



City of Beverly Hills

**Health and Safety Commission
Regular Meeting**

**April 26, 2010
4:00 PM
City Hall Room 280-A**

***Enhancing the Health and Safety of
Our Community***

A detailed Commission packet is available for review in the Library and City Clerk's Office.



In accordance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call the City Manager's Office at (310) 285-1014. Please notify the City Manager's Office at least seventy-two hours prior to the meeting so that reasonable arrangements can be made to ensure accessibility. Conference Room 280-A is equipped with audio equipment for the hearing impaired, and is wheelchair accessible.

**CITY OF BEVERLY HILLS
City Hall Room 280-A
AGENDA**

HEALTH AND SAFETY COMMISSION REGULAR MEETING

April 26, 2010

4:00 p.m.

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. COMMISSION MINUTES

- Consideration of minutes of March 22, 2010

D. ORAL COMMUNICATIONS FROM THE AUDIENCE

At this time, members of the public may address the Commission regarding any items not on the Agenda that are within the subject matter jurisdiction of the Commission. By State law, the Commission may not discuss or vote on items not on the Agenda.

E. REPORT FROM THE CHAIRPERSON

- Mayor's Cabinet Meeting – April 14, 2010.
- Other items of interest.

F. DIRECTOR'S REPORT

- Report from Myra Lurie, Beverly Hills School District Board Member
- Information Only:
 - a) Commission Calendar
 - b) Neighborhood Watch Flier
 - c) Neighborhood Watch Agenda
 - d) Cultural Diversity Training
- Other Items

G. NEW BUSINESS

1. Healthy Lifestyle Programs at the Farmer's Market – Greta Dunlap
2. Proposal to Regulate Tobacco Sales to Minors in Beverly Hills
3. "A Chemical Reaction" Documentary Film
4. April is Earthquake Preparedness Month

H. COMMENTS FROM COMMISSIONERS

Commissioners' brief responses to public comments, questions for clarification, brief announcements, request for information, and brief reports on activities.

I. ADJOURNMENT

CITY OF BEVERLY HILLS
City Hall Room 280-A
MINUTES

HEALTH AND SAFETY COMMISSION REGULAR MEETING

March 22, 2010

4:00 p.m.

The meeting was called to order at 4:10 p.m.

A. ROLL CALL

Commissioners Present: Aronberg, Kopeikin, Millan, Judelson, Setian, Vice Chair Landau,
Chair Seidel

Staff: P. Mottice Muller, K. Ryan, M. Foxen, T. Lee, M. Roach, N. Marquis, N. Otazu, J. Lait

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Kopeikin.

C. COMMISSION MINUTES

MOVED by Millan, SECONDED by Aronberg to approve the minutes of the meeting on February 22, 2010, with minor change, (7/0)

Ayes: Judelson, Aronberg, Landau, Seidel, Kopeikin, Setian, Millan

Noes: None

Absent: None

CARRIED.

D. ORAL COMMUNICATIONS FROM THE AUDIENCE

Resident Jeff Levine, Christina Reyes of the LA County Department of Public Health, and Local Tobacco Retailer Alan Brooks individually addressed the Commission regarding the proposal to regulate tobacco sales to minors in Beverly Hills (see "New Business" below).

E. REPORT FROM THE CHAIRPERSON

MAYOR'S CABINET MEETING – MARCH 10, 2010.

No health and safety related items to report from meeting.

OTHER ITEMS OF INTEREST - *none*

F. DIRECTOR'S REPORT

REPORT FROM MYRA LURIE, BEVERLY HILLS SCHOOL DISTRICT BOARD MEMBER

Ms. Lurie reported the items below to the Commission via email. She was unable to attend today's meeting due to a School Board Study Session:

- The Principals of K-8 schools did not consider tobacco use among their students to be a problem
- Beverly Hills High School Principal Guidetti has indicated that smoking is a problem at the high school, particularly among Juniors and Seniors, although he does not know how the students obtain cigarettes.
- Ms. Lurie will pass on information about Earthquake Preparedness Month.

Director Mottice Muller informed the Commission that Vice Mayor Brucker and Councilmember Mirisch will now be the Health and Safety Commission Liaisons.

Also, Director Mottice Muller reported that there was a Neighborhood Watch / Community preparedness meeting that took place on March 16th, which was requested by a resident. Approximately twenty people attended the meeting. Presentations on emergency preparedness and safety were given by Office of Emergency Management Intern Jessica Barcellona and BHPD Officer Don Chase.

INFORMATION ONLY:

- a) Ethnicity, Economy and Environment Play Strong Roles in Health Inequities Among Women in LA County – *no discussion.*
- b) Press Release – Emergency Survival Guide is now Available to LA county Residents – *no discussion.*
- c) Quakes in Chile and Haiti Raise Concern about Southland Preparedness / Great Southern California Shakeout (attachment under separate cover) – *no discussion.*
- d) Study of Household Preparedness: Preparing California for Earthquakes (attached under separate cover) – *no discussion.*

OTHER ITEMS - *none*

G. NEW BUSINESS

1. DISCUSSION OF PROPOSAL TO REGULATE TOBACCO SALES TO MINORS IN BEVERLY HILLS

Community Member Jeff Levine told the Commission that he began the smoke-free parks program nearly ten years ago, and also had involvement in the creation of the Fresh Air Dining ordinance. Mr. Levine commended the Commission for taking this

issue very seriously, and reinforced the idea that this effort is ultimately for protection of our community's children.

