



Meeting Date 11/27/07

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input checked="" type="checkbox"/> Other Study Session

Prepared By: *fev/* Jesús Andrade, Senior Housing Specialist *11/16/07* Agenda Item No. R-1
 Reviewed By: City Manager *[Signature]* Holmberg City Attorney *[Signature]* Finance *[Signature]* Other (Specify) _____

Date: November 15, 2007

To: Housing Authority Commission

From: Sal Gonzalez, Housing Director *[Signature]*

Subject: "No Smoking" Policy for Public Housing Senior Buildings

Recommendation

That the Board of Commissioners provide comments and direction to the Housing Director on the enacting of a "No Smoking" Policy for the Housing Authority's two senior buildings.

Discussion

Background

Residents of the City's two senior buildings have recently expressed an interest in living in a smoke free environment. Plaza Vista is the building located at 401 South "C" Street. This building has seven (7) floors and fifty (50) units. Palm Vista is the building located at 801 South "C" Street. This building has six (6) floors and one hundred (100) units.

A recent survey of the two buildings showed that over 70% of the surveyed residents would prefer to live in a completely non-smoking building. Several of the senior residents have complained of health problems because of secondhand smoke in the two buildings. The Housing Authority's architect-engineer has determined that the ventilation systems in both buildings are designed in such a way as to allow secondhand smoke to escape into other units. Staff has determined that it costs more to turnover a smoker's unit than a nonsmoker's; more time and effort is required to clean, deodorize, and paint a smoker's unit. Also, the risk of fire and damage from cigarette burns on the carpet and countertops are reduced by enacting a "No Smoking" policy in the building.

Current Status

Staff has been working with the residents, the Ventura County Health Department and Smokefree Air for Everyone (S.A.F.E.) in crafting a policy or rule that prohibits smoking in the buildings and in the individual units. It is important to note, that residents who smoke are not going to be forced to stop smoking. If they choose to smoke, then they must do it out of the building. All impacts from such a rule are being considered before issuing a proposed rule or policy to the affected residents. Federal regulations governing the public housing program require that proposed changes in rules or policies be posted for at least 45 days before being enacted. The regulations require that the notice to all the tenants set forth the proposed modification, the reasons for the proposed modification, and provide the tenants with an opportunity to present written comments which will be taken into consideration by the Housing Authority prior to the proposed modification becoming effective.

"No Smoking Policy"

It is expected that the proposed rule will read as follows: Smoking is prohibited anywhere in your unit, your building, including common areas or within twenty-five (25) feet of the building. You are responsible for ensuring that your family members, guests, and invitees also comply with this policy.

Housing Authority staff will enforce the rule as it enforces all other lease requirements. It is not expected that the proposed rule, if enacted, will cause an additional administrative burden. Much of the monitoring for compliance will be achieved by the residents themselves, by reporting the violations to staff. Once the person who has violated the policy is identified, the Housing Authority will send that person a violation notice. This notice will remind the resident of the policy, give the resident a detailed account of the violation, and warn the resident that if the violation continues stronger action may be taken, including the termination of the lease. Also, the resident will be given an opportunity to discuss possible remedies to the violation of the policy. Furthermore, the Housing Authority will inform the tenant of possible alternatives to smoking in the building and/or unit. One of these could include the designation of a smoker's area located outside of the building, at least 25 feet away from the building, which would include benches, ashtrays, and cover from the elements. The Housing Authority would also offer them a cost free cessation smoking program.

Financial Impact

Overall, the proposed no smoking policy would create minimal administrative burden for staff and incur relatively minor costs for creation of an outdoor no smoking area, when compared to the ongoing increased costs of renovating apartments formerly occupied by smokers.

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