



City Attorney's Office

**OAKLAND CITY COUNCIL**  
**RESOLUTION NO. 88328 C.M.S.**

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH (CADOPH) TO CLARIFY “STOP TOBACCO ACCESS TO KIDS ENFORCEMENT (STAKE)” GRANT PROGRAM REQUIREMENTS, AND ACCEPT AND APPROPRIATE ONE HUNDRED EIGHTY THOUSAND DOLLARS (\$180,000) FOR A THREE-YEAR CADOPH STAKE GRANT; AND AUTHORIZING THE GENERAL-PURPOSE SERVICES FUND TO CONTRIBUTE TWENTY-SEVEN THOUSAND NINE HUNDRED DOLLARS (\$27, 900) TO COVER THE ASSOCIATED CENTRAL SERVICES OVERHEAD COSTS**

**WHEREAS**, the California Department of Public Health (CADOPH) serves as the grant administrator of the Stop Tobacco Access to Kids Enforcement (STAKE) Program funded by the California Healthcare, Research and Prevention Tobacco Tax Act (also known as Proposition 56); and

**WHEREAS**, OPD has been awarded one hundred eighty thousand dollars (\$180,000) to expand and enhance OPD’s Alcoholic Beverage Action Team’s (ABAT) ability to: 1) identify and target problematic retailers of tobacco products who sell to minors; 2) increase enforcement efforts against tobacco establishments that generate tobacco-related violations; 3) promote strategies that reduce marketing of tobacco products to minors in Oakland communities; and 4) develop and educate merchants on the laws with respect to tobacco-related violations; and

**WHEREAS**, the Tobacco Law Enforcement Program grant period of performance is from July 1, 2020 through June 30, 2023; and

**WHEREAS**, grant funds will be used to cover overtime costs for ABAT’s enforcement operations and operational/equipment expenses related to the enforcement, outreach, and education activities; and

**WHEREAS**, the STAKE Grant rules do not allow funds to be used for overhead expenses; and

**WHEREAS**, the City's 15.5 percent Central Service Overhead Cost formula equates to an amount of twenty-seven thousand nine hundred dollars (\$27,900); therefore, be it

**RESOLVED**: that the City Administrator or designee is authorized to enter into a grant agreement with the CADOPH to clarify STAKE Grant rules for the period July 1, 2020 through June 30, 2023; and be it

**FURTHER RESOLVED**: That the City Council does hereby authorize the City Administrator or designee to accept and appropriate a grant award in the amount not to exceed one hundred thousand dollars (\$180,000) from the State of California, which serves as the grant administrator of the STAKE Grant Program, funded by the California Healthcare, Research and Prevention Tobacco Tax Act; and be it

**FURTHER RESOLVED**: That the STAKE Grant revenues will be allocated to the State of California Fund (2159); Special Operations Division Org (107710); Project (TBD); Special Operations Program (PS13); and be it

**FURTHER RESOLVED**: That the City Council authorizes a contribution of \$27,900 from the general-purpose fund to cover the associated central services overhead costs of 15.5 percent which the grant does not cover; and be it

**FURTHER RESOLVED**: That the City Administrator or designee is authorized to complete all required negotiations, certifications, assurances, and documentation required to execute, modify, extend at no cost, renew and/or amend such an grant agreement without returning to the City Council; and be it

**FURTHER RESOLVED**: That in accordance with Article IV, Section 401(6) of the City Charter, the City Attorney's Office shall approve the agreements as to form and legality, and a copy of the fully executed grant agreement shall be placed on file with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, OCT 20 2020

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN -8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST: Candice Parker Terry For  
ASHA REED

Acting City Clerk and Acting Clerk of  
the Council of the City of Oakland, California