TOWN BOARD WORK SESSION

February 10, 2020 - 5:30 PM

1st Floor Conference Room, 301 Walnut Street, Windsor, CO 80550

***GOAL* of this Work Session is to have the Town Board receive information on topics of Town business from the Town Manager, Town Attorney and Town staff in order to exchange ideas and opinions regarding these topics.**

Members of the Public in attendance are asked to be recognized by the Mayor before participating in any discussions of the Town Board

AGENDA

1. Board/Manager/Attorney Monthly Meeting
2. Youth Access to Nicotine Presentation with Larimer County Health and Environment
3. Blue-Green Algae High School Presentation
4. Future Meetings Agenda

The Town of Windsor will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 674-2400 by noon on the Thursday prior to the meeting to make arrangements.

MEMORANDUM

Date: February 10, 2020
To: Mayor and Town Board
Via: Shane Hale, Town Manager
From: Andrea Clement-Johnson and Jan Moraczewski with Larimer County and Rachel Freeman with Weld County
Re: Youth Access to Nicotine
Item #: 2.

ATTACHMENTS:

- Youth Access to Nicotine Presentation
- Flavored Tobacco
- Tobacco Locations
- SocioEcological Model
- Tobacco Umbrella

LARIMER COUNTY: HEALTH & ENVIRONMENT

Youth Access to Nicotine, Windsor Town Board

February, 2020
Jan Moraczewski, MS, Ed., Larimer County
Andrea Clement-Johnson, MS, Larimer County
Rachel Freeman, MPH, CHES, Weld County

State and Federal Movement

Colorado House Bill 19-1033 accomplished four main things:

- Allows Counties/municipalities to set age for purchase of tobacco at 21 instead of 18.
- Allows Counties/municipalities to adopt regulatory schemes and issue licenses for sale of tobacco products.
- Allows Counties/municipalities to set fees and issue licenses without sacrificing their share of state tobacco tax revenue.
- Allows counties to impose their own, countywide, tax on tobacco products. However, after local tax is enacted, county/municipality loses state tobacco tax revenue.

State and Federal Movement

- **Raising of the Federal Legal Sales Age**
  - As of December 20, 2019, illegal to sell tobacco to anyone under 21 anywhere in U.S.
  - Implementation and Rule Changes in development by FDA.
- **Flavor Restrictions**
  - Illegal to sell fruit and mint flavored vape pods, many disposable and refillable products are still allowed. Rule implementation plan is under development.
- **State Licensing**
  - HB 20-1001 is state level movement to regulate and license tobacco and raise age of tobacco sales to 21. Introduced in House.

Recent Activities (Larimer)

March 2019: House Bill 19-1033, promoting youth access to nicotine initiatives.

September 12, 2019: Board of Health Resolution, promoting raising minimum legal sales age to 21 & local retail licensing.

November 6, 2019: Board of County Commissioners work session, supporting conversations with municipalities around options for responding to youth access to nicotine in our county.

December 5, 2019: Tobacco/Nicotine Stakeholder Meeting with municipal partners.

January 30, 2020: Tobacco/Nicotine Stakeholder Meeting with residents and retailers.

Next steps:

- Meet with other stakeholders to gather feedback
- Meet with remaining municipal partners and attend municipal work sessions
- Craft recommendations to share with Board of County Commissioners and obtain direction

Youth & Nicotine

90% of people who use tobacco or nicotine products begin before age 18

Brain development continues until age 25; nicotine impacts attention and learning

Youth cigarette use has stayed neutral or declined; youth e-cigarette use (vaping) has increased dramatically (up 78% between 2017-2018)

- Colorado has the highest youth e-cigarette use rate in the nation-twice the average
- Larimer and Weld County youth use at a rate that is at or above the state average

Youth vaping use is second only to youth alcohol; youth who vape 4x more likely to smoke cigarettes

We have a goal of preventing young people from developing an addiction to nicotine

Retail Licensing

A retail license is an effective tool to reduce youth access, ensure compliance with tobacco-related laws, and lessen the public health impacts of tobacco and nicotine use.

Federal compliance efforts have gaps:

- Colorado: one of several states that does not require a license to sell products
- Few consequences and penalties
- Only half of known retailers inspected annually (~23 in Windsor; Weld=~20 Larimer=~3)

With a local retail license, municipalities or counties can monitor who is selling, conduct more regular compliance checks, and promote license provisions for selling tobacco and nicotine products to consumers.

Limiting Youth Access to Nicotine

**12/20/19: Federal government raised the national minimum age of sale for tobacco products to 21

Available Local Public Health Supports

Larimer County Department of Health & Environment:

- Community leader education
- Research of best public health practices in preventing youth access to nicotine products
- Implementation messaging and outreach
- Potential for oversight of framework (with IGA with Larimer County)

Weld County Department of Public Health & Environment:

- Policy task force development and facilitation
- Sample policy language
- Retailer & community policy education
- Signage Templates

Questions

Tobacco Retail Licensing Provisions: Restricting Flavored Tobacco Products

More than 80% of youth who have used tobacco products started with a flavored tobacco product.[1] 82% of teens report flavors as being the reason they use electronic cigarettes.[2] Flavored tobacco products are appealing to youth and are often incorrectly presumed to be safer than non-flavored tobacco products.

