

Smoke-Free Policy Adoption in Multifamily Housing Communities

Brief Evaluation Report



LOOKING FOR A RENTAL?
ASK
IF SMOKING IS ALLOWED

AVOID TENANT PROBLEMS
TELL THEM
YOUR SMOKING RULES



SMOKE-FREE RENTALS
the **PRICE IS right**
Satisfied residents
Healthier community
Lower turnover costs
Insurance discounts

RHA **SmokeFreeRental.com** STAND
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Section 1 Project Description

1.1 Background

Multifamily housing communities (MFH) – traditionally referred to as multi-unit housing (MUH) - represent 26 percent of housing in Sacramento County.

The reason for the difference in the nomenclature is that the rental housing industry refers to “apartment complexes” as multifamily communities, whereas the California Department of Public Health refers to them as MUH. Therefore, out of respect to the industry – who partnered with STAND on this grant - STAND refers to apartment complexes as MFH throughout this report.

Sacramento residents that live in MFH communities are at risk for adverse health effects of drifting secondhand smoke. One strategy to prevent exposure to secondhand smoke is to decrease smoking prevalence in MFH communities.

During Sacramento County’s Local Lead Agency (LLA) 2006 CX assessment, increasing secondhand smoke policies in MFH communities became a major strategy for better protecting the community from the dangers of secondhand smoke. It continued to be a major strategy in the 2009 CX assessment. Sacramento County has 582 MFH communities with a combined 90,636 units, providing the tobacco control community with a prime opportunity to protect the hundreds of thousands of Sacramento residents that live in MFH communities from the adverse health effects of drifting secondhand smoke.

Breathe California of Sacramento-Emigrant Trails has collaborated closely with the LLA and the Rental Housing Association (RHA) in Sacramento County to increase the number of voluntary smoke-free MFH policies. The collaborative discussed at length the next steps in the smoke-free MFH movement in Sacramento County and agreed to idea of a city or county ordinance in multifamily housing, which included disclosure of smoking/nonsmoking policy, designating a percentage (25-50%) of continuous individual units (including balconies and patios) as nonsmoking and/or designating common areas as nonsmoking. The momentum of collaborations of housing associations in other parts of the state and the readiness of cities in Sacramento County to consider nonsmoking multifamily housing laws, have given way to the possibility of an ordinance in Sacramento County.

1.2 Objective

The secondary objective of the STAND Project was:

By June 30, 2015, at least one jurisdiction in Sacramento County will adopt a nonsmoking policy in multifamily housing, which may include disclosure of smoking/nonsmoking policy, designate a percentage (25-50%) of continuous units (including balconies and patios) as nonsmoking and/or designate common areas as nonsmoking.

This objective addresses CX indictor 2.2.13 -the number of communities with a policy that restricts smoking in the individual unites of multifamily housing – and indicator 2.2.23 the number of communities with a policy that requires landlords, affordable housing providers, condo associations, single residency occupancy hotels, and other similar groups to disclose the location of smoking and non-smoking units, the smoking history of a unit, and require rental vacancy listings to include a category for smoking and non-smoking units.

1.3 Intervention Activities

STAND staff conducted a number of intervention activities to achieve the objective. The intervention activities emphasized: (1) coordination and collaboration with multifamily apartment owners/managers,

tobacco control organizations, and the RHA; (2) educational activities geared toward community residents, apartment owners/managers, and elected officials; (3) the development of policy packets for elected officials; (4) the distribution of behavior modification materials to community residents; (5) social media activities; (6) policy activities; and (7) training and technical assistance for apartment managers/owners and community advocates. All of the intervention activities occurred in Sacramento County. Below is a brief description of the intervention activities by area of emphasis.

Coordination and Collaboration Activities

- Project staff attended 19 meetings, conferences, workshops, and webinars about non-smoking policies, research about secondhand smoke in multifamily housing, and other related topics.
- Project staff attended over 30 Sacramento County Tobacco Control Coalition general and subcommittee meetings.
- Collaborated with the Sacramento RHA on several activities including a public opinion poll, the Rental Housing Expo, and webinars.
- Formed a Smoke-free Multifamily Housing workgroup and met 3 times to review and discuss potential smoke-free housing policies.

Community Education Activities

- Participated in and provided interactive booths at the Rental Housing Expo.
- Hosted a booth at the Rental Owners' Expo and provided information on implementing smoke-free policies.
- Collected 387 petition signatures supporting the benefits of smoke-free multifamily housing.
- Distributed over 700 pieces of educational material to community members.
- Reviewed and planned revisions to the SmokeFreeRental.com website, which may include a section for the rental housing industry on how to comply with the new laws in Rancho Cordova and Folsom, and a rating system (on a scale of 1 to 5 stars) of smoking and nonsmoking properties.
- Worked with a webmaster to revise and update the SacSTAND.com website.
- Organized and conducted 4, 60-minute webinars on the following topics: (1) the benefits of adopting no smoking policies at multifamily housing, (2) implementing smoke-free policies at multifamily housing, (3) enforcing smoke-free policies at multifamily housing, and (4) how to comply with disclosure requirements for the cities of Rancho Cordova and Folsom.

Educational Materials Development

- Developed 6 post cards on disclosure of tobacco policies aimed at four different audiences (African Americans, Asian Americans, young adults and general apartment renters, and landlords).
- Assembled a policy packet of materials consisting of a secondhand smoke fact sheet, a sample ordinance, list of communities with policies, and results of public opinion polls.

Behavior Modification Materials

- Distributed gift cards at the Rental Housing Expo as part of the smoke-free rental booth activities played at the event and to MFH managers for participating in evaluation activities.
- Offered Quit kits at Rental Housing Association events.
- Distributed over 400 pens and keychains at Rental Housing Association events for participant involvement at booth activities.

Media Activities

- Maintained a social media calendar of posts to both the STAND and SmokeFreeRental.com Facebook pages; posts included quitting tips, information about third hand smoke, new and emerging tobacco products, and project campaigns.

- Worked with a webmaster to add Facebook and Twitter widgets to the SacSTAND.com website.
- Implemented 8 ad campaigns to increase engagement in STAND's Facebook and to increase web traffic on the SmokeFreeRental.com website.

Policy Activities

- Conducted a strategic planning session with staff members from STAND, Rental Housing Association, Sacramento County Tobacco Control Coalition, and an apartment resident.
- Met with 4 Sacramento County Board of Supervisor members, one city council member from the City of Sacramento, and the Mayor of the City of Folsom for 30 minutes each to discuss smoke-free multifamily housing, including electronic cigarettes into existing tobacco control laws, and limiting tobacco retail outlets.
- Provided a model legislated ordinance to the City of Folsom in collaboration with ChangeLab Solutions.

Training and Technical Assistance

- Provided over 20 hours of technical support to the City Council of Folsom, staff attorney and residents seeking smoke-free multifamily housing.
- Provided over 50 hours of technical assistance to the Healthy Sacramento Coalition by participating in the Tobacco Free Living workgroup, strategic planning session, and attending the general coalition meetings.