Christina Reyes of the Los Angeles County Department of Public Health introduced herself to the Commission and said that her program can be used as a resource for this subject. Los Angeles County's tobacco control and prevention program was described. Retailers purchase a Tobacco Retail License which funds program administration and research as well as sting and decoy operations conducted by the Sheriff's Department. Those found in violation have their licenses revoked or are fined. When asked if the City of Beverly Hills can "contract out" to have LA County administer the City's tobacco retail license program, Ms. Reyes responded that it is not possible at this time since their program is still getting off the ground. Ms. Reyes was also asked if she felt that these programs were effective, and responded that cities with tobacco retail license programs have youth purchase survey rates that have decreased since the programs were adopted, indicating success. Burbank and Pasadena were provided as examples of cities with successful tobacco retail licensing ordinance programs. Ms. Reyes said that she will stay at today's meeting in case the Commission or Staff wished to ask any further questions regarding the County's program.

Local retailer Alan Brooks also spoke to the Commission, describing how he instructs his clerks to deal with possible under-age tobacco sales. Mr. Brooks was asked how he handles enforcement of such attempted purchases, and he responded that he demands to see identification from anyone trying to purchase tobacco products that appears to be age 27 or younger, and he will not accept out of state drivers licenses from anyone younger than twenty years of age. Mr. Brooks also noted that it is his experience that high school-aged students will try to purchase tobacco products, and that he feels that education via a health class in the schools would be effective. The Commission thanked Mr. Brooks for his willingness to participate and give his input on this matter.

A brief discussion took place on what constitutes entrapment. Lt. Lee explained that "decoy" stings are not entrapment.

Megan Roach, Senior Management Analyst, was the lead presenter on this item. Ms. Roach began by providing responses to the Commission's requests from the previous meeting for further information. This information was also included in the staff report.

An overview of this subject was also given, as well as a review of the options that the Commission has for its recommendation to Council.

Sergeant Mike Foxen of Beverly Hills Police Department appeared before the Commission to offer the Police Department's opinion on the problem of tobacco possession among minors. Sgt. Foxen explained that although tobacco use among students is a problem, SRO's do not report seeing an increase in numbers of students using tobacco. Sgt. Foxen also said that in 2009 only fifteen Penal Code 308b (sale to minors or a minor's possession of tobacco products) citations were written. He continued to explain that even though there seems to be a lot of tobacco use among minors, so few of these citations are given because officers tend to concentrate more on citing for more serious violations. Commissioner Aronberg asked if Sgt. Foxen felt that more of a police presence around areas where young people congregate would have an impact on reducing smoking, he responded that he thought it would, and suggested that if the Commission requested it, PD may put more of a police presence around youth congregation areas.

Noel Marquis, Assistant Director of Administrative Services, answered the Commission's questions about permit fees. Commissioner Aronberg asked how to make the permit option budget neutral. Mr. Marquis said that all costs associated with the program would be calculated and that number would be divided by the number of tobacco retailers, resulting in the cost of the permit. Retailers would be required to purchase a permit on an annual basis. Vice Chair Landau pointed out that if each of the approximately 50 retailers in the City were charged a fee of \$300, the result would be about \$15,000 worth of staff time, which may not be enough to effectively enforce the ordinance. Mr. Marquis also reiterated the fact that if the Commission decided that the Police Department should enforce the ordinance, this would be much more costly than if the Code Enforcement Division provided the enforcement.

Jonathan Lait, Assistant Director of Community Development, provided information to the Commission regarding the expanded zoning ordinance option. Mr. Lait explained that a zoning ordinance would limit what could be done with private property within established boundaries. Director Mottice Muller said that at the tobacco retailer meeting held on March 15th, the representative from the Hilton explained that this ordinance, if enacted, would have a negative impact on the Hilton's business. Mr. Lait further explained that exemptions could be written into the ordinance (e.g. Hotels could be exempt from the zoning ordinance). If the zoning option is chosen as the

Commission's recommendation to the Council and the Council accepts the recommendation, the ordinance would then go before the Planning Commission for a public hearing.

Christina Reyes of LA County Department of Public Health, noted that research indicates that higher levels of illegal tobacco sales take place at retailers closer to schools.

Megan Roach reviewed the four components that must be followed to be considered a City with a "strong" local tobacco retailer licensing ordinance.

Ms. Roach further spoke about investigation and enforcement of the ordinance. Two important aspects of the ordinance which would have to be determined are who will enforce the ordinance and how often will it be enforced. Also, the ordinance would have to be written so that the tobacco retailers would care about the consequences of violations of the ordinance. The ordinance should also include language as to required re-analysis of the program to determine its effectiveness. Ms. Roach also explained that staff will meet with the Police Department and Code Enforcement to put together cost scenarios to present to the Commission at its next meeting.

