




Interoffice Memorandum

AGENDA ITEM

February 15, 2023

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

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

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 Apopka Fire Department
Consent Agenda – March 7, 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 Apopka Fire Department (“AFD”) to provide Advanced Life Support (“ALS”) transport services. AFD has submitted the attached application requesting the renewal of its COPCN which has been in effect since 1982.

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

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

CZ/jj

Attachments

BCC Mtg. Date: March 7, 2023

ORANGE COUNTY, FLORIDA
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
for
CITY OF APOPKA 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 January 31, 2023, the City of Apopka’s Fire Department (“AFD” or “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 AFD’s Application to renew its COPCN and authorizes AFD 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 Apopka 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.

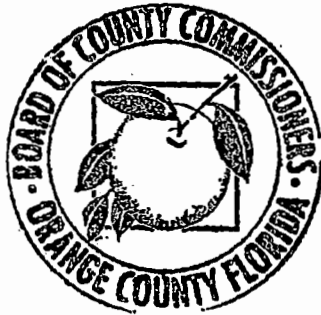
Section 3. Term. The “Term” of this Certificate is the period of time during which this Certificate is valid and effective. This Certificate’s Term shall be for a two-year period beginning

on **April 1, 2023**, and expiring on **March 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 AFD to provide ALS transport services in Orange County, pursuant to Section 20-96, Orange County Code, and to the fullest extent permitted by law, AFD 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 AFD 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, AFD agrees to comply with all applicable state and local laws and regulations.

ADOPTED THIS 7th DAY OF March, 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 Kintz*
Deputy Clerk



Rec'd
1/31/2023
[Signature]

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

Level of Service

- 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 04/01/2023
SUBMISSION DATE 01/30/2023

1. NAME OF SERVICE CITY OF APOPKA FIRE DEPARTMENT

2. BUSINESS ADDRESS (STREET) 175 EAST 5TH STREET CITY APOPKA
 COUNTY ORANGE STATE FL ZIP CODE 32703

3. PHONE NUMBER 407-703-1756 FAX 407-703-1708 24 Hour Number 407-703-1757
 E-Mail address WRIVERA-SANCHEZ@APOPKA.NET

Manager's Name WILFREDO RIVERA SANCHEZ Title EMS DIVISION 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".

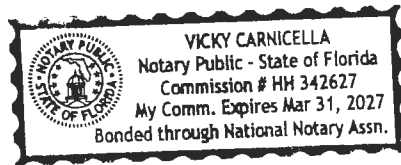
PERSONNEL AND VEHICLE ROSTER CHANGES
*SEE ATTACHMENTS

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

DATE: 1/30/2023



NOTARY SEAL



NOTARY SIGNATURE