

RESOLUTION NUMBER R- 312024

DATE OF FINAL PASSAGE NOV 05 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO CONFIRMING THE CITY'S CONSENT TO THE
COUNTY OF SAN DIEGO PROVIDING PUBLIC HEALTH
SERVICES WITHIN THE CITY.

WHEREAS, California Health and Safety Code sections 101375-101380 authorize the governing body of a city to consent, by resolution or ordinance, to the county health officer's enforcement and observation of orders and quarantine regulations prescribed by the State Department of Public Health, regulations issued under the Health and Safety Code, and statutes relating to the public health; and

WHEREAS, in 1953, by adoption of Resolution R-110405, the Council of the City of San Diego authorized that certain Basic Agreement for Public Health Services to be Furnished by the County to the City of San Diego (Basic Agreement) consistent with the provisions of Health and Safety Code sections 476-477 (the prior versions of current Health and Safety Code sections 101375-101380); and

WHEREAS, the Basic Agreement was superseded by that certain Second Basic Agreement for Public Health Services to be Furnished by the County to the City of San Diego, authorized by Resolution R-218878 in 1977 (Second Basic Agreement); and

WHEREAS, the Second Basic Agreement requires the County to "enforce and observe in the City . . . [a]ll orders, quarantine regulations, and rules and regulations issued by the State Department of Public Health under the provisions of the Health and Safety Code of the State of California" and all state statutes relating to public health; and

WHEREAS, the Second Basic Agreement is still in full force and effect; and

WHEREAS, the Grand Jury recently released a report entitled "The San Diego Hepatitis A Epidemic: (Mis)Handling A Public Health Crisis," requesting the City reaffirm the authority of the County pursuant to Health and Safety Code sections 101375-101380; and

WHEREAS, the City complied with those sections by authorizing the Basic Agreement and Second Basic Agreement, each by resolution; and

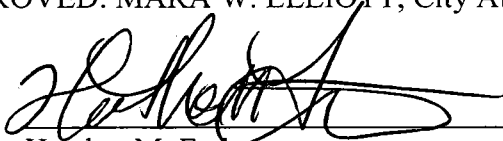
WHEREAS, although not legally required, the City desires to nonetheless reaffirm its compliance with Health and Safety Code sections 101375-101380; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City reaffirms its existing contractual relationship with the County of San Diego pursuant to California Health and Safety Code sections 101375-101380, as established by Resolution R- 218878 and the Second Basic Agreement for Public Health Services to be Furnished by the County to the City of San Diego dated October 18, 1977.

BE IT FURTHER RESOLVED, that pursuant to the Second Basic Agreement and Health and Safety Code section 101380, the Council's consent to the County's provision of public health services within the City will continue indefinitely and no additional action is required by the City.

APPROVED: MARA W. ELLIOTT, City Attorney

By




Heather M. Ferbert
Deputy City Attorney

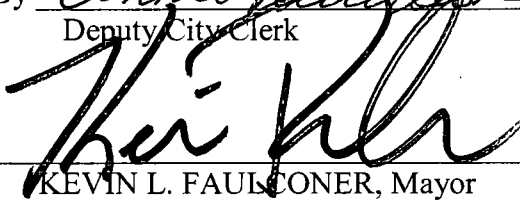
HMF:nja
10/03/18
Or. Dept: Mayor's Office
Doc. No.: 1849655

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 29 2018.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 11/5/18
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on OCT 29 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 05 2018

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 312024