

**AGENDA SUMMARY
TAVARES CITY COUNCIL
OCTOBER 6, 2010**

AGENDA TAB NO. 8

SUBJECT TITLE: Approval of Contract with BESH Engineering for the Engineering Design of the Alfred Street One-Way Pair Project.

OBJECTIVE:

To present to Council a proposed contract between the City of Tavares and BESH Engineering for the engineering design of the Alfred Street one-way pair project in our downtown.

SUMMARY:

On March 8th, City Council selected BESH Engineering as the top ranked firm to perform this design project. City and County staff negotiated a scope of work with BESH that resulted in a proposed contract valued at \$566,196.68. This includes roadway design and analysis, drainage analysis, utility coordination, environmental permitting, surveying and mapping, geotechnical investigation, street lighting design, public meetings and reimbursables. Through an amended interlocal agreement with Lake County, the County has agreed to pay \$565,196.68 to fund this contract through their transportation impact program. The \$1,000 discrepancy is a result of a typing error on the agenda item that was submitted to the County Commission for approval. The agreement allows the City to negotiate change orders up to \$50,000. If approved, the design contract with BESH will be executed and the work on this project will begin. Landscaping, irrigation and streetscape design, although an integral part of the original RFQ, are not part of this contract since these costs are not covered by the County's transportation impact program. Contracts for these designs will be awarded as funding becomes available.

OPTIONS:

1. That City Council moves to approve the proposed contract with BESH Engineering for the engineering design of the Alfred Street one-way pair project and authorizes the City Administrator to execute the attached contract.
2. That City Council denies the proposed contract.

FISCAL IMPACT:

No fiscal impact.

Lake County will pay for the cost of this contract.

LEGAL SUFFICIENCY:

This contract has been reviewed by our City Attorney and approved for legal sufficiency.



VIA E-MAIL & US MAIL

August 17, 2010

Mr. Jacques Skutt
CITY OF TAVARES
Post Office Box 1068
Tavares, Florida 32778

RE: **(REVISED) PROPOSAL/AGREEMENT FOR
ALFRED STREET ROADWAY ENGINEERING SERVICES**

Dear Mr. Skutt:

Enclosed please find Booth, Ern, Straughan & Hiott, Inc.'s proposal for civil engineering and survey services necessary to complete the above-referenced project. As requested we have removed all landscape, irrigation and hardscape tasks and have added street lighting tasks. A separate proposal will be transmitted which includes the landscape, hardscape and irrigation tasks. All other changes requested by the City and Lake County discussed at our meeting of August 6, 2010 have also been included.

Should you have any questions with regards to this matter, please feel free to contact our office.

Sincerely,

BOOTH, ERN, STRAUGHAN & HIOTT, INC.

Robert A. Ern, Jr., P.E.
Principal
ren@besandh.com

RAE\sd

Enclosures

c: Mr. John Drury, City of Tavares (w/ enc, via e-mail)
Mr. Fred Schneider, Lake County (w/ encl, via e-mail)

H:\stacey\WordPerfect\Rob\Proposal\City of Tavares\Alfred Street\Roadway Engineering Services\BESH Proposal Submittal Letter 08-17-10.wpd

**ENGINEERING PROPOSAL/AGREEMENT
FOR
CITY OF TAVARES
ALFRED STREET ROADWAY ENGINEERING SERVICES
TAVARES, FLORIDA**

ENGINEERS:

BOOTH, ERN, STRAUGHAN & HIOTT, INC.
350 North Sinclair Avenue
Tavares, Florida 32778
(352) 343-8481 - PHONE
(352) 343-8495 - FAX

OWNER:

CITY OF TAVARES
Post Office Box 1068
Tavares, Florida 32778
(352) 742-6210 - PHONE
Attn: Jacques Skutt

PROJECT: ALFRED STREET ROADWAY ENGINEERING SERVICES
CLIENT: CITY OF TAVARES
DATE: July 23, 2010; revised August 12, 2010; Revised August 17, 2010

SCOPE OF SERVICES AND DELIVERABLES

PURPOSE:

The purpose of this DOCUMENT is to describe the scope of work and responsibilities required for Final Design Services of Construction Plans, Permits, Right-of-Way Surveys, and Parcel Sketches for the Alfred Street Roadway project. This document is referred to henceforth as the SCOPE. A fee sheet that summarizes the fees associated with the work effort identified within this document is attached as **EXHIBIT A**.

The City of Tavares (**CITY**) and Lake County (**COUNTY**) will provide contract administration, project oversight, technical review of services associated with this project, RIGHT OF WAY ACQUISITION AND TITLE SEARCH. **COUNTY** will also make request to Florida Department of Transportation (FDOT) for acquisition of surplus lands near intersection of State Road 19 and Alfred Street for location of a retention pond.

BOOTH, ERN, STRAUGHAN & HIOTT, INC. (**CONSULTANT**), will provide engineering design and construction plan preparation for the above referenced project. It is understood that references throughout this document to items of work and services to be performed are the responsibility of the **CONSULTANT** unless otherwise expressly stated as the responsibility of others.

The **CONSULTANT** shall perform the required Engineering Services utilizing the applicable data collected and concept plans illustrated in the Alfred Street - PD&E Study as approved by the City of Tavares and modified as per Exhibit E (Roadway Exhibit).

The design shall be prepared in accordance with the State of Florida Manual of Uniform Standards for Design, Construction, and Maintenance for Streets and Highway (Florida Green Book). Plans shall be accurate, legible, and complete using FDOT Roadway Plans Preparation Manual and the FDOT Design Standards latest edition English Units, as a guide to the preparation of the plans and modified as noted herein this document.

PROJECT DESCRIPTION:

The **CONSULTANT** shall investigate the project and become familiar with the concepts, commitments (typical sections, alignments, etc.), and desires from the **CITY** and **COUNTY** as it pertains to the project and that developed from the PD&E Study. The **CONSULTANT** shall use the approved concepts as a basis for the design unless otherwise directed by the **CITY** and/or **COUNTY**. The project begins at the intersection of Alfred Street (OLD US 441) and State Road 19, on the west end, and extends to the east to the intersection of Alfred Street and Disston Avenue. The project also includes Caroline Street from the intersection of Caroline Street and Alfred Street (OLD US 441) and extends to the east to the intersection of Caroline Street and Disston Avenue, including the section of Disston Avenue between Alfred Street and Caroline Street. This project will be the One Way Pairing of Alfred Street to be the Eastbound traffic movement and Caroline Street to be the Westbound traffic movement within the corridor described above.

The following table below, outlines the tasks included in this SCOPE and those responsible for each task.

PROJECT: Alfred Street Roadway Engineering Design
 CLIENT: City of Tavares
 DATE: July 22, 2010; Revised August 12, 2010; Revised August 17, 2010

TASKS	RESPONSIBILITY
3. Project Common and Project General Tasks	BESH/DRMP
4 & 5. Roadway Analysis & Roadway Plans	BESH/DRMP
6. Drainage Analysis	BESH
7. Utilities	BESH
8. Environmental Permits, Compliance, & Clearances	BESH/DRMP
19. & 20. Signing & Pavement Marking Analysis; Signing & Pavement Marking Plans	DRMP
21. & 22. Signalization Analysis & Signalization Plans	DRMP
23. & 24. Lighting Analysis and Plans	ESI
25. & 26. Landscape Architecture Analysis and Plans	DELETED
27. & 29. Survey & Mapping (Field & Office Support)	BESH/DRMP
30. Geotechnical	Andreyev Engineering, Inc.

