

**BOARD OF COUNTY COMMISSIONERS
SPECIAL PUBLIC MEETING
FRIDAY, MARCH 20, 2009 – 9:32 A.M.
ASSEMBLY ROOM, FIFTH FLOOR
315 COURT STREET, CLEARWATER, FLORIDA**

Members Present: Calvin D. Harris, Chairman; Susan Latvala; John Morroni; Kenneth T. Welch; and Neil Brickfield.

Late Arrival: Karen Williams Seel, Vice-Chairman.

Not Present: Nancy Bostock.

Others Present: James L. Bennett, County Attorney; Robert S. LaSala, County Administrator; and Cynthia N. Haumann and Arlene J. Kennare, Deputy Clerks.

1 Resolution No. 09-37 adopted establishing levels of service for emergency medical first responders in accordance with the requirements of Chapter 80-585, Laws of Florida, as amended.

and

Resolution No. 09-38 adopted establishing criteria for the determination of reasonable and customary cost of emergency medical service providers in accordance with the requirements of Chapter 80-585, Laws of Florida, as amended.

Public hearing was properly advertised. Affidavit of Publication has been received for filing. Two telephone calls and five e-mail messages in favor of and 33 telephone calls, 77 e-mail messages, and five letters in objection to the proposed resolutions have been received.

County Administrator LaSala indicated that more than one year ago the Board issued a directive that Emergency Medical Services (EMS) staff work with the fire rescue service providers to identify ways to operate within the provided millage rate; that the cost difference between revenues and expenditures at that time was \$14,500,000; and that due to a significant decrease in property values, that gap has increased to approximately \$18,000,000. He noted that EMS staff and the providers were unable to reach a mutually agreeable approach to balance the budget; and that in January he, the EMS staff, and a committee of city managers worked through a series of options and alternatives and arrived at a balanced budget approach which incorporates the following:

- ✓ System-wide savings.
- ✓ Adjustments in dollars allocated for administrative and central operations.
- ✓ Adjustments in field operation costs.
- ✓ Adjustments in provider costs.
- ✓ Realization of increased revenues from third-party payers.

He noted that this set of adjustments was presented to the Board on February 24, 2009, together with information regarding three actions which it would be asked to take, as follows:

- ✓ Establishment of priority dispatch (Resolution No. 09-31 adopted March 3, 2009).
- ✓ Establishment of level of service.
- ✓ Establishment of reasonable and customary costs.

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At this time, 9:40 A.M., Commissioner Seel entered the meeting.

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Mr. LaSala noted that while the standards being set forth in the resolution have been exceeded repeatedly for a number of years, the question arises as to whether it is the responsibility of the EMS Authority, a particular provider, or a particular city, to pay for maintaining that standard; whereupon, he introduced Emergency Medical Services Division Manager Craig A. Hare to provide follow-up information to the presentation conducted on February 24, 2009, together with information regarding the resolutions before the Board today.

Mr. Hare conducted a PowerPoint presentation titled *Emergency Medical Services Authority EMS Standards Special Meeting*, a copy of which has been filed and made a part of the record. He noted that the existing response time standard has been in place since 1997; that there has been no official policy set by the EMS Authority with respect to the level of service; and that in order for the Board to know and understand all the cost drivers when EMS decisions are being made, he proposes to formally adopt criteria for approving Advanced Life Support (ALS) first responder units and a standardized method for the EMS budget submission in the form of a line-item budget which follows the reasonable and customary cost provision of the EMS Special Act.

Mr. Hare stated that in view of the current economic situation, it is essential that the elected officials, including the EMS Authority, City Councils, and Fire District Commissions, and the citizens fully participate in the process in order to:

- ✓ Understand the level of EMS services.
- ✓ Ensure a consistent level of service countywide.
- ✓ Understand the cost of those services.
- ✓ Have an active role in setting priorities and limitations.
- ✓ Contain costs to preserve front line service delivery.
- ✓ Contain costs to ensure there are funds available for other essential services.
- ✓ Ensure the tax burden isn't unnecessarily high.

Mr. Hare described the process and recent actions taken in order to establish a structure to meet budget deadlines, and stated that the resolutions under consideration today can be modified or enhanced if necessary; that all costs and cost savings must be identified in order to allow the EMS Authority to move forward with input from the citizens and providers to prioritize and make responsible decisions; and that the resolutions contain provision for exceptions that allow the EMS Authority to deal with historical issues from the EMS Special Act. He emphasized that the resolutions before the Board today do not reduce, eliminate, or realign any ALS first responder units; that discussions between cities, fire districts and the county are ongoing; that ALS first responder units that are proposed for realignment or elimination will be discussed district by district in conjunction with their proposed budgets at a future meeting; and that cities and fire districts will have an opportunity to bring forward any exceptions with respect to additional costs to be considered by the EMS Authority.

Referring to the clarifications requested at the work session held February 24, 2009, Mr. Hare provided a detailed description of a Public Utility Model emergency medical services system, as well as the following information:

- ✓ 911 and EMS Communications space needs for Emergency Coordination Center.
- ✓ Cost of rescue units compared to ambulances.
- ✓ Number of calls in various areas (detailed briefing to be brought to the EMS Authority with any proposed unit changes).
- ✓ Seminole Truck 29 out of service 19% of 2008.
- ✓ Potential reductions for consideration.
- ✓ Information with respect to overtime for fire departments.
- ✓ Information regarding computer models without city or fire district funded units removed.

Mr. Hare provided information on the financial impact of various items not considered as follows:

- ✓ Lack of ALS first responder services in St. Petersburg.
- ✓ Field supervision.

- ✓ Staffing of Dispatch service.
- ✓ Reserve for contingency.
- ✓ Computer aided dispatch hardware/software.
- ✓ Actual costs of specialized transport.

Mr. Hare indicated that a commitment has been received from the county and the cities to engage a consultant to produce a study of the EMS System design, including fire rescue transport; and that the study will be sent to the Office of Program Policy Analysis and Government Accountability (OPPAGA), a special staff unit of the Florida Legislature, for review; whereupon, he provided detailed information with regard to the Pinellas County EMS workload using 2008 data as calculated by Deccan modeling software, National Institute of Health response time, National Fire Protection Association standards, and emergency medical dispatch.

Referring to the resolutions regarding level of service and reasonable and customary costs, Mr. Hare provided a detailed summary description of the thrust and purpose of each resolution, and recommended that they be adopted. He indicated that following adoption, EMS Administration will meet with the stakeholders and their staffs to formalize the package to be brought to the EMS Authority for approval; and, if the package is approved, standardized ALS first responder agreements will be executed.

Responding to query by Commissioner Latvala, Mr. Hare provided information regarding the county's contract with Paramedics Plus, the non-profit hospital consortium that owns, operates, and staffs the Sunstar ambulances. With input by Mr. LaSala, he indicated that county staff evaluates the performance and handles the billing for Sunstar; and described the manner in which the ambulances are deployed throughout the county.

In response to queries by Commissioners Welch and Morroni, Mr. Hare confirmed that computer modeling will be validated with actual data as discussions with the various cities and fire districts occur; that the reserves beginning fund balance for the current fiscal year was \$38,000,000; that a decision to use some of the reserve funds for next year's budget would ultimately be made by the EMS Authority; and that a multi-year plan will be brought to the EMS Authority for approval.

