

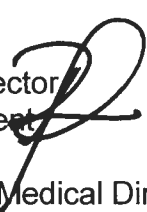


Interoffice Memorandum

AGENDA ITEM

May 5, 2023

TO: Mayor Jerry L. Demings  
-AND-  
County Commissioners

THRU: Raul Pino, MD, MPH, Director  
Health Services Department 

FROM: Christian C. Zuver, M.D., Medical Director  
EMS Office of the Medical Director  
**Contact: (407) 836-7611**

SUBJECT: Certificate of Public Convenience and Necessity  
Renewal for City of Ocoee Fire Department  
**Consent Agenda – May 23, 2023**

The EMS Office of the Medical Director (“EMS”) requests the approval of the application to renew the Certificate of Public Convenience and Necessity (“COPCN” or “Certificate”) for the City of Ocoee Fire Department to provide Advanced Life Support (“ALS”) transport services. Ocoee Fire Department has submitted the attached application requesting the renewal of its COPCN which has been in effect since 2007.

In accordance with the Orange County Code of Ordinances, EMS has reviewed Ocoee Fire Department’s renewal application. EMS has not received any substantial and material complaints against Ocoee Fire Department, and the status of Ocoee Fire Department has not substantially and materially changed. Accordingly, EMS recommends that the Orange County Board of County Commissioners renew Ocoee Fire Department’s Certificate.

**ACTION REQUESTED:** Approval and execution of the renewal Certificate of Public Convenience and Necessity for City of Ocoee Fire Department to provide Advanced Life Support transport services in Orange County, Florida. The term of this certificate is from June 1, 2023, through May 31, 2025. There is no cost to the County. **(EMS Office of the Medical Director)**

CZ/jj

Attachments



ORANGE COUNTY, FLORIDA  
EMS OFFICE OF THE MEDICAL DIRECTOR  
RENEWAL APPLICATION  
FOR  
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

RECEIVED

Level of Service

DATE: 4/26/2023

INITIALS: [Signature]

- BLS Non Transport
- ALS Non Transport
- Prehospital Air Ambulance
- BLS Transport
- ALS Transport
- Prehospital Interfacility Air Ambulance
- BLS Interfacility Transport
- ALS Interfacility Transport

EXPIRATION DATE 06/01/2023

SUBMISSION DATE 04/20/2023

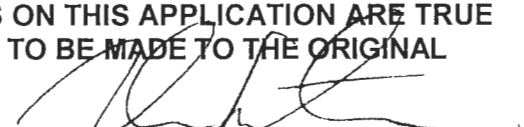
1. NAME OF SERVICE City of Ocoee Fire Department
  2. BUSINESS ADDRESS (STREET) 563 S. Bluford Ave. CITY Ocoee  
 COUNTY Orange STATE FL ZIP CODE 34761
  3. PHONE NUMBER 4079053140 FAX \_\_\_\_\_ 24 Hour Number 407-905-3148
- E-Mail address \_\_\_\_\_
- Manager's Name Tom Smothers Title Fire Chief

NOTE: (IF THERE ARE ANY CHANGES TO BE MADE TO YOUR PREVIOUS APPLICATION, PLEASE LIST BY NUMBER IN THE SPACE PROVIDED BELOW. (Use separate sheet if necessary). COMPLETE PERSONNEL AND VEHICLE ROSTER ATTACHMENTS, IF THERE ARE ANY CHANGES). If None State "None".


\_\_\_\_\_  
Addition of one (1) Deputy Fire Chief position.  
\_\_\_\_\_

TO THE BEST OF MY KNOWLEDGE, ALL STATEMENTS ON THIS APPLICATION ARE TRUE AND CORRECT AND THERE ARE NO OTHER CHANGES TO BE MADE TO THE ORIGINAL APPLICATION.