DELIVERABLES: 15% Design Submittal

- 1). One (1) Signed and Sealed Survey shall be provided to the City & County for review.

DELIVERABLES: 30% Design Submittal

- 1). Signed and Sealed hard copies, 24" x 36" Plan Size, of the approved final project Survey shall be submitted as follows:
 - a. Three (3) copies to the City of Tavares.
 - b. Two (2) copies to Lake County.
- 2). CD with both AutoCad format and PDF format of the submitted survey plans on it shall be submitted as follows:
 - a. One (1) CD to the City of Tavares.
 - b. One (1) CD to Lake County.
- 3). A letter from the CONSULTANT to the COUNTY/CITY stating **all** permits or "exemption letters" that will be required for the project and what agency they will be sought from.
- 4). The results from the initial threatened and endangered species survey.
- 5). The results from the wetlands delineation survey.
- 6). Submitted Plans will include "line and grade" plan view:

PROJECT: Alfred Street Roadway Engineering Design
CLIENT: City of Tavares
DATE: July 22, 2010; Revised August 12, 2010; Revised August 17, 2010

- a. Cover Page
 - b. Typical Sections
 - c. General Notes Pages
 - d. Centerline of Proposed Roadway as the Baseline of Project
 - e. Stationing
 - f. Existing signage and pavement striping (on additional sheet(s) if necessary for legibility).
 - g. Existing conditions including but not limited to grades, signalization, right-of-way, property lines, parcels, trees, driveways, fences, gates, and utilities.
 - h). Proposed edge of pavement and proposed right-of-way.
- 7). Submittal will include three (3) sets of review plans on 11" x 17" paper to proper legible scale, and a CD with both AutoCad format and PDF format of the submitted plans on it.
- 8). A copy of submitted plans will also be sent to ALL utilities by the CONSULTANT within the limits of the project for "red-brown-green" markup.

DELIVERABLES: 60% Design Submittal

- 1). A copy of any and all permit plans, permit package including calculations that will be submitted to permitting agencies, or copy of a letter of "request for exemption" from needing a permit that will be sent to the permitting agency. Three (3) copies shall be submitted to the City of Tavares along with one (1) CD. Two (2) copies shall be submitted Lake County along with one (1) CD.
- 2). Two (2) copies of signed and sealed Right of Way Maps showing existing and proposed right of way shall be provided for review. One (1) copy shall be submitted to the City of Tavares and one (1) copy shall be submitted to Lake County.
- 3). Three (3) signed and sealed copies of the Geotechnical Report. Two (2) shall be submitted to the City of Tavares and one (1) shall be submitted to Lake County.
- 4). Submitted plans will include all relevant items listed under 30% submittal and:
 - a). All corrections made to the 30% reviewed plans addressing the comments.
 - b). Any problem areas that may exist with utilities noted on the plans.
 - c). Plan views, profile views, and cross section views (cross section interval and locations to be set by the COUNTY & CITY).
 - d). Proposed stormwater management system.
 - e). Stormwater erosion control plan.
 - f). The relevant geotechnical information.
 - h). Proposed MOT Plan.
 - i). Location of listed species.
- 5). Copies of any correspondence between a utility and the CONSULTANT shall be provided to the CITY (Jacques Skutt) & COUNTY (Fred Schneider).
- 6). Submittal will include a sets of review plans on 11" x 17" paper to proper legible scale, a CD with both AutoCad format and PDF format of the submitted plans on it. Three (3) copies shall be submitted to the City of Tavares along with one (1) CD. Two (2) copies shall be submitted Lake County along with one (1) CD.

PROJECT: Alfred Street Roadway Engineering Design
CLIENT: City of Tavares
DATE: July 22, 2010; Revised August 12, 2010; Revised August 17, 2010

- 7). In both AutoCad and PDF format, the 30% plan submittal "red-brown-green" markups from all utilities within the limits of the project added to the submittal CD listed above.

DELIVERABLES: 90% Design Submittal

- 1). A copy of all needed approved permits or copy of all "exemption from needing permit" letters for the project approved by the permitting agency.
- 2). A copy of the submitted plans will also be sent to all utilities by the CONSULTANT within the limits of the project for final "red-brown-green" markup.
- 3). Submitted plans will include all relevant items listed under the 60% submittal and:
 - a). All corrections made to the 60% reviewed plans addressing the comments made by the CITY & COUNTY.
- 4). Submittal will include three (3) sets of review plans on 11" x 17" paper to proper legible scale, a CD with both AutoCad format and PDF format of the submitted plans on it.
- 5). Three (3) approved final signed and sealed hard copies of the Right of Way Maps, and an electronic file in both AutoCad format and PDF format, shall be provided to the COUNTY.

DELIVERABLES: 100% Design Submittal

- 1). Submitted plans will include all the relevant items listed under 90% submittal and:
 - a). All corrections made to the 90% reviewed plans addressing the comments made by the CITY & COUNTY.
 - b). Any problem areas that may exist with utilities noted on the plans.
- 2). Five (5) signed and sealed sketches and legals will be presented to the CITY & COUNTY by the CONSULTANT of each parcel required for acquisition by the CITY and/or COUNTY.
- 3). Submittal will include sets of review plans on 11" x 17" paper to proper legible scale, and a CD with both AutoCad format and PDF format of the submitted plans on it. Three (3) copies shall be submitted to the City of Tavares along with one (1) CD. Two (2) copies shall be submitted Lake County along with one (1) CD.
- 4). In both AutoCad format and PDF format, the 90% plan submittal "red-brown-green" markups from all utilities within the limits of the project added to the submittal CD listed above.

DELIVERABLES: Final Submittal

- 1). Two (2) Copies each to the City of Tavares and two (2) copies of any and all project permits.
- 2). Two (2) Copies each to the City of Tavares and two (2) copies each of any and all project permit "exemption letters".
- 3). Two (2) Copies each to the City of Tavares and two (2) copies each of any and all geotechnical reports.

PROJECT: Alfred Street Roadway Engineering Design
CLIENT: City of Tavares
DATE: July 22, 2010; Revised August 12, 2010; Revised August 17, 2010

- 4). Two (2) Copies each to the City of Tavares and two (2) copies each of any and all environmental reports.
- 5). Two (2) Signed and sealed project design plan record sets and a CD with both AutoCad format and PDF format of the submitted plans on it to the City of Tavares. Two (2) Signed and sealed project design plan record sets and a CD with both AutoCad format and PDF format of the submitted plans on it to Lake County.

