



## Legislation Text

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**File #:** 18-0214, **Version:** 1

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Health and Human Services Agency recommending the Board approve and authorize the addition of Barton Healthcare System to the California Tahoe Emergency Services Authority (Cal Tahoe) Board of Directors as a voting member (1 vote), in accordance with California State Assembly Bill 545, which adds Section 6523.10 to the California Government Code.

**FUNDING:** N/A

**DEPARTMENT RECOMMENDATION:**

Health and Human Services Agency (HHSA) recommending, at the request of California Tahoe Emergency Services Authority (Cal Tahoe) Joint Powers Authority (JPA), that the Board of Supervisors approve and authorize the addition of Barton Healthcare System to the Cal Tahoe Board of Directors as a voting member with one vote.

**DISCUSSION / BACKGROUND:**

County Service Areas (CSAs) are the most common type of special district in California, with roughly 900 CSAs in existence statewide. A county board of supervisors always governs a CSA, which can provide any service that the county provides, or a higher level of service, to an unincorporated area. CSAs deliver additional county services specialized for certain geographic areas, including animal control, libraries, police protection, snow removal, weed abatement, and emergency medical services.

In the County of El Dorado, two CSAs were established to provide ambulance services, through ambulance transportation contractors; the California Tahoe Emergency Services Operations Authority (Cal Tahoe) and the El Dorado County Emergency Services Authority (West Slope JPA). Cal Tahoe and the West Slope JPA were each created as a JPA in accordance with Government Code Title 1, Chapter 5 (the Joint Exercise of Powers Act), which authorizes federal, state, and local agencies to create and use a joint powers agreement, and is a legal document that allows the contracting parties to exercise powers that are common to all of the contracting parties. There are a few limited instances in JPA law allowing non-governmental entities to join a JPA with a public agency partner. Included among these are statutes allowing the formation of JPAs between private, nonprofit hospital and public agencies for the following counties: Contra Costa, Kings, San Diego, Tulare and Tuolumne.

In keeping with other counties, El Dorado requested consideration from the California State Assembly to put forth AB 545, thereby authorizing the two hospitals within the County, Barton and Marshall, to participate in the ambulance transportation JPAs. AB 545 was approved, thereby adding Section 6523.10 to the Government Code: "(a) Notwithstanding any other provision of this chapter, a private, nonprofit hospital in the County of El Dorado may enter into a joint powers agreement with a public agency, as defined in Section 6500.

(b) Nonprofit hospitals and public agencies participating in a joint powers agreement entered into pursuant to subdivision (a) shall not reduce or eliminate any emergency services, as a result of that agreement, following the creation of the joint powers authority without a public hearing by the

authority. The joint powers authority shall provide public notice of the hearing to the communities served by the authority not less than 14 days prior to the hearing and the notice shall contain a description of the proposed reductions or changes.”

On Monday January 8, 2018, the Board of Directors of the Cal Tahoe JPA unanimously voted to add Barton Healthcare to the Cal Tahoe Board of Directors, and then notified the Emergency Medical Services Agency Administrator of said decision via letter (Attachment A).

Article IX “Assignment and Delegation” of Agreement 164-S1211 states that “Any material change in control of Cal Tahoe shall be considered a form of assignment of the Contract, and must be approved by the County of El Dorado Board of Supervisors.”

**ALTERNATIVES:**

The Board of Supervisors could decline to approve the addition of Barton Healthcare as a voting Member Agency of the Cal Tahoe Board of Directors.

**OTHER DEPARTMENT / AGENCY INVOLVEMENT:**

Chief Administrative Office, County Counsel

**CAO RECOMMENDATION:**

It is recommended that the Board approve this item.

**FINANCIAL IMPACT:**

There is no Net County Cost associated with this Agenda item.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

Clerk of the Board to provide two (2) Certified Minute Orders to the HHSA Contracts Unit at 3057 Briw Road.

**STRATEGIC PLAN COMPONENT:**

N/A

**CONTACT**

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