  
SIGNATURE

4/20/23  
DATE:

NOTARY SEAL  
  
NOTARY SIGNATURE

BCC Mtg. Date: May 23, 2023

**ORANGE COUNTY, FLORIDA**  
**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**  
*for*  
**CITY OF OCOEE FIRE DEPARTMENT**

**WHEREAS**, Section 401.25, Florida Statutes, governs the licensure of entities providing prehospital and interfacility advanced life support (“ALS”) services and basic life support (“BLS”) transportation services and requires applicants for licensure to obtain a certificate of public convenience and necessity from each county in which the applicant will operate; and

**WHEREAS**, Section 401.25, Florida Statutes, authorizes the governing body of each county to adopt ordinances that provide reasonable standards for certificates of public convenience and necessity; and

**WHEREAS**, Chapter 20, Article III, Orange County Code (the “Code”), governs the application for a certificate of public convenience and necessity in Orange County, Florida (“COPCN” or “Certificate”) and provides reasonable standards; and

**WHEREAS**, on April 26, 2023, the City of Ocoee’s Fire Department (“Applicant”) submitted its renewal application for a COPCN to Orange County’s Office of the Medical Director/EMS Division (“EMS”) to provide ALS transport services (“Application”); and

**WHEREAS**, pursuant to Section 20-99 of the Code, EMS reviewed the Application and has not received any substantial and material complaints against the Applicant, and the status of the Applicant has not substantially and materially changed. Accordingly, EMS recommends that the Orange County Board of County Commissioners (“Board” or “BCC”) renew the Applicant’s certificate; and

**WHEREAS**, the Board has considered the Application, EMS’s recommendation, and all applicable recommendations from municipalities within Orange County, Florida (the “County”). The Board has determined that the Applicant’s proposed service, to the extent authorized by this Certificate, is or will be required by the present or future public convenience or necessity. The Board has determined that the Applicant is financially and otherwise able to provide adequate and uninterrupted service as required.

NOW THEREFORE, BE IT RESOLVED BY THE ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS:

**Section 1. Recitals.** The above recitals are hereby incorporated into this Certificate.

**Section 2. Application and Certificate.** The Board hereby grants Ocoee Fire Department’s Application to renew its COPCN and authorizes Ocoee Fire Department to provide **Level 5 ALS transport services in Orange County, Florida** in accordance with the terms, conditions, and limitations of this Certificate. The Board hereby issues this Certificate to the **City of Ocoee Fire Department**. The Board certifies that the Applicant’s proposed services are for the benefit of the population of the County or the benefit of the population of some geographic area of the County.

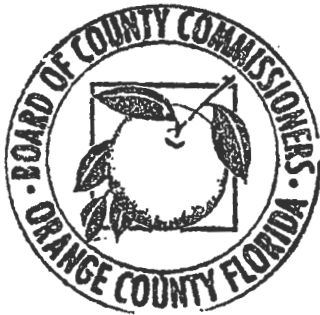
**Section 3. Term.** The “Term” of this Certificate is the period of time during which this Certificate is valid and effective. This Certificate’s Term shall be for a two-year period beginning

on **June 1, 2023**, and expiring on **May 31, 2025**. Notwithstanding the foregoing, the Term may expire earlier if this Certificate is suspended or revoked pursuant to Orange County Code.

**Section 4. Indemnification.** In consideration of this Certificate, which permits Ocoee Fire Department to provide ALS transport services in Orange County, pursuant to Section 20-96, Orange County Code, and to the fullest extent permitted by law, Ocoee Fire Department agrees to defend, indemnify, and hold harmless the County, its officials, agents, and employees from and against any and all claims, suits, judgments, demands, liabilities, damages, costs and expenses (including attorney's fees) of any kind or nature whatsoever arising directly or indirectly out of or caused in whole or in part by any act or omission of Ocoee Fire Department or its subcontractors (if any), anyone directly or indirectly employed by them, or anyone for whose acts any of them may be liable; excepting those acts or omissions arising out of the sole negligence of the County.

**Section 5. Compliance with Laws.** By accepting this Certificate or providing ALS transport services in Orange County pursuant to this Certificate, Ocoee Fire Department agrees to comply with all applicable state and local laws and regulations.

ADOPTED THIS 23 DAY OF May, 2023.



ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: *Jerry L. Demings*  
for Jerry L. Demings  
Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller  
As Clerk of the Board of County Commissioners

By: *Jennifer Ann Kinney*  
Deputy Clerk