

REPORT TO THE CITY COUNCIL



DATE: April 7, 2020

TITLE: Resolution Consenting to the Enforcement and Observation of All Orders and Quarantine Regulations by the California Department of Public Health and Statutes Relating to Public Health by the County Health Officer of Riverside County

Prepared by: Jennifer Mizrahi, City Attorney

RECOMMENDATION

Adopt a Resolution of the City Council consenting to the enforcement and observation of all orders and quarantine regulations by the California Department of Public Health and statutes relating to public health by the County Health Officers of Riverside County.

BACKGROUND

Health and Safety Code Section 101375 allows cities to consent to the county health officer to enforce: (a) Orders and quarantine regulations prescribed by the California Department of Public Health and other regulations issued under the California Health and Safety Code, and (b) Statutes relating to the public health.

Previously, the City Council passed a resolution declaring a local emergency due to the COVID-19 pandemic, and specifically incorporated any orders by the county related to the mitigation of COVID-19.

Recently, the County of Riverside ("County") has recommended to all cities to pass a separate resolution or ordinance citing to Health and Safety Code Section 101375 and containing other recommended language. The purpose is to encourage uniform application of county and state orders in each city.

ANALYSIS

While the City Council has already incorporated county orders, the recommendation from the County will shore up any potential legal challenges by following the language in State law. The proposed resolution will not alter the City Council's original intent of applying state and county orders.

Further, passing the proposed resolution will leave no doubt as whether County and state orders apply locally. The Riverside County Public Health Officer has already issued orders related to COVID-19. These orders include social distancing, limitation on public gatherings, hotels and short-term lodgings, and school closures. The City will automatically be under the county's jurisdictions with regard to these orders and future orders.

FISCAL IMPACT

There is no fiscal impact as a result of this action.

EXHIBIT(S):

1) Resolution