

AGENDA ITEM NO. 3

AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: May 4, 2021

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF AN ORDINANCE RELATED TO FORMALLY ESTABLISHING LOCAL HEALTH DEPARTMENT AND A PROFESSIONAL SERVICES AGREEMENT FOR HEALTH DEPARTMENT SERVICES

RECOMMENDATION:

It is recommended that the City Council:

1. Introduce for first reading, by title only, further reading waived, the following ordinance:

ORDINANCE NO. 2484 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, REPEALING AND REPLACING ARTICLE I (IN GENERAL) OF CHAPTER 13 (HEALTH AND SANITATION) OF THE WEST COVINA MUNICIPAL CODE TO ESTABLISH A PUBLIC HEALTH DEPARTMENT

2. Approve a Professional Services Agreement (PSA) with Transtech Engineers, Inc. (Transtech) for Health Department Services and authorize the City Manager to execute the agreement in substantially the form as attached and in such final form as approved by the City Attorney.

BACKGROUND:

The City of West Covina currently receives its public health services through the Los Angeles County Department of Public Health (County Health Department). In 1936, the City of West Covina adopted Resolution No. 2, consenting to the enforcement of all orders, quarantine regulations and rules prescribed by the State Board of Health, of all statutes relating to public health and to vital statistics by the County of Los Angeles (County) Health Officer within West Covina limits. In 1963, West Covina entered into its current Health Services Agreement (Agreement) with the County. Pursuant to the Agreement, the County provides health department services, including the enforcement of all ordinances relating to health and sanitation, inspections and related functions.

On March 4, 2020, Governor Newsom proclaimed a state of emergency to exist in the State of California in

response to the COVID-19 outbreak. Since the state of emergency was declared, Governor Newsom along with the County Health Department have imposed health orders aimed at curbing the spread of the virus. While well intended, the health orders at times have had no data or scientific evidence to support the mandated orders. In addition, the pandemic has impacted communities differently throughout Los Angeles County. Los Angeles County is one of the largest counties in the nation at 4,084 square miles, and has the largest population in the nation, with nearly 10 million residents, who account for 27% of California's population. The combination of the County's vast geographic area with the significant population size make it difficult to address the specific needs of communities that are impacted differently by the pandemic with one-size-fits-all policies. Each community and region within the County have had drastically different case rates and hospitalization numbers. West Covina has had relatively low infection rates compared to the Countywide rates even during the times the pandemic was surging in the County.

On December 1, 2020, in response to complaints from residents and the business community and a desire to provide a more appropriate response to the pandemic based on West Covina's data, the West Covina City Council directed staff to explore methods to improve local public health – including alternatives to the County Health Department.

On December 9, 2020, the City engaged Valley Physicians Medical Group, through Dr. P. Basil Vasantachart, MD, to provide consulting services relating to evaluating options for establishing a local health department.

On February 23, 2021, the City Council adopted Resolution 2021-15 and Urgency Ordinance No. 2476, terminating the Los Angeles County Health Officer services identified in Health and Safety Code section 101375. Staff submitted certified copies to the County by the March 1, 2021 deadline. The termination will be effective July 1, 2021.

To terminate the County's services, the City is required to provide notice of termination of the Health Services Agreement at least 30 days prior to the end of the fiscal year, or by May 31, 2021.

The City received a letter dated February 23, 2021 from the County Health Department stating the County Health Department will continue to serve West Covina in its current capacity. The City intends for services paid for by local property taxes to continue to benefit the community.

On March 16, 2021, the City Council introduced Ordinance No. 2478 (adding the position of Public Health Director as an exempt position in the municipal code) and Ordinance No. 2479 (adopting by reference County health code provisions). On April 6, 2021, the City Council adopted Ordinance No. 2478 and Ordinance No. 2479.

At the April 7, 2021 Human Resources Commission meeting, the Commission approved the job description and salary grade for a Public Health Officer. On April 20, 2021, the City Council adopted the job description and salary grade for a Public Health Officer.

