



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 18, 2019

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Tobacco Enforcement Grant For Smoking Prevention And Enforcement Activities In Fiscal Years 2019, 2020 And 2021

RECOMMENDATION: That Council:

- A. Accept a grant from the California Department of Justice in the amount of \$189,341 for smoking prevention and enforcement activities from July 1, 2018 to June 30, 2021;
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Authorizing the City Administrator, or Designee, to Negotiate and Execute a Grant Agreement, and Any Amendments Thereto, with the California Department of Justice for Smoking Signage, Public Education and Enforcement Activities in Fiscal Years 2019, 2020, and 2021; and
- C. Increase estimated revenues and appropriations by \$189,341 in the Smoking and Tobacco Prevention Grant Fund for Fiscal Year 2019.

DISCUSSION:

The City recently applied for and received a grant of \$189,341 from the California Department of Justice for education and enforcement activities related to the City's new smoking law and existing tobacco retail law. The grant covers the period of Fiscal Years 2019, 2020, and 2021, ending on June 30, 2021.

These funds add to a grant of \$878,000 that was awarded last year for public education, signage, and enforcement activities for Fiscal Years 2019 and 2020, bringing the total grant funding received to \$1,067,341.

The grant funding will improve enforcement in the downtown corridor, an area considered a priority for smoking enforcement. By increasing the enforcement of smoking in public areas, the Police Officers are also able to address other nuisance and illegal activities

and handle general enforcement activities. The grant will cover police officer staffing during daytime and late night shifts in the downtown area. It will also provide funding for School Resource Officer staffing at the Santa Barbara School District. This will include counseling students, smoke-free educational activities, serving as a liaison between the Police Department and School District staff, and patrolling school sites before and after school hours.

Background of Outdoor Smoking Ordinance

After receiving a few hundred comments from the public and community organizations, the City Council adopted an ordinance on August 9, 2017 to prohibit smoking in outdoor public areas to limit public exposure to secondhand smoke, lower the risk of fires, and reduce cigarette butt litter and associated clean-up costs. Many community organizations recommended a smoke-free area for the entire city to provide a healthy, family-friendly and attractive environment for residents, customers, employees and visitors. These organizations included Santa Barbara Cottage Health System, United Way, Community Environmental Council, Santa Barbara Channelkeeper, Environmental Defense Center, Santa Barbara Maritime Museum, CALM, First 5 of Santa Barbara County, Downtown Santa Barbara, and the American Cancer Society local chapter.

Smoke-free areas include sidewalks, paseos, City-owned parking structures and lots, Stearns Wharf, beaches, parks, sports fields, trails, community centers, outdoor recreation facilities, outdoor library areas, designated areas of the golf course, outdoor restaurant patios before 10 p.m., and public events and festivals. Smoking is permitted on outdoor bar patios at all times and on outdoor restaurant patios after 10 p.m., unless a business wanted to be more restrictive in maintaining a smoke-free area for their operations. The ordinance clarified that restaurants with licensed outdoor dining areas in the public right-of-way are not considered sidewalk or a public area for purposes of the smoking ordinance.

Consistent with recent state laws, smoking was defined to include cigarettes, electronic smoking or “vaping,” and cannabis.

Public Education and Enforcement of Smoking Laws

Public education and enforcement on the new smoking law began in fall 2017 with verbal warnings as the primary means of enforcement in the Downtown area.

Police Officers, Park Rangers, and Harbor Patrol Officers are currently authorized to issue citations for violations of the Municipal Code to enforce the new smoking regulations. Any citations issued are considered infractions to violator(s) of the ordinance. Infractions are petty offenses that are typically punishable by fines, but not jail time. After receiving grant funding for enforcement efforts last year, over 200 citations and 3,500 warnings have been issued since July 1, 2018.

Signage is planned for installation in commercial areas throughout the City in late June. A comprehensive signage plan was approved by the Sign Committee and Historic Landmarks Commission with a design consistent with existing wayfinding signage. In the Downtown area, the signage will be posted at every block of State Street, side streets, and in City parking structures and lots. New signage will replace half of the current skateboard enforcement signage.

Park and beach signage has also been redesigned with restrictions pertinent to each area. Smoke-free signage will be posted at identified beach entrances. Signage and steel disposal containers have been installed at the entrances of Stearns Wharf and the Harbor to safely dispose of cigarettes.

Altogether, the signage plan includes approximately 350 locations in all commercial areas of the City, including bilingual signs on the Eastside and Westside.

After the ordinance was adopted, staff implemented several efforts to inform the community of the smoking law. Informational postcards were mailed to all mailing addresses in the City with a brief summary of the new smoking laws. Information was shared to the public through newsletters, publications, and social media. A video was developed for the City's website, newsletter, and various communication needs. Downtown Ambassadors and County Public Health staff visited businesses downtown to deliver window decals and help answer questions about the new law. Informational cards were printed in English and Spanish and made available at City offices. A web page on the City's website with frequently asked questions and other resources to help the community transition to smoke-free outdoor areas.

In June, another information campaign is planned, including a bilingual mailer, advertising on social media, MTD buses and in movie theaters. The education efforts and signage are funded through the initial tobacco enforcement grant.

BUDGET/FINANCIAL INFORMATION:

The funding from this grant will be appropriated to the Smoking and Tobacco Prevention Grant Fund in Fiscal Year 2019. Unspent funds in any given fiscal year will be carried forward through Fiscal Year 2021.

PREPARED BY: Nina Johnson, Senior Assistant to the City Administrator

SUBMITTED BY: Paul Casey, City Administrator

APPROVED BY: City Administrator's Office