Meeting Date: 3/25/2008

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☐ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☒ Public Hearing
☐ Other _____	☐ Other _____

Prepared By: Jesús Andrade, Senior Housing Specialist Agenda Item No. L-1

Reviewed By: City Manager Holmberg City Attorney Finance Other *(Specify)*

DATE: February 15, 2008

TO: Housing Authority Board of Commissioners

FROM: S. D. Gonzalez, Housing Director
Housing Department

SUBJECT: **"No Smoking" Policy for Public Housing Senior Buildings**

RECOMMENDATION

That the Board of Commissioners of the Housing Authority of the City of Oxnard authorize the enactment 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.

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.

The Proposed Rule

The proposed rule will read as follows: "Smoking is prohibited anywhere in your unit, your building, including common areas or within thirty (30) feet of the building. You are responsible for ensuring that your family members, guests, and invitees also comply with this policy. You will be notified in writing by Authority Staff if you violate this rule. You will be provided an opportunity to respond to the notice. Your lease will be subject to termination after three violations."

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 staff 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 staff 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 30 feet away from the building, which would include benches, ashtrays, and cover from the elements. The Housing Authority staff would also offer them a cost free smoking cessation program.

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.

FINANCIAL IMPACT

It is anticipated that the cost for the enactment of a "No Smoking" Policy will not exceed $6,000 which would include the cost of a smoker's area located outside of the building, at least 30 feet away from the building. This cost is included in the current operating budget.