

RESOLUTION R22-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES, CALIFORNIA TO ACCEPT GRANT FUNDS IN THE AMOUNT OF \$17,790 FROM THE STATE OF CALIFORNIA DEPARTMENT OF JUSTICE, OFFICE OF THE ATTORNEY GENERAL, TOBACCO GRANT PROGRAM.

WHEREAS, the City of Palos Verdes Estates desires to participate in the Tobacco Law Enforcement Grant program, which is made available through the California Healthcare, Research and Prevention Tobacco Tax Act of 2016 (Prop.56) and administered by the California Department of Justice to support local efforts to reduce the illegal sale of tobacco products in the City;

WHEREAS, the Palos Verdes Estates Police Department submitted a proposal to participate in the grant program and the California Department of Justice awarded to the City \$17,790 for a three-year program covering January 1, 2022, through June 30, 2025;

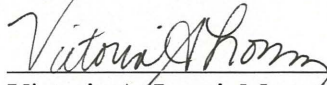
WHEREAS, the Department of Justice has approved the Palos Verdes Estates Police Department's proposal and agrees to enter into a funding agreement, and

WHEREAS, the grant funds will be used for salary expenditures related to educational opportunities for children, tobacco enforcement operations, local retailer inspections and training.

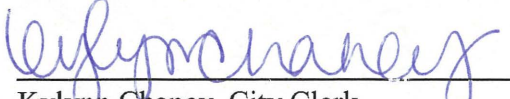
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES DOES RESOLVE AS FOLLOWS:

1. That the City Council authorizes the City Manager to execute on behalf of the City the Memorandum of Understanding awarding \$17,790 to the City as grantee, including any extensions or minor amendments thereof. A copy of the Memorandum of Understanding is attached hereto as Exhibit A and incorporated by this reference.

PASSED, APPROVED, AND ADOPTED on this 22nd day of February, 2022.


Victoria A. Lozzi, Mayor

ATTEST:


Kylvnn Chaney, City Clerk

APPROVED AS TO FORM:


John Cotti, City Attorney

MEMORANDUM OF UNDERSTANDING

PURPOSE

This Memorandum of Understanding (MOU) is entered into by the Department of Justice (hereinafter, "Department") and the Palos Verdes Estates Police Department (hereinafter, "Grantee"), to provide grant funds to Grantee for expenditure in compliance with the Grantee Handbook. The Grantee will expend funds for the purposes identified in the approved Summary of Award document to be funded under the California Healthcare, Research and Prevention Tobacco Tax Act of 2016 (the "Act"), approved by the voters as Proposition 56.

The Request for Proposals, Grantee Handbook (dated March 2021), and Summary of Award document are hereby incorporated by reference into this MOU.

COST REIMBURSEMENT

The Department agrees to reimburse Grantee in arrears, for Grantee's actual expenditures in performing the project or scope of work included in the approved Summary of Award document, upon receipt of invoices from Grantee and approval of the invoices by the Department, in accordance with the reimbursement procedures set forth in the Grantee Handbook.

BUDGET CONTINGENCY CLAUSE

It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under the agreement does not appropriate sufficient funds for this MOU, this MOU shall be of no further force and effect. In this event, the Department shall have no liability to pay any funds whatsoever to Grantee or to furnish any other considerations under this MOU and Grantee shall not be obligated to continue performing any provisions of this agreement for which it would have been reimbursed.

If funding for any fiscal year is reduced or deleted in the Budget Act for purposes of this MOU, the Department shall have the option to either cancel this MOU with no liability occurring to the Department, or offer an addendum to the Grantee to reflect the reduced amount.

ADMINISTRATION

Should Grantee fail to comply with this MOU, including any expenditures for purposes not permitted under the MOU, the Department may take one or more of the actions described under Noncompliance in the Grantee Handbook.

MISCELLANEOUS PROVISIONS

Addendum – No addendum or variation of the terms of this MOU is valid unless made in writing, and signed by the duly authorized representatives of the parties.

Assignment – This MOU is not assignable by Grantee in whole or in part.

Indemnification – Grantee agrees to indemnify and hold harmless the Department, its officers, agents and employees from all claims, liabilities, or losses in connection with the performance of this MOU.

Termination – The Department may terminate this MOU and be relieved of any obligation to provide grant funds to Grantee should Grantee fail to perform the scope of work at the time and in the manner provided in this MOU.

TERMS

Grant Duration: 12/1/2021 – 6/30/2025

Category of Expenditure	Award Amount			
	Budget FY 2021-2022	Budget FY 2022-2023	Budget FY 2023-2024	Budget FY 2024-2025
Personal Services	\$9,227	\$6,151	\$0	\$0
Operating Expenses and Equipment	\$2,412	\$0	\$0	\$0
Administrative Costs (Not to Exceed 5%)	\$0	\$0	\$0	\$0
TOTAL AWARD AMOUNT	\$17,790			

The time limit for reimbursements against this award ends 6/30/2025. Requests received after 7/15/2025 cannot be reimbursed by the Department.

GRANTEE CONTACT INFORMATION

Luke Hellinga, Police Captain
Palos Verdes Estates Police Department
340 Palos Verdes Drive West
Palos Verdes Estates, Ca 90274
(310) 378-4211
lhellinga@pvestates.org

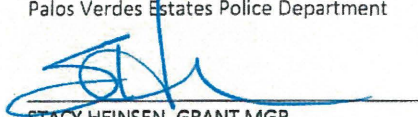
AUTHORIZATION

The Department and Grantee, by their duly authorized officials, have executed this MOU on the respective dates indicated below. This MOU and any future addendums shall be mailed to the Division of Operations, Local Assistance Unit, Tobacco Grant Program, and will become fully executed upon completion of signatures from all parties.



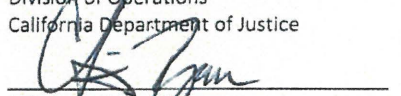
Tony Best, Chief of Police
Palos Verdes Estates Police Department

2/23/22
Date



STACY HEINSEN, GRANT MGR.
Division of Operations
California Department of Justice

3/14/22
Date



CHRIS RYAN, CHIEF
Division of Operations
California Department of Justice

3/15/22
Date

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF PALOS VERDES ESTATES)

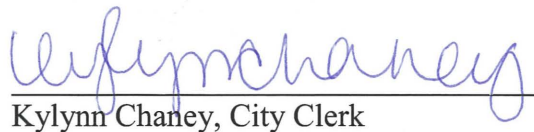
I, Kylynn Chaney, City Clerk for the City of Palos Verdes Estates, California, do hereby certify that the foregoing Resolution **R22-04** was duly and regularly approved and adopted by the City Council of the City of Palos Verdes Estates at its regular meeting of the City Council on the 22nd day of February 2022, by the following vote:

AYES: COUNCILMEMBERS: Murdock, Kemps, McGowan, Roos, Lozzi

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBER: None


Kylynn Chaney, City Clerk