Nestor Otazu, Code Enforcement Manager, spoke about the City's ability to enforce the ordinance. He began by explaining that to allow for proper enforcement, an ordinance must be worded correctly, with its intention stated carefully. It should also be made certain that retailers who follow the rules are not penalized in any way. Mr. Otazu also said that this ordinance would have to be evaluated after a point in time to measure its effectiveness and to see if enforcement approaches should be adjusted. He also explained that the Police Department and the Code Enforcement Division could work together in investigation and enforcement of the ordinances. Mr. Otazu also said that enforcement of the tobacco control ordinance would prove difficult since the violation must be witnessed by an officer in order to cite a retailer or clerk. Both the Police Department and Code Enforcement can investigate and enforce through conducting "sting" operations. He ended by stating that enforcing this additional ordinance would certainly create an additional workload for Code Enforcement.

Sergeant Mike Foxen again spoke to the Commission, addressing the Police Department's perspective on investigation and enforcement of a tobacco control ordinance. Sgt. Foxen stated that enforcement operations of this ordinance would be very controlled, and handled similarly to enforcement of illegal alcohol sales to minors. He also reiterated that he isn't sure where enforcement of the tobacco control

ordinance would fall among the other priorities that the Police Department has, and that the program would likely need to be well-funded to cover officers' overtime costs.

Commissioners agreed that education of the public via outreach should be a component of this program, and be included as a part of cost recovery.

Chair Seidel asked if Staff could look into the City of Vista's incentive program and report back to the Commission on its effectiveness.

The timeline and next steps of the tobacco control ordinance were discussed. Director Mottice Muller said that staff can do more research and the Commission can further discuss this issue, if needed, until the Commission decides upon a recommendation to take to the City Council. Director Mottice Muller recommended that at the Commission's April meeting, some more research be presented to the Commission and then Commissioner's will vote on which option to recommend to the Council. The Commission would then present its recommendation and other research to the City Council at a Study Session in May or June.

Commissioner Kopeikin said that she is opposed to the idea of the 600 foot zoning ordinance, and that it seems to be an arbitrary number. She suggested that the Commission needs to come to a decision that will tailor to the needs of Beverly Hills and its unique characteristics.

Commissioners were asked to share which option they prefer to recommend to the City Council at this point:

- ❖ Aronberg – in favor of permit option
- ❖ Millan – in favor of permit option with educational/outreach rollout with evaluation criteria in the future
- ❖ Kopeikin – in favor of permit option with fee schedule for penalties, Police Department enforcement
- ❖ Seidel – in favor of permit option, self-funding, can be effectively enforced, Police Department enforcement, PD to drive fee structure, criminal and civil penalties
- ❖ Landau – should discuss all options with the City Council, should not eliminate taking no action as an option, should further research financial feasibility
- ❖ Judelson – in favor of permit option with escalating penalties (criminal and civil), opposed to zoning since this is a small town and kids are mobile, opposed to grandfathering

- ❖ Setian – in favor of permit option, education is important, opposed to zoning, bottom line is we must protect our children while being responsible to our businesses

Staff will investigate the following information, as requested by the Commission, and present findings at the April meeting.

- ❖ Cost recovery fee amounts: which includes processing the permit application and fee, sting operations and enforcement once yearly for half and also all retailers and the cost of public outreach
- ❖ A refined list of tobacco retailers from the Board of Equalization
- ❖ Potential incentive programs for those retailers who pass a sting operation
- ❖ Potential penalties for those retailers who break the law
- ❖ Steps of the process from licensing to enforcement to appeals
- ❖ Program effectiveness in cities that have been administering the program for two years or more

2. APRIL IS EARTHQUAKE PREPAREDNESS MONTH – *no discussion*

3. UPCOMING CALENDAR ITEMS FOR COMMISSIONERS' PARTICIPATION

Commissioners were asked to provide staff with their availability to attend the upcoming Neighborhood Watch meetings. Chair Seidel noted that he will attend each of the meetings.

H. COMMENTS FROM COMMISSIONERS

- Chair Seidel told the Commission that the beverlyhills.org website has a GIS application. He stated it was a very impressive application but expressed concern that property owner's information is included. Chair Seidel requested staff investigate why this information is so readily available, as he and other Commissioners agree that this is a safety issue. Staff will pass this request along to the Information Technology department, who may be able to respond at a future meeting.
- Commissioner Aronberg requested that the issue of harmful herbicides and pesticides used in City parks be examined. There are now "green" chemicals that can be used. The documentary film "A Chemical Reaction" was briefly described, and Commissioner Aronberg asked that a copy of the documentary

be given to all Commissioners to view. This item will be tentatively added to the Commission's May agenda for discussion.

- Commissioner Landau noted an article in the New York Times on 3/19/10 regarding a ban on sale and marketing of tobacco products to teenagers. The article will be included as an attachment in the Commission's April packet.

I. ADJOURNMENT

There being no further business, Chair Seidel, with the consent of the Commission, adjourned the meeting at 7:41 p.m.

