

Attachment A

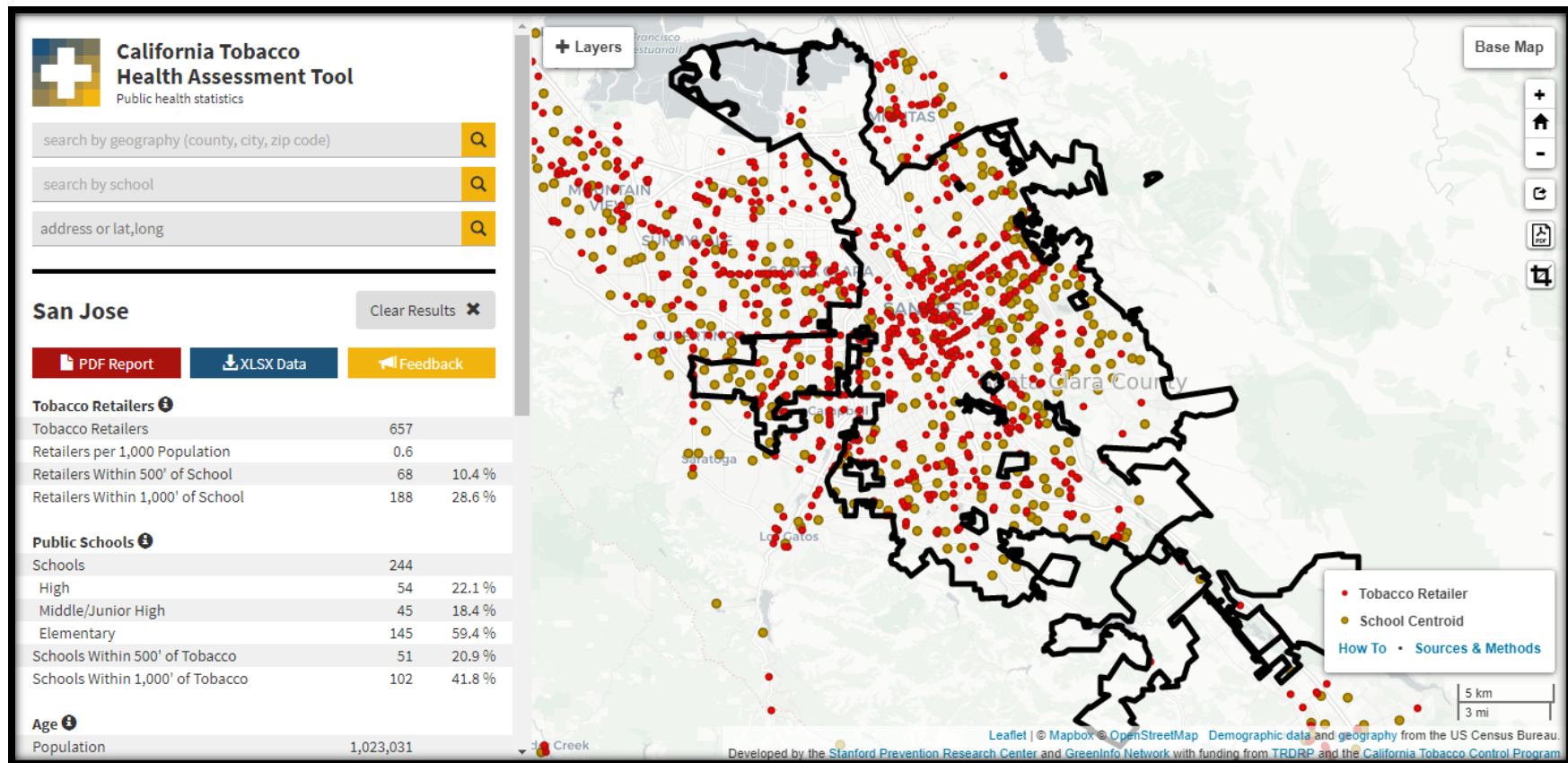
City Council Policy Priority #12: Flavored Tobacco and E-Cigarettes Work Plan