CITIZENS' COMMENTS

In response to the Chairman's call for persons wishing to be heard, the following individuals appeared, stated their concerns, provided comment, and responded to queries by the members:

John "Jake" Epper, Clearwater
Cindy Fairbanks, Clearwater
Michael Handoga, Palm Harbor

Celia Kottmeier, Clearwater
John Little, Clearwater
Peter J. Maloney, Clearwater
Philip Milner, Clearwater
Geoff Moakley, Largo
Will Newton, St. Petersburg
Rick Pauley, Clearwater
Rick Wagoner, Clearwater

City of Belleair Bluffs

Mayor Chris Arbutine stated that neither he, his fire chief, nor his commissioners were involved in any discussions leading up to the adoption of the resolutions; that his staff would like more participation before any action is taken; and that it is his recommendation that a vote on the resolutions be delayed until all parties have had the opportunity to understand and discuss the results contemplated by each resolution. Noting that at the present time the City of Belleair Bluffs is contractually obligated to maintain a certain level of service, he queried as to whether the county will assume these obligations once the resolutions are in place; whereupon, Chairman Harris noted that the resolutions will merely codify the current response times.

City of Clearwater

Vice-Mayor George N. Cretekos presented City of Clearwater Resolution No. 09-17, a copy of which has been filed and made a part of the record, and recommended that the resolutions before the Board today not be adopted until the proposal put forth by county staff is reanalyzed; and indicated that the City of Clearwater contends that the response time model is flawed; and that no excess capacity exists. In response to queries by Commissioners Welch and Latvala, Vice-Mayor Cretekos pointed out that there are several options for eliminating the budget shortfall, including increasing efficiencies, using a portion of the reserves, and increasing the EMS millage; and indicated that all options should be examined; whereupon, Mr. LaSala reiterated that the adoption of the resolutions will not impede the county's ability to continue to examine the problem and find appropriate solutions.

City of South Pasadena

Commissioner of Public Safety Larry Crowley noted for the record that the manpower needed for an EMS call is two first responders, whether they have eight or eleven calls a day. He indicated that South Pasadena is considered an exception to the level of service criteria contained in the resolution, as the EMS Special Act mandates that the county shall provide the level of service that was in place in January of 1989. He indicated that he and Mayor Dick Holmes had met with Mr. LaSala and Mr. Hare and their staff, and had been assured that it was the county's intention to honor the provisions of the Special Act and to fund South Pasadena at the historical level of service; whereupon, he described the agreement reached at that meeting, and questioned why it was not incorporated into the resolution.

He expressed concern with respect to the arbitrary cost provisions contained in the resolution, and suggested that the millage rate might have to be revisited, as the Special Act obligates the Board to charge up to 1.5 mills if necessary to fully fund the EMS system.

City of St. Petersburg

Fire and Rescue Chief James Large stated that there has not been enough discussion with the primary stakeholders to move the resolutions forward at this time; that the City of St. Petersburg currently subsidizes EMS in the amount of \$1,200,000; that the city is concerned with the impact the county's actions will have on its budget; and that the proposed actions by the county will reduce service. He described the differences between the computer modeling provided in Mr. Hare's report and actual response times; noted that St. Petersburg Fire and Rescue is a class ISO 2 rated agency by the International Organization for Standardization; and indicated that the loss of that rating would have a one percent impact on residential insurance costs and a four percent impact on insurance costs for commercial entities. He stated that in accordance with a previous ruling, the EMS Authority does not have the power to require the use of ALS engines in the city's fire department; and noted that if the proposed plan is put into effect, 26 firefighter/paramedic positions will have to be eliminated in St. Petersburg alone. He noted that his primary mission is the preservation and safety of life and property; and that he approached this issue trying to find maximum savings while maintaining core service delivery.

Responding to query by Commissioner Welch, Chief Large related that his projection of increased response time was based on actual data taken over the last year; and that this data has not been provided to the county; whereupon, Commissioner Welch pointed out that budget funding decisions will not be made today; and that discussions will be held with each individual city or fire district to determine reductions which may be made; and Mr. LaSala provided input.

During discussion and in response to queries by Chairman Harris and Commissioner Latvala, Chief Large indicated that he was not one of the stakeholders invited to participate in the crafting of the resolutions; that he did not receive the resolutions until early March; and that he has not met with county staff since that time; whereupon, Commissioner Latvala encouraged him to meet with staff to present his data and discuss his concerns.

