

ORDINANCE NO. 2005-23

AN ORDINANCE GRANTING AN EXCLUSIVE FRANCHISE FOR THE PROVIDING OF EMERGENCY MEDICAL SERVICES AND AMBULANCE OPERATIONS WITHIN THE CITY OF CLINTON, ARKANSAS TO VITAL LINK AS A NECESSARY PUBLIC SERVICE AND UTILITY, AND PROVIDING FOR THE OPERATION OF SAID PUBLIC SERVICE BUSINESS WITHIN THE CITY LIMITS; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, the State of Arkansas, pursuant to Ark. Code Ann. § 14-266-102(a)(1), has determined that it may be desirable for cities of the first and second class to franchise and regulate emergency medical services, technicians, emergency and non emergency ambulances and companies and all aspects determined by the city to be proper, and;

WHEREAS, the City of Clinton, Arkansas, has determined that it is appropriate to exercise the authority granted to it by the State in order to provide for the health, safety and welfare of the citizens of the City of Clinton, and has passed an Ordinance as such, and;

WHEREAS, the City of Clinton has sought an ambulance and emergency medical services provider by a competitive process as required by Arkansas law by requiring Requests for Qualifications and letters of interest from all companies interested in providing such services to the City of Clinton to be submitted by August 15, 2005, and then requiring the submission of proposals by October 13, 2005, and;

WHEREAS, the City Council of the City of Clinton has reviewed all of the submitted proposals and determined that one company made the best proposal that was in the best interests of the citizens of the City of Clinton.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLINTON, ARKANSAS, AS FOLLOWS:

Section 1: That from and after the effective date of this Ordinance, an exclusive franchise and license is hereby granted to Vital Link to operate an ambulance service and provide emergency and medically necessary medical services within the city limits of the City of Clinton, Arkansas, pursuant to the terms and conditions set forth herein. The beginning date of said franchise and license shall be on or before, but no later than, January 1, 2006.

Section 2. The term of the franchise and license shall be for five (5) years from and after the date of the approval of this Ordinance after which the City of Clinton will require competitive bidding for the continuation of said franchise. The terms and fees set forth in this franchise and license shall be reviewed by the City of Clinton and Vital Link annually.

Section 3. Vital link shall provide advanced life support and emergency and medically necessary non-emergency services on a fee for service basis to all residents and citizens of Clinton, Arkansas, regardless of age, race, sex or ability to pay on a twenty four (24) hour, seven (7) day a week basis during the term of this franchise and license.

Section 4. Vital Link rates will be per the chart herein and will be reviewed at least annually in consideration of increases, decreases, realignment or adjustment. Additionally, Vital Link will

charge for mileage, medications and procedures. The Base rates are as follows:

Non Emergency ALS	\$400.00
Non Emergency ALS1NE	\$450.00
Emergency ALS1E	\$500.00
Emergency or Transfer ALS2E	\$550.00
Specialty Care Transport SCT	\$650.00

Section 5. Vital Link will maintain two (2) ALS ambulances. Each staffed twenty four (24) hours per day. A third ambulance will be available as needed to cover transfers out of the city. The ambulances will be stationed at the Clinton base of operations. Each ambulance will so equipped as to provide full service and assure top quality ALS as required by Ordinance and state law and regulations. Each ambulance will be staffed at all times with at least one (1) Paramedic and at least one (1) Emergency Medical Technician. Vital Link will insure that all staff are qualified and that they will maintain all applicable, training, qualifications and licenses. Vital link will insure that a supervisor will be on staff at the Clinton base of operations. Vital Link will maintain an attractive, clean facility as its Clinton base of operations as near as possible to the hospital. Said facility shall provide living quarters, office work space, medical supply and equipment storage, laundry and decontamination area, ambulance garage or parking and protected outdoor space for employees.

Section 6. Vital Link must meet the following response time standards at least ninety per cent (90%) of the time:

From call received to ambulance dispatch	60 seconds or less
From Dispatched to in route	2 minutes or less
From in route to on scene (within city limits)	9 minutes or less

Vital Link will maintain records of response times and make those records available to the Mayor or City Council quarterly.

Section 7. Vital Link will operate in a relationship with the City of Clinton, Arkansas, as an independent contractor and will hold the City harmless from any and all claims, causes of action and any losses or liabilities which may arise by reason of the operation of the ambulance service franchised and licensed herein or for any activity conducted by any employee or provider. Vital Link shall maintain automobile liability, general and malpractice liability and workers compensation insurance on its vehicles, employees, agents and providers.

Section 8. Vital Link will offer Memberships to all citizens and residents of the City of Clinton. This will be advertised and promoted locally so as to provide notice to the citizens and residents of Clinton and to provide them an opportunity to join. Yearly memberships for singles or families will be \$50.00 per year with a half year rate of \$25.00 available after June 1 of each year. Memberships will include all emergency and medically necessary non emergency transports and will be honored in all service areas of Vital Link. Memberships will be provided at no charge to current law enforcement officers, fire fighters and employees of the City according to a roster provided by the City. For the first year of the franchise and license Vital Link will honor valid, current memberships from other providers of ambulance service within the City of Clinton.

Section 9. Vital Link will speak to civic groups, participate in local fairs, festivals, public events and school events unless prohibited due to currently providing emergency and medically necessary non emergency services. Said involvement will be to promote the service, solicit memberships, provide education on such subjects as CPR, bike rodeos, Morgan Nick registrations, free blood pressure checks, child safety seat education, Shattered Dreams and other programs that promote health and safety. Vital Link will work with local physicians Ozark Health Medical Center to discuss protocols, patient care and provide input. Vital Link will work to develop programs for professional health care providers, at a cost to

be determined by the parties, on subjects and matters determined to be necessary by the parties involved.

Section 10. Failure of Vital Link to comply with the terms and conditions of this Ordinance may result in the revocation of the franchise and license granted herein as provided by Ordinance.

Section 11. The City of Clinton will permit Vital Link to extend its service boundary outside of the city limits of Clinton and will enter into interlocal agreements with Van Buren County or other local governments as needed to facilitate the extension of said service boundaries.

Section 12. It having been found and determined that inadequate emergency ambulance service within the city limits of Clinton, Arkansas, will result in a condition menacing to the public peace, health and safety, and, that pursuant to a competitive bidding process, Vital Link has been determined to be the best provider to have and exercise an exclusive franchise and license within the city limits. Therefore, an emergency exists and this ordinance being necessary for the immediate preservation of said public peace, health and safety, same shall be in full force and effect from and after its passage and approval.

PASSED: October 25, 2005


Chip Ellis, Mayor

ATTEST:


Merl Eoff, Recorder/Treasurer/Clerk, CMC

APPROVED AS TO FORM:


Brad A. Cazort, City Attorney