October 2020-June 2021

Objectives	Actions	Timeframe	Status
1. Research and Benchmarking	<p>Research and Benchmark of Existing Local, State, and Federal regulations including but not limited to:</p> <ul style="list-style-type: none">• California Senate Bill No. 7 increased the minimum sale age from 18 to 21 and was approved by the Governor on May 4, 2016 and went into effect June 9, 2016.• California Senate Bill No. 793, banning flavored tobacco products, including menthol flavors, was approved by the Governor on August 28, 2020 and goes into effect on January 1, 2021.• Local City and County Ordinances regarding increasing minimum sale age from 18 to 21, prohibiting the sale of flavored tobacco and e-cigarettes including menthol flavors, and non-FDA approved products, proximity/density requirements, and other provisions	October-November 2020	Completed
2 Data Collection, Mapping, and Analysis	<p>Data Collection, Mapping, and Analysis</p> <ul style="list-style-type: none">• Evaluate proximity of existing TRL businesses to Youth sensitive receptors and other TRL businesses• Evaluate proximity of potentially new TRL businesses to Youth sensitive receptors and other TRL businesses• Assess impacts of proposed Draft Ordinance proximity requirements on existing and potential new TRL eligible businesses• Explore potential legal non-conforming status of existing retailers	October 2020-January 2021	In Process

3. Title 6.87- Draft Ordinance Amendments	Develop Preliminary Draft Ordinance Amendments to include: <ul style="list-style-type: none"> • Prohibit the sale of flavored tobacco and e-cigarettes and other products including menthol flavored products • Set proximity limit for new tobacco retailers to schools and other youth sensitive receptors and other existing tobacco retailers • Increase the minimum sale age from 18 to 21 • Remove license exemptions • Align City of San Jose Municipal Code with State and Federal Regulations • Define legal non-conforming requirements (if applicable) • Provide a defined grace period for affected retailers to deplete current stock of prohibited products 	November- December 2020	In Process
4. Neighborhood Services and Education Committee (NSE) Status Report	<ul style="list-style-type: none"> • Present status report to NSE Committee and obtain input/feedback on work plan objectives 	December 10, 2020	On Calendar
5. Stakeholder Outreach	Stakeholder Outreach to include: <ul style="list-style-type: none"> • Virtual outreach meetings • Mailings • In-person outreach as appropriate in accordance with County Orders/COVID19 	January-February 2021	Pending
6. Title 6.87- Final Draft Ordinance Amendments	Develop Final Draft Ordinance Amendments to include: <ul style="list-style-type: none"> • NSE Committee direction • Stakeholder feedback as appropriate • Outcome of completed data and analysis 	February 2021	Pending
7. Proposed Ordinance Amendments Presented to City Council	Bring proposed Ordinance Amendment to City Council including: <ul style="list-style-type: none"> • Research, benchmarking, and outreach outcomes • Data and Analysis Outcomes • Proposed Implementation Plan • NSE Committee feedback/direction • Staff Recommendation 	March 2021	Pending

<p>8. Carry Out Implementation Plan (<i>Pending Council Approval of Ordinance Amendment</i>)</p>	<p>Finalize and Carry Out Implementation Plan including but not limited to:</p> <ul style="list-style-type: none"> • Communication Plan to inform public and stakeholders • Creation and preparation of educational materials including FAQ and Fact Sheets in multiple languages • Update Code Enforcement website content • Update Tobacco Retail Licensing brochure and customer materials • Virtual outreach meetings with stakeholders as appropriate • All eligible Business owners and the public informed of new regulations and program changes 	<p>April- May2021</p>	<p>Pending</p>
<p>9. Enrollment of new businesses into the Tobacco Retail License Program</p>	<ul style="list-style-type: none"> • Provide newly eligible businesses with the Tobacco Retail Licensing application and Program Collateral • Assist business/property owners with the application/onboarding process • Complete an initial inspection of newly enrolled businesses upon Code Enforcement's receipt of a complete Tobacco Retail License application. 	<p>May-June 2021</p>	<p>Pending</p>



Developed by the [Stanford Prevention Research Center](#) and [GreenInfo Network](#) with funding from Tobacco Related Disease Research Program (TRDRP) and the [California Tobacco Control Program](#)

¹ <https://cthat.org/>