City Council Chairman Jeff Danner restated Chief Large's concerns with respect to a decrease in the level of service and the request for a delay of any action on the resolutions until a complete evaluation of the proposed changes to the level of service and the criteria for reasonable and customary costs has been completed; and presented City of St.

Petersburg Resolution No. 2009-144, a copy of which has been filed and made a part of the record.

During discussion and in response to queries and comments by Commissioner Welch, Mr. Danner suggested that before the resolutions are adopted, county staff should continue their talks with all the affected jurisdictions, and move forward to reduce redundancies and create efficiencies.

Responding to query by Commissioner Brickfield, Mr. LaSala confirmed that if the City of St. Petersburg wants to offer a higher level of service than called for by the county's plan, it is free to generate additional revenue for the services in any manner it deems appropriate, including raising its property tax. Chairman Harris provided comment with regard to the inequity created by the benefit package currently afforded to fire and rescue personnel in the City of St. Petersburg, noting that it is much larger than benefit packages throughout the rest of the county and it should not be the responsibility of EMS to subsidize it.

Responding to queries by the members, First Deputy Mayor Tish Elston stated that following the meeting between city managers and county staff, she informed Messrs. LaSala and Dates that she did not believe the City of St. Petersburg would agree to the proposed plan in its entirety; that she has met with Mr. LaSala since receiving the original resolutions; that she is concerned that the adoption of the resolutions today may in some way prevent any further discussion; and that the court decision put in place 20 years ago states that the city's costs, including the unfunded pension liability which is responsible for the substantial employee benefit package, are reasonable and customary. She reiterated that the city is concerned about a possible increase in response times; stated that she believes that additional discussions will enable all stakeholders to reach an acceptable comfort level; and recommended that the Board delay adoption of the resolutions until those discussions are held; whereupon, Chairman Harris and Commissioners Latvala, Morroni and Seel provided additional input with respect to ongoing discussion whether or not the resolutions are approved.

Firefighters and Fire Chiefs

Speaking on behalf of the approximately 1,200 professional firefighters and Pinellas County Fire Chiefs, Scott Sanford, International Association of Firefighters, conducted a PowerPoint presentation titled *Pinellas County Fire/EMS Hybrid Proposal*, a copy of which has been filed and made a part of the record, which summarized the issues, the solution, the estimated savings, and the consequences of the EMS staff proposal, and stated that the Pinellas County proposal is not an acceptable solution. He indicated that the Fire/EMS Hybrid Proposal, which has been endorsed by the Pinellas County Fire Chiefs Association, was presented during the reconfiguration meetings between the EMS staff and the providers. He stated that the hybrid proposal would utilize the 25 rescue ambulances that are currently funded, staffed, deployed, and available for transport by the

fire departments; and that it would result in a projected cost savings of approximately \$7,600,000. He indicated that this proposal will:

- ✓ Maintain current response times as opposed to reducing them.
- ✓ Reduce some duplication of services.
- ✓ Increase efficiencies.
- ✓ Reduce system cost by a projected \$1,000,000 over the current proposal.

During discussion, Mr. Sanford requested that the resolutions under consideration today not be adopted until all pertinent facts have been discussed; and expressed his hope that the Board will direct staff to completely vet the hybrid proposal he submitted. Responding to comments by the members, Mr. Sanford provided additional information with respect to the data used for purposes of the computer modeling, and related that costs of additional fuel, turnaround time, staffing, and wear and tear on the vehicles had been considered. He pointed out that should the plan be put into effect, fewer ambulance transports from Sunstar would need to be purchased.

Following additional discussion, it was the consensus of the Board that the hybrid proposal presented by Mr. Sanford be reviewed and vetted by county staff.

Walter Dix, International Association of Firefighters, Washington, D.C., pointed out that each speaker had urged the Board not to approve the resolutions at this time; whereupon, at the request of Commissioner Seel, he described the Broward County EMS system.

Gerard DeVivo, Executive Vice President for the Clearwater Firefighters Association Local 1158, representing about 250 firefighters throughout the county, including New Port Richey, Belleair Bluffs, East Lake and Clearwater, submitted a petition containing approximately 200 signatures of citizens opposed to the increase in response times, and asked that the Board not adopt the resolutions.

