

RESOLUTION 13-05

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE RENEWAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE TOWN OF LONGBOAT KEY FIRE RESCUE; PROVIDING FOR A WAIVER OF THE APPLICATION SUBMISSION REQUIREMENTS AND PROCEDURES UNDER SECTION 12 OF MANATEE COUNTY ORDINANCE 91-73; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Longboat Key Fire Rescue has operated ambulance services since 1978; and

WHEREAS, the Town of Longboat Key lies partially within the boundaries of Manatee County, and its Fire Rescue Department operates within those boundaries; and

WHEREAS, the Board of County Commissioners of Manatee County enacted Ordinance 91-73, which prescribed rules and regulations for vehicles for hire, including ambulance services, which operate within Manatee County; and

WHEREAS, Section 4 of Ordinance 91-73 requires a Manatee County Certificate of Public Convenience and Necessity; and

WHEREAS, pursuant to Resolution 09-03, Longboat Key Fire Rescue presently has a valid certificate from Manatee County in order to provide emergency medical services to residents of the Town of Longboat Key; and

WHEREAS, Longboat Key Fire Rescue's certificate expires January 22, 2013; and

WHEREAS, the Town of Longboat Key has requested that Manatee County waive the application submission requirements and procedures; and

WHEREAS, Longboat Key Fire Rescue will provide to Manatee County Emergency Medical Services a copy of its State provider license; and

WHEREAS, Section 12 of Ordinance 91-73 states that the Manatee County Board of County Commissioners may waive application submission requirements and procedures; and

WHEREAS, Section 15 of Ordinance 91-73 states that the Manatee County Board of County Commissioners may, by Resolution, authorize the renewal of a Certificate of Public Convenience and Necessity at any duly noticed public meeting.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Manatee County, Florida, that:

Section 1. Findings of Fact: With respect to the Town of Longboat Key's Fire Rescue Department application for a Certificate of Public Convenience and Necessity (COPCN) for its emergency medical transportation services, the Board of County Commissioners of Manatee County makes the following findings of fact:

- A. Longboat Key Fire Rescue has provided the Department of Public Safety with notice of any changes in the information contained in its prior application and submission of a new application is not required.
- B. Pursuant to Florida Statutes § 401.25, the Board is empowered to grant a COPCN to the Town under such terms and conditions as it deems appropriate.
- C. A waiver of application submission requirements and procedures is appropriate.
- D. It is proper and in the best interest of the County to renew a COPCN for Longboat Key Fire Rescue for its emergency medical transportation services.
- E. Based upon the judgment and discretion vested in the Board of County Commissioners, the Board determines that a COPCN should be issued as there still exists a Public Convenience and Necessity supporting the requested ambulance service.


Section 2. Authorization for Issuance of Certificate: The Board of County Commissioners of Manatee County authorizes the renewal for two years of a Certificate of Public Convenience and Necessity for Longboat Key Fire Rescue's emergency medical transportation services, effective January 22, 2013.

Section 3. Effective Date: This Resolution shall become effective immediately upon adoption.

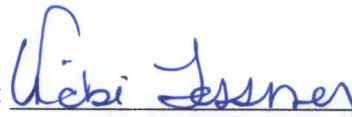
ADOPTED with a quorum present and voting this 8th day of January, 2013.

MANATEE COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

ATTEST:
R. B. Shore, Clerk of Circuit Court



Larry Bustle, Chairman

By: 
Deputy Clerk



EMERGENCY MEDICAL SERVICES
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

WHEREAS, Longboat Key Fire Rescue, has requested authorization to provide Advanced Life Support to the citizens of the Town of Longboat Key, a portion of which falls in Manatee County; and

WHEREAS, it has been demonstrated that there is a need to provide these essential services to the citizens of the Town of Longboat Key, a portion of which falls in Manatee County; and

WHEREAS, the above named service affirms that it will maintain compliance with the requirements of Florida Law (F.S.S. Chapter 401) and Administrative Rules (F.A.C. 64J-1).

THEREFORE, the Board of County Commissioners of Manatee County hereby issues a Certificate of Public Convenience and Necessity to said Longboat Key Fire Rescue to provide ALS Transport services with limitations as prescribed on this Certificate. (BLS, ALS-Transport, or ALS Non-Transport)

In issuing this Certificate, the governing body of Manatee County has considered recommendations of affected municipalities.

Date Issued: January 22, 2013

Date of Expiration: January 22, 2015
(Unless Certificate is sooner revoked or suspended)

Limitations: As authorized by Manatee County Resolution R-13-05.

January 8, 2013

Date



Manatee County Public Safety Director

January 8, 2013 Regular Meeting
Agenda Item #18

Subject

Longboat Key COPCN

Briefings

None

APPROVED In Open Session Manatee County Board of County Commissioners
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Contact and/or Presenter Information

Ronald J. Koper, Jr., Acting Deputy Director
ext. 3563

Action Requested

Motion to adopt Resolution R-13-05 authorizing renewal of Certificate of Public Convenience and Necessity for Longboat Key Fire Rescue, and waiver of application submission requirements and procedures for the issuance of Certificate; superseding Resolution R-13-05.

Authorize county Administrator (or designee) to execute a new Certificate of Public Convenience and Necessity which reflects adoption of R-13-05.

Enabling/Regulating Authority

Ordinance 91-73, F.S.S., Chapter 401, Part III; F.A.C. 64-J-1.

Background Discussion

Longboat Key Fire Rescue submitted correspondence dated November 9, 2012, requesting the waiver of application submission requirements and procedures for renewal of Certificate of Public Convenience and Necessity authorized by Manatee County Ordinance 91-73, Section 12, Application for Renewal of County Certificate. Current Certificate expires January 22, 2013.

Ambulance services provided by the Longboat Key Fire Rescue do not adversely impact Manatee County Emergency Medical Services.

County Attorney Review

Formal Written Review (Opinion memo must be attached)

Explanation of Other

Reviewing Attorney
Eschenfelder

Instructions to Board Records

Please send signed, original Certificate of Convenience and Copy
of Resolution to Department of Public Safety, Division of EMS.

SENT VIA INTEROFFICE 1/10/13/PK

EMAIL SENT 1/10/13/PK

Cost and Funds Source Account Number and Name
None

Amount and Frequency of Recurring Costs
N/A

Attachment: [Request from LBK 121012.pdf](#)

Attachment: [12-340 COPCN renewal LBK legal.pdf](#)

Attachment: [R-13-05.pdf](#)

Attachment: [Longboat Key COPCN 2013 Certificate.pdf](#)



TOWN OF
LONGBOAT KEY

Incorporated November 14, 1955

Town Hall
501 Bay Isles Road
Longboat Key, FL 34228
(941) 316-1999
FAX (941) 316-1656
www.lmwhoatkev.org

**Longboat Key Fire Rescue
5490 Gulf of Mexico Drive
Longboat Key, FL 34228
(941) 316-1944
(941) 316-1946 FAX**

November 9, 2012

Ronald J. Koper, Jr., Division Chief
Manatee County Public Safety-EMS Division
2101 47th Terrace East
P.O. Box 1000
Bradenton, FL 34206

SUBJECT: CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

Dear Chief Koper:

Pursuant to Manatee County Ordinance No. 91-73, Section 12, *Application for Renewal of County Certificate*, we are requesting a waiver of the application submission requirements and procedures for renewal of our Certificate of Public Convenience and Necessity due to expire on January 22, 2013, and request renewal of same by the County Commission in accordance with 91-73, Section 15.

For your review, I have enclosed a copy of our current CPCN certificate and Resolution 11-001 passed by the MC Commission for our last renewal.

Your help with our renewal is greatly appreciated.

Sincerely,


Maureen A. Monahan
Emergency Services Specialist

Attachments

cc: Paul B. Dezzi, Fire Chief



Office of
**MANATEE COUNTY
ATTORNEY**

Mitchell O. Palmer, County Attorney*

James A. Minix, Chief Assistant County Attorney
Maureen S. Sikora, Assistant County Attorney**
Robert M. Eschenfelder, Assistant County Attorney
Rodney C. Wade, Assistant County Attorney**
William E. Clague, Assistant County Attorney
James R. Cooney, Assistant County Attorney
Sarah A. Schenk, Assistant County Attorney**

MEMORANDUM

TO: Bill Hutchison-Public Safety Department Director ,

THROUGH: Mitchell O. Palmer-County Attorney JYI PJ...J'J.

FROM: Robert Michael Eschenfelder-Assistant County Attom. e-) //

DATE: 28 December 2012

RE: COPCN Renewal for Town of Longboat Key Fire Rescue (RLS 12-340) (CAO File: 1124-155)

In RLS 12-340, you indicate that the Town of Longboat Key has submitted a request for a renewal of its Certificate of Public Convenience and Necessity (COPCN), which is set to expire January 22, 2013. As you know, Florida Statutes § 401.25 grants the County Commission the right and authority to establish a COPCN process and require all providers of medical transport within the County to obtain a certificate prior to providing the services.

You indicate that the Public Safety Department desires to recommend to the Commission a renewal of the Town's COPCN, and that it supports the Town's request to waive the formal application process. You have requested the drafting of a Resolution making the required findings and granting a renewal. I have drafted the attached Resolution 13-05 which is in sufficient form to place on the Commission agenda for approval.

I trust this adequately responds to your request for service. If you have other questions, please feel free to contact me.

c: Ed Hunzeker-Manatee County Administrator
Karen Windon & Dan Schlandt-Deputy County Administrators
Ron Koper-Deputy Public Safety Director

*Board Certified in Construction Law

** Board Certified in City, County & Local Government Law

From: [Pati Kopke](mailto:Pati.Kopke@ManateeClerk.com)
To: "ron.koper@mymanatee.org"; "nicolette.coetzee@mymanatee.org"; "debbie.bassett@mymanatee.org"
Subject: R-13-005
Date: Wednesday, January 09, 2013 5:17:00 PM
Attachments: [BC20130108DOCA18.pdf](#)

Attached please find a copy of the above referenced resolution that was approved at the 1/8/13 BCC meeting.

For Ron's information, I have forwarded his copy of the resolution (certified just in case) and the original Certificate of Public Convenience and Necessity via interoffice.

Good evening everyone.

It's a beautiful day, go out and enjoy it :)

Pati Kopke
Board Records
For R.B. "Chips" Shore
Manatee County Clerk of the Circuit Court & Comptroller
www.ManateeClerk.com
Pati.Kopke@ManateeClerk.com
941-749-1800 Ext. 4162
"Pride in Service with a Vision to the Future"