PASSED, Approved and Adopted

This _____ of _____, 2010

David Seidel, Chair

HEALTH AND SAFETY COMMISSION CALENDAR

Updated: 4/20/10

MARCH 2010

Day	Date	Time	Meeting/Event	Location	Attendees
Mon	22	4:00pm	Health and Safety Commission Meeting	City Hall 280-A	All

.APRIL 2010

Day	Date	Time	Meeting/Event	Location	Attendees
Mon	26	4:00pm	Health and Safety Commission Meeting	City Hall 280-A	All
Thu	29	9-2:00pm	Diversity Training	City Hall 280-A	
Thu	29	7-8:30pm	Neighborhood Watch Meeting	Library Auditorium	

.MAY 2010

Day	Date	Time	Meeting/Event	Location	Attendees
Tue	4	7-8:30pm	Neighborhood Watch Meeting	Library Auditorium	PL
Mon	10	7-8:30pm	Neighborhood Watch Meeting	Library Auditorium	CM PL
Wed	12	9:00am	Mayor's Cabinet Meeting	280-B	DS
Mon	17	4:00pm	Health and Safety Commission Meeting	City Hall 280-A	All

.JUNE 2010

Day	Date	Time	Meeting/Event	Location	Attendees
Wed	9	9:00am	Mayor's Cabinet Meeting	280-B	PL
Mon	28	4:00pm	Health and Safety Commission Meeting	City Hall 280-A	All

.JULY 2010

Day	Date	Time	Meeting/Event	Location	Attendees
Wed	14	9:00am	Mayor's Cabinet Meeting	280-B	PL
Mon	26	4:00pm	Health and Safety Commission Meeting	City Hall 280-A	All

.AUGUST 2010

Day	Date	Time	Meeting/Event	Location	Attendees
Wed	11	9:00am	Mayor's Cabinet Meeting	280-B	PL
Mon	23	4:00pm	Health and Safety Commission Meeting	City Hall 280-A	All

.SEPTEMBER 2010

Day	Date	Time	Meeting/Event	Location	Attendees
Wed	8	9:00am	Mayor's Cabinet Meeting	280-B	PL
Mon	27	4:00pm	Health and Safety Commission Meeting	City Hall 280-A	All

.OCTOBER 2010

Day	Date	Time	Meeting/Event	Location	Attendees
Wed	13	9:00am	Mayor's Cabinet Meeting	280-B	PL
Mon	25	4:00pm	Health and Safety Commission Meeting	City Hall 280-A	All

.NOVEMBER 2010

Day	Date	Time	Meeting/Event	Location	Attendees
Wed	10	9:00am	Mayor's Cabinet Meeting	280-B	PL
Mon	22	4:00pm	Health and Safety Commission Meeting	City Hall 280-A	All

.DECEMBER 2010

Day	Date	Time	Meeting/Event	Location	Attendees
Wed	8	9:00am	Mayor's Cabinet Meeting	280-B	PL
Mon	13	4:00pm	Health and Safety Commission Meeting	City Hall 280-A	All

SAVE THE DATE

This Year's Neighborhood Watch Zone Meetings Will Be,



April 21 – Wednesday 7:00 to 8:30 PM

A Farsi interpreter will be at this meeting only

April 29 – Thursday 7:00 to 8:30 PM

May 4 – Tuesday 7:00 to 8:30 PM

May 10 – Monday 7:00 to 8:30 PM

May 10 – Monday 8:00 AM to 9:30 AM

Also a Special Business Watch Meeting (open to residents also)

Internet Safety/Social Media Presentation, Census Update, Current Crime Trends

At the Beverly Hills Library Auditorium

Refreshments provided by local restaurants including The Grill, Xian, and Lawry's.

Kathy Ryan

From: Pamela Mottice-Muller
Sent: Monday, April 19, 2010 1:08 PM
To: Kathy Ryan; Jessica Barcellona
Subject: NHW Meeting Agenda

Thank you for signing up to attend the NHW meetings. I spoke to Officer Chase who stated he would put you on first. You will have about 5 minutes.

Following talking points for NWH meetings:

- H&S Commission vision is To inspire greater citizen participation and awareness regarding health and safety issues that affect our community.
- The Health & Safety Commission meets on the fourth Monday of the month at 4:00 pm in Room A of the City Council Chambers. The public is encouraged to bring their Health and Safety concerns, comments and suggestions to the Commission.
- www.beverlyhills.org for specific dates
- Questions call 310.285.1025
- The Commission encourages everyone to get involved in NHW.
- Requests citizens to be prepared by joining the "When It Rocks... I am Ready to Roll Campaign" Pledge Drive. Hard copies are on the table and you can sign up online [www. Beverlyhills.org/pledge](http://www.Beverlyhills.org/pledge).
- Citizens should also sign up to receive emergency information on cell phones by going to www:beverlyhills.org. Cards are also on the table explaining process.

BCHSC

Pamela Mottice Muller
Director Office of Emergency Management
City of Beverly Hills
Policy & Management
455 N. Rexford Dr.
Beverly Hills. Ca. 90210
310-285-1025



CITY OF BEVERLY HILLS
COMMUNITY SERVICES DEPARTMENT

MEMORANDUM

TO: Health and Safety Commission Chairperson David Seidel
FROM: Jim Latta, Human Services Administrator
DATE: April 20, 2010
SUBJECT: Cultural Diversity Training
Attachement: Cultural Diversity Training for the Human Relations Commission Update – March 18, 2010 Staff Report

As community leaders, you, City Council and each city commission chairperson are invited to join the Human Relations Commission in a unique opportunity to participate in a diversity training program,

Thursday, April 29 from 9:00 am to 2:00 pm at City Hall room 280-A.

This training is *specifically designed for Beverly Hills* by the Kaleidoscope Institute to underscore our commitment to the establishment of our city as a *model* of a just and equitable society.

