



HEALTH SERVICES AGENCY
ADMINISTRATION

COUNTY OF SANTA CRUZ

HEALTH SERVICES AGENCY

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August 24, 1998

AGENDA: September 22, 1998

BOARD OF SUPERVISORS
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

**SUBJECT: Report-back on Disposition of Mangini Tobacco Litigation
Settlement Funds**

Dear Board Members:

On August 18, 1998, the Health Services Agency submitted a letter to your Board regarding proposed tobacco education activities to be financed by the Mangini Tobacco Litigation Settlement funds. Your Board requested additional information about the proposed plan and its relevance to tobacco education for youth. Additional information regarding the proposal follows.

BACKGROUND & PROPOSAL SELECTION PROCESS

On September 9, 1997, your Board approved a \$100,000 settlement with the defendant in Mangini v. R.J. Reynolds Tobacco Company, et al., San Francisco Superior Court No. 939359. Mangini claimed that R.J. Reynolds violated California law against deceptive advertising by targeting its Joe Camel campaign at minors too young to legally purchase tobacco products. The Health Services Agency and the Public Health Commission were actively involved in this lawsuit and believe it is in the interests of our community to utilize those settlement funds for anti-tobacco education activities that actively involve youth through various strategies.

As stated in the August 18th letter to your Board, the Health Services Agency and the Public Health Commission developed a process for allocating and using the settlement funds. The Commission's process included:

- developing a statement of purpose which affirmed that the settlement funds should be directed towards programs to educate youth and the community about smoking risks
- notification to various community groups and organizations of the availability of funds to educate young people about the dangers of tobacco
- a public discussion was hosted by the Commission to determine how to allocate the funds.

At that meeting, there were four proposals presented: 1) a children's art mural and poster campaign proposed by the local Tobacco Education Coalition, 2) a request from the County Office of Education to help fund curriculum materials for middle school tobacco and drug education courses, 3) a request by Health Services for funds for a public health physician to study the incidence of smoking related disease and illness in Santa Cruz County is a partnership project with UCSF, and 4) a request by North Santa Cruz Special Education/Santa Cruz City Schools to fund a lunch-time program on the dangers of drugs, alcohol and tobacco for a small number of students at one north county high school.

RECOMMENDATIONS:

The Public Health Commission gave thoughtful attention to each request and made their recommendation based on the following considerations:

MURAL PROJECT

The Commission believe that the mural project would be an effective educational tool that would actively involve children throughout the community.

The proposed art mural project includes a campaign to identify at least one elementary school in each of five geographical areas of the county to participate in the project. Various representatives from local school districts and the County Office of Education are members of the Tobacco Education Coalition and they advised that local schools would be interested and favorable to the art mural project.

The schools will be chosen in consideration of their interest and willingness to commit to a large scale mural project. Students will be identified to work on the project as a class activity or as a special interest group that may involve students from several classes. An artist/teacher and other public

health educational staff assistants will be provided as part of the project to work directly with the students to develop a vision for the mural, which will have a tobacco education and/or abstinence theme. Workshops will be held with students and the artist/teacher to create and display the mural to other students in the school. The mural is a byproduct of the educational experience in which the primary focus is on the health perils of tobacco use with special emphasis on the impacts of tobacco use on youth.

The activity does not end at the completion of the mural. The Public Health Commission, in its discussion of this proposal, was united in its desire to see that the work of the students received the largest audience possible and that a legacy remained, once the one-time funds were expended. To this end, the concept of professionally photographing the completed murals and creating posters to display in various venues was developed.

BUS ADVERTISING CAMPAIGN

The bus advertising was included as a strategy to gain wide exposure of the message in the murals through the use of large reproductions of the murals on the outside of buses. The Agency and the Public Health Commission were supportive of this plan as a visible reinforcement for the children who participated in the project, as a way to advertise to the larger community that children are learning about the dangers of tobacco, and because of the highly favorable response that had been received from the bus poster campaign that was part of the teen pregnancy reduction program carried out earlier by the Agency.

The bus poster component is viewed as a strategy to reach older children, as evidenced by the many favorable comments received in response to the pregnancy prevention bus posters. The young people who created the concept for those posters were very proud of their work and were repeatedly rewarded by the lengthy bus advertising campaign. This positive reinforcement would be multiplied greatly by the larger scope of the tobacco education campaign.