Individually and collectively, the array of project activities was designed to include a variety of tools aimed at introducing and implementing policy change in MFH communities. At its core, this project advanced the knowledge of the challenges and barriers associated with smoke-free policy change for MFH communities. The findings from the process and outcome evaluation also affirm that policy change is complex, requires multiple approaches, and is most effective when there are indications of readiness and willingness to change smoke-free policies.

Section 2 Evaluation Methods

STAND contracted with LPC Consulting Associates, Inc. to evaluate the STAND project. The evaluation consisted of process measures, including the collection of qualitative and quantitative data. This section of the report describes the evaluation design, and the data collection and sampling methods.

2.1 Evaluation Design

The evaluation design for the STAND project was non-experimental with process evaluation components. The evaluation sought to track the success of the multifamily housing nonsmoking policy in adopted by a jurisdiction in Sacramento County, as well as gauge the support of residents for nonsmoking policies, and the utility of educational resources directed at apartment owners and managers. The core data collection components included: (1) a public opinion poll aimed at property management companies, apartment owners, and on-site apartment managers; (2) key informant interviews with elected officials; (3) yearly focus groups with Project staff; (4) a survey of users of SmokeFreeRental.com; and (5) a policy record. The combination of these data collection activities provided findings related to process elements of the evaluation. Limitations of the study include the absence of outcome measures.

2.2 Sampling, Data Collection, and Analysis

Public Opinion Poll

STAND staff in partnership with the Rental Housing Association (RHA) administered a survey to ascertain the utility of the SmokeFreeRental.com website maintained by RHA. The program evaluator reviewed instruments from the Tobacco Control Center and past STAND projects to inform the development of the survey. The Program Evaluator developed a draft instrument for review and editing by the STAND Senior Program Director. STAND staff completed three rounds of edits that resulted in the final public opinion poll. The survey questions pertained to: 1) the ease of accessing and the utility of the website resources, 2) suggestions for how to improve the resources, and 3) nonsmoking rental policies developed and implemented using the online resources.

RHA administered the survey to rental listings in the Sacramento region on the SmokeFreeRental.com website. STAND staff reviewed all of the rental listings on the website to develop a list of rental properties in the Sacramento region. STAND staff had a student intern call all the rental listings to get current contact information. STAND deleted rental listings with incomplete or inaccurate contact information. The final survey sample included 27 individuals.

To administer the survey, the RHA Executive Director sent an email to the 27 rental listings in the Sacramento region on three different dates (4/8/15, 4/23/15, and 5/12/15) and received three responses. Additionally, in June 2015, the STAND student intern phoned rental listings that did not respond to the emails sent by RHA and received five additional survey responses. In total, eight individuals completed a survey. The sample frame was only comprised of Sacramento region rental listings with updated contacted information. Given the size of the survey sample and the low response rate, the data is not representative of all nonsmoking multifamily housing rentals in Sacramento County.

Key Informant Interviews

The key informant interviews (KII) solicited input from key decision makers representing the City of Sacramento and the County of Sacramento about their interest in adopting a smoke-free multifamily housing (MFH) ordinance, and how to demonstrate community support for an ordinance. The evaluator reviewed KII tools developed for the past project to develop a draft protocol. STAND staff reviewed the protocol and provided edits and revisions. One year into the project, based on input from policy makers, STAND staff with assistance from the project evaluator developed a survey to solicit input from policy

makers on a smoke-free MFH ordinance. STAND staff attempted to administer the survey at scheduled meetings with a Sacramento County Board of Supervisors, and after the second meeting, one of the Supervisors responded that the survey violated the Brown Act because it requested that Supervisors project the opinions of their fellow Board members. STAND staff edited the survey, removing questions that violated the Brown Act.

At the remaining two meetings, STAND staff requested that Supervisors or staff complete the surveys. Unfortunately, the Supervisors and their staff opted to not participate in the survey. Thus, STAND staff utilized detailed notes from previous meetings to complete the original KII instrument. The project evaluator used content analysis to develop key findings.

Focus Group

The evaluator conducted focus groups with the STAND staff at the end of each project year to learn about their experiences with smoke-free MFH. Staff from the RHA and STAND participated in the focus groups.

The evaluator developed the focus group questionnaire that included questions pertaining to: the policy-related activities undertaken by project staff, project successes and challenges, lessons learned, and next steps. The focus group provided staff an opportunity to pause and reflect on the nonsmoking policy campaign. Focus group findings derived from content analysis provide a record of key events and a road map for future efforts.

SmokeFreeRental.com User Survey

The SmokeFreeRental.com website provides rental listings for nonsmoking properties throughout the State of California. STAND staff in partnership with the RHA administered a survey to ascertain the utility of the SmokeFreeRental.com website maintained by RHA. The program evaluator reviewed instruments from the Tobacco Control Center and past STAND projects to inform the development of the survey. The Program Evaluator developed a draft instrument for review and editing by the STAND Senior Program Director. STAND staff completed three rounds of edits that resulted in the final public opinion poll. The survey questions pertained to: 1) the ease of accessing and the utility of the website resources, 2) suggestions for how to improve the resources, and 3) nonsmoking rental policies developed and implemented using the online resources.

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Policy Record

The program evaluator collected example policy record instruments from the Tobacco Control Evaluation Center, and in concert with the STAND Senior Program Director selected an instrument for use. To initiate the policy review, the STAND Senior Program Director and program evaluator developed a list of key terms

to guide the research efforts. The policy analysis surfaced relevant information for the pre-intervention phase of the nonsmoking multifamily housing policy campaign focused on Sacramento County (County, City, and City of Folsom). The policy record provided information pertaining to nonsmoking policies adopted by the county or cities and the corresponding voting record of elected officials, the issues raised in support of or opposition to adopted policies, and nonsmoking policy opponents.

Using the list of key terms, the evaluator searched the County of Sacramento County Code, City of Sacramento's Records Library, and City of Folsom Records Library to compile: (1) a list of applicable city ordinances and resolutions, (2) date of ordinance/resolution adoption, and (3) the voting record. For applicable ordinances or resolutions, the program evaluator reviewed the City Council meeting minutes and agendas, and when applicable viewed video archives of the public testimony. The evaluator recorded relevant information in the policy record template.

Initially, STAND staff planned to work toward helping the County pass an ordinance; however, the opportunity arose for STAND staff to work with the Cities of Sacramento and Folsom, thus record reviews were conducted for both cities.

Section 3 Evaluation Results

The evaluation design consisted of a process analysis; process findings represent a summary of public sentiment related to tobacco control policies and exposure to second hand smoke, all of which are the basis for the policy change work that STAND has undertaken. These findings affirm both the need for and public support for continued work in MFH communities to reduce risk of exposure to second hand smoke.

3.1 Public Opinion Poll Findings

Key Findings

While the survey sample included 27 rental properties, only eight surveys were completed. Slightly more than half of the survey respondents (55%) own or manage more than 1,000 multifamily units. From a list of five different policy options, survey respondents identified which policies they have enacted at their multifamily properties. The percent of respondents that have enacted the different types of policies is as follows:

- 60% Designated common areas are non-smoking (e.g., pools, playgrounds)
- 21% Completely smoke free property
- 19% One or more buildings designated as non-smoking
- 17% Certain number of units designated as non-smoking

Only 13 percent of respondents have never taken steps to implement a nonsmoking policy(ies).

