

MEMORANDUM – COMMITTEE OF THE WHOLE ITEMS FOR COUNCIL DIRECTION



AGENDA ITEM: 4A2

TO: Mayor and Council
FROM: Human Services and Community Safety Council Committee
DATE: November 17, 2021
SUBJECT: Flavored Tobacco/Council Committee Work – Staff Research and Drafting

RECOMMENDATION OR DIRECTION REQUESTED:

The Human Services and Community Safety (HSCS) Council Committee requests Council consideration to ask City Staff to develop a draft ordinance and presentation for eliminating the sale of flavored tobacco for e-cigarettes within city limits.

CITY COUNCIL STRATEGIC PRIORITY AND RELATED PERFORMANCE MEASURE:

This proposed plan is aligned with Strategic Priority #1 Safe and Secure Communities. This proposed plan is also aligned with multiple performance measures, including 1.21 Youth Alcohol, Marijuana and Opioid Usage Rate and 1.31 Addressing Opioids

BACKGROUND:

At the October 22nd Human Services and Community Safety Council Committee, stakeholders from the Tempe Coalition, American Heart Association, and Community Bridges provided a presentation on flavored tobacco products in e-cigarettes. The presentation detailed the extent contemporary e-cigarette usage among underage population. The Tempe Coalition gave support to the conclusion that the usage of e-cigarette devices in Tempe's youth is of vital concern, especially with the usage of flavored nicotine products embedded in the devices.

Currently, the Federal Drug Administration is working toward banning all flavors in tobacco products. The flavor ban contemplated by the FDA would, however, not cover flavored e-cigarettes. The U.S. House passed legislation last year prohibiting all flavored tobacco products (including e-cigarettes) but it did not gain traction in the U.S. Senate. On February 10, 2021 Mayor Corey Woods signed a letter in favor of SB1402 and HB2602, dealing with retailer licensing penalties for underage sales.

At this immediate point, state and federal support for a broad-based legal action has not gained traction.

FISCAL IMPACT or IMPACT TO CURRENT RESOURCES:

There is no fiscal impact to this request

STAKEHOLDER/PUBLIC OUTREACH:

The Council Committee reached out to internal stakeholders as well as members from Tempe Coalition.

COUNCIL COMMITTEE MEMBERS:

Councilmember Joel Navarro
Councilmember Doreen Garlid

STAFF ASSISTING WORKING GROUP:

Timothy Gomez, Council Aide
Kristin Gwinn, Council Aide

ATTACHMENTS:

Attachment 1 – Flavors Coalition Members List

Attachment 2 – Draft Ordinance Language from American Heart Association

Attachment 3 – HSCS Council Committee Presentation from October 22nd