

RESOLUTION NUMBER R-295797

ADOPTED ON NOVEMBER 27, 2001

RESOLUTION OF THE CITY OF SAN DIEGO DECLARING  
A LOCAL HEALTH EMERGENCY DUE TO THE SPREAD  
OF THE HEPATITIS C VIRUS AND THE HUMAN  
IMMUNODEFICIENCY VIRUS (HIV) BY INJECTION  
DRUG USERS AND ADOPTING A CLEAN SYRINGE  
EXCHANGE PILOT PROGRAM

WHEREAS, by amending Health and Safety Code section 11364.7 (effective January 1, 2000), the California Legislature acknowledged the public health threat posed by the sharing of needles and syringes by injection drug users and thereby permitted local jurisdictions to establish clean needle and syringe exchange programs pursuant to a declaration of a local emergency due to the existence of a critical local public health crisis; and

WHEREAS, California Government Code section 8630 authorizes local jurisdictions to declare local emergencies when such events occur as described in California Government Code section 8558(c); and

WHEREAS, in October 2000, the City Council authorized and directed the City Manager to convene a task force to develop the practices and procedures for a one-year clean needle and syringe exchange pilot program linked to drug abuse treatment programs; and

WHEREAS, the task force convened by the Manager has accomplished its mission and prepared a report of its findings and recommendations and submitted its report to the Council; and

WHEREAS, on October 10, 2001, the Public Safety and Neighborhood Services Committee of the Council voted 3 to 2 in favor of declaring a local health emergency due to the spread of the hepatitis C virus and the human immunodeficiency virus (HIV) through the sharing of needles and syringes by injection drug users in the City of San Diego, and recommending the implementation of a one-year clean needle and syringe exchange pilot program linked to drug abuse treatment programs at no cost to the City; and

WHEREAS, the Council finds that such a local health emergency exists in the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that pursuant to California Government Code section 8630, a state of local emergency is declared to exist in the City of San Diego due to the spread of the hepatitis C virus and HIV, exacerbated by the shared use of needles and syringes by injection drug users.

BE IT FURTHER RESOLVED, that the Council authorizes and directs the City Manager to execute the agreements necessary to establish a one-year clean needle and syringe exchange pilot program linked to drug abuse treatment programs at no cost to the City.

BE IT FURTHER RESOLVED, that the Council authorizes the adoption of the task force's recommendations as contained in its report, with the following modifications:

- (1) That the harm reduction kit provided to new participants shall include no more than two syringes;
- (2) That the program shall not be conducted within a three block radius of any school;
- (3) That the process for determining the two program sites in the City shall be done

with the concurrence of the Council member representing the district within which the site would be located;


- (4) That at a minimum, the following information shall be collected for the purposes of program evaluation:
- (a) The number of clients participating in the program;
  - (b) The frequency of contact with individual clients;
  - (c) The frequency of client meetings with counselors;
  - (d) The number of syringes collected and exchanged;
  - (e) The testing of exchanged syringes for contamination;
  - (f) The number of referrals to treatment; and
  - (g) The appropriate crime statistics from the Police Department with the Police Chief's evaluation of the statistics;
- (5) That the language on the participants' identification card shall be changed from the recommendation in the task force's report to the following: "This card has been issued to a participant in the City of San Diego's syringe exchange program."

BE IT FURTHER RESOLVED, that the task force shall return to the Public Safety and Neighborhood Services Committee, together with the program's administrator, six months after commencement of the pilot program to report on the status of the program, which shall include an evaluation of the program's sites and consideration of additional sites if warranted.

BE IT FURTHER RESOLVED, that at the conclusion of the pilot program, a report shall be prepared for the Council by the program administrator, together with members of a program facilitation committee, analyzing the effectiveness of the program.

BE IT FURTHER RESOLVED, that the state of local emergency shall be reviewed every fourteen days unless and until the Council declares that the emergency no longer exists.

APPROVED: CASEY GWINN, City Attorney

By   
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MDR:ms  
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