When asked if the existing local, state, and federal laws provide sufficient legal authority to enforce non-smoking policies, 40 percent responded “yes,” 36 percent responded “not sure,” and 24 percent responded “no.”

To gauge support for different types of local ordinances regarding the smoking of tobacco products, the survey included a list of five different types of ordinances and respondents indicated if they (1) strongly supported, (2) supported, (3) opposed, (4) strongly opposed, (5) or felt neutral about the ordinances. Below in Table 1 is the rating score for each ordinance types. The rating score or weighted average was calculated by dividing the sum of all weighted ratings by the number of total responses.

Table 1 – Apartment Executive Support for Tobacco Product Ordinances

Example Ordinance	Rating Score
Require the disclosure of any smoking or non-smoking policies to prospective residents.	2.0 (Support)
Designate only common areas (pools, playgrounds, walkways) as non-smoking	2.7 (Support/Neutral)
Require senior housing communities to be entirely non-smoking	2.9 (Neutral)
Designate a percentage (25%-50%) of contiguous individual units (including balconies and patios) as non-smoking	3.2 (Neutral/Oppose)
Prohibit smoking of tobacco products at all multifamily properties (including inside units)	3.2 (Neutral/Oppose)

To discern the impact different ordinances may or may not have on attracting and retaining residents, the survey included a list of five ordinance types and survey respondents indicated if the ordinances would positively affect (1), have no affect (2), or have a negative affect (3) on resident retention. Table 2 includes the ordinance types and weighted rating score.

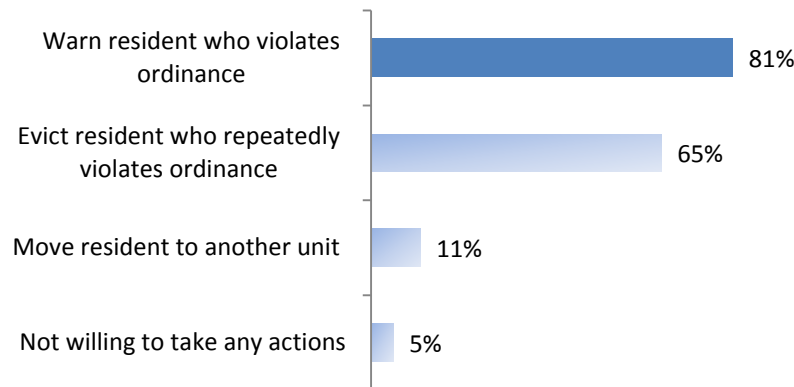
Table 2 – Ordinance’s Impact on Attracting and Retaining Tenants

Example Ordinance	Rating Score
Require the disclosure of any smoking or non-smoking policies to prospective residents	1.7 (No Effect)
Designate only common areas (pools, playgrounds, walkways)) as non-smoking	1.9 (No Effect)
Designate a percentage (25%-50%) of contiguous individual units (including balconies and patios) as non-smoking	2.4 (No Effect /Negative Effect)
Prohibit smoking of tobacco products at all multifamily properties (including inside units)	2.5 (No Effect /Negative Effect)
Require senior housing communities to be entirely non-smoking	2.6 (No Effect /Negative Effect)

When asked who should be held liable for any violations of non-smoking ordinances, the majority of survey respondents (97%) responded the “person violating the ordinance (resident or guest).”

The survey included a question for respondents to indicate the actions they are willing to take to enforce a non-smoking ordinance. The question included four options, and respondents could check all of the options they are willing to take, see Figure 1.

Figure 1 – Percent of Apartment Executives Supporting Ordinance Enforcement Actions



Through an open-ended question, the survey solicited from survey respondents potential incentives for either the owners of multifamily housing or the overall industry to encourage support of a non-smoking ordinance. Those survey respondents that opted to answer the question either provided potential incentives or relayed comments in opposition to an ordinance. Below are the comments disaggregated by those in support and those opposed.

Example incentive suggestions:

- *Reduction rate on unit-by-unit county inspections and reduced insurance rates.*
- *Cold hard facts about the cost of turning a unit where people have smoked. Reminder of each resident's right to the quiet peace and enjoyment of their dwelling, free of smoke - and, therefore, reduced litigation.*
- *Property tax breaks*
- *Tax deductions*
- *Reduce Housing Stock or Fire Department fees if property goes non-smoking*

- *Rebate on city/county/state tax or insurance*
- *Something similar to the "Green and Leed" buildings*

Comments opposing an ordinance:

- *There should be no ordinance regarding this matter.*
- *For a 100% ban on smoking tobacco at all multifamily properties? There is no incentive that would encourage our support.*
- *None. Better not to have the ordinance at all.*
- *California is so pro resident it concerns me to create an ordinance that may give more reason to have residents appeal an eviction and go to court to prolong the eviction process.*

Interestingly, a few survey respondents relayed concern that a non-smoking ordinance may disproportionately impact low-income individuals. Those comments are as follows:

- *I think this is difficult for all properties to have to comply. I think the higher-end properties will have an easier time and would benefit from some incentive but the average multihousing property will be more difficult to rent and I am not sure what incentive would work.*
- *Hate to generalize but it's the lower income people that continue to smoke despite the known fact that it's damaging their health. If non-smoking apartments become law, these are the people that are impacted. I would presume that they will lie about smoking and then the owner will be forced to evict. Nothing would compensate the owner for rent loss.*

At the end of the survey, respondents could provide additional comments. The few that did provide comments either iterated their support for, or opposition to a non-smoking ordinance. The additional comments are as follows:

Opposed to an ordinance:

- *No it would be the managers as usual that would bear the brunt!*
- *A total ban is far too intrusive and difficult to enforce. Just a bad idea.*
- *I would love to help and support an ordinance that limits or bans the use of tobacco AND other smoke inhalants. However, I feel if a positive ordinance like this is proposed, it will just create more issues and more attorney and court costs for owners due to the lack of support from our local and state governments.*
- *I think it is an unreasonable restriction to impose a no-smoking requirement on people's lifestyles. There has to be a way to accommodate smokers and non-smokers with housing options.*

Support an ordinance

- *Implementing non-smoking policies on our properties was one of the best moves we've ever made! Senior property has been more difficult but still doable. If we lose people who smoke, it's not a loss. Keep in mind, California has the lowest percentage of smokers in the nation. We're doing people a favor!!*
- *I fully endorse smoke-free communities and look forward to receiving more information on how we can effectively and legally implement this with county and city support.*
- *Would be good to be able to enforce with proper and reasonable notices to residents and applicants-- guests can be a big problem.*

Conclusion

The majority of survey respondents have implemented non-smoking policies at the multifamily complexes they own or manage. Survey respondents indicated support for an ordinance requiring the disclosure of any smoking or non-smoking policies to prospective residents. An ordinance that required disclosure of smoking or non-smoking policies or designating common areas as non-smoking was deemed as having no effect on attracting or retaining residents. If an ordinance was established, survey respondents believe that the “person violating the ordinance” should be held liable. Most of the apartment executives are willing to enforce an ordinance by warning the resident who violates the ordinance, and slightly more than half are willing to evict a resident who repeatedly violates an adopted ordinance.