Pinellas Suncoast Fire Rescue Chief Russell Livernois stated that his fire district was not invited to join any discussions regarding the resolutions before the Board today; expressed his concerns regarding potential loss of service by the beach communities; and encouraged the members to delay the vote on the resolutions before them today.

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At 12:18 P.M., the meeting was recessed and reconvened at 12:27 P.M. with all members present, with the exception of Commissioners Welch and Morroni, who entered the meeting at 12:28 P.M. and 12:35 P.M., respectively.

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At the request of Chairman Harris and in response to public comment, Mr. LaSala reiterated that the purpose of the proposed resolutions is to establish what has been the practice of the system with respect to level of service and reasonable and customary costs as formal components of the EMS Authority's programs which the millage supports. He noted that the routine and customary costs will continue to be a work in progress; that realignment will be necessary from time to time; and that part of the purpose of today's meeting is to provide guidance to the providers in the preparation of their budgets.

DISCUSSION

In response to queries by Commissioner Seel, Mr. Hare confirmed that there are 26 ALS rescue units in the county, but only 25 of them have transport capability. He provided information regarding staffing with one Emergency Medical Technician (EMT) and one paramedic versus staffing with two paramedics; described the proposal for discontinued and realigned units; and confirmed that an increase of .2 mills should cover the anticipated budget shortfall of \$18,000,000. Attorney Bennett provided the definition of "level of service" used by the county, and noted that if a city or fire district disagrees with a proposed level of service, it would be its responsibility to provide information confirming the level of service in place in 1989. He advised that the Board would not be taking on any additional liability, since this is a planning level activity.

In response to queries by Commissioner Welch, Mr. LaSala confirmed that adopting the resolutions today does not preclude further review and consideration of the alternative plan submitted by Mr. Sanford; and Mr. Bennett stated that the contract with Paramedics Plus cannot be unilaterally amended; whereupon, Mr. Hare related that at the Board's direction, the county is currently negotiating a new service agreement with Paramedics Plus.

During discussion, Commissioner Welch commented that he believes it is important to move forward with the resolutions; that discussions should be held with all the districts; and that if the current shortfall cannot be resolved by implementing additional efficiencies, the Board may have to consider increasing the millage; and in response to query by Commissioner Morroni, Mr. Hare indicated that a ten percent reduction in services is being proposed in the Paramedics Plus contract negotiation.

During additional discussion and in response to comments by Commissioner Morroni, Pinellas Park Fire and Rescue Chief Doug Lewis related that while the firefighter/paramedic positions being considered for elimination are county funded positions paid for with EMS dollars, the position of fire chief is funded by the citizens of each community; confirmed that the cities do not receive revenue resulting from the Sunstar billings; and provided comment with respect to the process used to develop the proposal currently being offered by EMS Administration.

Commissioner Latvala noted that it is important to approve the resolutions and move forward in cooperation to balance the EMS budget and the county budget in its entirety. Commissioner Brickfield indicated that Mr. Sanford's proposal should be reviewed closely; and in response to query by Commissioner Brickfield, Mr. LaSala indicated that the EMS Advisory Board recommended postponing a vote on the resolutions for 30 days so that they would have additional time to review the resolutions.

Thereupon, Commissioner Latvala moved, seconded by Commissioner Welch, that the resolution establishing levels of service for emergency medical first responders and the resolution establishing criteria for the determination of reasonable and customary cost of emergency medical service providers in accordance with the requirements of Chapter 80-585, Laws of Florida, as amended, be adopted; and Commissioner Welch suggested that the motion provide for further analysis of the Deccan computer model and the response models of the cities, additional budget and operations discussions with the districts, and a thorough review and discussion of the proposal submitted by Mr. Sanford; and the maker concurred.

Upon call for the vote, the motion carried unanimously.

2 Meeting adjourned at 1:57 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk