

**CITY OF EL PASO, TEXAS  
AGENDA ITEM  
DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** Fire Department

**AGENDA DATE:** April 13, 2021

**PUBLIC HEARING:** April 27, 2021

**CONTACT NAME AND PHONE NUMBER:** Mario M. D'Agostino, Fire Chief (915) 212-5605

**DISTRICT(S) AFFECTED:** All Districts

**STRATEGIC GOAL:** 2 Set the Standard for a Safe and Secure City

**SUBJECT:**

An ordinance granting Dominion Ambulance, LLC, a franchise extension and amending Ordinance No. 018924, to modify its franchise rates, to operate a non-emergency ambulance transfer service.

**BACKGROUND / DISCUSSION:**

Dominion Ambulance, LLC, has been providing non-emergency ambulance transfer services under a franchise renewal granted by the City Council through Ordinance No. 018924 approved on April 30, 2019. Article I, Section E.1 of Ordinance No. 018924, allows for an extension of the non-emergency ambulance transfer service franchise.

**PRIOR COUNCIL ACTION:**

The City Council granted a franchise renewal through Ordinance No. 018924 on April 30, 2019.

**AMOUNT AND SOURCE OF FUNDING:**

Total Amount: Revenue Generating

Dept.: 999; Division: 99999; Fund: 1000; Account: 431200; Funding Source: Ambulance Service Revenue

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:** 

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**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE GRANTING DOMINION AMBULANCE, LLC A FRANCHISE EXTENSION AND AMENDING ORDINANCE NO. 018924, TO MODIFY ITS FRANCHISE RATES, TO OPERATE A NON-EMERGENCY AMBULANCE TRANSFER SERVICE**

**WHEREAS**, the City of El Paso, Texas is empowered to grant franchises for the use of its streets, alleys, and public rights-of-way under the City Charter and the City's general police powers; and

**WHEREAS, DOMINION AMBULANCE, LLC (“GRANTEE”)** has been providing non-emergency ambulance transfer services under a franchise renewal granted by the City Council through Ordinance No. 018924 approved on April 30, 2019; and

**WHEREAS**, Article I, Section E.1 of Ordinance No. 018924 dated April 30, 2019, allows for an extension of the non-emergency ambulance transfer service franchise, provided Grantee give to the City a written request to extend the franchise no later than three (3) months prior to the expiration date of this franchise whether it be during the initial term or any renewal period; and

**WHEREAS**, Grantee provided said written request in a timely fashion; and

**WHEREAS**, Article I, Section E.4 of Ordinance No. 018924 dated April 30, 2019, allows the City to require that the terms, conditions and provisions of the franchise be modified upon Grantee’s request for renewal, and the City wishes to modify the terms, conditions and provisions of the franchise so as to clarify certain existing provisions such as the effective date and rates; and

**WHEREAS**, on evidence received, City Council finds that public convenience and necessity justify granting a franchise extension to GRANTEE to operate a non-emergency ambulance transfer service in the City of El Paso, Texas.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS, THAT:**

1. Finding that public convenience and necessity justify renewal of this franchise, a renewal of the non-exclusive franchise, subject to the Grantee's compliance with the requirements and limitations set forth in Ordinance No. 018924 dated April 30, 2019, and by local, state and federal laws, is hereby granted to DOMINION AMBULANCE, LLC, Grantee, to operate a non-emergency transfer ambulance service within the City and upon the public streets, rights-of-way and alleys of the City of El Paso, and all of the terms of Ordinance No. 018924 except for those specifically altered in the following paragraphs of this renewal, are extended for two years commencing at 12:01 a.m., May 1, 2021 (the

**ORDINANCE NO. \_\_\_\_\_**

“Effective Date”), regardless of the date upon which the ordinance granting the franchise is adopted.

2. Article I, Section C: The entire paragraph shall be replaced as follows: “Term and Effective Date. Regardless of the date upon which the ordinance granting the franchise is adopted, the term of this franchise shall be for two (2) years commencing on 12:01 a.m., May 1, 2021 (the “Effective Date”), with the possibility to renew the franchise as set forth below.”
3. Article III, Section D.1: The entirety of paragraph 1 shall be replaced as follows: “Franchising Authority Identified. Grantee's billing statements shall include the Grantee's proper phone number and street address for its El Paso office and shall identify the City as Grantee's franchising authority as follows: Franchising Authority: City of El Paso, Attn: Fire Department, Community Health Program, 416 N. Stanton, Ste. 200, El Paso, Texas 79901.”
4. Exhibit “A”: The rates listed in Article III (Administration and Regulation), Section B (Rates), Exhibit “A” (Dominion Ambulance Public Rates) of Ordinance No. 018924 dated April 30, 2019, shall be replaced in their entirety by Exhibit “A” to the present Ordinance, attached hereto and incorporated by reference as if set forth in full.
5. Except as herein amended, Ordinance No. 018924 dated April 30, 2019, shall remain in full force and effect.

(Signatures follow on next page)

**ORDINANCE NO.** \_\_\_\_\_

2

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

WITNESS THE FOLLOWING SIGNATURES AND SEALS:


THE CITY OF EL PASO

\_\_\_\_\_  
Oscar Leeser  
Mayor

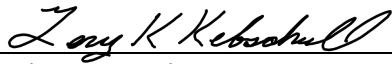
ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Josette Flores  
Senior Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Mario D'Agostino  
Fire Chief

(ACCEPTANCES AND ACKNOWLEDGMENT ON THE FOLLOWING PAGE)

ORDINANCE NO. \_\_\_\_\_

**ACCEPTANCE AND ACKNOWLEDGMENT**

**ACCEPTANCE**

The above instrument, with all conditions thereof, is hereby accepted this \_\_\_\_ day of \_\_\_\_\_, 2021.

**DOMINION AMBULANCE, LLC.**

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

**ACKNOWLEDGEMENT**

THE STATE OF TEXAS     )

)

COUNTY OF EL PASO     )

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by \_\_\_\_\_, as \_\_\_\_\_, on behalf of **DOMINION AMBULANCE, LLC.**

\_\_\_\_\_  
Notary Public, State of Texas

Notary's Printed or Typed Name:

\_\_\_\_\_

My Commission Expires:  
\_\_\_\_\_

**RECEIVED FOR FILING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.**

\_\_\_\_\_  
Laura D. Prine, City Clerk

**ORDINANCE NO.** \_\_\_\_\_

**EXHIBIT A**

**DOMINION AMBULANCE, LLC**

**PUBLIC RATES**

<b>TRANSPORT TYPE:</b>	<b>RATE</b>
BLS NON-EMERGENCY	\$375.00
BLS EMERGENCY	\$395.00
ALS NON-EMERGENCY	\$380.00
ALS-1 EMERGENCY	\$435.00
ALS-2 EMERGENCY	\$590.00
SPECIALITY CARE TRANSPORT (SCT)	\$795.00
MILEAGE	\$9.00

\* Discount consideration may be given to the following:

- Patients
- Facilities
- Payors
- Vendors

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EXTENSION AND AMENDING ORDINANCE NO. 018924, TO MODIFY ITS  
FRANCHISE RATES, TO OPERATE A NON-EMERGENCY AMBULANCE  
TRANSFER SERVICE**

**WHEREAS**, the City of El Paso, Texas is empowered to grant franchises for the use of its streets, alleys, and public rights-of-way under the City Charter and the City's general police powers; and

**WHEREAS, DOMINION AMBULANCE, LLC (“GRANTEE”)** has been providing non-emergency ambulance transfer services under a franchise renewal granted by the City Council through Ordinance No. 018924 approved on April 30, 2019; and

**WHEREAS**, Article I, Section E.1 of Ordinance No. 018924 dated April 30, 2019, allows for an extension of the non-emergency ambulance transfer service franchise, provided Grantee give to the City a written request to extend the franchise no later than three (3) months prior to the expiration date of this franchise whether it be during the initial term or any renewal period; and

**WHEREAS**, Grantee provided said written request in a timely fashion; and

**WHEREAS**, Article I, Section E.4 of Ordinance No. 018924 dated April 30, 2019, allows the City to require that the terms, conditions and provisions of the franchise be modified upon Grantee's request for renewal, and the City wishes to modify the terms, conditions and provisions of the franchise so as to clarify certain existing provisions such as the effective date and rates; and

**WHEREAS**, on evidence received, City Council finds that public convenience and necessity justify granting a franchise extension to GRANTEE to operate a non-emergency ambulance transfer service in the City of El Paso, Texas.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS, THAT:**

1. Finding that public convenience and necessity justify renewal of this franchise, a renewal of the non-exclusive franchise, subject to the Grantee's compliance with the requirements and limitations set forth in Ordinance No. 018924 dated April 30, 2019, and by local, state and federal laws, is hereby granted to DOMINION AMBULANCE, LLC, Grantee, to operate a non-emergency transfer ambulance service within the City and upon the public streets, rights-of-way and alleys of the City of El Paso, and all of the terms of Ordinance No. 018924 except for those specifically altered in the following paragraphs of this renewal, are extended for two years commencing at 12:01 a.m., May 1, 2021 (the

“Effective Date”), regardless of the date upon which the ordinance granting the franchise is adopted.

2. Article I, Section C: The entire paragraph shall be replaced as follows: “Term and Effective Date. Regardless of the date upon which the ordinance granting the franchise is adopted, the term of this franchise shall be for two (2) years commencing on 12:01 a.m., May 1, 201921 (the “Effective Date”), with the possibility to renew the franchise as set forth below.”
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- ~~3.4.~~ Exhibit “A”: The rates listed in Article III (Administration and Regulation), Section B (Rates), Exhibit “A” (Dominion Ambulance Public Rates) of Ordinance No. 018924 dated April 30, 2019, shall be replaced in their entirety by Exhibit “A” to the present Ordinance, attached hereto and incorporated by reference as if set forth in full.
- ~~4.5.~~ Except as herein amended, Ordinance No. 018924 dated April 30, 2019, shall remain in full force and effect.

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(Signatures follow on next page)



PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

**THE CITY OF EL PASO**

\_\_\_\_\_  
Oscar Leaser  
Mayor

**ATTEST:**

\_\_\_\_\_  
Laura D. Prine  
City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Josette Flores  
Senior Assistant City Attorney

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Mario D'Agostino  
Fire Chief

(ACCEPTANCES AND ACKNOWLEDGMENT ON THE FOLLOWING PAGE)

**ACCEPTANCE AND ACKNOWLEDGMENT**

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**DOMINION AMBULANCE, LLC.**

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**ACKNOWLEDGEMENT**

THE STATE OF TEXAS    )  
  )  
COUNTY OF EL PASO    )

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by \_\_\_\_\_, as \_\_\_\_\_, on behalf of **DOMINION AMBULANCE, LLC.**

\_\_\_\_\_  
Notary Public, State of Texas  
Notary's Printed or Typed Name:  
\_\_\_\_\_

My Commission Expires:  
\_\_\_\_\_

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\_\_\_\_\_  
Laura D. Prine, City Clerk