Potential incentives to encourage the housing industry to support an ordinance include tax deductions, reduced fees, and a cost breakdown of the increased expenses related to maintenance on a smoking unit. As a result of the data collected, RHA’s Government Affairs Committee used the data to support the organization’s position to support a full disclosure of non-smoking policies at multifamily housing communities.

3.2 Key Informant Interview Findings

Key Findings

Opinions on a Smoke-Free Ordinance

When asked about their thoughts on an ordinance to restrict smoking in MFH, three respondents noted that the county is currently working on revising the zoning code, and that it may be an opportune time to address smoking in MFH communities. In terms of Sacramento County MFH resident readiness for such a policy, one respondent felt that some residents might be ready for a smoke-free MFH ordinance. One respondent believes that residents may not be 100 percent ready for an ordinance restricting smoking, but may support an ordinance that mandates disclosure of smoking policies. Two respondents would support a policy related to smoke-free policy disclosure in MFH communities.

Suggestions for Collaboration

When asked what kind of support the city/county would need to adopt a smoke-free multifamily ordinance, one respondent noted the necessity of support from industry partners and one suggested partnering with the Rental Housing Association of Sacramento Valley. In addition, one respondent suggested STAND collaborate with environmental organizations to garner additional support for a nonsmoking ordinance.

Further, respondents noted that STAND should contact other city council members, the planning committee, and additional Board of Supervisor members to discuss a smoke-free multifamily ordinance. An area of personal interest one respondent noted was the electronic cigarette issue, and the hope that the issue is brought to the attention of the other council members along with details about the newly adopted Rancho Cordova nonsmoking ordinance.

Conclusion

While none of the key informants said they would support the adoption of a multifamily housing ordinance restricting smoking, there is support for smoke-free policy disclosure to MFH residents. Policy makers recommended that STAND work with industry partners, thus supporting the strategy already utilized by STAND staff. In the future, STAND should focus on building partnerships with the community, including environmental groups, City Council, and the County Board of Supervisors.

3.3 Focus Group Findings

Project Successes

In the first year of working on the MFH objective, STAND successfully secured RHA's support for full disclosure of non-smoking policies at multifamily housing communities. At the outset of the initiative, RHA executives received feedback from their members indicating a lack of support for a mandatory non-smoking policy(ies). As part of the objective, multifamily housing executives participated in a survey administered by RHA and STAND to gauge executive support for different types of non-smoking policies. Results demonstrated that survey respondents supported disclosure and either supported or were neutral towards smoke-free common area policies. Project staff disseminated the survey results to the RHA's Government Affairs Committee, which informed the committee's position to support RHA's endorsement of full disclosure of smoking/non-smoking policies at multifamily communities. RHA's position deviates from the position of the state California Apartment Association (which only supports voluntary policies) as a direct result of the organization's involvement with the STAND project.

During the second year of working on the MFH objective, STAND continued to partner with RHA and focused on the full disclosure of non-smoking policies at MFH communities. Throughout the course of the project, RHA has increased their level of support for MFH smoke-free policy, which has led to policy advancements that ultimately protect the health of the community. In addition, local lawmakers are becoming increasingly interested in smoke-free policies. RHA also strives for uniformity of regulation to support MFH management. This position has allowed RHA to justify working with cities on smoke-free MFH policy.

Challenges

Initially, STAND staff targeted the City of Sacramento for ordinance adoption. However, they quickly faced an election obstacle in that incumbents were actively involved in campaigning and did not want to bring a controversial issue to the council prior to elections. This challenge was compounded by the fact that STAND staff tirelessly advocates for other efforts aimed at restricting tobacco use (e.g. smoke-free outdoor dining ordinance). At times, STAND staff has approached elected officials to discuss the multifamily non-smoking ordinance and are met with, *"but didn't I already talk with you about tobacco,"* which makes advocacy endeavors arduous.

One of the toughest challenges faced by STAND was providing mediation between tobacco control advocates and the rental housing industry, as both have competing priorities. The rental housing industry has many issues that compete with tobacco control. Staff is challenged by making smoke-free policy a priority for the rental housing industry, while also working to achieve policy consensus with stakeholders.

Next steps

In moving forward toward the next funding cycle, STAND staff plan to utilize the lessons they learned from the past two years on the following action steps:

- (1) Complete strategic planning and seek direction from the Sacramento County Tobacco Control Coalition and RHA with regard to what jurisdiction (i.e., City of Sacramento, County of Sacramento) to target for nondisclosure ordinance advocacy efforts;
- (2) Clearly define non-smoking policy disclosure (e.g., providing smoking policy information on website, verbally disclose at time of rental, or prior to completing an application) and how to monitor compliance with the ordinance. RHA will develop a standard disclosure form; and
- (3) Meet with RHA to determine what elected officials to target for ordinance education endeavors.

At the conclusion of the year two focus group, one participant mentioned that smoke-free policies are less contentious than they once were; as more policies are adopted, “less people are up in arms about it”. This shift in attitude will benefit STAND in their efforts to assist multifamily housing communities in adopting smoke-free policies. Furthermore, STAND and RHA staff hope to work together to create a star rating system for the SmokefreeRental.com website to assist potential renters with determining the level of smoke-free policies at local rental properties.

Conclusion

The second year of the project welcomed both successes and challenges for policy efforts. Although STAND had to mediate between smoke-free advocates and the rental industry, STAND partnered with RHA, and gained the support of RHA for full disclosure of non-smoking policies at multifamily housing communities. STAND will continue to work with RHA to continue smoke-free policy efforts in the next funding cycle.

3.4 SmokeFreeRental.com User Survey Findings

Key Findings

Seven of the survey respondents offer non-smoking rental units at their property. One survey respondent offered non-smoking rental units in the past, but no longer does because the property management company changed and discontinued the policy. When asked why they began offering non-smoking units survey respondents indicated the following:

Table 3 – Reasons for Providing Non-smoking Rentals

Reason	Number of Respondents
To lower the cost of turnover damage due to smoking	5
Because non-smoking units are healthier for renters	4
Property owner required property managers to offer non-smoking units	3
Renters requested non-smoking units	2
There was a market for them	1

The survey respondents learned about offering non-smoking units through resources provided by the RHA, which included information provided at the Rental Housing Expo, webinars, and presentations. Two respondents reported having visited the SmokeFreeRental.com website, and one had used the website to search for, and list properties. None of the survey respondents monitor and update their free rental listings on the website. However, one respondent has received between two and five rental leads this year through the website. When asked which resources they had utilized in the “Learn” section of the website, only one respondent reported using the resources offered, which included the second-hand smoke fact sheet.

The survey asked respondents if they had received nonsmoking policy guidance from RHA or STAND. Three respondents have received guidance with the development and or implementation of their non-smoking policy, but the County of Sacramento and USA Multifamily Management, Inc. provided the guidance. When asked about the types of guidance they received, survey respondents replied with the following:

Table 4 – Types of Guidance Received

Type of Guidance	Number of Respondents
Received information on how to implement no smoking policy.	2
Received information on how to enforce no smoking policy.	2
Received information on how to determine the type of no smoking policy to implement.	1

The survey included an open ended question for respondents to provide final comments. One respondent commented, “We have been with smoke free rentals since inception and strongly believe it is a great way to go, but may not be for other properties.”