PROJECT: Alfred Street Roadway Engineering Design
CLIENT: City of Tavares
DATE: July 22, 2010; Revised August 12, 2010; Revised August 17, 2010

PROPOSAL/AGREEMENT

TASK 001 GENERAL TASKS AND PUBLIC INVOLVEMENT (FDOT TASK 3):

- research property owners/addresses for property owner driveway modification letters.
- prepare & send property owner driveway modification letters & sketches
- prepare exhibits & graphics for presentation; 3 city council meetings, 2 public meetings
- attend 3 city council meetings & 2 public meetings
- maintain contracts between City of Tavares, Lake County & sub consultants
- prepare and conduct monthly project status meetings, 12 meetings
- one (1) BCC meeting

FEE: \$15,300.00 (120 HOURS)

TASK 002 ROADWAY DESIGN ANALYSIS & PLANS PREPARATION (FDOT TASK 4 & 5):

- Establish master design files for vertical alignment and vertical conflict identification
- Create elements showing the vertical alignment in plan and profile
- Analyze and design roadway profile for the design speed
- Establish and develop cross section design files and cross section criteria. Includes determining the locations for which cross sections will be shown and how the information will be shown
- Develop intersection grading criteria and plans to meet drainage requirements.
- Develop roadway profile and prepare plan/profile sheets
- Develop and prepare drainage maps and drainage design in plan/profile sheets
- Develop and prepare plan/profile sheets for off site drainage improvements
- Develop utility adjustment sheets for existing and proposed dry utilities, phone, power, cable and gas (City to prepare utility adjustment sheets for potable water, sanitary sewer and reuse water under separate contract)
- Develop and prepare erosion control / SWPPP plans and details
- Field reviews of work in progress, 2 field reviews
- Technical meetings (13)
- Project specification documents
- Roadway Plans prepared by BESH will include:
 - Cover Sheet
 - Intersection detail and grading sheets
 - Plan/Profile sheets, vertical 1"=4', horizontal 1"=40'
 - Cross section sheets
 - Drainage plan sheets
 - Special drainage plan/profile
 - Utility adjustment sheets
 - Drainage details, special drainage structure details & retention pond sections
 - Erosion control & SWPPP sheets
 - General notes and details

FEE: \$138,030.00 (1,264 HOURS)

PROJECT: Alfred Street Roadway Engineering Design
CLIENT: City of Tavares
DATE: July 22, 2010; Revised August 12, 2010; Revised August 17, 2010

TASK 003 DRAINAGE ANALYSIS AND DESIGN (FDOT TASK 6):

- Scope is based upon a single pond design located at the southwest corner of Alfred Street and SR19
- Analyze geotechnical information to establish parameters for drainage design
- Storm water management system calculations meeting FDOT matrix of storms and SJRWMD criteria
- Storm drain design to include sub basin analysis for each inlet, spread calculations, storm cad calculations for system pipe sizing and hydraulic grade
- Retention pond outfall design
- Technical meetings with FDOT
- Field review and inspections

FEE: \$44,050.00 (405 HOURS)

TASK 004 UTILITIES (FDOT TASK 7):

- Kick off meeting with County, City and Utility Providers
- Notification letters to known utility providers
- Follow up notification letters, phone calls and or emails to verify Utility Providers
- Prepare and conduct preliminary Utility Meeting
- Coordinate, collect, review and follow up with Utility Providers and their existing utilities plans
- Prepare and conduct utility design meetings at 30, 60, and 90% plan stages
- Review the provided utility relocation mark ups for conflicts and coordination with Utility Providers
- Review final utility adjustment plans for constructability

FEE: \$11,700.00 (100 HOURS)

TASK 005 ENVIRONMENTAL PERMITS, COMPLIANCE & CLEARANCES (FDOT TASK 8):

- Prepare and submit SJRWMD 40C-4 permit application
- Prepare and submit FDOT drainage exemption request or permit (as required).
- Prepare and submit FDOT Right of Way Utilization application
- Review and respond to request for additional information
- Permit coordination meetings with SJRWMD and FDOT
- Design concept assumes no wetland impacts (de minimus, no mitigation)

FEE: \$13,700.00 (120 HOURS)

PROJECT: Alfred Street Roadway Engineering Design
CLIENT: City of Tavares
DATE: July 22, 2010; Revised August 12, 2010; Revised August 17, 2010

TASK 006 SURVEY AND MAPPING (FDOT TASK 27 & 29):

- Establish horizontal and vertical control through the project limits
- Survey alignment and location of existing right of way
- Topographic survey of Alfred Street and Caroline Street from five feet outside right-of-way to 5 feet outside right of way plus retention pond location
- Topographic survey of each side street between Alfred Street and Caroline Street plus 150 feet beyond in each direction. Project limits SR 19 to Disston Avenue.
- Locate all marked utilities within Alfred Street, Caroline Street and each side street within the project limits
- Locate all drainage inlets, structures, pipes, including sizes and inverts
- Jurisdiction Line Survey, located along west side of ditch near proposed retention site
- Survey horizontal and vertical locations of geotech borings
- Conduct field reviews with draft survey
- Attend progress and technical meetings
- Section and ¼ section breakdown
- Survey Plan Sheets to include:
 - Cover Sheet
 - Key Map
 - Right of Way sheets (21 sheets)
- Parcel sketches for right of way acquisition – 3 sketch and legals
- Review of title report prepared by Lake County

FEE: \$97,200.00 (840 HOURS*)

*Field Crew Days: 380 hours (38-10hr crew days)

*Office Hours: 460 hours

Note: Survey will be completed in accordance with Lake County Requirements found in Exhibit 'F'.

TASK 007 ROADWAY DESIGN - DRMP

Services provided by DRMP. Please see attached proposal. Exhibit B.

FEE: \$217,996.68

TASK 008 GEOTECHNICAL INVESTIGATION:

Services provided by Andreyev Engineering, Inc. Please see attached proposal, Exhibit C.

FEE: \$6,230.00

PROJECT: Alfred Street Roadway Engineering Design
CLIENT: City of Tavares
DATE: July 22, 2010; Revised August 12, 2010; Revised August 17, 2010

TASK 009 STREET LIGHTING DESIGN - ESI

Electrical Services, Inc. shall provide electrical engineering design and permitting services for street lighting as outlined in the attached proposal for this project.

FEE: \$16,990.00

TASK 999 REIMBURSABLES

Reimbursables to be billed based upon direct expense incurred by Booth, Ern, Straughan & Hiott, Inc., application fees, blueprints, copies, mylars, reproductions, postage, etc.

FEE: \$5,000.00 (Not to Exceed)

PROJECT: Alfred Street Roadway Engineering Design
 CLIENT: City of Tavares
 DATE: July 22, 2010; Revised August 12, 2010; Revised August 17, 2010

SUMMARY FEE SCHEDULE

TASK 001	\$ 15,300.00
TASK 002	\$ 138,030.00
TASK 003	\$ 44,050.00
TASK 004	\$ 11,700.00
TASK 005	\$ 13,700.00
TASK 006	\$ 97,200.00
TASK 007	\$ 217,996.68
TASK 008	\$ 6,230.00
TASK 009	\$ 16,990.00
TASK 999	\$ 5,000.00 (Not to Exceed)
TOTAL	\$ 566,196.68

NOTE: THE ABOVE PROPOSAL DOES NOT INCLUDE THE FOLLOWING ITEMS:

THIS PROPOSAL DOES NOT INCLUDE THE FOLLOWING ITEMS:

1. Traffic Study / Impact Analysis
2. Monumentation of wetlands
3. Sketch and Descriptions for Conservation Easements
4. Army Corp. of Engineers Dredge and Fill Permit
5. NPDES Permitting
6. Game and Fish Permit
7. Landscape/Irrigation Plans
8. Hardscape
9. Lighting Design
10. Bid Documents and/or Bidding of Project
11. Advance of title search fees, recording or advertising fees.
12. Construction Administration
13. Reimbursables to be billed based upon direct expense incurred by Booth, Ern, Straughan & Hiott, Inc., blueprints, copies, mylars, reproductions, postage, etc.