DISCUSSION:

As the City moves forward with the establishment of a local Health Department, the following actions need to occur:

1. Amend Chapter 13 of the West Covina Municipal Code to formally create the Health Department and establish the functions of the Health Department. At tonight's meeting, staff is recommending that the City Council introduce for first reading Ordinance No. 2484 to amend Chapter 13.
2. Approve the PSA with Transtech for Health Department Services.

Ordinance No. 2484:

Chapter 13 of the West Covina Municipal Code needs to be amended to formally create the Health Department and set forth the functions of the Health Department. Chapter 3 of Division 1 of Title 17 of the California Code of Regulations (CCRs) generally outlines what a local health department is required to perform. In order to be accredited as a local health department and be eligible for funds, a local health department must perform all the duties and functions imposed upon it by the Health and Safety Code, other California statutes, and by the rules, regulations and orders of the California Department of Public Health.

Ordinance No. 2484 amends Chapter 13 to repeal and replace Article I by formally creating the Health Department and outlining the functions of the West Covina Health Department, consistent with the requirements of 17 CCR section 1276.

Staff is recommending that the City Council introduce Ordinance No. 2484 for first reading.

PSA with Transtech

On March 25, 2021, the City of West Covina released a Request for Qualifications for qualified consulting firms to initiate and support ongoing Health Department operations. The City received one statement of qualifications submission from Transtech in association with Constant Associates (Constant) by the deadline of April 15, 2021. Transtech's statement of qualifications includes a comprehensive approach to establishing a local health department. The City will contract with Transtech, which will provide all the required functions of the Health Department. The relevant terms of the contract are as follows:

- Term: One (1)-year term with two (2) one-year extensions
- Compensation:
 - Establishment & Implementation: an amount not to exceed \$98,190 (based on rate schedule attached to PSA)
 - Inspection Services: 90% of fees collected (the fee schedule is on the City Council's agenda for approval this evening)
- Scope of Services:

Transtech and Constant along with City staff will develop a framework for the local health department. The following are the tasks included in Transtech's proposal:

- Task 1 - Public Health Officer Support
- Task 2 - Coordination with County and State Authorities
- Task 3 - Legal Issues
- Task 4 - Determine Staffing Needs for Environmental Health Retail Food Facility Inspection Program
- Task 5 - Program Staffing
- Task 6 - Equipment and Supplies
- Task 7 - Outreach to Regulated Community
- Task 8 - Operating Procedures
- Task 9 - Fee Schedule and Budget
- Task 10 - Framework for Assumption of Addition Public Health Department Functions
- Task 11- Operation Assessment

West Covina currently contracts with Transtech for Building & Safety services as well as engineering. Constant is a consulting firm specializing in health security, healthcare preparedness, emergency management and counterterrorism. Constant's clients include California Department of Public Health, City of Long Beach Department of Health & Human Services, City of Pasadena Public Health Department, Los Angeles Department of Public Health, Santa Clara County Public Health Department among many others.

Constant provides planning, training, exercise, outreach and staffing services.

Staff is recommending that the City Council approve the PSA (Attachment No. 2) and authorize the City Manager to execute the PSA in substantially the form as attached and in such final form as approved by the City Attorney.

LEGAL REVIEW:

The City Attorney's Office has reviewed the proposed ordinance and proposed agreement and approved them as to form.

OPTIONS:

The options available to the City Council are as follows:

1. Approve staff's recommendation; or
2. Provide alternative direction.

Prepared by: Paulina Morales, Acting Assistant City Manager

Attachments

Attachment No. 1 - Ordinance No. 2484

Attachment No. 2 - Agreement with Transtech Engineers, Inc.

CITY Enhance the City Image and Effectiveness
COUNCIL Protect Public Safety
GOALS & Respond to the Global COVID-19 Pandemic
OBJECTIVES: