

**CITY COUNCIL OF THE CITY OF SONORA
STAFF REPORT**

MEETING DATE: APRIL 6, 2020

TO: CITY COUNCIL

FROM: DOUGLAS L. WHITE, CITY ATTORNEY

SUBJECT: MOTION TO ADOPT A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONORA CONSENTING TO THE ENFORCEMENT OF ALL HEALTH LAWS WITHIN THE CITY OF SONORA BY THE TUOLUMNE COUNTY PUBLIC HEALTH OFFICER

RECOMMENDATION:

To adopt the attached resolution delegating the City of Sonora Public Health Office duties to the Tuolumne County Public Health Officer.

BACKGROUND:

There is currently a global pandemic of COVID-19, which poses a serious public health threat to the residents of the City of Sonora (the "City"). Symptoms of COVID-19 have ranged from mild to severe illness and in some cases death. The public health threat of COVID-19 has led to emergency directives being issued at all levels of government: on March 13, 2020, the President of the United States declared a national emergency in response to the spread of COVID-19; on March 4, 2020, the Governor of the State of California (the "State") declared a state of emergency; on March 17, 2020, the County of Tuolumne (the "County") proclaimed a local emergency; on March 13, 2020, the County Public Health Officer proclaimed a local health emergency due to COVID-19; and on March 13, 2020, the City proclaimed a local emergency due to COVID-19.

The County Public Health Officer provides services to the unincorporated areas of the County, and may provide those services to cities by agreement or resolution. California Health and Safety Code 101460 states "Every governing body of a city shall appoint a health officer, except when the city has made other arrangements, as specified in this code, for the county to exercise the same powers and duties within the city, as are conferred upon city health officers by law."

DISCUSSION:

It is imperative for the protection of City residents that the most effective measures are adopted to slow the spread of COVID-19. The County Public Health Officer has the requisite knowledge and experience to mitigate the effects of COVID-19 within the City. Because the County Health Officer is in the best position to handle the COVID-19 emergency, staff recommends that the City of Sonora City Council adopt a resolution consenting to the enforcement of all health laws within the City by the County Public Health Officer.

The proposed resolution, if adopted, allows the County Public Health Officer to enforce and observe health and safety regulations within the City. These include enforcement of (1) orders and quarantine regulations prescribed by the County Public Health Department and other regulations issued under the California Health & Safety Code, and (b) statutes relating to the public health, pursuant to California Health & Safety Code Section 101375. This gives the County Public Health Officer power to take necessary measures for the protection of City residents through the duration of the COVID-19 emergency.

Health & Safety Code Section 101380 provides that services of the County Public Health Officer will begin the first day of July upon notice of adoption of a resolution by the City to the County by the first day of March. However, due to the local emergency, the City is requesting that the County Public Health Officer formally begin service immediately upon the adoption of this resolution.

FISCAL IMPACT

There is no anticipated fiscal impact.

OPTIONS

The City Council's options regarding Resolution include:

1. Adopt the Resolution;
2. Continue the item to a later meeting of the City Council and provide direction to staff for any changes; or
3. Reject the Resolution entirely.

ATTACHMENTS

Resolution

RESOLUTION NO. 04-06-2020 - A

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONORA CONSENTING TO THE ENFORCEMENT OF ALL HEALTH LAWS WITHIN THE CITY OF SONORA BY THE TUOLUMNE COUNTY PUBLIC HEALTH OFFICER

WHEREAS, California Health & Safety Code section 101460 requires a city to appoint a health officer except when the city council has made arrangements for the county to exercise the same powers and duties within the city as are conferred upon the city health officers by law; and

WHEREAS, California Health & Safety Code section 101375 authorizes the county health officer to enforce all health laws within an incorporated city with the consent of the city council; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Sonora, by this Resolution, hereby consents to allow the Public Health Officer of the County of Tuolumne to enforce and observe: (1) all orders and quarantine regulations prescribed by the Tuolumne County Public Health Department, and other regulations issued under the California Health & Safety Code, and (2) all statutes, ordinances, regulations, and rules relating to public health, all as provided for in California Health & Safety Code section 101375. The Sonora City Council expressly requests the County Public Health Officer carry out the enforcement of all such orders effective immediately upon adoption of this Resolution.

The foregoing Resolution of the City Council of the City of Sonora was passed by the City Council at a public meeting held on the 6th day of April 2020, by _____, who moved its adoption, which motion was duly seconded by _____, and the Resolution adopted by the following vote:

AYES:

NOES:

EXCUSED:

APPROVED:

James Garaventa
Mayor of the City of Sonora

ATTEST:

Colette Such, City Clerk Pro-Tem