



Board Agenda Item 56

DATE: November 5, 2024

TO: Board of Supervisors

SUBMITTED BY: David Luchini, RN, PHN, Director, Department of Public Health

SUBJECT: Retroactive Revenue Agreement with the California Department of Public Health

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute a retroactive revenue Agreement with the California Department of Public Health, for Proposition 99 and Proposition 56 Tobacco Control Program funds, effective July 1, 2024 through June 30, 2025 (\$479,854).

There is no additional Net County Cost associated with the recommended action. Approval of the recommended action represents acceptance of the Local Lead Allocation (LLA) Agreement for Proposition 99 and Proposition 56 funds, for Fiscal Year 2024-25, from the California Department of Public Health (CDPH) California Tobacco Prevention Program (CTPP). Funding for the 12-month annual allocation period totals \$479,854 and will fund the Department of Public Health's (Department) Tobacco Prevention Program staff, services, and supplies. The Tobacco Prevention Program will continue their work to provide tobacco prevention education and cessation activities throughout the County. This item is countywide.

ALTERNATIVE ACTION(S):

There is no viable alternative action. Should your Board not approve the recommended action, the Department would be unable to fund tobacco prevention education and cessation activities in our County, leaving a void in these much-needed services.

RETROACTIVE AGREEMENT:

The recommended Agreement is retroactive to July 1, 2024 because of a delay in the Department receiving the notification letter from CDPH, which was received on September 6, 2024. This item is being brought to your Board in accordance with agenda item processing timelines.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. Total funding for the 2022-2027 plan period (\$3,310,893) is comprised of both Proposition 99 - Tobacco Tax and Health Promotion Act of 1988 funds, and Proposition 56 - California Healthcare, Research and Prevention Tobacco Tax Act of 2016 funds. The recommended revenue allocation for FY 2024-25 is \$479,854.

The breakdown of the 2022-2027 plan period funding by Proposition 99 and Proposition 56 per fiscal year, are as follows:

<u>Fiscal Year</u>	<u>Prop 99</u>	<u>Prop 56</u>	<u>Total Prop 99+56</u>
FY 2021-22	\$75,000	\$315,515	\$390,515
FY 2022-23	\$150,000	\$516,485	\$666,485

FY 2023-24	\$150,000	\$556,281	\$706,281
FY 2024-25	\$150,000	\$329,854	\$479,854
FY 2025-26	\$150,000	\$383,879	\$533,879
FY 2026-27	\$150,000	\$383,879	\$533,879

Sufficient appropriations and estimated revenues are included in the Department's Org 5620 FY 2024-25 Adopted Budget and will be included in future budget requests.

DISCUSSION:

With your Board's approval, the Department will accept the CDPH California Tobacco Control Program's (CTCP) annual allocation from the 2022-2027 plan period. The annual funding is a result of both Proposition 99 and Proposition 56 funds, with the main goal of the funding to develop and submit a multi-year comprehensive tobacco control plan, and to follow guidelines issued by CDPH/CTCP based on legislative enactment. Specifically, Health and Safety Code 104375, 104380, 104400, and 104405 through 104415.

During FY 2024-25, funding will support the following activities:

- Convene and train a coalition of young adult community residents to assist in the development and implementation of tobacco control efforts throughout the County;
- Foster small business economic development through partnerships with city, county, and/or regional economic development programs to enable prosperity without tobacco product sales;
- Collaborate with the Fresno County Sheriff's Office on a proposed tobacco retail licensing ordinance that supports efforts to reduce youth access to tobacco products;
- Educate elected officials about how the tobacco retail environment impacts the health of the community, share local data, and provide information on evidence-based policy solutions;
- Support the City of Fowler in the passage and implementation of tobacco-related policies outlined in the Fowler General Plan update; and
- Educate community members on youth vaping, youth access to tobacco products, and the dangers of secondhand smoke exposure.

The County's Risk Management Division has reviewed the allocation agreement and found that it does not contain the County's standard insurance and indemnification language but deems this acceptable as CDPH is providing the funding to the County.

Per the LLA Allocation Agreement Terms and Conditions, the LLA annual allocations from Proposition 99 and Proposition 56 are required to be deposited into separate interest-bearing, insured trust accounts in accordance with the LLA Administrative and Policy Manual. Any unspent balances must be returned to the CDPH/CTPP when the 2022-2027 LLA Comprehensive Tobacco Control Plan ends on June 30, 2027 and are due 60 days after receiving the plan's closeout letter.

REFERENCE MATERIAL:

BAI #64, November 28, 2023

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with CDPH

CAO ANALYST:

Ron Alexander