In addition to the bus posters, it was envisioned that smaller posters of the murals could be developed and used in a variety of ways by the participating schools and the Health Department, such as bumper stickers, displays at health fairs, and in classrooms in other schools throughout the county. Although the proposed budget does not include funds for smaller posters, it would be feasible for schools, private non-profit organizations concerned about tobacco use, or the Health Department to develop such materials at a nominal cost. Smaller posters and bumper stickers were, in fact, developed following the success of the Teen Pregnancy Prevention large bus poster campaign.

TELEVISION DOCUMENTARY

In addition, the proposed project includes a plan to document the process with the resulting documentary to air on local cable access channels. This would be done through an agreement with TCI and would be broadcast repeatedly throughout the County. All of these activities would prolong the life of the project and create opportunities to continue the educational message for years to come. The Agency and the Public Health Commission believe that children's art is a powerful tool to send messages to children and adults, and possibly more effective than verbal warnings or lectures about the dangers of tobacco.

CURRICULUM MATERIALS FOR COE

The County Office of Education provides certain health education curriculum materials for every middle school in the county. The program is called Life Skills Training, which features a component devoted to tobacco education. These classes will reach over 3,000 students. The COE Proposal requested \$5,000 to contribute to the purchase of these materials. The Commission thought that this proposal had merit and were impressed with the large target population that would be reached.

PUBLIC HEALTH PHYSICIAN STUDY

Currently the Agency is participating in the UCSF Preventive Medicine Residency Training program. There is a public health physician in place in the Agency who is enrolled in the residency program and is working on a number of projects. The Agency was interested in providing reimbursement for this physician to include in the scope of this work with the County include a survey of the health costs associated with smoking. These numbers are not now available at a local level. Public health staff use national statistics and apply them to the county. This provides an estimate but does not give an accurate answer to this important question. There is local information, but it will take a significant amount of time and skill to obtain it from data located in hospitals, from medical providers, and vital statistics records. The proposal for this project includes reimbursement of \$6,000 for the physician to locate, collect and analyze the data which will be used to develop a comprehensive report about the local health care costs associated with smoking. The Agency and the Commission believe that this report will be a valuable tool for educating all of the community, including young people, about the high price that we pay for smoking.

PROPOSED BUDGET

It should be noted that the Mural Project will continue until Year 2002. The costs for the public health physician and the County Office of Education health education materials are one time only expenses that will be expended in the first year of the project.

FY 98/99**MURAL PROJECT (Approx. \$7,500 per mural)**

Artists time, educational session, paints and other materials, incentives for students.

\$15,000 Contract
(2 murals)

BUS ADVERTISING CAMPAIGN (Approx. \$9,300 per ad)

Photograph mural, transfer to disk, make up signs, 2-3 month campaign, 10 buses.

\$9,300 Contract
(1 ad*)

TCI "DOCUMENTARY" OF PROJECT (Approx. \$5,000)

Contract with TCI to video the process for production of one mural, interview students, etc. Run tape frequently on TCI and Charter Cable (Capitola/Watsonville public access channels).

\$5,000 Contract
(TCI)

PH PHYSICIAN STUDY

\$6,000 Contract (Public Health Physician)
\$5,000 Contract (COE)

\$11,000 Contract

**\$40,300 FY 98/99
TOTAL**

FY 99/00: **\$15,000** Contracts (2 murals)*
 \$18,600 Contracts (2 ads)*

**\$33,600 FY 99/00
TOTAL**

FY 00101: \$ 7,500 Contract (1 mural)
 \$18,600 Contract (2 ads)*

**\$26,100 FY 00101
TOTAL**

**\$100,000 GRAND
TOTAL**

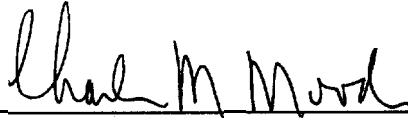
CONCLUSION AND RECOMMENDATION

The Agency recommends this plan as submitted to your Board. On August 27th, the Public Health Commission reaffirmed its strong support for the funding proposal as originally requested. The local Tobacco Education Coalition whose members endorsed and promoted the plan remain supportive. The Coalition believes that the project has the potential to reach large numbers of children with a strong and effective message that will help them resist tobacco and that the community will receive a significant cost benefit from the money spent.

It is, therefore, **RECOMMENDED**, that your Board:

1. Approve the Public Health Commission's recommended three-year plan for use of the \$100,000 Mangini tobacco litigation settlement; and
2. Adopt the attached resolution accepting \$40,300 in unanticipated revenue from the Mangini tobacco litigation settlement for the Tobacco Education Program; and
3. Authorize the payment of \$5,000 to the County Office of Education towards the purchase of a life skills prevention curriculum and related materials.

