

★ **Roll Call Number**

Agenda Item Number

37

Date 9/22/2014

WHEREAS, The City of Des Moines Police Department requests City Council approval to enter into the 28E with the Iowa Alcoholic Beverage Division to perform retailer compliance checks for sale of alcoholic beverages, tobacco, alternative nicotine, and vapor products to minors and;

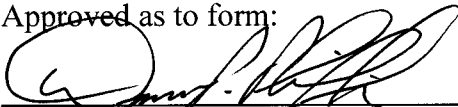
WHEREAS, the Police Department will receive \$50.00 for each completed compliancy check, and;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Des Moines, Iowa authorizes the Chief of Police to enter into this agreement with The Iowa Division of Alcoholic Beverages Division.

(Council Letter Number 14-____ attached)

Moved by _____ to adopt

Approved as to form:



Douglas P. Philip
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
GATTO				
TOTAL				
MOTION CARRIED		APPROVED		
_____ Mayor				

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk



37

Terry E. Branstad *Governor of Iowa*
Kim Reynolds *Lieutenant Governor*
Stephen Larson *Administrator ABD*

September 5, 2014

Dear I-PLEDGE Partner,

The Iowa Alcoholic Beverages Division (ABD) invites your department to participate in the **I-PLEDGE** program for fiscal year 2015 (July 1, 2014 – June 30, 2015). The benefit of a partnership between ABD and law enforcement agencies is evidenced by the **93%** statewide compliance rate obtained by tobacco retailers in FY2014!

In order to be an **I-PLEDGE** partner in fiscal year 2015, you must sign and return the enclosed 28E Agreement. After reviewing the agreement and verifying the contact information for your department, please sign the agreement with a witness on the last page and return it no later than October 8, 2014 in the self-addressed envelope provided. A copy of the executed agreement will be returned to your office.

It is important to remember that ABD is required to conduct **one (1) compliance check** of each tobacco, alternative nicotine and vapor product retailer during FY2015, **with a repeat check of any business that fails the first compliance check**. Section 5.1.2. of the 28E Agreement details the dates by which compliance checks need to be performed.

****IMPORTANT CHANGE FOR FY2015****

Alternative nicotine and vapor products are now age-restricted according to Iowa Code § 453A.2 (2014), and therefore included as part of the I-PLEDGE program. Attempts to purchase alternative nicotine and vapor products may be conducted at any retailer that sells these products. Details and examples of these newly age-restricted products will be included in the enforcement handbook.

The necessary materials to carry out the agreement will be sent to the contact person specified in Section 13.10 of the 28E Agreement. In the meantime, contact Jessica Ekman at 515-281-7434 or Ekman@IowaABD.com with questions regarding the enclosed agreement. If you prefer, you may also contact ABD Investigator, Bill Missman at 515-314-3654 or missman@iowaabd.com.

Sincerely,

A handwritten signature in black ink that reads "Karen Freund".

Karen J Freund

Deputy Administrator of Licensing & Regulation