



Legislation Text

File #: 24-1114, **Version:** 1

Interoffice Memorandum

DATE: July 17, 2024

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: Raul Pino, M.D., MPH, Director

FROM: Christian C. Zuver, M.D., Medical Director

CONTACT: Sandra D. Roe

PHONE: 407-836-7611

DIVISION: EMS Office of the Medical Director

ACTION REQUESTED:

Approval and execution of the modified Certificate of Public Convenience and Necessity for District Fire Department. There is no cost to the County. (EMS Office of the Medical Director)

PROJECT: N/A

PURPOSE: The EMS Office of the Medical Director ("EMS") requests Board approval of a modified Certificate of Public Convenience and Necessity ("COPCN" or "Certificate") that updates the name of the certificate holder from "Reedy Creek Emergency Services" to "District Fire Department." The modified Certificate authorizes the District Fire Department to continue providing advanced life support and basic life support transport services in Orange County, Florida. In January 2024, Reedy Creek Emergency Services informed Orange County EMS of the intended name change. On February 28, 2024, the Orange County Emergency Medical Services Advisory Council voted to recommend a minor modification to the Certificate to update the name of the certificate holder from "Reedy Creek Emergency Services" to "District Fire Department." On April 24, 2024, the Central Florida Tourism Oversight District Board of Supervisors voted to approve the name change. Orange County EMS recommends Board approval of the modified COPCN.

BUDGET: N/A

BCC Mtg. Date: August 13, 2024

ORANGE COUNTY, FLORIDA
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
for
DISTRICT 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 November 15, 2022, the Orange County Board of County Commissioners ("Board") renewed a COPCN for Reedy Creek Emergency Services ("Reedy Creek COPCN"); and

WHEREAS, in January 2024, Reedy Creek Emergency Services informed Orange County EMS that it intended to change its name to "District Fire Department"; and

WHEREAS, on February 28, 2024, the Orange County Emergency Medical Services Advisory Council ("EMSAC") reviewed the proposed name change and voted to recommend a minor modification to the Reedy Creek COPCN to update the entity's name from "Reedy Creek Emergency Services" to "District Fire Department"; and

WHEREAS, on April 24, 2024, the Central Florida Tourism Oversight District Board of Supervisors voted to approve the name change; and

WHEREAS, in accordance with Section 20-99(a) of the Code, the Board has considered EMSAC's recommendation and desires to make a minor modification to the Reedy Creek COPCN to update the the name of the entity reflected on the COPCN from "Reedy Creek Emergency Services" to "District Fire Department".

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. Modified and Restated. The Reedy Creek COPCN is hereby modified and restated as follows with additions shown as underlines and deletions shown as ~~strikethroughs~~:

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

Section 2. Application and Certificate. The Board hereby grants District Fire Department's Reedy Creek Emergency Services' Application for permission to provide **BLS and 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 **District Fire Department Reedy Creek Emergency Services**. 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 **January 31, 2023** and expiring on **January 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 District Fire Department Reedy Creek Emergency Services to provide BLS and ALS transport services in Orange County, pursuant to Section 20-96 20-93, Orange County Code, and to the fullest extent permitted by law, District Fire Department Reedy Creek Emergency Services 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, cost 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 District Fire Department Reedy Creek Emergency Services 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 BLS or ALS transport services in Orange County pursuant to this Certificate, District Fire Department Reedy Creek Emergency Services agrees to comply with all applicable state and local laws and regulations."

Section 3. Effective Date. This modified Certificate shall become effective upon the date of adoption by the Board.

ADOPTED THIS 13 DAY OF August, 2024.

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 - Kline
Deputy Clerk