Sincerely,



Charles M. Moody
Health Services Agency Administrator

RECOMMENDED:



Susan A. Mauriello
County Administrative Officer

cc: **CAO**
Auditor-Controller
County Counsel
HSA Administration
Public Health Administration

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

0000113

RESOLUTION NO. _____

On the motion of Supervisor _____
duly seconded by Supervisor _____
the following resolution is adopted:

RESOLUTION ACCEPTING UNANTICIPATED REVENUE

WHEREAS, the County of Santa Cruz is a recipient of funds from Mangini
tobacco settlement for tobacco education program; and

WHEREAS, the County is recipient of funds in the amount of \$ 40,300
which are either in excess of those anticipated or are not specifically set
forth in the current fiscal year budget of the County; and

WHEREAS, pursuant to Government Code Section 29130(c)/29064(b), such funds
may be made available for specific appropriation by a four-fifths vote of
the Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Santa Cruz County
Auditor-Controller accept funds in the amount of \$ 40,300 into

Department Health Services Agency

T/C	Index Number	Revenue Subject Number	Account Name	Amount
001	362800	0418	Judgments & Damages	\$ 40,300

and that such funds be and are hereby appropriated as follows:

T/C	Index Number	Expenditure Subject Number	PRJ/UCD	Account Name	Amount
021	362800	3665		Prof spec svces - other	29,300
021	362800	3975		Miscellaneous	11,000

DEPARTMENT HEAD I hereby certify that the fiscal provisions have been
researched and that the Revenue(s) (has been) (will be) received within the
current fiscal year.

By Chae M. Morley
Department Head

Date 8/4/98

COUNTY ADMINISTRATIVE OFFICER

☐ Recommended to Board☐ Not Recommended to Board

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz,
State of California, this _____ day of _____ 19____
by the following vote (requires three-fifths vote for approval):

AYES: SUPERVISORS

NOES: SUPERVISORS

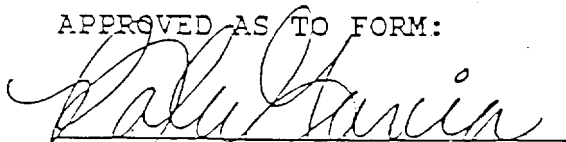
ABSENT: SUPERVISORS

Chairperson of the Board

ATTEST:

Clerk of the Board

APPROVED AS TO FORM:


County Counsel

APPROVED AS TO ACCOUNTING DETAIL:

Auditor-Controller

Distribution:

Auditor-Controller
County Council
County Administrative Officer
Originating Department

HEALTH SERVICES
AGENCY



COUNTY OF SANTA CRUZ

PUBLIC HEALTH COMMISSION

P.O. BOX 962 1080 EMELINE AVENUE
SANTA CRUZ, CALIFORNIA 95061

(408) 454-4000

September 2, 1998

BOARD OF SUPERVISORS
701 Ocean Street
Santa Cruz, CA 95060

Dear Board Members,

The Public Health Commission discussed the proposed plan for expenditure of the Mangini Tobacco Settlement funds at our regular meeting on August 27th, 1998. We would like to inform your Board of **our continued strong support for the Art Mural project** that would take place in schools throughout the county. This project was highly favored by the members of the Public Health Commission when it was first presented to us earlier in the year. We were in agreement that this project had the potential to impact large numbers of children and enjoy the same level of success as the Health Services Agency's impressive Teen Pregnancy Prevention campaign. We agree with the Agency that children's art can be a powerful tool for education and motivation. We believe that the bus poster concept will be a valuable strategy to inform the entire community about the risks of smoking and the fact that children are learning to say no to tobacco at an early age.

We hope that your Board will support the funding plan as submitted by the Agency. We believe that the Art Mural Project, the purchase of curriculum materials for the County Office of Education and the scientific survey of the health effects of smoking in our county will be a good start in answering some of the aggressive advertising aimed at youth by the tobacco companies. We appreciate this opportunity to advise the Agency and your Board about smoking and health, as well as other important public health matters.

