



To: Family and Human Services Committee, Contra Costa Board of Supervisors
From: Ori Tzvieli, MD
Health Officer, Contra Costa County
Public Health Director, Contra Costa Health Services
Re: Annual Report on Implementation of Secondhand Smoke Protections Ordinance 2018-07
Date: 2/28/22

I. Summary

The Contra Costa Board of Supervisors adopted Smoke-free Multi Unit Residences Ordinance 2018-07 on March 13, 2018, which increased secondhand smoke protections for persons and families living within multiunit housing. Implementation of Ordinance 2018-07 for new and renewing leases began on July 1, 2018, whereas for continuing leases and owner-occupied units, implementation would start on July 1, 2019. This brief report is specific to the continued implementation of the broader Smoke-free Secondhand Protections (Division 445-4) and the modified strategies utilized to continue activities as the project continues to be impacted by the COVID-19 pandemic.

II. Secondhand Smoke Ordinance Background

Across the State of California, and nationally, Contra Costa County continues to be recognized as a leader in developing and implementing local tobacco control policies. The County's secondhand smoke protections have continuously been updated and strengthened by the Contra Costa Board of Supervisors for more than a decade, with additional policies being adopted in October 2009, October 2010, April 2013, June 2014, July 2017, and March 2018.

Amendments to the County's Secondhand Smoke policy (Division 445-4) have expanded secondhand smoke protections and include the following: requiring all County-owned properties be 100% smoke-free; the inclusion of electronic smoking devices in defining "secondhand smoke"; and the expansion of 100% smoke-free multi-unit housing to include condos, townhomes, and the guest rooms of hotels and motels.

III. Implementation of Ordinance 2018-07 Since October 2020 Report

The Smoke-free Multi-Unit Residence Ordinance 2018-07 is implemented through the activities of the Tobacco Prevention Program for the Public Health Division of Contra Costa Health Services.

As our communities continue to experience unusual circumstances as a result of the COVID-19 pandemic, many activities normally conducted by TPP have been modified in order to adhere to guidance issued by the Contra Costa County Health Officer. Since the beginning of the pandemic TPP Staff have continued to respond to secondhand smoke complaints received through the TPP online portal and complaint line. The team also provided education to community members about smoke-free multiunit housing tobacco control policies. However, staff were unable to conduct site-visits since our last report for signage observations to ensure adherence to the COVID-19 guidelines.

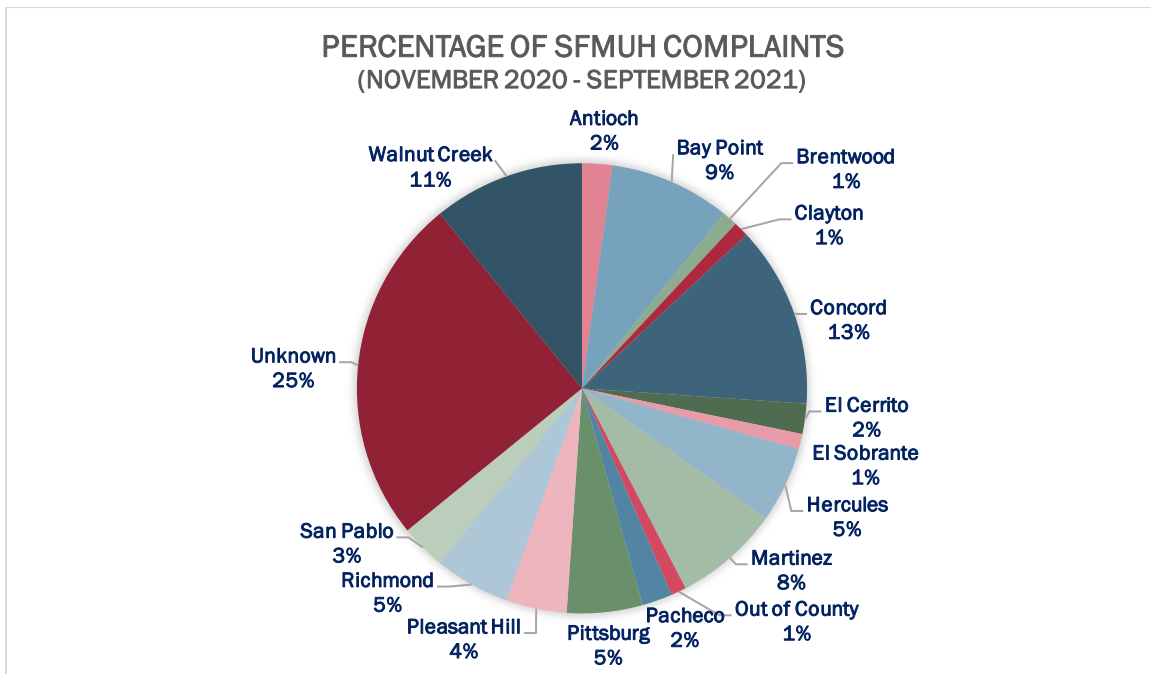


TPP Staff made its last report to the Family and Human Services Committee in October 2020. The following is a summary of activities conducted November 2020 through September 2021. TPP will be collecting and analyzing data from October 2021 – December 2021 that will be provided in the next report.

