



**Health & Human Services
Agency
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
J. STEVEN WORTHLEY
District Four
MIKE ENNIS
District Five

AGENDA DATE: September 25, 2018

Public Hearing Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Published Notice Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Advertised Published Notice	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
County Counsel Sign-Off	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Meet & Confer Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Personnel Resolution attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>

CONTACT PERSON: Cory Silva PHONE: 559-624-8480

SUBJECT: Approve the acceptance of the Fiscal Year 2018/2019 Tobacco Control Program Allocation Agreement

REQUEST(S):

That the Board of Supervisors:

1. Approve the acceptance of funds from the California Department of Public Health/California Tobacco Control Program for Fiscal Year 2018/2019 in the amount not to exceed \$564,631, retroactive from July 1, 2018 through June 30, 2019. This allocation agreement is retroactive due to having received notification of the allocation agreement after July 1, 2018. It was impracticable for the Board to take action before July 1, 2018 due to the time needed to process, prepare, and submit the agenda item;
2. Find that the Board had the authority to accept the funds as of July 1, 2018 and that it was in the County's best interest to accept the funding on that date; and
3. Authorize the Health and Human Services Agency Director or designee to sign three (3) copies the Fiscal Year 2018/2019 Local Lead Agency Allocation Agreement and Prospective Payment Invoices.

SUMMARY:

In November 1988, California voters approved passage of the Tobacco Tax and Health Protection Act of 1988, also known as Proposition 99. This initiative increased the state cigarette tax by \$.25 per pack of cigarettes and added an equivalent amount on other tobacco products. Revenue from Prop 99 was

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designated for tobacco-related research, health education and promotion, and health care services. Additionally, in November 2016 California voters approved passage of the California Healthcare, Research and Prevention Tobacco Tax, also known as Proposition 56. This proposition increased cigarette tax by an additional \$2.00 per pack of cigarettes, with equivalent increase on other tobacco products and electronic cigarettes containing nicotine.

In accordance with California Health and Safety Code, Sections 104375, 104380, 104405, 104410, 104415, and 104440, each of the 58 counties and three city health departments are designated as Local Lead Agencies (LLAs). LLAs are responsible for planning, implementing, and coordinating a comprehensive tobacco control plan, using the funds described above. Tulare County's plan broadly aims to 1) Counter pro-tobacco influences in local communities 2) build the capacity of local communities to address tobacco control activities and tobacco-related disparities and 3) Increase the number of tobacco-free public spaces, schools, and communities. Due to the significant increase in funding, the California Department of Public Health/California Tobacco Control Program has increased the number of program deliverables to reach these objectives.

For FY 2018/2019, the funding will be used for 56 activities spread across three objectives. In the first objective, the program staff will be tasked with coordinating and preparing for educational meetings with a variety of stakeholders including local officials, retailers, and community groups. They will also engage in strategic planning sessions, tailoring media outreach, and data collection. In the second objective, program staff will participate in and facilitate the tobacco control coalition. This will include recruitment of diverse partners and members from priority populations, and provide technical assistance and training in tobacco-related topics to the coalition. In the third objective, the aim is to work to increase the number of tobacco-free areas by identifying locations that allow tobacco use (e.g. school campuses, parks, outdoor dining areas) and educate the administrators of the dangers of secondhand smoke and tobacco waste. Stakeholders will be educated through presentations, media activities, and event participation.

The California Health Interview Survey found the current smoking prevalence in Tulare County to be 17.8% compared to 12.6% statewide. In addition, Tulare County has seen a rise in availability of electronic smoking devices (ESDs). Between 2013 and 2016 the percentage of stores that sell ESDs rose from 43.6% to 63.8%.

In July 2017, the California Department of Public Health/Tobacco Control Program provided the funding levels for Fiscal Years: 2017/2018, 2018/2019, 2019/2020, and 2020/2021, for the new program cycle. On October 31, 2017, the Board of Supervisors approved the allocation agreement for year one (1), Fiscal Year 2017/2018. The allocation agreement is provided annually, and the Health and Human Services Agency will bring subsequent agreements before the Board for acceptance and approval.

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This agreement has been approved as to form by County Counsel. The following terms deviate substantively from the standard County boilerplate: (1) Agreement does not permit County to assign, but does not prohibit State from assigning the contract; (2) County must indemnify State and indemnification includes attorney fees; (3) The State may terminate immediately for cause, either party may terminate without cause with 30 days written notice; and (4) Contract is dependent on availability of funds.

FISCAL IMPACT/FINANCING:

The combined funding amount for Tulare County Tobacco Control Program from both Proposition 99 and Proposition 56 was \$748,627 for year one (1), Fiscal Year 2017/2018. This amount was included in the FY 2017/2018 budget. The funding for Fiscal Year 2018/2019 is \$564,631, and this amount was included in the proposed FY 2018/2019 budget. The funding for the two (2) additional Fiscal Years is anticipated as follow- Fiscal Year 2019/2020: \$589,820; and for Fiscal Year 2020/2021: \$571,979. There is no net County cost to the General Fund.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year plan includes the Quality of Life initiative to promote and encourage the provision of quality supportive services for individuals in Tulare County. This program will build the capacity of local communities to address tobacco control activities. The quality of life of Tulare County residents could potentially increase as a result of residents being educated on the health risks of tobacco use, tobacco cessation information, and the promotion of smoke-free environments.

ADMINISTRATIVE SIGN-OFF:



Karen M. Elliott
Director of Public Health

cc: County Administrative Office
County Counsel

Attachment(s) Allocation Agreement

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF APPROVE THE)
ACCEPTANCE OF THE FISCAL YEAR) Resolution No. _____
2018/2019 TOBACCO CONTROL) Agreement No. _____
PROGRAM ALLOCATION AGREEMENT)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: MICHAEL C. SPATA
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

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