Memorandum

MIAMI-DADE COUNTY

Date: September 6, 2012

Substitute
Agenda Item No. 5(J)

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Falck Southeast II, Corp. d/b/a American Ambulance Service Application for a Transfer of Certificate of Public Convenience and Necessity No. M-16

This substitute differs from the original in that it changes the effective date of the item. Due to the scheduled closing associated with this transfer, the company has requested that this resolution be effective upon signature by the Mayor or his designee.

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the transfer of Certificate of Public Convenience and Necessity (COPCN) No. M-16 from American Ambulance Service, Inc. to Falck Southeast II, Corp. d/b/a American Ambulance Service.

SCOPE

The Certificate of Public Convenience and Necessity provides for countywide operation.

FISCAL IMPACT/FUNDING SOURCE

There is minimal fiscal impact to the County since the application involves the transfer of an existing certificate. The transfer application fee collected, as established by Implementing Order 4-107, was $1,500.

TRACK RECORD/MONITOR

Falck Southeast II, Corp. is the sole shareholder of American Ambulance Service, Inc. Joe Mora, Division Director within the Department of Regulatory and Economic Resources, will be responsible for monitoring this company.

BACKGROUND

Chapter 4, Article I of the Miami-Dade County Code (Code), which governs ambulances, requires Certificates of Public Convenience and Necessity to be approved by the Board. Section 4-4 (g) of the Code provides that any change in the ownership structure of a Certificate Holder that results in a change or the possibility of change in control must also be approved by the Board. The transfer of a certificate requires that a public hearing be held. In reaching its determination, the Board shall consider the application, the County Mayor's report and recommendation, all matters presented at the public hearing and the following criteria:

- The financial ability of the applicant to provide the proposed services;
- The adequacy of the management plan;
- Any recommendations from municipalities;
- The benefits that will accrue to the public interest;
- The community's need for the proposed service, including a response time analysis of existing private providers for the previous three (3) years as compared to benchmark response times stated in each provider's most recent application and the quality of existing services as

determined by the results of the comprehensive market survey conducted during the year preceding the term for certificate renewal and acceptance of new applications.

American Ambulance Service, Inc. has been providing ambulance service in Miami-Dade County since 2001. The company is currently authorized to operate thirty-five (35) active units and seven (7) spare units. On April 17, 2012, the Board approved the transfer of the company's shares of stock to Falck Southeast II, Corp. (Resolution R-338-12). In August, 2012, the company informed the County that it has decided to transfer Certificate of Public Convenience and Necessity M-16 to the parent company, Falck Southeast II, Corp.

Falck Southeast II, Corp., headquartered in Bothell, Washington, is a wholly owned subsidiary of Falck USA, Inc., the third largest provider of quality emergency medical services in the United States. Currently, Falck USA, Inc. operates in nine states, strategically located throughout the West and East Coasts. The company has the necessary financial strength to sustain its operations. In accordance with the Code, staff will monitor quarterly and annual fiscal and other statistical data on an ongoing basis.

The management plan submitted by the applicant details the business functions that will be conducted and managed, including employee/crew training, a mechanism to handle complaints, accidents, maintenance, communications and dispatch, maintenance of business records and a quality assurance program. The proposed service standards meet all requirements of the Code and adequately meet transportation and comfort needs.

The benchmark response times provided by the applicant are within the parameters of being reasonably responsive to the expectations of customers and are in line with the other providers' self-imposed schedule of benchmark response times.

A notice of the application filing was transmitted to all County municipalities and certificate holders as required. No objections were received.

The Triennial Private Ambulance Service Market Survey that was submitted to the Board in May 2011 shows that a high quality of ambulance service is being provided throughout the County and that there is no need for significant expansion of providers. This application does not constitute an expansion of the service since it only deals with the transfer of an existing ambulance certificate.

The public will benefit from the continued availability of a highly specialized, equipped and staffed ambulance service operating in compliance with Federal, State and County regulations.

Jack Osterholt
Deputy Mayor

MEMORANDUM

(Revised)

TO:	Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners	**DATE:**	September 6, 2012
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Substitute Agenda Item No. 5(J)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

✓ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

✓ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous_____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Substitute
Agenda Item No. 5(J)
9-6-12

RESOLUTION NO. _____

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. M-16 FROM AMERICAN AMBULANCE SERVICE, INC. TO FALCK SOUTHEAST II, CORP. D/B/A AMERICAN AMBULANCE SERVICE TO PROVIDE GROUND AMBULANCE SERVICE

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that in accordance with Chapter 4 of the Code, the transfer of Certificate of Public Convenience and Necessity No. M-16 from American Ambulance Service, Inc. to Falck Southeast II, Corp. d/b/a American Ambulance Service to provide ground ambulance service is approved.

The foregoing resolution was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman
Audrey M. Edmonson, Vice Chairwoman

Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of September, 2012. This resolution shall become effective upon the earlier of (1) ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency. B.L.

Bruce Libhaber

By:_____
Deputy Clerk

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