Sincerely,

JEAN POULOS, Ph.D.
Chairperson

JP:ls



**Santa Cruz County
Tobacco Education
Coalition**

Co-Chair
Sue Lovacchio

Co-Chair
David Rosenthal

American Cancer Society

American Heart Association

American Lung Association

Cabrillo College

Camp Fire Boys and Girls

Central Coast Tobacco-Free
Regional Project

City of Santa Cruz Parks
and Recreation

Live Oak School District

Monterey Bay
Dental Society

Pajaro Valley Prevention
& Student Assistance, Inc.

Planned Parenthood

Salud Para La Gente

Santa Cruz City
School District

Santa Cruz County
Health Services Agency

Santa Cruz County
Office of Education

Santa Cruz County
Sheriff's Department

Valley Resource Center

Youth Media Network

September 4, 1998

Dear members of the Board of Supervisors,

The Tobacco Education Coalition is excited that the Board of Supervisors is discussing an ordinance to restrict tobacco advertising where children congregate. The Coalition hopes you will add **a self-service tobacco display ban** to the draft advertising ordinance that you are reviewing on September 15".

Advertising restrictions and a self-service display ban both serve the same purpose: preventing youth from illegally buying cigarettes. Tobacco ads tempt youth to buy cigarettes and other tobacco products. A self-service display ban requires the intervention of a salesclerk in purchasing tobacco and increases the likelihood of the employee noticing the age of the purchaser and asking for identification. A display ban also prevents shoplifting of tobacco by minors. Open displays of tobacco products make shoplifting much easier and therefore more accessible and enticing to minors. If the clerk turns away for only a few seconds, several packs of cigarettes or cans of chew can walk out the door. Adding a self-service display ban would take a more comprehensive approach to preventing youth from illegally buying tobacco products.

We realize that your staff has spent a lot of time preparing an advertising ordinance. Based on the ordinances passed in other communities, we believe that adding a self-service display ban would not require too much extra time. The legal wording in other ordinances has only required two to three paragraphs.

As you know, the Coalition provided you with background information related to tobacco advertising a couple of weeks ago. Enclosed is additional information about self-service display bans.

Thank you for your time and consideration. If you have any questions, please call Lynn Shiffman, the health educator at the American Lung Association and a Coalition member, at 373-7306.

Sincerely,

David Rosenthal

David Rosenthal,
Coalition Chair

What is a self-service tobacco display ban?

The ban requires merchants to place tobacco products either behind the clerk at the checkout counter/stand, in overhead racks, or in locked cases so customers would have to ask the clerk for the product.

How does this help?

- **Reduces tobacco sales to minors.**

After the City of Poway adopted a self-service display ban, the tobacco sales rate to minors dropped from **25-35% to 7%**.¹

A similar study in Larkspur, California, showed a drop in sales to minors from **71% to 19%**.²

- **Reduces shoplifting of tobacco by young people.**

44% of daily smokers among a survey of 7,800 ninth graders report having shoplifted **cigarettes**.³

Grocery retailers have reported cigarettes as the item stolen most **often**.⁴

- **Reduces advertising near candy displays and at the eye-level of children.** Most of the tobacco displays are covered with youth-oriented ads designed to encourage impulse buying by new tobacco customers.

Is there public support?

78% of those surveyed supported a ban on self-service displays to prevent shoplifting by minors?

¹ Study conducted by Project T.R.U.S.T. Informational Kit, San Diego, CA

² S.T.A.M.P., North Bay Health Resources Center, Petaluma, CA

³ Roswell Park Cancer Institute, 1994.

⁴ Little R. Hottest picks in grocery stores. *USA Today*, USA Snapshot, Dec. 13, 1990.

⁵ *Robert Wood Johnson Foundation Youth Access Survey: Results of a National Household Survey to Assess Public Attitudes about Policy Alternatives for Limiting Minor's Access to Tobacco Products*, Princeton, NJ: Mathematica Policy Research, Inc., December, 1994.