PROJECT: Alfred Street Roadway Engineering Design
 CLIENT: City of Tavares
 DATE: July 22, 2010; Revised August 12, 2010; Revised August 17, 2010

**HOURLY RATE SCHEDULE
(2010)**

Professional Services shall be charged at the following rate schedule:

ENGINEERING

PROFESSIONAL ENGINEER (PRINCIPAL)	\$145.00/HOUR
PROFESSIONAL ENGINEER	\$130.00/HOUR
PROJECT ENGINEER	\$110.00/HOUR
ENGINEER TECHNICIAN I	\$95.00/HOUR
ENGINEER TECHNICIAN II	\$75.00/HOUR
SENIOR PLANNER - AICP	\$110.00/HOUR
PLANNING TECHNICIAN	\$75.00/HOUR
CONSTRUCTION ENGINEER	\$85.00/HOUR
EXPERT TESTIMONY PROFESSIONAL ENGINEER	\$200.00/HOUR

SURVEYING

PROFESSIONAL SURVEYOR (PRINCIPAL)	\$145.00/HOUR
PROFESSIONAL SURVEYOR	\$85.00/HOUR
3 MAN FIELD CREW	\$100.00/HOUR
2 MAN FIELD CREW	\$85.00/HOUR
CREW UTILIZING GLOBAL POSITIONING SYSTEM	\$110.00/HOUR
SURVEY TECHNICIAN I	\$75.00/HOUR
SURVEY TECHNICIAN II	\$50.00/HOUR
SURVEY TECHNICIAN III	\$30.00/HOUR
TITLE RESEARCHER	\$85.00/HOUR
EXPERT TESTIMONY PROFESSIONAL SURVEYOR	\$200.00/HOUR

PROJECT: Alfred Street Roadway Engineering Design
CLIENT: City of Tavares
DATE: July 22, 2010; Revised August 12, 2010; Revised August 17, 2010

TERMS AND CONDITIONS
CITY OF TAVARES

I. GENERAL CONDITIONS

A. TERMINATION:

The agreement may be terminated by either party upon thirty (30) days written notice.

B. REQUEST FOR SERVICE:

Any request to replace or repair existing work such as survey control points shall be complied within a reasonable time period of twenty-four (24) hours.

C. DOCUMENTS:

All original drawings and specifications that result from Booth, Ern, Straughan & Hiott, Inc., services are the property of the City of Tavares and Lake County, to the extent permitted by Law. All intellectual property, computations, details, design calculations, and electronic media that result from Booth, Ern, Straughan & Hiott, Inc., services are the property of Booth, Ern, Straughan & Hiott, Inc. Upon payment in full for services completed, client may at his expense, obtain additional copies of any documents or reproducible copies of drawings. In doing so, client agrees that no additions, deletions, changes or revisions shall be made to same without the express written approval of Booth, Ern, Straughan & Hiott, Inc.

~~**D. RENEGOTIATION:**~~

~~The hourly rates given in this contract are applicable through January 1, and are subject to renegotiation on January 1, each year, thereafter (contract prices shall remain as quoted).~~

E. REGULATORY REQUIREMENTS:

The fees quoted herein are quoted based on all regulations, state and or local that are presently in effect as of this date. If regulations change during the permitting and design phase of this project, Booth, Ern, Straughan & Hiott, Inc., reserves the right to renegotiate fees for services that may be affected by regulatory changes.

F. PERMIT ACQUISITION

Booth, Ern, Straughan & Hiott, Inc., cannot guarantee the acquisition of all permits/approvals. However, we will strive toward this end. Client is responsible for payment of all consulting fees due Booth, Ern, Straughan & Hiott, Inc., regardless of agency/governmental actions.

PROJECT: Alfred Street Roadway Engineering Design
CLIENT: City of Tavares
DATE: July 22, 2010; Revised August 12, 2010; Revised August 17, 2010

II. COMPENSATION

A. ADDITIONAL SERVICES:

Booth, Ern, Straughan & Hiott, Inc., will be compensated for additional services, such as:

1. Changes in scope of services defined in this contract at the client's request.
2. Revisions caused by changes of governmental requirements after the date of this agreement.
3. Redesign per client after preliminary design has been submitted and approved by the approving agency.

~~B. OUT-OF-POCKET EXPENSES:~~

~~In addition to the fee schedule and any additional services, Booth, Ern, Straughan & Hiott, Inc., shall be reimbursed for out-of-pocket expenses for actual cost, such as: blueprints, copies, plots, aerials, express deliveries, specialized postage, and travel outside of the Central Florida area.~~

C. ACCEPTANCE:

Billing shall be sent on a monthly basis and each shall reflect the percentage of work completed during the billing period. All invoices shall be paid within forty five (45) days. Booth, Ern, Straughan & Hiott, Inc., reserves the right to withhold submittal of applications until such time that all unpaid balances have been satisfied. The undersigned will pay all costs and expenses, including a reasonable attorney's fee, incurred or paid by Booth, Ern, Straughan & Hiott, Inc., in the collection of this obligation by suit or otherwise. Booth, Ern, Straughan & Hiott, Inc., reserves the right to stop work on the above agreed scope of services if any invoice remains unpaid in its entirety for more than 60 days.

PROJECT: Alfred Street Roadway Engineering Design
CLIENT: City of Tavares
DATE: July 22, 2010; Revised August 12, 2010; Revised August 17, 2010

AUTHORIZATION TO PROCEED

**PROPOSAL FOR ENGINEERING & PERMITTING SERVICES
AS DESCRIBED IN THE ATTACHED PROPOSAL**

To acknowledge your agreement with the terms and conditions set forth in this Agreement (consisting of the Proposal for Services, the Terms and Conditions, the Hourly Rate Schedule and this Authorization to Proceed), and to provide Booth, Ern, Straughan & Hiott, Inc. (BESH) with Client's authorization to proceed with the work described in the Agreement, please fill out and sign the Authorization to Proceed below and return it to our office. We will schedule the work upon receipt of the executed Authorization to Proceed. The contract prices, hourly rates, and costs for printing and similar expenses set forth in this Agreement shall be valid for ninety (90) days from the date of this proposal. If this Agreement is not accepted by Client within said period of ninety (90) days, BESH reserves the right to modify any and all of the contract prices, hourly rates and cost figures set forth herein.

Retainer Amount: \$ N/A

THIS PROPOSAL/AGREEMENT ACCEPTED THIS _____ DAY OF _____, 2010.

Booth, Ern, Straughan & Hiott, Inc.

Client: City of Tavares

Signature 

Signature _____

By: Robert A. Ern, Jr, P.E.

By: _____

Title: Principal

Title: _____

EXHIBIT 'A'

ESTIMATE OF WORK EFFORT AND COST - PRIME CONSULTANT

Name of Project: Allied Street Roadway Engineering Services
 County: City of Tavares/Lake County
 FPN: N/A
 FAP No.: N/A

Consultant Name: Booth, Erin, Stroughan, & Hiett, Inc.
 Consultant No.: 851445.016
 Date: 7/23/2010
 Estimator: Deane K. Booth, P.E.