Conclusion

As a result of the data collected, RHA and STAND have gained an understanding of the utility of the SmokeFreeRental.com website. All the survey respondents either currently offer or have previously offered smoke-free rental units. The majority of survey respondents have not visited the SmokeFreeRental.com website. Further, none of the survey respondents monitor and update their rental listings on the website. The only “Learn” resource utilized by the survey respondents was the second-hand smoke fact sheet. In the future, RHA and STAND staff should consider ways to educate the rental housing industry about the resources and information offered on the SmokeFreeRental.com website. RHA and STAND staff are in the process of redesigning the website and this data can provide insights about potential changes that may increase the utility of the site for users.

3.5 Policy Record Review Findings

County of Sacramento

Key Findings

The County of Sacramento passed eleven ordinances (a municipal law that is incorporated into the city’s municipal code) pertaining to tobacco. Most recently, the county adopted an ordinance amending the ordinance to reflect that individuals cannot smoke any substance in an area designated as a nature trail, or any park facility where smoking is prohibited.

County ordinances prohibit tobacco in correctional facilities, require tobacco retailer licensing, the display of “no smoking” signs in fireworks stands, and prohibit the distribution of tobacco to minors. While these are important ordinances, the county lacks ordinances that deal with smoking in multifamily housing.

Conclusion

The Policy Record revealed that the county has adopted 11 different ordinances. While the ordinances prohibit smoking in portions of public parks and on nature trails, the policies do not address housing. Unfortunately, through a review of the online archives to complete the policy record, STAND staff was unable to discern if the county has discussed this type of ordinance in the past, or if this policy area is a new consideration. Given that two of the Board of Supervisor may change in 2016 due to term limits or re-elections, STAND should focus efforts on the supervisor’s seats who will be in office until 2018.

City of Sacramento

Key Findings

Between 1997 and 2012, the City of Sacramento passed seven ordinances and five resolutions (expresses council policy, direct administrative or legal action, or make a public statement from the council) pertaining to tobacco. The City of Sacramento tobacco ordinances and resolutions show a level of support for tobacco restrictions, particularly with regard to restricting smoking.

The City of Sacramento tobacco related ordinances restrict smoking in parks, public schools, city buildings, and cemetery grounds. The ordinances also prohibit self-service merchandising of tobacco products, and require that tobacco retailers obtain a special permit if they are smaller than 15,000 square feet or within 1,000 feet of a school site. The resolutions provide support for Proposition 29 the California Cancer Research Act, and direct Pedicab drivers to refrain from smoking. The City of Sacramento also passed a resolution that encourages landlords and property managers of multifamily housing to protect the health of residents by designating 50 percent of existing housing units as nonsmoking. A review of the council voting records revealed that the ordinances and resolutions passed with the overwhelming support of the council members appointed at the time of the hearing.

In light of the current campaign, the evaluator reviewed the video record of the multifamily housing ordinance hearing in April of 2009 to discern the supporters and opponents of the issue. During the public testimony, two individuals testified in support of the resolution – Carolyn Martin, former Chair of the Sacramento County Tobacco Control Coalition (TCC) and Cory Koehler, Senior Deputy Director of the RHA. For this campaign, STAND is partnering with both organizations that supported the resolution - TCC and RHA.

In addition, the evaluator also reviewed the video record of the hearing for the most recent ordinance passed in June of 2012 requiring a tobacco retailer to obtain a special permit if they are within 1,000 feet of a school. Similar to the multifamily housing ordinance hearing in 2009, all of those that testified did so in support of the ordinance.

Conclusion

The Policy Record revealed that between 1997 and 2012 the City of Sacramento adopted both ordinances and resolutions supporting tobacco use restrictions. A review of public testimony for three different hearings, indicates a small contingent of organizations that support tobacco restrictions. With the City of Sacramento City Council composition changing in the fall, STAND staff should focus intervention strategies on those council members that will remain in office. For the council seats up for election, STAND staff should review campaign messages to determine if the candidate is aligned with business and/or health interests to develop targeting messaging for future policy efforts.

City of Folsom

Key Findings

Between June 2014 and April 2015, the City of Folsom passed three ordinances pertaining to tobacco. The City of Folsom tobacco ordinances show a level of support for tobacco control, particularly with regard to restricting smoking.

An ordinance passed on June 24, 2014 to treat shops selling e-cigarettes in the same manner as tobacco shops. On September 9, 2014, an ordinance was passed that expanded on a previous policy prohibiting smoking in common areas of apartment buildings and condominiums, as well as addressing enclosed public places and outlines a number of business types. This ordinance expanded the prohibited areas to

include “Recreational Areas” (except designated areas), in screened in exterior areas of restaurants, and on public property used for a special event (except in designated areas). Further, the City of Folsom passed an ordinance on April 14, 2015 that prohibits smoking (except in designated areas) of multifamily rentals projects where the city provides funds to assist the project, requires multifamily rental property owners to provide disclosure of the project’s smoking policies and prohibits smoking on balconies or patios of existing and future multifamily rental projects. It is important to note that none of the city council members voted in opposition to the ordinances that passed between June 2014 and April 2015.

Conclusion

The Policy Record revealed that between June 2014 and April 2015 the City of Folsom adopted three ordinances to regulate tobacco use. The willingness of City Council members to re-visit and amend the tobacco regulation suggests strong support for tobacco control policies. Although restricting smoking in outdoor dining areas of restaurants and bars was included in the introduction and first reading on March 24, 2015, it was eliminated in the final ordinance that was adopted on April 14, 2015. However, the City Council instructed the City Attorney to research employee safety issues as it relates to secondhand smoke exposure and if necessary, to amend the ordinance again.

Since the City Council unanimously voted in support of all three ordinances, STAND may want to consider approaching the city again after data is collected on employee safety exposure to secondhand smoke and before a change-over in council members. Three out of five council members will remain in office until 2018 and two will be up for re-election in 2016. Further, if STAND is to continue the effort to reduce tobacco-related illnesses and death, it will be beneficial to continue focusing on eliminating smoking in all areas of multifamily rental housing.

Section 4 Conclusion and Recommendations

STAND met and exceeded the objective to have at least one jurisdiction in Sacramento County adopt a nonsmoking policy in multifamily housing communities. The City of Folsom adopted two ordinances related to tobacco control in multifamily housing communities between June of 2014 and April of 2015. Additionally, Rancho Cordova passed a comprehensive tobacco control ordinance on June 2, 2014 that bans smoking in most public places (including indoor common areas of multifamily housing) and requires property managers to disclose smoking policies to rental applicants.

Key components to achieving success for this objective included building a relationship with the Rental Housing Association of Sacramento Valley (RHA) and gaining industry support for smoke-free policies in multifamily housing. Additionally, STAND achieved positive results by using the data collected to guide intervention activities.

