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OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

(Second Reading 12-1-09)

Date: October 6, 2009

Agenda Item No. 7(D)

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Ordinance No. 09-110

Subject: Ordinance amending section 4-4 (h) of the Code of Miami-Dade County, Florida, relating to applications to increase ambulance vehicles

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Recommendation
It is recommended that the Board approve the attached ordinance amending section 4-4 (h) of the Code of Miami-Dade County, Florida, relating to applications to increase ambulance vehicles where necessary to service the countywide ambulance contract.

Scope
This ordinance amends regulations that are countywide in nature.

Fiscal Impact/Funding Source
There is an annual regulatory fee of $500 per vehicle. The additional revenue will be determined by the number of vehicles added.

Track Record/Monitor
The Consumer Services Department administers ambulance regulations.

Background
Chapter 4 of the Code sets forth the regulations that govern ambulance providers. Each ambulance certificate holder is approved for a specified number of vehicles. Section 4-4 (h) establishes a formula by which private ambulance providers may add ground ambulance vehicles. When the number of patient trips per vehicle per weekday exceeds five (5), the provider may apply for additional vehicles to lower the provider's trips per vehicle below the 5:1 threshold. Since 2001, when the current ambulance ordinance amendments were adopted, sixty-one (61) additional ambulance vehicles have been added using this formula. Presently, there are 175 authorized active vehicles distributed over five ambulance certificate holders.

The Department of Emergency Management and Homeland Security is preparing a Request for Proposals for a new countywide ambulance contract. The Board recently extended the expiration date of the existing contract to March 16, 2010. The ambulance company which is awarded the contract may need to add vehicles quickly to perform the number of trips required by the contract. However, the formula for adding vehicles in the current Code causes a delay that could create a service gap because it uses the company's own past trip history, which may not be sufficient to justify the additional units. The proposed amendment allows for the authorization of additional ground ambulance vehicles where the vehicles are needed to service the contract. The additional vehicles would be limited to contract work and the authorization would expire at the end of the contract.

Assistant County Manager

MEMORANDUM
(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: December 1, 2009

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 7(D)

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 _____

Agenda Item No. 7(D)
12-1-09

ORDINANCE NO. 09-110

ORDINANCE AMENDING SECTION 4-4 (H) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO APPLICATIONS TO INCREASE AMBULANCE VEHICLES; PROVIDING THAT MAYOR OR DESIGNEE SHALL AUTHORIZE ADDITIONAL VEHICLES TO SERVICE COUNTYWIDE EMERGENCY AND NON-EMERGENCY MEDICAL TRANSPORTATION VEHICLE SERVICE CONTRACTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Chapter 4 of the Miami-Dade County Code is hereby amended to read as follows:[1]

CHAPTER 4

AMBULANCES AND MEDICAL TRANSPORTATION VEHICLES

ARTICLE I. IN GENERAL

* * *

Sec. 4-4. Initial applications for certificates and applications to increase vehicles.

[1]Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

* * *

(h) Applications to increase vehicles. Following a minimum of six (6) months in operation, a private certificate holder may submit an application to request an increase in the number of authorized active ground vehicles. No increase shall be authorized unless the certificate holder submits verifiable documentation which demonstrates that the certificate holder's trips-to-car ratio is equivalent to or exceeds five (5) trips per active vehicle, per average weekday for the sixty (60) consecutive weekdays (Monday through Friday) preceding the date of application. The 5:1 trips-to-car ratio shall be calculated as follows: total number of trips where a patient is transported for the sixty (60) weekdays, divided by sixty (60) weekdays, divided by the number of authorized active vehicles. The County [[~~Manager~~]] >>Mayor or designee<< shall only authorize the number of additional active vehicles necessary to lower the applicant's average weekday trips per active vehicle ratio below the 5:1 threshold. All increases in the number of active vehicles shall be reported to the Commission on a semiannual basis. The applicant may also request a proportionate increase in reserve units in accordance with the provisions of Section 4-8 (l). Governmental entities shall be excluded from the provisions of this subsection. >>Notwithstanding any provision to the contrary, if a private certificate holder requires additional vehicles to service a countywide emergency and non-emergency medical transportation vehicle service contract between the private ambulance provider and Miami-Dade County, the County Mayor or designee shall authorize the number of additional vehicles necessary to comply with the requirements of the contract; provided, however, said vehicles shall only be used to perform work under the contract and the authorization shall automatically expire with the expiration of the contract.<<

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Sec. 4-8. Operating regulations.

* * *

(l) Active and reserve ground vehicles for private certificate holders. A certificate shall authorize a specific number of active and reserve vehicles. At no time shall a certificate holder operate more than a specified number of authorized active vehicles or maintain more than a specified number of authorized reserve vehicles. For new applicants, the County may authorize a number of reserve vehicles equivalent to up to twenty (20) percent of the active vehicle fleet, rounded off to the nearest whole vehicle. Certificate holders with certificates issued prior to the date of enactment of this ordinance whose certificates do not designate the number of reserve units included in the number of authorized vehicles shall specify the number of reserve units, within thirty (30) days from the effective date of this ordinance, which number shall not exceed twenty (20) percent of the active vehicle fleet. A new certificate shall be issued to the certificate holder authorizing a specific number of active and reserve units upon compliance with this subsection. Failure of an existing certificate holder to designate the number of reserve units within the specified time period as provided herein shall subject the certificate holder to probation, revocation or suspension as provided in Section 4-10.

* * *

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to

"section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: **December 1, 2009**

Approved by County Attorney as
to form and legal sufficiency: AMW/RAC

Prepared by: GKS

Gerald K. Sanchez