Staff Classification	Total Staff Hours From "SH Summary - Firm"	Project Manager	Professional Engineer	Project Engineer	Technician	Professional Survey & Mapper	Survey Tech	Survey Crew 2 man	Staff Classification 8	Staff Classification 9	Staff Classification 10	Staff Classification 11	Staff Classification 12	SH By Activity	Salary Cost By Activity	Average Rate Per Task
3. Project General and Project Common Tasks	0	60	0	60	0	0	0	0	0	0	0	0	0	120	\$15,300	\$127.50
4. Roadway Analysis	0	0	80	120	124	0	0	0	0	0	0	0	0	324	\$35,380	\$109.20
5. Roadway Plans	0	80	160	250	450	0	0	0	0	0	0	0	0	940	\$102,650	\$109.20
6. Drainage Analysis	0	0	65	220	120	0	0	0	0	0	0	0	0	495	\$44,050	\$108.77
7. Utilities	0	20	0	80	0	0	0	0	0	0	0	0	0	100	\$11,700	\$117.00
8. Environmental Permits, Compliance & Clearances	0	0	40	60	20	0	0	0	0	0	0	0	0	120	\$13,700	\$114.17
9. Structures - Misc. Tasks, Dwg's, Non-Tech.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
10. Structures - Bridge Development Report	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
11. Structures - Temporary Bridge	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
12. Structures - Short Span Concrete Bridge	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
13. Structures - Medium Span Concrete Bridge	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
14. Structures - Structural Steel Bridge	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
15. Structures - Segmental Concrete Bridge	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
16. Structures - Movable Span	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
17. Structures - Retaining Walls	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
18. Structures - Miscellaneous	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
19. Signing & Pavement Marking Analysis	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
20. Signing & Pavement Marking Plans	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
21. Signalization Analysis	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
22. Signalization Plans	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
23. Lighting Analysis	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
24. Lighting Plans	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
25. Landscape Architecture Analysis	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
26. Landscape Architecture Plans	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
27. Survey (Field & Office Support)	0	0	0	0	0	96	120	380	0	0	0	0	0	596	\$72,820	\$122.18
28. Photogrammetry	0	0	0	0	0	0	220	0	0	0	0	0	0	244	\$24,380	\$99.92
29. Mapping	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
30. Geotechnical	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
31. Architecture Development	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
32. Noise Barriers Impact Design Assessment	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
33. Intelligent Transportation Systems Analysis	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
34. Intelligent Transportation Systems Plans	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
Total Staff Hours	0	160	345	790	714	120	340	380	0	0	0	0	0	2,819	\$319,980.00	\$112.31
Total Staff Cost		\$23,200.00	\$44,850.00	\$86,800.00	\$67,830.00	\$17,400.00	\$32,300.00	\$47,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$319,980.00	\$112.31

Check = \$319,980.00

SALARY RELATED COSTS
 OVERHEAD 9% \$319,980.00
 OPERATING MARGIN 9% \$0.00
 FCCM (Facilities Capital Cost Money) 0.00% \$0.00
 EXPENSES 0.00% \$0.00
 Survey (Field - if by Prime) 49 days @ \$ / day
 4-man crew
SUBTOTAL ESTIMATED FEE:
 Subconsultant: DRMP \$217,996.68
 Subconsultant: deleted \$0.00
 Subconsultant: deleted \$0.00
 Subconsultant: deleted \$0.00
 Subconsultant: Andrew Engineering, Inc. \$6,230.00
 Subconsultant: deleted \$0.00
 Subconsultant: deleted \$0.00
SUBTOTAL ESTIMATED FEE: \$544,206.68
 Geotechnical Field and Lab Testing \$0.00
 Optional Services \$0.00
GRAND TOTAL ESTIMATED FEE: \$544,206.68

Notes:
 1. This sheet to be used by Prime Consultant to calculate the Grand Total fee.
 2. Manually enter fee from each subconsultant. Unlinked subconsultant rows may be hidden.

EXHIBIT 'B'

**SCOPE OF SERVICES
FOR
ALFRED STREET**

PREPARED BY



**941 LAKE BALDWIN LANE
ORLANDO, FLORIDA 32814**

August 16, 2010

TABLE OF CONTENTS

I.	Purpose.....	1
II.	Scope of Work	1
	Task 3. General Tasks & Public Involvement	1
	Tasks 4 & 5. Roadway	1
	Task 8. Environmental Permits.....	2
	Tasks 19 & 20. Signing & Pavement Marking	2
	Tasks 21 & 22. Signalization	2
	Task 27. Survey	3

I. PURPOSE

This exhibit defines and describes the services required to complete this project successfully. The task numbers below correspond to FDOT's Design Standard Scope of Services.

II. SCOPE OF WORK

Task 3. General Tasks & Public Involvement

- Update and maintain Public Involvement Plan from PE Study
- Prepare and distribute Public/Elected Officials Letters/Newspaper Ads
- Coordinate with City on mailouts – utilize utility bill notices as with PE Study
- Prepare newsletters for distribution at public meetings, based on 2 meetings
- Prepare PowerPoint presentations for 3 meetings with City Council and 2 public meetings
- Prepare graphic displays and exhibits, sign-in sheets and follow up notes/coordination for 2 public meetings
- Attend 2 public meetings (2 people)
- Attend 1 meeting with Board of County Commissioners
- Coordinate with City's webmaster to host project website

TOTAL FOR TASK 3 = 344 hours

Tasks 4 & 5. Roadway

- Typical Section Package including four typicals
- Develop pavement design; assume pavement cores provided
- Determine driveway connection spacing
- Horizontal alignment only: includes establishing design files, analyzing horizontal elements, placing labels and required information
- Develop traffic control concept plan to include phasing notes, typical sections and locations of variable message signs. Contractor to determine detailed plan.
- Develop design documentation
- Computation book and quantity calculations (for reference only)
- Preliminary and final cost estimates
- 2 Field reviews
- 13 Meetings
- Roadway Plan Set will include:
 - ◆ Typical Sections for Alfred Street, Caroline Street, Old US 441 and Disston Avenue
 - ◆ 1 Project Layout sheet
 - ◆ 13 Plan sheets (40 Scale): 5 on Alfred Street, 5 on Caroline Street, 2 on Old US 441 and 1 on Disston Avenue
 - ◆ Traffic Control sheets: 1 phasing notes sheet and 2 typical sheets

TOTAL FOR TASKS 4 & 5 = 709 hours

Task 8. Environmental Permits

- Data collection, review PD&E documents and commitments.
- Establish wetland limits.
- One site visit with Water Management District for verification of wetland data.
- General wildlife survey. No listed species permitting.
- One meeting with Water Management District.

