



Office of the City Manager

**RECESS ITEM**  
**CONSENT CALENDAR**  
 January 24, 2017

To: Honorable Mayor and Members of the City Council  
 From: *DWR* Dee Williams-Ridley, City Manager  
 Submitted by: Paul Buddenhagen, Director, Health, Housing and Community Services  
 Subject: Appointment of Interim Health Officer

**RECOMMENDATION**

Adopt a Resolution ratifying the action taken by the City Manager during recess to appoint Robert A. Benjamin, M.D. as the Interim Health Officer for the City of Berkeley.

**NEGATIVE EFFECT IF ACTION IS DELAYED UNTIL AFTER COUNCIL RECESS**

The City of Berkeley would be unable to operate as an independent local health jurisdiction without a duly appointed physician Health Officer. This means we would not be able to provide birth or death certificates, respond effectively to communicable disease emergencies or enforce ordinances pertaining to public health.

**FISCAL IMPACTS OF RECOMMENDATION**

A full time career benefited Health Officer position is budgeted for the current and subsequent fiscal years. The Interim appointment will only be until a permanent replacement can be hired.

**CURRENT SITUATION AND ITS EFFECTS**

In accordance with state law, as a recognized local health jurisdiction the City Council must appoint a local Health Officer who has a medical degree and holds a license issued by the Medical Board of California. The current Health Officer retired effective 12/30/2016 and there was insufficient time for a permanent replacement Health Officer to be appointed before Council recess.

Dr. Benjamin served as the Deputy Health Officer and the Interim Health Officer for Alameda County for over ten (10) years prior to his retirement in 2012. Since that time he served as the Deputy Health Officer for Marin County and supported Sonoma County in their communicable disease efforts and is a nationally known Tuberculosis expert. We are excited to have his expertise and leadership in this interim role.

**BACKGROUND**

With the pending retirement of Dr. Janet Berreman we posted the Interim Health Officer position and interviewed three candidates for the position. We selected Dr. Benjamin

and had him begin work on 12/30/2016 so that we had continuous Health Officer coverage for our jurisdiction. A recruitment effort for the permanent replacement Health Officer will be undertaken in 2017.

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects or opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

State Law requires City Council appoint a physician Health Officer for our local health jurisdiction.

ALTERNATIVE ACTIONS CONSIDERED

Not appointing an Interim Health Officer and having the Alameda County Health Officer and Deputy Health Officers serve in that role for the City of Berkeley. This was deemed overly burdensome for Alameda County Public Health, given the probable timeframe of several months to recruit and appoint a new permanent Health Officer.

CONTACT PERSON

Paul Buddenhagen, Director, Health, Housing and Community Services, (510) 981-5426

Attachments:

1: Resolution

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

APPOINTMENT OF LOCAL HEALTH OFFICER

WHEREAS, the City of Berkeley has performed local public health functions since 1890 and is one of three City health jurisdictions in California; and

WHEREAS, local health jurisdictions must include a physician health officer; and

WHEREAS, mandatory functions of a local health jurisdiction include communicable disease control, tuberculosis control, public health emergency preparedness and response, and registration of births and deaths; and

WHEREAS, these functions can only be performed under the authority of a physician health officer; and

WHEREAS, physician health officer expertise is a resource to the Public Health, Environmental Health, and Mental Health Divisions as well as the City as a whole; and

WHEREAS, the current health officer retired effective 12/30/2016; and

WHEREAS, Robert Benjamin, MD, is an experienced public health physician who meets the minimum qualifications for this position.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that it ratifies the action taken by the City Manager to appoint Robert A. Benjamin, M.D. as the Interim Health Officer for the City of Berkeley, Department of Health, Housing & Community Services, Public Health Division.