- **Public opinion poll respondents indicated support for an ordinance requiring the disclosure of any smoking or non-smoking policies to prospective residents.** This led to the RHA's Government Affairs Committee to support the organization's position to support a full disclosure of non-smoking policies at multifamily housing communities.
- **The support received from RHA is promising for future smoke-free policy efforts.** STAND will continue to work with RHA to continue smoke-free policy efforts in the next funding cycle.
- **RHA and STAND understand the utility of the SmokeFreeRental.com website.** A website use survey showed respondents do not visit the SmokeFreeRental.com website. RHA and STAND staff are in the process of redesigning the website to make changes that will increase the web traffic and utility of the site for users.
- **The willingness of City of Folsom Council members to re-visit and amend the tobacco regulation suggests strong support for tobacco control policies.** STAND should focus future efforts on the Council member seats who will be in office beyond 2016.

A limitation of the evaluation included the low response rates for the Public Opinion Poll among rental property managers, making it difficult to draw conclusions about the level of support for smoke-free policies among rental management companies. STAND provided support to the City of Folsom and provided examples of existing policies in Sacramento County to policy makers, which likely influenced policy adoption.

This project resulted in many lessons learned. Recommendations for future projects include:

- **Continue developing and deepening relationships with elected officials representing the seven cities in Sacramento County.** While connecting with elected officials can be difficult, this Project illustrates the benefits of having established relationships when decision makers are interested in advancing policy.
- **Continue to deepen relationships with the Rental Housing Industry.** The industry partners can assist with creating buy-in from stakeholders, provide an avenue for obtaining information, and are a necessary partner from the perspective of elected officials.
- **When working with other cities or counties, present the City of Folsom and Rancho Cordova as examples for smoke-free policy change.** Example policies provides a template for other cities to model.

Attachments

Policy Record, County of Sacramento

Policy Record, City of Sacramento

Policy Record, City of Folsom

POLICY RECORD, COUNTY OF SACRAMENTO

JURISDICTION:	Sacramento County, CA	JURISDICTION WEBSITE:	http://qcode.us/codes/sacramentocounty/
STAFF CONTACT:	N/A	DATE OF ACTIVITY:	12/2/14 – 12/3/14

Table 5: Web-based search terms

Tobacco	Cigars	Smoke shop	License	Multi-unit housing
Smoking	Hookah	Signs	Rental	Parks
Nicotine	Chew	Landlords	Schools	Nature
Smoke free	Second hand	Tenants	Buildings	Trails
Cigarettes	Electronic cigarette	Retailers	Apartments	Playground
E-cigarettes	Apartment tenants	Litter	Signage	Menthol
Merchants	Senior housing	Advertising	Blunt wrapper	Outdoor
Fee	Rental disclosure	Multi-family housing	Paraphernalia	Farmer’s market
Apartment manager	Landlord disclosure	Rental housing	Cigarillos	20 feet from door
Apartment owner	Bus stops	Smoke	Entryway	City buildings
Vape	Vape shop	Entrance	Housing	Zoning

Table 6: County of Sacramento Board of Supervisors

MEMBER NAME / TITLE	BEGINNING TERM DATE	ENDING TERM DATE	DISTRICT
<i>Phil Serna, Chair</i>	<i>2010</i>	<i>2018</i>	<i>1</i>
<i>Patrick Kennedy</i>	<i>2014</i>	<i>2018</i>	<i>2</i>
<i>Susan Peters, Vice Chair</i>	<i>2004</i>	<i>2016</i>	<i>3</i>
<i>Roberta MacGlashan</i>	<i>2004</i>	<i>2016</i>	<i>4</i>
<i>Don Nottoli</i>	<i>1994</i>	<i>2018</i>	<i>5</i>

Table 7: Tobacco Control-Related Ordinances

Tobacco-Related Ordinances	Date Adopted	Important Issues	Voted in Support	Voted in Opposition	Absent Vote
SCC 1567	8/26/14	<i>An urgency ordinance of the Sacramento County code amending smoking in the American River Parkway. A. No person shall smoke any substance in any area designated as a nature trail area or in or on any park facility where smoking is prohibited. B. Smoking is prohibited in all areas of the American River Parkway except: designated picnic areas, asphalt trails and surfaces, levee and levee tops, golf courses.</i>	MacGlashan, Nottoli, Serna, Peters, Yee	None	None
Article 7 Tobacco Prohibition in County Correctional Facilities		2.90.600 Possession of Tobacco Products and Smoking Paraphernalia 2.90.610 Importation of Tobacco Products and Smoking Paraphernalia			
SCC 1273 § 1, 2004 Tobacco Retailers		4.07.040 Requirement for Tobacco Retailer License 4.07.060 Issuance and Renewal of License 4.07.070 Display of License 4.07.090 License Nontransferable 4.07.100 License Violation			
SCC 0861 § 2, 1992 Regulations and Prohibitions		4.54.400 General Requirements for Licensees. "No Smoking" signs shall be prominently displayed on and in the fireworks stand.			
SCC 1068 § 1, 1997 Self-Service Tobacco Display		4.61.040 Self-Service Tobacco Displays. 4.61.060 Violations 4.61.070 Penalties			
SCC 610 § 2, 1984 Clean Indoor Air and Health Protection		6.84 Applicability of prohibitions of smoking in public/shared spaces.			
SCC 0734 § 1, 1988 Distribution of Tobacco		6.86.070 Distribution of Tobacco Products to Minors Prohibited. 6.86.080 Distribution of Tobacco Products to Minors Prohibited – Premises Managers.			

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<p>Products to Minors</p>		<p><i>6.86.090 Proof of Age</i></p> <p><i>6.86.110 Purchase of Tobacco Products by Minors Prohibited</i></p> <p><i>6.86.120 Posting of Signs Required</i></p>			
<p>SCC 1106 § 1, 1998</p> <p>Public Consumption of Marijuana</p>		<p><i>6.87.030 Prohibition</i></p>			
<p>SCC 1457 § 2, 2010</p> <p>Environmental Management Department Regulatory Fees</p>		<p><i>6.99.435 Smoking Control. Applicant or permittee shall pay the actual costs for any laboratory testing as required by a special condition of the exemption or permit.</i></p> <p><i>Establishing fees for a smoking exemption, permit, renewal, revised plan, reinspections or complaint verification, additional testing, laboratory costs.</i></p>			
<p>SCC 36 § 2, 1971</p> <p>Park Regulations</p>		<p><i>9.36.057 Smoking. Smoking prohibited on designated nature trail or nature area.</i></p>			
<p>SCC 28 § 1, 1970</p> <p>Public and Tenant Usage</p>		<p><i>11.16.030 Doping. No smoking while “doping.”</i></p> <p><i>11.16.040 Fueling Operations. No smoking within 50ft of an aircraft being fueled/defueled.</i></p> <p><i>11.20.070 Concourse. A person shall not throw paper, cigars, cigarettes, bottles or any other material from the observation balcony.</i></p> <p><i>11.20.130 Smoking. Smoking prohibited on airport apron, within 50 feet of any fueling/defueling operation or building, room, area on airport where smoking prohibited by the director. Signs for provision.</i></p>			

POLICY RECORD, CITY OF SACRAMENTO

JURISDICTION:	City of Sacramento	JURISDICTION WEBSITE:	http://portal.cityofsacramento.org/
STAFF CONTACT:	N/A	DATE OF ACTIVITY:	3.24.14 – 4.3.14

