



ORDINANCE NO.

THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES
ORDAIN AS FOLLOWS:

Section 1. Section 5.10.070 of Chapter 5.10 of Title 5 of the El Dorado County
Ordinance Code is hereby amended to read as follows:

5.10.070 Vending License Application Process.

A. The general services department is hereby assigned responsibility to process all applications submitted for vending service as permitted herein. The general services department may also initiate a request for vending services on their own accord, should they find a need for such activity exists.

B. Upon receipt of an application from a potential vendor requesting approval of a vending activity by the general services department, said department shall distribute the application to all affected county departments, including but not limited to planning, department of transportation, environmental health, and the sheriff's department.

C. The noticed departments shall have ten (10) calendar days to respond, noting either compliance with their applicable concerns, itemization of recommended conditions to be required of the vendor, and/or disapproval of the request with justification provided.

D. After expiration of the ten (10) day notice period to affected departments, the general services department shall place the matter on the board agenda to determine first if the proposed service is needed and appropriate on county property, and secondly, if deemed appropriate use and location, authorize a competitive process. The board shall be advised of the departmental responses on the vending application.

E. Except as otherwise provided herein, A vending service request cannot be approved without a competitive process. It is intended that, through the competition, the county will receive the best value possible for the citizens of El Dorado County. Prospective vendors will be requested to describe the type of service they are proposing, the equipment to be used, the location of the service if not prescribed by the county, the person(s) to be performing/managing the service, and their offer of license revenue to the county in the form of a monthly license fee.

F. The general services department shall utilize the request for proposal process outlined in Board of Supervisors Policy C-17, and as may be amended, to solicit proposals for the vending operation. The general services department shall determine which proposal will best meet the needs of the County.

G. Prior to final approval of the license agreement with the successful vendor, the general services department shall request the sheriffs department to perform a background vendor responsibility search on the proposed licensee vendor and their employee(s) designated to operate the vending activity on county property. A determination of responsibility shall be based on this search report. The license permit shall be awarded to a responsible vendor providing the best service and value.

H. General services shall prepare a license agreement which shall include, along with other standard provisions recommended by county counsel, the following:

1. The exclusive use of a designated area;
2. Conditions of operation as required by county departments;
3. Insurance requirements as specified by risk management;
4. Conditions specifying the amount and timing of payment of the license fee;
5. Conditions causing termination, and method of termination;
6. Duration of the license, generally not to exceed one (1) year, or automatic renewal if general services has not had a request from another vendor to provide the service. The renewal of the license can also be subject to bidding or re-negotiation of license fees if general services determines fee adjustments are appropriate.

I. The license agreement, after approval of form and content by county counsel, shall be submitted to the chief administrative officer for review and approval. Should the chief administrative officer have concern with any of the provisions of the license agreement, the matter may be forwarded to the board of supervisors for final determination.

J. The license agreement shall not be approved if the proposal is found to be in conflict with the applicable rules, ordinances, and policies of EI Dorado County, nor can it be approved if the personnel assigned to operate the vending operation is found by the sheriffs department to be a potential risk to the security of county property.

K. The Board of Supervisors may authorize an exception to the requirement to utilize a competitive process for a vending operation that is ancillary to a facility management agreement.

Section 2. This ordinance shall become effective thirty (30) days following adoption hereof.

PASSED AND ADOPTED by the Board of Supervisors of the County of EI Dorado at a regular meeting of said Board, held on the _day of _____, 2008, by the following vote of said Board:

Ayes:

ATTEST
CINDY KECK
Clerk of the Board of Supervisors

Noes:
Absent:

By _____
Deputy Clerk

Chainnan, Board of Supervisors

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE

Date
ATTEST: CINDY KECK, Clerk of the Board of Supervisors of
the County ofEI Dorado, State ofCalifornia.

By _____
Deputy Clerk