TOTAL FOR TASK 8 = 48 hours

Tasks 19 & 20. Signing & Pavement Marking

- Create reference and master design file
- Sign panel design including 2 signs for Sinclair street approaches, 2 signs for St. Clair Abrams Avenue, 2 approaches and 2 signs for high school
- Quantity calculations based on 13 plan sheets
- Cost estimates, based on 2 submittals
- Signing & Pavement Marking Plans set will include:
 - ◆ Tabulation of Quantities (for reference only)
 - ◆ General Notes sheet: includes applicable notes per Lake County and MUTCD standards
 - ◆ 13 Plan Sheets (40 scale): includes all topographic features and proposed signing and pavement markings
 - ◆ Guide Sign worksheets: 2 signs for the approaches to Sinclair, 2 signs for St. Clair Abrams Avenue and 2 for the high school
 - ◆ 6 cross sections for all multi post signs

TOTAL FOR TASKS 19 & 20 = 272 hours

Tasks 21 & 22. Signalization

- Update traffic information to develop timings for 24-hr counts, 4 intersections for TMCs and 12 approaches for 7-day counts (to be used for signal timings)
- Develop system timings
- Create reference and master signalization design file: includes all signalization equipment layout in relation to topographic features and utility locations
- Reference and master interconnect communication design file
- 5 Overhead street name sign designs
- Pole elevation analysis
- Quantities for four intersections (for reference only)
- Cost estimates, based on 2 submittals
- 2 Field reviews for 2 people
- 4 Meetings
- Signalization Plans set will include:
 - ◆ Tabulation of Quantities: 2 sheets (for reference only)
 - ◆ General Notes sheet: includes all notes pertaining to Lake County standards
 - ◆ 4 Plan Sheets: includes all necessary signal head information, timings, loop detector charts and pay items
 - ◆ Interconnect Plans: includes conduit routing and pay item information

- ◆ 5 Guide Sign worksheets: includes sign layout information
- ◆ Mast arm/monotube tabulation sheet: provide installation information for signal/sign locations
- ◆ 2 Temporary signals during construction
- ◆ Utility conflict sheet: provides all utility location information in vicinity of mast arm foundation locations

TOTAL FOR TASKS 21 & 22 = 552 hours

Task 27. Survey

- Estimate 3 underground utilities along the corridor excluding water and sewer
- Locate underground utilities for 12 mast arm locations to include 5 test holes per location
- Locate underground utilities for drainage structures including 10 test holes

TOTAL FOR TASK 27 = 69 hours

NOTE: All files will be provided to BESH in Autocad format.

ESTIMATE OF WORK EFFORT AND COST - DRMP

Consultant Name: BESH/ DRMP
 Consultant No.:
 Date: 7/23/2010
 Estimator:

Name of Project: Alfred Street
 County: Lake
 FPN:
 FAP No.:

Staff Classification	Total Staff Hours From "SH Summary Firm"	Sr Engineer	Project Engineer	Engineer Intern	Designer/Technician	Senior Ecologist	Environmental Scientist II	Clerical	Surveyor/ Mapper	Staff Classification 10	Staff Classification 11	Staff Classification 12	SH By Activity	Salary Cost By Activity	Average Rate Per Task
3. Project General and Project Common Tasks	344	0	203	124	0	0	0	17	0	0	0	0	344	\$35,924	\$105.88
4. Roadway Analysis	558	28	134	329	39	0	0	28	0	0	0	0	558	\$53,727	\$96.29
5. Roadway Plans	151	7	38	87	11	0	0	8	0	0	0	0	151	\$14,571	\$96.50
6. Drainage Analysis	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0.00
7. Utilities	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0.00
8. Environmental Permits, Compliance & Clearances	48	0	0	0	0	9	37	2	0	0	0	0	48	\$4,092	\$85.88
9. Structures - Misc. Tasks, Dwg. Non-Tech.	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0.00
10. Structures - Bridge Development Report	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0.00
11. Structures - Temporary Bridge	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0.00
12. Structures - Short Span Concrete Bridge	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0.00
13. Structures - Medium Span Concrete Bridge	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0.00
14. Structures - Structural Steel Bridge	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0.00
15. Structures - Segmental Concrete Bridge	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0.00
16. Structures - Movable Span	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0.00
17. Structures - Retaining Walls	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0.00
18. Structures - Miscellaneous	168	0	0	0	0	0	0	0	0	0	0	0	168	\$17,915	\$106.64
19. Signing & Pavement Marking Analysis	104	5	36	32	26	0	0	5	0	0	0	0	104	\$11,042	\$106.17
20. Signing & Pavement Marking Plans	375	0	19	111	94	0	0	19	0	0	0	0	375	\$39,956	\$106.55
21. Signalization Analysis	177	0	9	52	44	0	0	9	0	0	0	0	177	\$18,836	\$106.42
22. Signalization Plans	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0.00
23. Lighting Analysis	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0.00
24. Lighting Plans	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0.00
25. Landscape Architecture Analysis	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0.00
26. Landscape Architecture Plans	69	0	0	0	0	0	0	0	69	0	0	0	69	\$7,858	\$113.88
27. Survey (Field & Office Support)	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0.00
28. Photogrammetry	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0.00
29. Mapping	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0.00
30. Geotechnical	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0.00
31. Architecture Development	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0.00
32. Noise Barriers Impact Design Assessment	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0.00
33. Intelligent Transportation Systems Analysis	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0.00
34. Intelligent Transportation Systems Plans	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0.00
Total Staff Hours	1,564	0	75	665	256	9	37	96	69	0	0	0	1,564	\$204,932.52	\$102.77
Total Staff Cost	\$0.00	\$11,802.04	\$83,467.40	\$64,263.36	\$28,503.04	\$1,051.20	\$3,457.28	\$4,500.48	\$7,857.72	\$0.00	\$0.00	\$0.00	\$0.00	\$204,932.52	\$204,932.52

SALARY RELATED COSTS:

Notes:
 1. This sheet to be used by Subconsultant to calculate its fee.

SUBTOTAL ESTIMATED FEE:
 Survey (Field) 16 2-man crew da \$ 816.51 / day
 Geotechnical Field and Lab Testing
SUBTOTAL ESTIMATED FEE:
 Optional Services
GRAND TOTAL ESTIMATED FEE:

EXHIBIT 'C'



Andreyev Engineering, Inc.

SANFORD
4055 St. John's Parkway
Sanford, Florida 32771
407-330-7763
407-330-7765 Fax

▼ Groundwater ▼ Environmental ▼ Geotechnical ▼ Construction Materials Testing

June 24, 2010
Proposal No.: PG-10-011

TO: Booth, Ern, Straughan, & Hiott, Inc.,
350 North Sinclair Avenue
Tavares, Florida 32778

Attn: Mr. Robert A. Ern, Jr. P. E.

SUBJECT: Proposal, Geotechnical Investigation for Stormwater Retention
Areas and Pavement Corings, Alfred Street Improvement Project,
Tavares, Lake County, Florida

Dear Mr. Ern,

Per your request, Andreyev Engineering, Inc., (AEI) submits this revised proposal for performing geotechnical investigation for the stormwater retention areas along abovementioned road improvement project at Alfred Street and pavement core borings of the existing pavement.

We understand the proposed project will involve the rebuilding/improvement of Alfred Street and the improvement of the stormwater retention areas along the street. The scope of our work will be completed in two (2) tasks. Task 1 will include geotechnical investigation of stormwater retention areas and Task 2 will include coring of the existing roadway.

Task 1

The purpose of the geotechnical investigation and evaluation for the stormwater retention area will be to assess the soil and groundwater conditions and provide recommendations for design and selection of aquifer properties for stormwater recovery analysis. We propose to conduct the following revised scope of investigation for Task 1:

- Perform two (2) 15-foot deep power auger borings within the proposed stormwater retention pond area.
- Collect two (2) relatively undisturbed tube samples from the boring locations for laboratory permeability tests.
- Analyze the field and laboratory data to develop engineering recommendations for stormwater retention pond design.

