



URGENT ITEM AGENDA MATERIAL

Government Code Section 54954.2(b)
Rules of Procedure Chapter III.C.5

THIS ITEM IS NOT YET AGENDIZED AND MAY OR MAY NOT BE ACCEPTED FOR THE AGENDA AS A LATE ITEM, SUBJECT TO THE CITY COUNCIL'S DISCRETION ACCORDING TO BROWN ACT RULES

Meeting Date: June 27, 2023

Item Description: Memorandum of Understanding with Alameda County for Temporary Coverage for Public Health Officer

This item is submitted pursuant to the provision checked below:

- Emergency Situation (54954.2(b)(1) - majority vote required)
Determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.
- Immediate Action Required (54954.2(b)(2) - two-thirds vote required)
There is a need to take immediate action and the need for action came to the attention of the local agency subsequent to the agenda for this meeting being posted.

Once the item is added to the agenda (Consent or Action) it must be passed by the standard required vote threshold (majority, two-thirds, or 7/9).

Facts supporting the addition of the item to the agenda under Section 54954.2(b) and Chapter III.C.5 of the Rules of Procedure:

The attached report and resolution would enable the City Manager to enter into a written agreement with Alameda County that would allow the County's Health Officer to act as the City's Health Officer for critical, mandated responsibilities while the City's Health Officer position is vacant.

Dr. Lisa Hernandez's last day with the City will be Saturday, July 1, 2023. Since she submitted her resignation staff have been working diligently to identify the necessary steps to ensure a smooth transition, continued compliance, and sufficient protection of community health. Complete information about the requirement for a written agreement was not available in time for the regular agenda timeline.



Office of the City Manager

CONSENT CALENDAR
June 27, 2023

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Dr. Lisa Warhuus, Director, Health, Housing, and Community Services
Subject: Memorandum of Understanding with Alameda County for Temporary Coverage for Public Health Officer

RECOMMENDATION

Adopt a resolution authorizing the City Manager to execute a Memorandum of Understanding with Alameda County authorizing Alameda County's Health Officer to provide essential Health Officer duties for Berkeley on a temporary basis after Dr. Lisa Hernandez resigns from City employment in early July.

FISCAL IMPACTS OF RECOMMENDATION

There are no fiscal impacts associated with the recommendation in this report.

CURRENT SITUATION AND ITS EFFECTS

Dr. Lisa Hernandez is vacating the Public Health Officer position on July 2, 2023. The Alameda County' Health Care Services Agency has agreed in concept to having their Health Officer cover essential health officer duties for the City of Berkeley until a new Health Officer is hired. To formalize this agreement, the state requires a Memorandum of Understanding between the City and the County, which requires Council's approval.

BACKGROUND

Dr. Lisa Hernandez has accepted a position as the Health Officer of the County of Santa Cruz and will work her last day with the City on July 1. The City has not yet hired a replacement for Dr. Hernandez, so the Public Health Officer position will be vacant unless temporary coverage is established. Temporary health officer coverage is necessary to respond to certain public health matters and to ensure continuous services for programs such as Vital Statistics, which issues birth and death certificates.

The Health Officer position has been posted publicly, and is slated to close on July 3.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no environmental sustainability and climate impacts directly associated with the subject of this report

RATIONALE FOR RECOMMENDATION

As a state of California public health jurisdiction, the City is required to maintain Health Officer coverage. Collaborating with Alameda County is the most direct way to ensure service consistency until the City hires a new Health Officer.

ALTERNATIVE ACTIONS CONSIDERED

Staff have not identified another course of action which meets state requirements and is feasible within the time available.

CONTACT PERSON

Amy Davidson, Deputy Director, Health, Housing and Community Services, (510) 981-5400

RESOLUTION NO. ##,###-N.S.

MEMORANDUM OF UNDERSTANDING WITH ALAMEDA COUNTY FOR
TEMPORARY COVERAGE FOR PUBLIC HEALTH OFFICER

WHEREAS, the City and the County each has appointed a County Health Officer (“Health Officer”) pursuant to Government Code Section 24000(s); and

WHEREAS, said Health Officers are appointed to carry out duties prescribed, inter alia, in the Health and Safety Code section 120100 et seq. and other applicable statutes; and

WHEREAS, the Health Officer of the City has resigned effective July 2, 2023 and the City will then have a temporary vacancy in the Health Officer position; and

WHEREAS, the City desires to ensure continued availability of essential Health Officer services and Alameda County desires to provide temporary Health Officer coverage for the City when a City Health Officer is temporarily unavailable.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council authorizes the City Manager to enter into a Memorandum of Agreement with Alameda County for the provision of certain Health Officer duties while the City has a temporarily vacant Health Officer position.