



Staff Report

RESOLUTION CONSENTING TO THE SAN MATEO COUNTY HEALTH OFFICER ENFORCEMENT OF ORDERS AND STATE LAW RELATING TO PUBLIC HEALTH WITHIN THE CITY OF BELMONT.

Honorable Mayor and Council Members:

Summary

Staff recommends the City Council adopt the attached resolution authorizing the San Mateo County Health Officer, per section 101375 of the California Health and Safety Code, be appointed as the City of Belmont Health Officer.

Background

The San Mateo County Health Officer has been performing this task for cities within San Mateo County for 50 years. However, in order for the San Mateo County Health Officer to perform this function, each city must either have a City Ordinance in place or a resolution adopted by the City Council giving the San Mateo County Health Officer the authority to perform in this capacity. Currently, the majority of resolutions within the county have expired including the City of Belmont's. In order to update these resolutions, the City of Belmont has been asked by San Mateo County to update and pass a resolution appointing the San Mateo County Health Officer.

Discussion

The authority to appoint the San Mateo County Health Officer as the City of Belmont's Health Officer is contained in sections of the California Health & Safety Code. There are two sections 101375 and section 101460 of the H&S Code that gives the authority to the Council to appoint the San Mateo County Health Officer as the City of Belmont's Health Officer.

Section 101375 Consent of city; enforcement duties of the county health officer "When the governing body of the 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."

Section 101460 Health Officer appointment "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 with the city as are conferred upon city health

officers by law”.

The City Council, by appointing the San Mateo County Health Officer as the Health Officer of the City of Belmont, shall give him the general power necessary to enforce all health and sanitation laws, and the rules and regulations of the State. The typical function of the health officer will be to examine, isolate, quarantine, placard and disinfect person, places and things within the City. The Health Officer may also issue the appropriate citations or summons regarding violations of law that occur within the City pertaining to health violations.

General Plan/Vision Statement

The appointing of the San Mateo County Health Officer will provide an additional level of expertise in dealing with health related issues that could affect the community. “It’s a small-town ambience that sets it apart as a tranquil safe and desirable place to live.”

Fiscal Impact

No fiscal impact to the city.

Public Contact

Information is available on this matter through public posting and the City of Belmont web page.

Recommendation

It is recommended that the City Council adopt the attached resolution authorizing the San Mateo County Health Officer serve as the City of Belmont Health officer.

Alternatives

1. Approve the attached resolution.
2. Determine the cost of hiring Health Officer for the City of Belmont.
3. Provide staff with alternative direction.
4. Take no action and request further information.

Attachments

- A. Resolution Authorizing The San Mateo County Health Officer to provide service to the City of Belmont

Respectfully submitted,

Donald J. Mattei
Chief of Police

Jack R. Crist
City Manager

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT
CONSENTING TO THE SAN MATEO COUNTY HEALTH OFFICER
ENFORCEMENT OF ORDERS AND STATE LAW RELATING TO PUBLIC HEALTH
WITHIN THE CITY**

WHEREAS, pursuant to Section 101460 of the California Health & Safety Code, every governing body of a city shall appoint a health officer, except when the city has made other arrangements for the county to exercise the same powers and duties within the city, as are conferred upon city health officers by law; and

WHEREAS, pursuant to Section 101375 of the California Health & Safety Code the governing body of a city in San Mateo County may consent by resolution to the San Mateo County Health Officer enforcing in that city, orders and quarantine regulations prescribed by the Department of Health Services, other regulations issued under the Health & Safety Code and all other statutes relating to the public health; and

WHEREAS, this City has consented to the san Mateo County Health Officer performing these tasks for more than 50 years and desires to have the San Mateo County Health Officer continue to do so; and

WHEREAS, this City desires to reaffirm its consent in the form of a resolution that is uniform with those adopted by all the cities within the County of San Mateo.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Belmont does consent to the San Mateo County Health Officer Enforcement of Orders and State Law Relating to Public Health within the City.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Belmont at a regular meeting thereof held on April 8, 2008 by the following vote:

AYES, COUNCILMEMBERS: _____

NOES, COUNCILMEMBERS: _____

ABSTAIN, COUNCILMEMBERS: _____

ABSENT, COUNCILMEMBERS: _____

CLERK of the City of Belmont

APPROVED:

MAYOR of the City of Belmont