory actions designed to improve and protect the public's health.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel and Auditor-Controller have reviewed and approved this Agreement as to legal form and fiscal provisions, respectively.

FINANCING:

This Agreement is funded by fees established by the County and paid directly by tobacco retailers within the City to the County, pursuant to the City's ordinance. There are sufficient appropriations included in the Health Department's (HEA003-8124) Adopted Budget for FY 2024-25.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Check the related Board of Supervisors Strategic Initiatives:

Economic Development:

- Through collaboration, strengthen economic development to ensure a diversified and healthy economy.

Administration:

- Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability and transparency.

Health & Human Services:

- Improve health and quality of life through County supported policies, programs, and services, promoting access to equitable opportunities for healthy choices and healthy environments in collaboration with communities.

Infrastructure:

- Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results.
- Public Safety:
 - Create a safe environment for people to achieve their potential, leading businesses and communities to thrive and grow by reducing violent crimes as well as crimes in general.

Prepared by: Veronica Salinas, Management Analyst, 755-4630

Approved by:

_____ Date: _____
Elsa Mendoza Jimenez, Director of Health Services, 755-4526

Attachments:
Board Report
Agreement