

RESOLUTION NO. 2020-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, CALIFORNIA 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.

WHEREAS, the City of Desert Hot Springs ("City") is a charter city in the State of California; and

WHEREAS, the CVOID-19 virus ("COVID-19") has been declared by the United States, the State of California, and the County of Riverside ("County") as a pandemic and an emergency situation; and

WHEREAS, on January 31, 2020, the United States Secretary of Health and Human Services declared a Public Health Emergency due to the COVID-19 pandemic; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a state of emergency in the State of California due to the outbreak of COVID-19 within the State; and

WHEREAS, on March 8, 2020, the Riverside County Public Health Officer Dr. Cameron Kaiser declared a public health emergency due to the spread of COVID-19; and

WHEREAS, the City has declared a local emergency due to COVID-19; and

WHEREAS, the Riverside County Public Health Officer has issued multiple orders designed to mitigate and contain the spread of COVID-19, including a March 16, 2020 order canceling public gatherings of at least ten people, a March 30, 2020 order limiting the operation of hotels and other short-term lodging facilities, and an April 1, 2020 order extending school closures; and

WHEREAS, California Health and Safety Code Section 101375 provides:

"When the governing body of a city in the county consents by resolution or ordinance, the county health officer shall enforce and observe in the city all of the following:

- (a) Orders and quarantine regulations prescribed by the department and other regulations issued under this code.
- (b) Statutes relating to the public health."

WHEREAS, the county health officer is the Riverside County Public Health Officer; and

WHEREAS, in order to protect the public health and safety, the City Council desires to consent to the county health officer's enforcement of all orders and quarantine regulations and statutes relating to public health within the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS DOES RESOLVE, AS FOLLOWS:

Section 1. Recitals.

That the recitals set forth above are true and correct and are incorporated herein by this reference.

Section 2. Consent to Enforcement of Orders, Quarantine Regulations, and Statutes Related To Public Health By The County Health Officer.

1. Pursuant to California Health and Safety Code Section 101375, the City Council hereby consents to the allowing the county health officer to enforce and observe within the City all orders and quarantine regulations prescribed by the State Department of Public Health and other regulations issued under the California Health and Safety Code and statutes relating to the public health.

2. The county health officer means the Riverside County Public Health Officer acting as the City Health Officer.

3. The county health officer of the county of Riverside shall enforce and observe all of the following:

A. Orders, quarantine regulations, and rules prescribed by the State Department of Public Health and other rules and regulations issued under the provisions of the California Health and Safety Code.

B. Statutes relating to the public health.

4. This Resolution shall remain in effect until it is superseded or revoked by a subsequent resolution.

Section 3. Severability.

That the City Council declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

Section 4. Repeal of Conflicting Provisions.

That all the provisions heretofore adopted by the City Council that are in conflict with the provisions of this Resolution are hereby repealed.

Section 5. Effective Date.

That this Resolution shall take effect immediately.

Section 6. Certification.

That the City Clerk shall certify to the passage of this Resolution and enter it into the book of original resolution.

PASSED AND ADOPTED by the City Council of the City of Desert Hot Springs at a regular meeting held on the 7th day of April, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

[SIGNATURES FOLLOW ON THE NEXT PAGE]

ATTEST:

CITY OF DESERT HOT SPRINGS

Jerryl Soriano, City Clerk

Scott Matas, Mayor

APPROVED AS TO FORM:

Jennifer Mizrahi, City Attorney