Please join the Human Relations Commission in this exceptional small group experience designed to provide Beverly Hills leadership with the tools and insights to lead by example. *Your participation and candid evaluation of this experience is critical in guiding us in our consideration of extending the experience to others in our community.*

We have space for 15 guests so you must RSVP by Monday, April 26 to be included. You won't want to miss this opportunity to increase your "cultural competence IQ."

To RSVP: reply to this email and tell us if you or your alternate plan to attend. Please note all participants will be expected to arrive on time and remain for the entire session. Lunch will be provided. For more information please see attachment or contact, Jim Latta, Human Services Administrator, 310-285-1006.



CITY OF BEVERLY HILLS
HUMAN SERVICES DIVISION

MEMORANDUM

MEETING DATE: March 18, 2010
TO: Human Relations Commission
FROM: James R. Latta, L.C.S.W., Human Services Administrator
SUBJECT: Cultural Diversity Training for the Human Relations Commission Update

The following report is provided for the Commission for information and discussion at the March 18, 2010 Human Relations Commission (HRC) meeting. The effort to select a diversity training organization has exposed the Commission to options that were not previously considered. The Commission now has the opportunity to utilize this new information and reconsider their initial training goals. The discussion will include, but not be limited to, reviewing the expected outcomes for the diversity training and prioritizing the targeted recipients of the training.

During the November 17, 2009 HRC meeting, the Commission motioned (6-0) to lead by example through participation in a diversity training, evaluating the encounter and extending the experience to others. Staff explained to selected candidates there was no budget for the current training or future trainings at this time. Understanding the potential opportunity if chosen by the Commission, each training organization agreed to provide diversity training to the Commission at no cost.

At the January 21, 2010 HRC meeting, the Commission heard three proposals to provide a diversity training to the Commission. After hearing the proposals, the Commission evaluated the merits of each proposal and eliminated Dispute Resolution Services as a potential candidate. Following a discussion of the remaining candidates (Center for the Celebration of Diversity Through Education-Jerry Rabow and Kaleidoscope Institute-Lucky Lynch), the Commission was not ready to make a final choice and requested additional information to facilitate a decision.

During the February 18, 2010 Commission meeting, the responses of each remaining candidate were reviewed and the Commission selected the Kaleidoscope Institute to provide the diversity training. Of the several dates proposed by the Commission for the training, Kaleidoscope agreed to tentatively schedule Thursday, April 29, 2010 from 9:00 am-2:00 pm. In addition to scheduling a time for the training, the Commission asked for clarification on the normal cost of the training, the optimal number of trainees, the impact of including individuals who were not part of the Commission in the training and references from recipients of like trainings.

The Kaleidoscope Institute is a non-profit organization that charges between \$1200 and \$2000 per day. This amount does not include travel expenses *for the facilitators*. Kaleidoscope's goal is to provide an atmosphere where tough topics can be talked about in a safe environment, regardless of the number of participants. Involving individuals who are not members of the Commission may result in losing some of the advantages of a small group process. Since the

optimal number for an experiential encounter is between twenty and twenty five, including additional members in the training is a viable option. In addition, utilizing carefully selected participants from the community who value and promote diversity may be advantageous.

Following a discussion with Kaleidoscope about references, it became apparent to staff the Commission should further explore the type of training desired and the expected outcomes to consider the experience a success. To promote a positive training experience, Kaleidoscope Institute needs clear guidelines regarding the goals of the training and the targeted recipients. To clarify the structure of the training and the outcomes, staff is asking Commissioners to review the HRC's agreed upon expectations and provide input for discussion at the March Commission meeting. Below are the Commission's general expectations for the training:

- I. To step aside from preconceived notions of "the other".
 - a. *Examine and reveal speech patterns, automatic reactions and behaviors that we engage in or observe that reinforce stereotypes, build fences and promote comfort with the status quo (e.g. delay change).*

- II. To become open/receptive to knowing with authenticity "the other".
 - a. *Determine how we can break down defenses and overcome resistance and/or fears in order to begin this process.*

- III. To appreciate the opportunity that diversity provides our community.
 - a. *What opportunities does diversity offer the Beverly Hills community?*
 - b. *What steps can we take to initiate a shift in the social climate of our City?*
 - c. *What might be the long time benefit of change?*

After clarifying expectations for the training, staff recommends the Commission prioritize the community groups that the Commission believes would most benefit from the training. Training for just the Commission would be different than training for a neighborhood group, an intercultural group or a faith-based group.

After reviewing the expected outcomes and identifying community groups that would benefit from the diversity training, the Community Outreach ad hoc committee (Nazarian, Ginsburg, and Meshkaty) will be asked to meet before the April 15, 2010 Commission meeting, consider this new information and make recommendations to the Commission about the proposed diversity training. Given this additional information, The Kaleidoscope Institute can design a diversity training that best meets the Commission's expectations.



CITY OF BEVERLY HILLS
POLICY AND MANAGEMENT

MEMORANDUM

TO: Health and Safety Commissioners
FROM: Kathy Ryan, Commission Secretary
DATE: April 26, 2010
SUBJECT: Farmer's Market Programs

Greta Dunlap, Famer's Market Manager, will share with the Commission some new Healthy Lifestyle programs featured through the Farmer's Market.

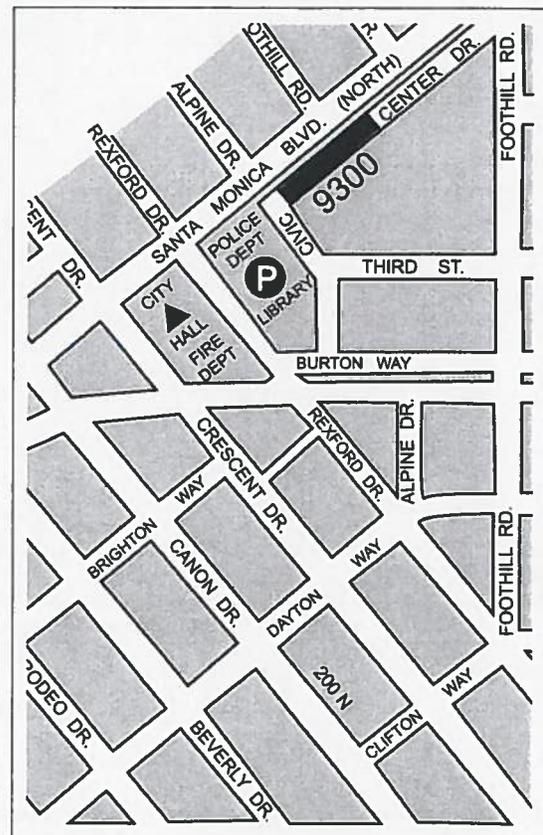
WE ACCEPT



SHOP THE BEVERLY HILLS FARMERS' MARKET



Open every Sunday, rain or
shine, 9 a.m. to 1 p.m.
9300 block of
Civic Center Drive



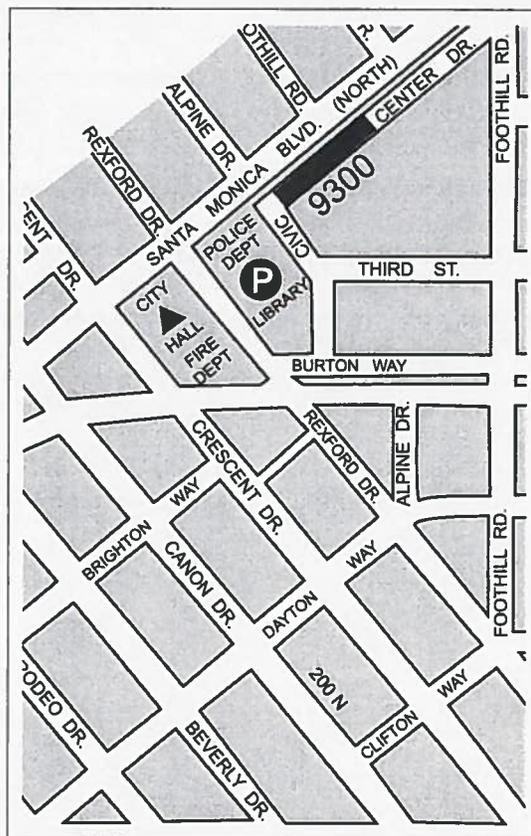
www.beverlyhillsfarmersmarket.org
310.285.6830

Go to www.dss.cahwnet.gov/ for information on participating in these programs.

SHOP THE BEVERLY HILLS FARMERS' MARKET



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shine, 9 a.m. to 1 p.m.
9300 block of
Civic Center Drive



www.beverlyhillsfarmersmarket.org
310.285.6830



\$1.00

For Redemption
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the Information Booth.

FREE with minimum \$10.00 EBT
transaction.

Expires June 30, 2010



CITY OF BEVERLY HILLS STAFF REPORT

Meeting Date: April 26, 2010
To: Health and Safety Commission
From: Megan Roach, Senior Management Analyst
Subject: Tobacco Control Options

At the February 22nd and March 22nd Health and Safety Commission meetings, staff presented information on tobacco control options. The Commission asked staff to research additional information for today's meeting. Staff has researched information on the following items and this information has been incorporated into a PowerPoint presentation, to be shown at today's meeting:

- Cost recovery fee amounts: which includes processing the permit application and fee, sting operations and enforcement once yearly for half and also all retailers and the cost of public outreach
- A refined list of tobacco retailers from the Board of Equalization
- Potential incentive programs for those retailers who pass a sting operation
- Potential penalties for those retailers who break the law
- Steps of the process from licensing to enforcement to appeals
- Program effectiveness in cities that have been administering the program for two years or more

In addition, Chair Seidel asked staff to research other products (besides cigarettes) that contain nicotine, and whether the definition of "tobacco" in the ordinance could be expanded to include these products. The email exchange included as an attachment to this report contains more information on this including the definition of a "tobacco product" as referenced in the model ordinance language. Staff will include this definition in the City's draft ordinance.

Megan Roach

Subject: FW: FW: Tobacco Issue
Attachments: TALC_TRL_Ordinance_June_2008.pdf

-----Original Message-----

From: Christina Reyes [mailto:chrreyes@ph.lacounty.gov]
Sent: Thursday, April 15, 2010 9:23 AM
To: Pamela Mottice-Muller
Cc: Montgomery Messex
Subject: Re: FW: Tobacco Issue

Hi Pamela,

The definition of "tobacco products" in the TALC Tobacco Retail Licensing model ordinance (below, and on pages 6-7 on the document attached) includes snus and also covers other nicotine products (e.g. nicotine water, nicotine lollipops, and now electronic cigarettes, whose legality is currently being debated in the federal courts), but makes the exception for nicotine replacement therapies (NRTs) which have been approved by the FDA specifically for smoking cessation. I've spoken with my colleagues working in the field of NRT, and most big retail grocery/pharmacies who sell NRT are required to ask for i.d. or show proof that they are given authority to pick up another's prescription. It would seem the cases of minors using NRT in the place of regular cigarettes or other tobacco products are pretty uncommon (keep in mind also that cigarettes and other tobacco products are drastically cheaper than NRT, which sells usually for \$40-\$60 over-the-counter). With regard to other cities including similar language, Culver City's TRL ordinance has a broad definition of tobacco products which they took from the TALC model - http://www.amlegal.com/culvercity_ca/ , Chapter 11.15.010.

TALC TRL Model Ordinance language:

(h) "Tobacco Product" means any substance containing tobacco leaf, including but not limited to cigarettes, cigars, pipe tobacco, hookah tobacco, snuff, chewing tobacco, dipping tobacco, snus, bidis, or any other preparation of tobacco; and any product or formulation of matter containing biologically active amounts of nicotine that is manufactured, sold, offered for sale, or otherwise distributed with the expectation that the product or matter will be introduced into the human body, but does not include any cessation product specifically approved by the United States Food and Drug Administration for use in treating nicotine or tobacco dependence.

COMMENT: This definition is written broadly to include nontraditional tobacco and nicotine products such as nicotine gel and nicotine lollipops, but without interfering with the FDA's mission of approving products intended to benefit public health, such as nicotine patches and other nicotine cessation products.

I hope this answers your questions. Feel free to call or email me if you have any further questions or need any further assistance. Also, please keep me updated on the progress of the TRL ordinance in the City.

Thanks!

Christina

Christina Reyes, MPH
Chief, Tobacco Retail Licensing Unit
Tobacco Control and Prevention Program
Los Angeles County Dept. of Public Health 3530 Wilshire Blvd., Suite 800 Los Angeles, CA
90010
(213) 351-7309
fax (213) 351-2710
chrreyes@ph.lacounty.gov
www.lapublichealth.org/tob

>>> Pamela Mottice-Muller <pmottice@beverlyhills.org> 4/14/2010 3:16 PM

>>>

Hello: A Commissioner emailed us with the following article/information. Do you know of this Snus product and has anyone included it in their ordinance? Do you have any comment to his questions on nicotine delivery systems? Thanks for any assistance you can provide.

Pamela Mottice Muller
Director Office of Emergency Management
City of Beverly Hills
Policy & Management
455 N. Rexford Dr.
Beverly Hills. Ca. 90210
310-285-1025

From: Seidel, David M (1854) [mailto:david.m.seidel@jpl.nasa.gov]
Sent: Wednesday, April 14, 2010 2:35 PM
To: Pamela Mottice-Muller
Subject: FW: Tobacco Issue

I originally sent this to myself and Pete, but not you. Sorry.

<http://en.wikipedia.org/wiki/Snus>

60 Minutes 4/4/10 (13 min plus commercials) <http://www.cbsnews.com/video/watch/?id=6362540n>

----- Forwarded Message

Pamela,

I have an additional issue I'd like some investigation of as we prepare our recommendations for the Council.

There is a smokeless tobacco product known as "Snus" which is in a permeable pouch that is placed between the cheek and gums, similar to chewing tobacco but not chewed (or spit). As a tobacco product it will be covered by what we are doing so no problem there.

My question is can/should we expand what we are doing to include all 'nicotine delivery systems' regardless of their tobacco content?

The issue is the role of non-tobacco products with minors as an apparent alternative to cigarettes but serve to allow them to use nicotine any time they want, thus increasing their dependence on it, until they can smoke a cigarette. Can a minor obtain a "patch" legally or

pick up a parent's prescription? And can we move beyond tobacco and deal with nicotine dependence?

Any information the commission can get would be helpful.

Thanks,

--David

----- End of Forwarded Message

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CITY OF BEVERLY HILLS
POLICY AND MANAGEMENT

MEMORANDUM

TO: Health and Safety Commissioners
FROM: Kathy Ryan, Commission Secretary
DATE: April 26, 2010
SUBJECT: "A Chemical Reaction" Documentary Film

Commissioner Aronberg requested that each Commissioner view the film "A Chemical Reaction" which discusses harmful chemicals used in herbicides and pesticides, and to place this item on a future Commission Agenda for discussion.



CITY OF BEVERLY HILLS
POLICY AND MANAGEMENT

MEMORANDUM

TO: Health and Safety Commission

FROM: Jessica Barcellona, Office of Emergency Management Intern

DATE: April 26, 2010

SUBJECT: Earthquake Preparedness Month Community Campaign

ATTACHMENTS: Press Release, Community Pledge Flyer

The City of Beverly Hills' second annual "When it Rocks, Are You Ready to Roll" community pledge drive as part of Earthquake Preparedness Month began on April 1st. The pledge drive encourages community members to create emergency supply kits for their cars. For more information regarding the campaign, please refer to the attached press release and campaign flyer. Please promote the pledge drive during upcoming Neighborhood Watch meetings. In addition, encourage friends and family to participate in the preparedness campaign. Copies of the pledge flyers will be distributed during April's Health and Safety Commission meeting.