Table 8: Web-based search terms

Tobacco	Cigars	Smoke shop	License	Housing
Nicotine	Hookah	Signs	Rental	Multi-Unit Housing
Smoking	Chew	Landlords	Schools	Parks
Smoke free	Second-hand	Tenants	Buildings	Playgrounds
Cigarettes	Electronic cigarette	Retailers	Apartments	Zoning
E-Cigarettes	Apartment Tenants	Litter	Just Cause	Flavored
Merchants	Senior Housing	Advertising	Signage	Menthol
Fee	Rental Disclosure	Multi-family Housing	Blunt Wrapper	Outdoor
Apartment Managers	Landlord Disclosure	Rental Housing	Paraphernalia	Farmer’s Market
Apartment Owners	Bus Stops	Smoke	Cigarillos	20 feet from door
Vape	Vape Shop	Entrance	Entryway	

Table 9: City of Sacramento City Council

COUNCILMEMBER NAME / TITLE	BEGINNING TERM DATE	ENDING TERM DATE	DISTRICT
<i>Angelique Ashby, Councilmember</i>	<i>2010</i>	<i>2014</i>	<i>1</i>
<i>Allen Warren, Councilmember</i>	<i>2012</i>	<i>2016</i>	<i>2</i>
<i>Steve Cohn, Councilmember</i>	<i>1994</i>	<i>2014</i>	<i>3</i>
<i>Steve Hansen, Councilmember</i>	<i>2012</i>	<i>2016</i>	<i>4</i>
<i>Jay Schenirer, Councilmember</i>	<i>2010</i>	<i>2014</i>	<i>5</i>
<i>Kevin McCarty, Councilmember</i>	<i>2004</i>	<i>2016</i>	<i>6</i>
<i>Darrell Fong, Councilmember</i>	<i>2010</i>	<i>2014</i>	<i>7</i>
<i>Bonnie Pannell, Councilmember</i>	<i>1998</i>	<i>2016</i>	<i>8</i>
<i>Kevin Johnson, Mayor</i>	<i>2008</i>	<i>2016</i>	<i>Mayor</i>

Table 10: Tobacco Control-Related Ordinances

Tobacco-Related Ordinance	Date Adopted	Important Issues	Voted in Support	Voted in Opposition	Absent Vote
1. Ordinance 2012-016	6/19/12	Amends sections 17.16.010 to add definition of tobacco retailer and tobacco product, 17.24.030 to add tobacco retailer to matrices and 17.24.050 to add footnotes 89 and 90 requiring special permits if the tobacco retailer is 15,000sq ft or less and within 1,000 of a school of title 17 of the Sac CC (the zoning code) relating to tobacco retailers (M10-021)	Ashby, Cohn, D Fong, R Fong, McCarty, Pannell, Schenirer, Sheedy, Mayor Johnson	None	None
2. Ordinance 2010-028	10/5/10	Repealing and adding chapter 5.136 of the Sac CC and amending sections 10.04.010 and 10.36.170 of the Sac CC relating to taxicabs. 5.136.380 Interior postings. No person shall operate a taxicab unless the following are clearly displayed in the taxicab passenger compartment in full view of all passengers: A sign that states smoking is prohibited in the taxicab.	Cohn, Fong, McCarty, Pannell, Sheedy, Waters, Mayor Johnson	None	Hammond, Tretheway
3. Ordinance 2007-056	6/26/07	Amends section 12.72.0140 of chapter 12.72, amends section 12.72.020 of chapter 12.72, adds section 12.72.135 to article III of chapter 12.72. Section 12.72.135 Prohibition of smoking in parks. A. Smoking is prohibited in parks. B. No person shall dispose of any tobacco product or any part of a tobacco product in any park except in designated waste disposal containers. C. Designated smoking areas shall be prominently marked with signs. D. Definitions	Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, Mayor Fargo	None	None
4. Ordinance 2004-013	3/30/04	Adding chapter 5.138 to the Sac CC requiring the licensing of tobacco retailers. 5.138.010 Legislative Findings. A. prohibits tobacco products, cigarettes, paraphernalia to minors and purchase, receipt, possession by minors. B. check id of persons under 18. C. sign that it is illegal to sell under 18. D. clerk required for sale, no display/sale through self-service E. prohibits sale of bidis F. prohibits sale of packs less than 20 and roll-your-own less than .60oz. G. prohibits public school students from smoking on campus H. prohibits sale from vending machines ... 5.138.010 Requirement for tobacco retailer license. Unlawful for any person to act as a tobacco retailer without first obtaining a license for each location at which tobacco retailing is to occur	Could not locate	Could not locate	Could not locate
5. Ordinance 2002-027	7/30/02	Amending section 8.80.140 of title 8 of Sac CC relating to prohibition of smoking at city buildings. A. Smoking is prohibited in all city buildings. B. No smoking within 20' of any opening to city building during usual hours of operation. C. city manager	Cohn, Hammond, Jones, Pannell, Sheedy,	None	None

		<i>can grant exception at controlled events.</i>	Tretheway, Waters, Yee, Mayor Fargo		
6. Ordinance 2002-020	6/4/02	<i>Amends chapter 12.68 of Sac CC relating to the city cemetery and conduct therein. §12.68.030 City Cemetery Use-Restrictions. No person, except an authorized city employee in the course and scope of his or her assigned duties, shall: i) smoke while on the grounds of the city cemetery, unless in a smoking area designated by the cemetery manager.</i>	Cohn, Hammond, Jones, Pannell, Sheedy, Tretheway, Waters, Yee, Mayor Fargo	None	None
Ordinance 97-070	11/18/97	<i>Prohibits the self-service merchandising of tobacco products</i>	Not Available	Not Available	Not Available

Table 11: Tobacco Control-Related Resolutions

Tobacco-Related Resolution	Date Adopted	Important Issues	Voted in Support	Voted in Opposition	Absent Vote
1. Resolution 2012-021	2/7/12	<i>Supporting Proposition 29 – The California Cancer Research Act of 2012. The city supports Prop 29 which will reduce smoking, especially among children, and fund critical research to prevent and treat cancer, heart disease and stroke, lung disease and other tobacco-related illnesses.</i>	Ashby, Cohn, Fong, McCarty, Pannell, Schenirer, Sheedy, Mayor Johnson	None	None
2. Resolution 2009-361	4/7/09	<i>Sec 1. Encourages landlords/prop managers of multi-unit rental housing to protect health of residents by raising min. designate from 25% to 50% of existing units as non-smoking including patios/private balconies Sec. 2 city supports landlords/prop managers who create entirely smoke-free buildings within a multi-unit housing complex Sec 3. city will publicly recognize those landlords/prop managers who choose to designate at least 50% as non-smoking or who create entirely smoke-free buildings within multi-unit housing complex</i>	Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, Mayor Johnson	None	None
3. Resolution 2007-152	3/13/07	<i>Restrictions pertaining to the operation of pedicabs, as authorized by Sac cc section 5.94.260(G). All holders of a pedicab owner, driver and/or vehicle permit must have a signed copy of these Rules on file with the Revenue Division. Driver Conduct: Refrain from smoking while driving the pedicab.</i>	Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters	None	Mayor Fargo
4. Resolution 2006-886	12/5/06	<i>Sec 1. Encourages at least 25% non-smoking at rental housing Sec 2. city</i>	Cohn, Fong,	None	None