The proposed scope of services will be supervised by a geotechnical engineer licensed in the state of Florida. The results of the exploration will be presented in a geotechnical report. This report will specifically address the following:

- Existing site condition.
- Exploration, testing, and sampling methods.
- Subsurface soil conditions encountered, soil classification and laboratory soil test results.
- Depth to groundwater at the time of the exploration and estimated seasonal high groundwater table.
- Provide recommendations for stormwater retention area design and selection of aquifer parameters for retention area recovery analyses.

Task 2

In addition to the geotechnical investigation for the stormwater retention area, we understand the proposed project will involve the improvement of the pavement of Alfred Street. To investigate the thickness of the existing pavement section and subgrade, as Task 2, we propose to collect eighteen (18) core samples of the pavement approximately 1 core sample per block at locations selected by you. In addition to the coring of the pavement, we will perform hand augers up to a depth of 4 feet at the coring locations to investigate the type of subgrade material at those locations.

PROJECT SCHEDULE

Based on our present schedule we are prepared to mobilize to begin the field operation on this project within 5 days following your authorization to proceed, assuming access permission is obtained. We anticipate the field portion of the study to be completed in two (2) days. Engineering analysis, necessary laboratory work and report preparations should be completed within approximately 1 week after the completion of the fieldwork.

ESTIMATED COSTS

We estimate that we can perform the investigation for the stormwater retention area (Task 1) for the cost of **\$2,280.00** and a break down of the cost estimate is enclosed. For the pavement corings (Task 2) we estimate that we can perform the corings and prepare a summary report for a fee of **\$3,950.00** and a break down of the cost estimate is enclosed. In computing the above estimates, we have assumed the site is accessible to our truck mounted drilling rig, that we have the right of entry to the site and that we will not experience delays due to reasons beyond our control. The cost estimate does not include surveying and we assume that bore hole locations will be staked by your surveyor. Our cost estimate does not include recovery analyses of the ponds. For the pavement corings, we have assumed that traffic control signals, cones and flagmen will be sufficient to guide the traffic during our field activities.

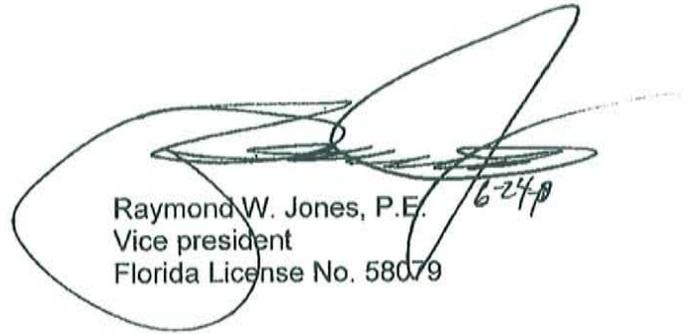
CLOSURE

We appreciate the opportunity to be of service to you. Upon acceptance of this proposal, please sign one copy and return to this office.

Sincerely,

Andreyev Engineering, Inc.

Shawkat Ali 6/24/10
Shawkat Ali, Ph. D., P.E.
Senior Project Engineer
Florida License No. 52568


Raymond W. Jones, P.E.
Vice president
Florida License No. 58079

Proposed Geotechnical Investigation for Stormwater Retention Area and Pavement
Coring for Alfred Street, Tavares, Lake County

Task 1, Geotechnical Investigation for Stormwater Detention Area: \$2,280.00

Task 2, Pavement Coring at Alfred Street: \$3,950.00

Estimated Total Cost = \$6,230.00

ACCEPTED BY: (Name) _____ (Signature) _____

TITLE : _____ DATE: _____

BILLING ADDRESS: _____

PHONE: _____ CELL: _____ FAX: _____

Conditions of Acceptance: The above proposal is acceptable. This proposal constitutes a binding contract between AEI and the client. It is agreed by the client and AEI that there are no additional terms, conditions, or agreements with respect to the project, other than the items referenced in the proposal. Payment terms are "net thirty", and for past due invoices, interest shall be accrued at a rate of 1.5 % per month. Client also agrees to reimburse AEI for reasonable attorney fees, in the event that payment is not submitted to AEI for services rendered.

**SCOPE OF SERVICES AND FEE ESTIMATE
TASK 1, GEOTECHNICAL EXPLORATION/EVALUATION
ALFRED STREET STORMWATER RETENTION AREA,
TAVARES, LAKE COUNTY, FLORIDA**

FIELD EXPLORATION

A.	Mobilization of Men and Equipment	\$350.00
B.	Auger Borings at Stormwater Retention Pond Area 2 borings to 15 ft. = 30 lf. @ \$9.00/lf.	\$ 270.00
C.	Collection of Tube Samples from Stormwater Retention Pond Area 2 samples @\$100.00/sample	<u>\$ 200.00</u>
Subtotal Field Exploration		\$820.00

LABORATORY TESTING

A.	Visual Classification and Limited Index Testing of Soil Samples Lump Sum	\$300.00
B.	Permeability Testing of Tube Samples 2 tests @ \$150.00/test	<u>\$300.00</u>
Subtotal for Laboratory Testing		\$600.00

ENGINEERING AND TECHNICAL SERVICES

A.	Principal Engineer 1 hour @ \$150.00/hour	\$150.00
B.	Senior Project Engineer 4 hours @ \$100.00/hour	\$400.00
C.	Drafting 4 hours @ \$55.00/hour	\$220.00
D.	Secretarial Services 2 hours @ \$45.00/hour	<u>\$90.00</u>
Subtotal for Engineering Services		\$860.00
Total Estimated Cost for Task 1		<u>\$2,280.00</u>

**SCOPE OF SERVICES AND FEE ESTIMATE
TASK 2, PAVEMENT CORINGS AT ALFRED STREET
TAVARES, LAKE COUNTY, FLORIDA**

FIELD EXPLORATION

A.	Mobilization of Men and Equipment	\$200.00
B.	Pavement coring at 18 locations 2 days @ \$1,000/crew day	\$2,000.00
C.	Traffic control with traffic signs, traffic cones and flag men 2 days @ \$500.00/day	<u>\$ 1,000.00</u>
	Subtotal Field Exploration	\$3,200.00

ENGINEERING AND TECHNICAL SERVICES

A.	Engineering analysis and preparation of report Lump Sum	\$500.00
B.	Drafting and secretarial services Lump Sum	<u>\$250.00</u>
	Subtotal Engineering	\$750.00

Total Estimated Cost for Task 2 **\$3,950.00**

EXHIBIT 'D'



Electric Services, Inc.

INDUSTRIAL COMMERCIAL ELECTRICAL CONTRACTORS & ENGINEERS

EC#1415 CA#9435
1746 U.S. Highway 441, Leesburg, FL 34748
Telephone (352) 787-1322 Fax (352) 787-7871

June 24, 2010

To: Mr. Duane Booth, P.E.
Booth Ern Straughan and Hiott, Inc.
350 North Sinclair Ave.
Tavares, FL 32778

Project: Alfred Street – Tavares

Subject: Proposal for Engineering Services

Background

- 1) Booth Ern Straughan and Hiott, Inc., the Client, will engage Electric Services, Inc., the Engineer, to provide professional engineering design services as outlined below.