WHEN IT ROCKS.. ARE YOU READY TO ROLL?

Participate in the 2010 City of Beverly Hills "I'm Prepared!" Community Pledge Drive

The City of Beverly Hills proudly announces its second annual "When It Rocks, Are you Ready to Roll?" community pledge drive. Last year, many of you participated in the City's pledge drive by putting together an emergency preparedness kit for your home. During this year's campaign we are asking community members to prepare emergency kits for their cars.

It's easy to participate!



- ❖ Using the handy checklist on the back of this flyer, just put together or update supplies for a basic preparedness kit for your car.
- ❖ When your kit is ready, then complete the "I'm Prepared" pledge card below and send it to the address listed. You may also submit your pledge card online at www.beverlyhills.org/pledge.

Everyone in the community is encouraged to be prepared in the event of an emergency or disaster. A random drawing of returned pledge cards will take place at the City's Health and Safety Commission meeting in June. Prize to be announced.



DETACH PLEDGE CARD HERE



WHEN IT ROCKS...AM I READY TO ROLL? PLEDGE CARD

Yes!

I have an emergency preparedness kit in my car.

Signature: _____ Name (printed legibly): _____

Contact #: _____ Email or alternate #: _____

Please submit your pledge card by **May 31, 2010** to the **City of Beverly Hills Office of Emergency Management 455 N. Rexford Dr. Beverly Hills, CA 90210**

WHEN IT ROCKS.. ARE YOU READY TO ROLL?



Checklist Basic Emergency Preparedness Car Kit



- Flashlights with extra batteries or glowsticks.**
- Portable radio with extra batteries.** The radio will be your best source of information in an emergency.
- Food.** Non-perishable, high-energy foods, such as granola bars, raisins and peanut butter.
- Water.** Store in airtight containers and replace every six months.
- First aid kit.** Make sure it's well stocked, especially with bandages and disinfectants.
- Blanket, thermal blanket or sleeping bag.**
- Clothing and comfortable shoes.** Have comfortable clothing, an extra jacket, hat, etc. on hand to meet the demands of weather and as an alternative to the clothing you may be wearing when an emergency strikes.
- Other items such as cash, basic toiletries, medications, extra prescription glasses and other items you might need if you are away from home in a disaster.**
- Put all the supplies in a backpack or easily carried bag!**
- Remember to keep your car's gas tank at least half full!**

And while you're at it...

Take a moment to plan how your household would stay in contact if you were separated during an emergency. Identify two meeting places: the first should be near your home – in case of fire, perhaps a tree or telephone pole; the second should be away from your neighborhood in case you cannot return home. Pick a friend or relative who lives out of the area for household members to call to say they are okay.





Office of Communications
City of Beverly Hills
455 N. Rexford Dr.
Beverly Hills, CA 90210-4817
www.beverlyhills.org

For Immediate Release
March xx, 2010
Contact: Cheryl Burnett
(310) 285-2454

When It Rocks, Are You Ready to Roll? *Beverly Hills Encourages Community to Pledge to be Prepared*

Beverly Hills, CA – The City of Beverly Hills has announced its second annual “When it Rocks, Are You Ready to Roll” community pledge drive as part of Earthquake Preparedness Month in April. During the month, a wide range of educational programs and information is being offered to the community to increase public awareness of the important life- and property-saving steps that should be taken to prepare for an earthquake. An “I’m Prepared” pledge contest is also underway to encourage residents to get ready.

“While earthquakes are unavoidable and uncontrollable, what we can control is being prepared,” said David Seidel, Chair, Health and Safety Commission. “The effects of an earthquake can be devastating, as we have seen recently in Haiti and Chile, if we do not plan as individuals and collectively as a community. Everyone in Beverly Hills must do their part – residents, businesses, schools, community organizations and government – so that we take the necessary steps to prepare for any disaster event,” he continued.

Get Ready

The City’s Health and Safety Commission, charged with enhancing the overall health and safety of the community, recommends putting together a basic emergency preparedness car kit with the following important items:

- Flashlights with extra batteries or glowsticks
- Portable radio with extra batteries
- Non-perishable food
- Water
- Blanket or sleeping bag
- Clothing and comfortable shoes
- Cash, basic toiletries, medications and extra prescription glasses
- And remember to keep your car’s gas tank at least half full!

Take the Pledge

Follow the steps above and then make “The Pledge” to get prepared. Get together an emergency preparedness kit for your car. Then, go to www.beverlyhills.org/pledge and

complete the "I'm Prepared" pledge card by May 31, 2010. A random drawing (prize to be determined) of returned pledge cards will take place at the City's Health and Safety Commission meeting in June.

Many of the ways to prepare for an earthquake also apply to other potential disasters, such as wildland fires, floods or acts of terrorism. The City of Beverly Hills is encouraging all residents and businesses to take action and be prepared by reviewing disaster plans and re-supplying emergency kits.

For additional information, go to www.beverlyhills.org or call the Office of Emergency Management at 310-285-1025.

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