Policy Options

Prohibiting the sale of flavored nicotine products

The strongest policies include all nicotine containing products (including vape products, hookah, and little cigars) and all flavors (including mint and menthol)

As of January 9th, 2020, five communities in Colorado (Aspen, Boulder, Carbondale, Glenwood Springs, Snowmass) and over 250 communities nationwide have restricted the sale of flavored tobacco products. [3]

Outcomes

Three-fourths of flavored product users said they would no longer use the product if it was not flavored. Restricting flavors in tobacco products would not eradicate e-cigarette or other tobacco use among young people, but the potential for substantial reductions in the prevalence of young people's e-cigarette and other tobacco use seems high if flavors were removed.[4]

Sources

1. Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014.Ambrose, Bridget K., et al " Jama, vol. 314, no. 17, 2015, p. 1871., doi:10.1001/jama.2015.13802.
2. Preventing Tobacco Use Among Youth and Young Adults: A Report of the Surgeon General. Atlanta, GA: US Dept of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health; 2012.
3. Bach, L. (2020). States & Localities That Have Restricted The Sale Of Flavored Tobacco Products(pp. 1–2). Campaign for Tobacco Free Kids.
4. Flavored Tobacco Product Use among Youth and Young Adults: What if Flavors Didn't Exist? Harrell MB, Loukas A, Jackson CD, Marti CN, Perry CL. Tob Regul Sci. 2017 Apr;3(2):168-173. doi: 10.18001/TRS.3.2.4.

Funding for this event/project/program was provided (in part) by Amendment 35 Tobacco Education, Prevention and Cessation Grant Program funding. The views expressed do not necessarily reflect the official policies of, nor does the mention of imply endorsement by, the Colorado Department of Public Health and Environment.

Tobacco Retail Licensing Provisions: Reducing or Restricting the Number, Location, and Density of Tobacco Retail Outlets

Tobacco retail outlets are often unrestricted in most communities, making tobacco products easily accessible, particularly in low-income and minority neighborhoods. Many studies show that greater tobacco retail outlet density is related to increased youth and adult tobacco use.[1] Smoking rates are higher among students in schools located in areas with greater tobacco retail density compared with students in schools without any tobacco retailers nearby.[2]

Policy Options

Reducing the number of tobacco retail outlets

- Capping the number of retailers at the current number
- Limiting the number of retailers based on population density
- Allowing only one new retailer into a city for every two that go out of business.

Restricting the location of tobacco retail outlets

- Prohibiting sales within 1,000 feet of places youth visit (e.g., schools, parks, and libraries)
- Barring tobacco product sales in certain zoning districts (e.g., residential zones).

Requiring a minimum distance between tobacco retail outlets.

- Prohibiting new tobacco retailers from operating within a certain distance of existing tobacco retailers (e.g., 500 feet).[1]

Outcomes

Studies have shown mixed effectiveness of density and proximity policies related to retail outlets. Although these approaches could reduce retailer density in certain areas, it could also increase density in other areas if retailers move to locations where density used to be low.[1] Strategies to limit the spread of alcohol outlets have been proven effective in reducing alcohol consumption. The success of this approach has led to increased interest in applying the same retailer reduction strategies to tobacco control.

Studies that have mapped tobacco retailers have shown that a substantial portion of access to tobacco products and exposure to point-of-sale tobacco advertising could be eliminated by creating, for example, a 1,000-foot buffer zone between schools and tobacco retailers.

In modeling studies, the strategy of requiring a minimum distance between tobacco retailers has been shown to reduce overall tobacco retailer density, especially in dense, low-income, urban communities.[3]

Sources

1. Center for Public Health Systems Science. Point-of-Sale Strategies: A Tobacco Control Guide. St. Louis: Center for Public Health Systems Science, George Warren Brown School of Social Work at Washington University in St. Louis and the Tobacco Control Legal Consortium; 2014.
2. Tobacco outlet density near home and school: Associations with smoking and norms among US teens Nina C. Schleicher, Trent O. Johnson, Stephen P. Fortmann, and Lisa Henriksen Prev Med. 2016 October ; 91: 287–293. doi:10.1016/j.ypmed.2016.08.027
3. Huang, D., Breslin, J., O'Malley, E., Musburger, P., & Carr, D. (n.d.). Tobacco Retailer Density Place-Based Strategies to Advance Health and Equity(pp. 1–18). ChangeLab Solutions.

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January 2020

Youth Substance Use Prevention Efforts in Weld County

Environmental

- **Minimum Age Laws: Tobacco 21***
- **Tobacco Retailer Licensing***
- Smoke-Free and Vape-Free Policies
- Marijuana Retailer Moratorium
- Prevention Media Campaigns
- Alcohol Retailer Licensing

Organizational

- Communities That Care: Community opportunities and rewards for prosocial involvement
- Weld Family Leadership Commission: Organizational Capacity Building
- Weld County Tobacco Control Program
  - Tobacco-Free Schools Policy
  - Campus Tobacco-Free Policy
  - Workplace Tobacco-Free Policy

Interpersonal

- Weld County Tobacco Control Program: Vape Education Training
- Weld Family Leadership Commission: Neighborhood Liaison and Connector
- Carbon Valley Communities That Care: Carbon Valley Youth Advisory Board
- Milliken/Johnstown Communities That Care: Milliken Young Community Leaders Coalition

Individual

- Weld County Tobacco Control Program
  - Tobacco Treatment Specialist Counseling
  - Referrals to the Colorado QuitLine
  - Alternative to Suspension Programs for youth who violate Tobacco-Free Schools Policies
- Weld Family Leadership Commission: Parent Leadership Capacity Building
- North Range Behavioral Health: Strengthening Families Classes
- Partners Mentoring Youth: Youth Mentoring Program
- Weld County FDA Tobacco Retail Inspection Program

*Proposed evidence-based prevention strategies

Limiting Youth Access to Nicotine

**12/20/19: Federal government raised the national minimum age of sale for tobacco products to 21

MEMORANDUM

Date: February 10, 2020
To: Mayor and Town Board
Via: Shane Hale, Town Manager
From: Abraham Guzman
Re: Blue-Green Algae Presentation
Item #: 3.

Background / Discussion:

Abraham Guzman, a high school student in Windsor, will be making a presentation on Blue-Green Algae.

MEMORANDUM

Date: February 10, 2020
To: Mayor and Town Board
Via: Shane Hale, Town Manager
From: Shane Hale, Town Manager
Re: Future Meetings Agenda
Item #: 4.

ATTACHMENTS:

- Future Meetings Agenda

FUTURE TOWN BOARD MEETINGS

February 12, 2020 5:30 p.m.	Town Board Special Meeting with Downtown Development Authority
February 17, 2020 6:00 p.m.	~~Town Board Work Session~~ – CANCELLED due to President's Day
February 24, 2020 6:00 p.m.	Town Board Work Session Transportation Master Plan
February 24, 2020 7:00 p.m.	Town Board Regular Meeting
March 2, 2020 6:00 p.m.	Town Board Work Session Parks, Recreation and Culture Strategic Plan Draft Presentation Oil and Gas Location Requirements
March 9, 2020 5:30 p.m.	Town Board Work Session - Board/Manager/Attorney Monthly Meeting NISP Wetland Mitigation Recreational Vehicle Parking Discussion
March 9, 2020 7:00 p.m.	Town Board Regular Meeting Kern Board
March 16, 2020 6:00 p.m.	Town Board Work Session Land Use Code Update
March 23, 2020 6:00 p.m.	Town Board Work Session Please keep light; Windsor schools spring break
March 23, 2020 7:00 p.m.	Town Board Regular Meeting
March 30, 2020	No Meeting- Fifth Monday
April 6, 2020 6:00 p.m.	Town Board Work Session
April 13, 2020 5:30 p.m.	Town Board Work Session - Board/Manager/Attorney Monthly Meeting
April 13, 2020 7:00 p.m.	Town Board Regular Meeting

Additional Events

February 15, 2020	Coffee with the Mayor, Community Recreation Center, 250 N. 11th Street, Windsor, CO, 7:30-9:00a.m. – attending: Melendez, Bennett, Baker, Wilson, Rennemeyer
February 27, 2020	1st Quarter Joint Regional Elected Officials Meeting, Windsor Public Works, 922 N. 15th Street, Windsor, CO – attending: Rennemeyer, Jones, Wilson, Melendez
March 17, 2019	Candidate Forum hosted by the League of Women Voters, CRC, 250 11th Street, Windsor, CO – attending: Baker, Jones, Wilson, Rennemeyer
March 26, 2020	Dessert and Dish, Windsor Lake Coffee, 430 Main Street, Windsor, CO 7:00-9:00 p.m. – attending: Melendez, Baker, Wilson, Rennemeyer
March 28, 2020	Coffee with the Mayor, Coffee House 29, 1039 Main Street, Windsor, CO, 7:30-9:00a.m. – attending: Melendez, Bennett, Baker, Wilson, Rennemeyer
May 5, 2020	Elected Official Training with Sam Light from CIRSA – Work Session
June 15, 2020	Joint Meeting with Town of Windsor, Town of Severance, Fire District and School District

Future Work Session Topics

- Land Use Code Update meeting with Planning Commission (next code section in series) – Planning
- Economic development/retail needs at 60,000 population
- Parks and Recreation Strategic Plan