Americans for Nonsmokers' Rights

Helping you breathe a little easier

ORDINANCES WHICH BAN SELF-SERVICE TOBACCO DISPLAYS

October 10, 1997

Tucson, AZ	Sonoma Co., CA	Medfield, MA	Fergus Falls, MN	Madison Bor., NJ
Belmont, CA	Tiburon, CA	Methuen, MA	Golden Valley, MN	Manville, NJ
Belvedere, CA	Ukiah, CA	Middleton, MA	Litchfield, MN	Marlboro, NJ
Calistoga, CA	Union City, CA	Millis, MA	Montevideo, MN	Maurice River, NJ
Carpinteria, CA	Vallejo, CA	Milton, MA	Monticello, MN	Milltown Borough, NJ
Chula Vista, CA	Vista, CA	Montague, MA	Morris, MN	Monroe Twp., NJ
Coronado, CA	Yountville, CA	Nahant, MA	Roseville, MN	Montclair Twp., NJ
Corte Madera, CA	Estes Park, CO	Needham, MA	savage, MN	Montg'ry Twp., NJ
Cotati, CA	Monte Vista, CO	Newton, MA	St. Louis Park, MN	Montvale, NJ
Fairfax, CA	Ottawa, KS	North Adams, MA	Shakopee, MN	Mt. Olive Twp., NJ
FOR Bragg, CA	Westbrook, ME	New Andover, MA	Shoreview, MN	New Milford, NJ
Healdsburg, CA	Andover, MA	North Attleboro, MA	Stewartville, MN	North Plainfield, NJ
Imperial Beach, CA	Arlington, MA	Northampton, MA	Waseca, MN	Palisades Park, NJ
Larkspur, CA	Attleboro, MA	Norton, MA	Alexandria, NJ	Park Ridge, NJ
Marin Co., CA	Bedford, MA	Norwood, MA	Belleville Twp., NJ	Pequannock, NJ
Mendocino Co., CA	Bellingham, MA	Oak Bluffs, MA	Berkeley Twp., NJ	Pine Beach, NJ
Mill Valley, CA	Billerica, MA	Orange, MA	Bernards Twp., NJ	Princeton Borough, NJ
Monterey Co., CA	Bolton, MA	Pittsfield, MA	Bogota Borough, NJ	Princeton Twp., NJ
Napa, CA	Buxborough, MA	Plainville, MA	Clinton Twp., NJ	Readington Twp., NJ
Napa Co., CA	Canton, MA	Seekonk, MA	Downe, Twp., NJ	South Brunswick, NJ
Novato, CA	Clinton, MA	South Hadley, MA	East Greenwich, NJ	Stafford Twp., NJ
Palo Alto, CA	Dedham, MA	Stockbridge, MA	Edison, NJ	Upper Saddle River, NJ
Petaluma, CA	Dover, MA	Tewksbury, MA	Fairfield, Twp., NJ	Washington Twp., NJ
Poway, CA	Easthampton, MA	Walpole, MA	Franklin Twp., NJ	Woodbury Heights, NJ
Redlands, CA	Easton, MA	W. Springfield, MA	Galloway Twp., NJ	Chautauqua Co., NY
Salinas, CA	Gloucester, MA	Westfield, MA	Hackensack, NJ	Bismark, ND
San Anselmo, CA	Granby, MA	Westwood, MA	Hazlet Twp., NJ	Langdon, ND
San Francisco, CA	Greenfield, MA	Wilbraham, MA	Highland Park, NJ	Wnhpctun, ND
San Luis Obispo, CA	Haverhill, MA	Williamstown, MA	Hillsborough Twp., NJ	Silverton, OR
San Mateo, CA	Hingham, MA	East Lansing, MI	NJ	Philadelphia, PA
San Mateo Co., CA	Holliston, MA	Brooklyn Center, MN	Hillsdale, NJ	Austin, TX
San Rafael, CA	Holyoke, MA	Chanhassen, MN	Howell Twp., NJ	Wichita Falls, TX
Santa Barbara, CA	Lawrence, MA	Chaska, MN	Jefferson Twp., NJ	Enoch, UT
Santa Rosa, CA	Lee, MA	Crookston, MN	Keyport, NJ	Midvale City, UT
Sausalito, CA	Lenox, MA	Delano, MN	Lambertville, NJ	Pleasant Grove, UT
Sebastopol, CA	Lexington, MA	Duluth, MN	Lawrence Twp., NJ	Riverton, UT
Shafter, CA	Mansfield, MA	Eden Prairie, MN	Leonia Borough, NJ	Fond du Lac, WI
Sonoma, CA	Marion, MA	Falcon Heights, MN	Little Egg Harbor, NJ	

TOTAL ORDINANCES: 188

**These ordinances ban displays of tobacco that the public has access to without the assistance of a store employee. Some exempt cartons from this prohibition.*

May be reprinted with appropriate credit to Americans for Nonsmokers' Rights.

Only ordinances which have been personally reviewed and analyzed by ANR staff using standardized criteria will be included on ANR's ordinance lists. Omissions of particular ordinances may be the result of differences of opinion in interpretation, or because ANR staff have not yet analyzed the ordinance.

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