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		<i>supports landlords who create entirely smoke-free buildings within multi-unit housing Sec 3. city publicly recognizes landlords and prop. Mangers who choose to designate 25% or more.</i>	<i>Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, Mayor Fargo</i>		
5. Resolution 2000-067	<i>2/15/00</i>	<i>Prop 28 - Repeal of Prop 10 Tobacco Surtax on tobacco products and cigarettes eliminating funding for Prop 10 early childhood development and smoking prevention programs and prohibits additional surtaxes on distribution of cigarettes or tobacco products, and provides for termination of CA Children and Families First Trust Fund</i>	<i>Could not locate</i>	<i>Could not locate</i>	<i>Could not locate</i>

POLICY RECORD, CITY OF FOLSOM

JURISDICTION:	City of Folsom	JURISDICTION WEBSITE:	https://www.folsom.ca.us/agendas/
STAFF CONTACT:	N/A	DATE OF ACTIVITY:	4/7/15-4/20/15

Table 12: Web-based search terms

Tobacco	Cigars	Smoke shop	License	Housing
Nicotine	Hookah	Signs	Rental	Multi-Unit Housing
Smoking	Chew	Landlords	Schools	Parks
Smoke free	Second-hand	Tenants	Buildings	Playgrounds
Cigarettes	Electronic cigarette	Retailers	Apartments	Zoning
E-Cigarettes	Apartment Tenants	Litter	Just Cause	Flavored
Merchants	Senior Housing	Advertising	Signage	Menthol
Fee	Rental Disclosure	Multi-family Housing	Blunt Wrapper	Outdoor
Apartment Manages	Landlord Disclosure	Rental Housing	Paraphernalia	Farmer's Market
Apartment Owners	Bus Stops	Smoke	Cigarillos	20 feet from door
Vape	Vape Shop	Entrance	Entryway	

Table 13: City of Folsom City Council

COUNCILMEMBER NAME / TITLE	BEGINNING TERM DATE	ENDING TERM DATE	DISTRICT
<i>Kerri Howell, Councilmember</i>	<i>1998</i>	<i>2018</i>	<i>N/A</i>
<i>Ernie Sheldon, Councilmember</i>	<i>2008</i>	<i>2016</i>	<i>N/A</i>
<i>Jeff Starsky, Councilmember</i>	<i>2000</i>	<i>2016</i>	<i>N/A</i>
<i>Andy Morin, Mayor</i>	<i>2002</i>	<i>2018</i>	<i>N/A</i>
<i>Steve Miklos, Vice Mayor</i>	<i>1994</i>	<i>2018</i>	<i>N/A</i>

Table 14: Tobacco Control-Related Ordinances

Tobacco-Related Ordinance	Date Adopted	Important Issues	Voted in Support	Voted in Opposition	Absent Vote
1. Ordinance No. 1209	6/24/14	<p><i>(Second reading and adoption) 6/24/14</i></p> <p><i>An ordinance of the City of Folsom amending section 17.22.030(E)(234) of the <u>Folsom Municipal Code</u> pertaining to e-cigarettes.</i></p> <p><i>Designed to treat shops selling e-cigarettes in the same manner as tobacco shops. During City Council meeting on June 24, 2014, the City Council provided general direction to treat e-cigarettes in the same manner as smoking tobacco.</i></p> <p><i>Retail Tobacco Store is defined as, a retail store utilized primarily for the sale of tobacco or e-cigarette/vapor products and accessories and in which the sale of other products is merely incidental.</i></p> <p><i>Smoking is defined as, inhaling, exhaling, burning or carrying any lighted cigar, cigarette, pipe, hookah pipe, plant or other combustible substance in any manner or in any form and use of electronic devices with electrical ignition or vaporization (e-cigarettes/cigars or similar devices).</i></p>	Miklos, Morin, Sheldon, Howell	None	Starsky
2. Ordinance No. 1213		<p><i>(Introduction and first reading) 7/22/14</i></p> <p><i>Update and amend certain provisions of the <u>Folsom Municipal Code</u> Chapter 8.17 regarding smoking in public places. This proposed ordinance addresses e-cigarettes and modifies the existing ordinance relative to where smoking is permitted and where smoking is prohibited. The existing ordinance addresses enclosed public places and outlines a number of business types. Also, the existing ordinance prohibits smoking in common areas of apartment buildings and condominiums. The proposed expands prohibition on smoking to include "Recreational Areas" except designated areas, in screened in exterior areas of restaurants, and on public property used for a special event, except in designated areas. No proposed prohibition regarding smoking in unenclosed (unscreened) areas of a restaurant or in the exterior areas of a shopping center.</i></p>			
		<p><i>(Re-submit for Introduction and first reading) 8/26/14</i></p> <p><i>Inadvertent omissions were made in the draft version of the ordinance. The changes to Section 8.17.040 Prohibition of smoking to not include "when food is</i></p>			

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		<i>available for service on the premises” of enclosed areas of restaurants and businesses and “outdoor seating or waiting areas serving any business, bar or restaurant.”</i>			
	9/9/14	<i>(Second reading and adoption) 9/9/14 City Council adopted the ordinance as proposed however the City Council asked City Attorney to research two topic areas regarding current smoking policies in the City of Folsom: smoking in the enclosed areas of bars and restaurants and smoking in multi-family complexes. City Council advised it did not believe any change to the smoking ordinance was warranted regarding e-cigarettes nor modifying the ordinance to prohibit smoking in the interior units of existing multi-family rental projects. It also asked about impacts on existing bars and restaurants if there was a prohibition or limitation on smoking in unenclosed areas of bars and restaurants.</i>	<i>Starsky, Miklos, Morin, Sheldon, Howell</i>	<i>None</i>	<i>None</i>
3. Ordinance No. 1225		<i>(Introduction and first reading) 3/24/15 An ordinance of the City of Folsom amending certain provisions of Chapter 8.17 relating to smoking regulations. The regulations pertain to multi-family rental projects, unenclosed areas of bars and restaurants, and e-cigarettes.</i>			
	4/14/15	<i>(Second reading and adoption) 4/14/15 No modifications except those that reflect options selected by City Council and to delete unselected option. (A) Smoking is prohibited in all areas, interior units and Common Areas of Multi-Family Rental Projects where the City provides any financial assistance to the project at the effective date of this Ordinance. If a Multi-Family Rental Project permits smoking at the time an application for financial assistance is received, it shall prepare a plan to prohibit smoking throughout the project as a condition of receipt of any City funds. A project owner may designate a smoking area on the premises that complies with Section 8.17.040 G. In accordance with this section, the project owner of the Multi-Family Rental Project receiving financial assistance from the City shall include in its leases, language that prohibits Smoking in accordance with Civil Code Section 1947.5 and this Chapter. (B) Any Multi-Family Rental Project shall provide prospective tenants with the project’s smoking policy, in writing, at the time any application is received and at the time the lease or rental agreement is entered into by the parties. (C) Smoking is prohibited on unit balconies or unit patio areas</i>	<i>Sheldon, Starsky, Howell, Miklos, Morin</i>	<i>None</i>	<i>None</i>

		<i>attached to or controlled by the Multi-Family Rental tenant.</i>			
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