The COVID-19 pandemic initially brought with it an increase in secondhand smoke complaints when the Contra Costa County Health Officer Orders to shelter in place and limit activities outside of their homes in March 2020. At the time of our last report, in October 2020, TPP received a total of 49 secondhand smoke complaints from residents and landlords within the unincorporated areas and cities throughout the County which was double the amount received the previous year. From November 2020-September 2021, the numbers have continued to increase following a similar pattern with 92 second-hand smoke complaints being registered with TPP.

All registered complaints are provided with appropriate resources and a follow-up call or email within 3-5 business days to ensure the health and safety of residents are not compromised due to a lack of adherence to secondhand smoke tobacco control policies. TPP Staff primarily focus on complaints from the unincorporated County and making connections to the appropriate department of local jurisdictions outside of the County’s purview.

Graph I: Percentage breakdown of number of complaints within 2020-2021



In reviewing the 92 complaints, a significant number of complainants (25%) inquired about the secondhand smoke violation policy and/or the violation process but did not want provide information regarding their specific location or they did not respond when staff attempted to communicate with them.

Over half (51%) were secondhand smoke violations within apartment complexes, 32% were in owner-occupied units such as townhomes and condominiums, and less than 5% came from other multi-unit housing types such as mobile homes parks, duplexes, etc. Seventy-four percent of the complaints were regarding



combustible cigarette smoke, while 26% pertained to second-hand smoke from the use of cannabis and electronic cigarettes devices. TPP staff also received requests for clarification of the ordinance and technical assistance by landlords and property managers seeking to comply with the ordinance.

IV. Next Steps for Compliance

Due to the impact of COVID-19, inspections were not conducted during this report period, but the implementation of additional strategies that were recommended in the October 2020 report designed to strengthen our outreach efforts and increase awareness by informing and educating landlords, property managers and tenants were implemented from the end of Fall 2020 through the Summer of 2021.

In 2020, in an effort to increase awareness and compliance, a secondhand smoke educational infographic flyer was distributed to property managers, property owners and operators in English and Spanish at all 5,035 multi-unit dwelling properties (two or more units such as duplexes, triplexes, condominiums, detached units, apartment complexes, etc.) in unincorporated county on 03/18/2021. Due to a significant number of inaccurate mailing addresses, approximately 100-200 flyers were returned to the program without forwarding addresses. In addition, the project's inability to obtain all unit numbers for the larger complexes required TPP staff to mail SFMUH educational postcards directly to SFMUH property managers, owners and landlords with the request to have them distributed to residents. These post cards in English and Spanish includes details regarding compliance, the complaint process and cessation resources.

Resources and downloadable smoke- free signs in 4 languages continue to be available on the CCHS TPP website. The smoke-free signs highlight that cannabis, vaping, and cigarette smoke is prohibited. Smoke free signage and decals can be provided upon request to all. The secondhand smoke webpage had 984 page views and 915 visitors between January 1, 2021, and June 30, 2021. TPP staff plans to update the webpage to include additional information on other smoke-free MUH policies throughout the county in the future.

Unincorporated SFMUH Media Campaign

Smoke-free messages that focus on reaching residents in unincorporated Contra Costa are posted regularly on the Tobacco Prevention Coalitions Facebook and Instagram social media platforms in collaboration with TPP Staff. Over the past year, over 64 educational messages about the harmful health effects of second-hand smoke associated with the use of tobacco and tobacco devices were posted on Facebook and Instagram. TPP subcontracted with media consultant Full Court Press to implement a media campaign focused on increasing the viewers knowledge regarding the harms of secondhand smoke, an educational digital ad campaign was developed and implemented that achieved millions of impressions. A total of 7.8 million impressions were through digital online platforms, 1.7 million impressions through streaming radio, 585,562 impressions through the Spanish Tv streaming service Univision and 795 airings on Galavision.

TPP Staff will continue to respond to requests for resources, assistance and information from residents, property managers and owners by phone and by email. TPP Staff plans to resume auditing and inspecting properties at random to confirm compliance with the smoke-free multiunit housing tobacco control policies early 2022 if funding is secured for these activities.



V. Technical Assistance to Contra Costa Cities

As of January 2022, fourteen (14) cities have adopted smoke-free multiunit housing tobacco control policies into their jurisdictions utilizing the County’s model ordinance. TPP Staff provided technical assistance to these local jurisdictions to incorporate components of the model ordinance and seeks to inform and educate those local jurisdictions that have no tobacco control policy in the hopes that they will consider further the many health benefits for their residents associated with having a in place protective smoke-free multiunit dwelling policies.

In 2021, most second-hand smoke complaints came from the cities of Concord, Walnut Creek, and Martinez. TPP staff provided education and resources to community members who filed complaints and forward the complaint to the appropriate contact in those cities when possible.

Of the 14 cities that TPP Staff provided technical assistance to the Cities of San Pablo, Richmond, Hercules, Clayton, Walnut Creek, Concord have considered similar smoke-free multi-unit housing policies for their jurisdictions based on the model provided by the County.

V. Next Steps for Technical Assistance to Contra Costa Cities

TPP Staff plans to continue smoke-free efforts in communities in East Contra Costa in 2022-2025 to help expand smoke-free protections to residents in the Antioch and Pittsburg communities. TPP Staff has made moderate progress in Antioch and Pittsburg with informing and educating policymakers on the importance of tobacco retail licensing control policies and additional details will be found in that report.

VI. Recommendations

TPP Staff requests that the Family and Human Services Committee accept the report and direct staff to continue to provide updates on implementation of the ordinance as part of staff’s annual report on Contra Costa’s Secondhand Smoke Protections Ordinance.

