



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

**BOARD OF SUPERVISORS**

ALLEN ISHIDA  
District One

CONNIE CONWAY  
District Two

PHILLIP A. COX  
District Three

J. STEVEN WORTHLEY  
District Four

MIKE ENNIS  
District Five

**AGENDA DATE:** October 14, 2008

Public Hearing Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>						
CONTACT PERSON: Cecilia Calderon    PHONE: 737-4660						

**SUBJECT:** Approval of the California Department of Health Services, Tobacco Control Section (TCS), Allocation of Acceptance Agreements for Fiscal Years 2007/2008 and 2008/2009.

**REQUEST(S):**

That the Board of Supervisors:

1. Ratify and approve the California Department of Health Services, Tobacco Control Section (TCS) Allocation of Acceptance Agreements in the amount of \$150,000 for Fiscal Year 2007/2008 and \$150,000 for 2008/2009, retroactive to July 1, 2007 through June 30, 2009. The agreements are retroactive because of the time frame in which they were received and inadvertent delays in obtaining authorized signatures. It was impracticable for the Board to take action before July 1, 2007 due to the time needed to process, prepare, and submit the agenda item.
2. Find that the Board had authority to enter into the proposed agreements as of July 1, 2007 and July 1, 2008 respectively and that it was in the County's best interest to enter into the agreements on those dates.
3. Authorize the Chairman of the Board to sign three (3) copies each of the Fiscal Year 2007/2008 and the Fiscal Year 2008/2009 agreements.

**SUMMARY:**

In November 1988, California voters approved the passage of the Tobacco Tax and

**SUBJECT:** Approval of the California Department of Health Services, Tobacco Control Section (TCS), Allocation of Acceptance Agreements for Fiscal Years 2007/2008 and 2008/2009.

**DATE:** October 14, 2008

Health Protection Act of 1988, also known as Proposition (Prop) 99. This referendum increased the state cigarette tax by 25 cents per pack and added an equivalent amount on other tobacco products. The new revenues were earmarked for programs to reduce smoking, provide health care services to indigents, support tobacco-related research, and to fund resource programs for the environment.

Tulare County has contracted with the California Department of Health Services, Tobacco Control Section (TCS) since Fiscal Year 1989/1990 to provide a Tobacco Control Program. The contract has continued, through amendments to the original contract, since the inception of the program. The Tobacco Control Program is a mandated program and Tulare County is designated as the Local Lead Agency. Through these agreements as the Local Lead Agency, on behalf of Tulare County, Tulare County Health and Human Services Agency (HHSA) provides tobacco education and Perinatal services to the residents of Tulare County.

TCS intends to maintain focus on its four priority areas of: 1) reducing exposure to Second Hand Smoke (SHS) and increasing the number of smoke-free public spaces where the population lives, works, and plays; 2) reducing the availability of tobacco products; 3) countering pro-tobacco influences in the community; and 4) providing cessation services. These priorities address key factors related to adult and/or youth tobacco use and are broad enough to encompass nearly all tobacco control activities.

We would also like to bring the following item to the Board's attention, the terms of the State funding of this agreement contains an Indemnity provision relating to intellectual property in favor of the State.

**FISCAL IMPACT/FINANCING:**

The revenue allocations in the amount of \$150,000 for Fiscal Year 2007/2008 and \$150,000 for Fiscal Year 2008/2009 were included in the respective Fiscal Years proposed budgets. No Net County Cost.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The County's five-year strategic plan includes the Quality of Life Initiative that encourages innovative provision of quality supportive services for at-risk adults, youth and children in state and federally mandated programs. These Agreements increase the ability to fulfill that obligation.

**SUBJECT:** Approval of the California Department of Health Services, Tobacco Control Section (TCS), Allocation of Acceptance Agreements for Fiscal Years 2007/2008 and 2008/2009.

**DATE:** October 14, 2008

**ALTERNATIVES:**

The Board could choose not to approve these agreements, but that is not recommended because the benefits of providing these services lie in accordance with the Strategic Plan of Tulare County.

**INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:**

The agreements have been approved as to form by County Counsel and no changes have been made since this approval.

**ADMINISTRATIVE SIGN-OFF:**



---

Ray Bullick  
Director Health Services

Cc: Auditor/Controller  
County Counsel  
County Administrative Office (3)

Attachment A – Fiscal Year 2007/2008 Acceptance of Allocation Agreement

Attachment B - Fiscal Year 2008/2009 Acceptance of Allocation Agreement

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

**IN THE MATTER OF:** )  
Approval of the California Department )  
of Health Services, Tobacco Control )  
Section (TCS), Allocation of Acceptance )  
Agreements for Fiscal Years 2007/2008 )  
and 2008/2009. )

**RESOLUTION NO.** \_\_\_\_\_  
**AGREEMENT NO.** \_\_\_\_\_

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: JEAN ROUSSEAU  
COUNTY ADMINISTRATIVE OFFICER  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

\* \* \* \* \*

1. Ratified and approved the California Department of Health Services, Tobacco Control Section (TCS) Allocation of Acceptance Agreements in the amount of \$150,000 for Fiscal Year 2007/2008 and \$150,000 for 2008/2009, retroactive to July 1, 2007 through June 30, 2009. The agreements are retroactive because of the time frame in which they were received and inadvertent delays in obtaining authorized signatures. It was impractical for the Board to take action before July 1, 2007 due to the time needed to process, prepare, and submit the agenda item.

2. Found that the Board had authority to enter into the proposed agreements as of July 1, 2007 and July 1, 2008 respectively and that it was in the County's best interest to enter into the agreements on those dates.
3. Authorized the Chairman of the Board to sign three (3) copies each of the Fiscal Year 2007/2008 and the Fiscal Year 2008/2009 agreements.