Scope of Work

- 1) A renovation design of approximately sixteen city blocks of roadway including Alfred Street and other adjacent roadways, within The City of Tavares, Florida is to be designed for construction.
- 2) Roadway lighting design based on client selected LED lighting system.
- 3) Electric circuitry including power distribution service locations and devices as coordinated with civil engineer and landscape architect.
- 4) Construction documents are required for Owner review, permit application and competitive bidding.

Scope of Services

- 1) Site investigation and documentation of existing conditions.
- 2) Power systems design including new rack mounted service locations and distribution systems.
- 3) Roadway lighting design including photometric point-by-point calculations.
- 4) Lighting and device circuitry with controls.
- 5) Coordination with local electric utility for new service locations.
- 6) Required fault calculations at new service locations.
- 7) Cost estimating for electrical system.

Basis of Compensation

- | | |
|---|---------------------|
| 1) For basic services as defined above: | |
| a) Design | \$ 16,990.00 |
| b) Construction Administration..... | n/a |
| Total Fee..... | \$ 16,990.00 |

- 2) Expenses for Client requested plotting, printing; shipping and delivery will be considered reimbursable and billed at cost. Plots/prints will be billed at \$2.00 per 24x36 bond.
- 3) For additional services as defined below, the client may request a lump sum fee proposal or authorize the work to proceed with compensation based on the actual hours required billed at the Engineer's current published hourly rates.

Optional Additional Services

- 1) Additional meetings at the Client's office during design or meetings with the authority having jurisdiction for expediting the permitting process.
- 2) Bid period services including interpretation of the construction documents, response to contractor questions and the issuing of clarifications to the construction documents.
- 3) Construction period services including review of contractor submittals, response to contractor request for information and up to four periodic site visits during construction for the review of the contractor's general compliance with the construction documents.
- 4) Emergency power systems design including generator or uninterruptible power systems.
- 5) Preparation of an electrical overcurrent protective device coordination study.
- 6) Telecommunication systems design including wiring, terminations, hubs and utility service coordination.
- 7) Audio system design.
- 8) Incorporation of contractor as-built or record drawing markups into the construction documents either for record drawings or for resubmission to the authority having jurisdiction.
- 9) Profile drawings.
- 10) Value engineering or cost reduction analysis and drawing modifications.

Limitations and Exclusions

- 1) Design phase is limited to four or less design review meeting at the client's office.
- 2) In general, a minimum of thirty working days is required for the completion of the Engineer's construction documents after the completion of the site design documents by the Client.
- 3) Changes that impact the electrical design after substantial may result in additional fees.
- 4) Work outside of the proposed roadway is not included with the exception of electrical service to the equipment.
- 5) Structural analysis or design to accommodate mechanical and electrical revisions and the requirements for permit will need to be provided by others and is not included.
- 6) If changes that affect the electrical design occur within ten working days of the intended submission, extension of the submission date will be required.
- 7) Modifications to the drawings after the permit application to accommodate changes or additions will need to be considered additional services.

Items to be furnished by the Client

- 1) Electronic background files in AutoCAD or DXF format.
- 2) One set of coordination and progress printings of other design discipline drawings.
- 3) Designate a single point of contact for each project with the authority to transmit instruction, receive information, interpret and define policy and make decisions with respect to materials, systems and equipment relative to the consultant's services.

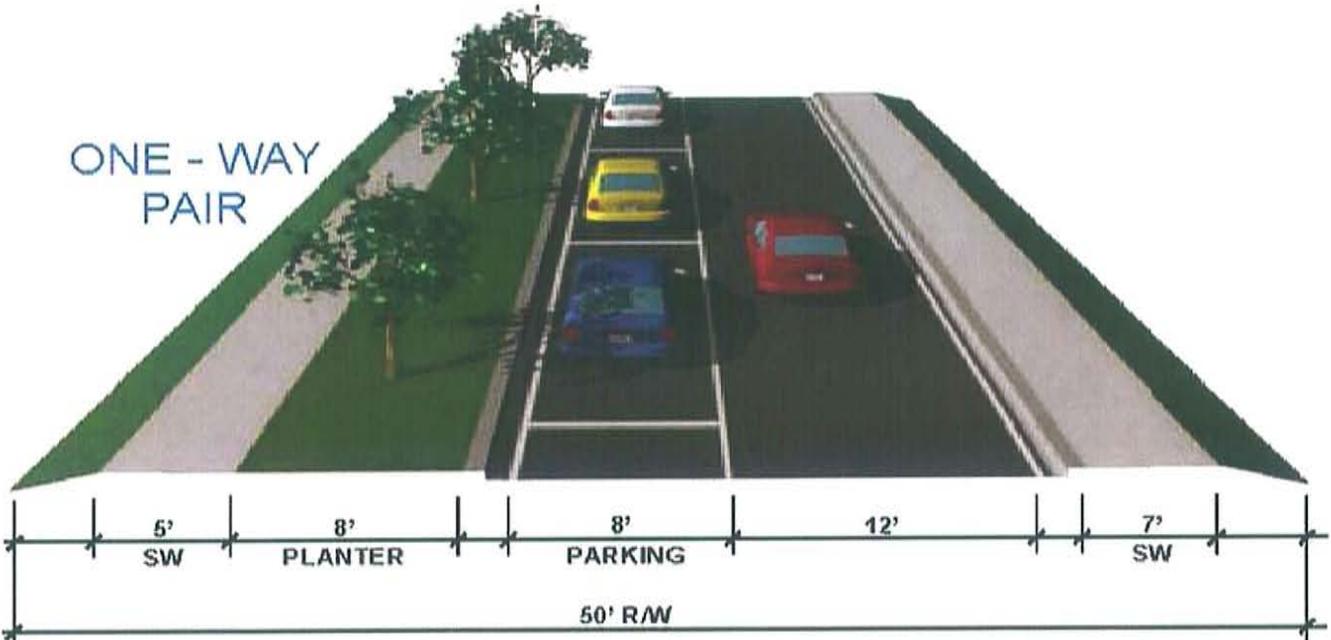
Terms and Conditions

- 1) Invoices for services rendered are prepared monthly and are due and payable within thirty (30) days from date of the invoice. Past due statements shall include interest from the date of invoice at a compound rate of one and one-half (1-1/2) percent per month.
- 2) Payments to the Engineer shall not be withheld, postponed or made contingent on the construction, completion or success of the project or upon receipt by the Client of offsetting reimbursement or credit from other parties causing Additional Services or expenses. No withholdings, deductions or offsets shall be made from the Engineer's compensation for any reason unless the Engineer has been found to be legally liable for such amounts.
- 3) If the Client does not engage the Engineer to provide Construction Administration services, then the Engineer shall not be responsible for components of the project, if any, for which shop drawings, product data, or samples are required; or for errors or omissions in the construction documents prepared by the Engineer which would have been discovered and corrected by the Engineer had the Engineer been engaged for Construction Administration services. The Client agrees to release the Engineer from and protect against all liability arising out of those matters stated in foregoing sentence to be outside the Engineer's responsibilities.
- 4) The Client has not retained the Engineer to make detailed inspections or to provide exhaustive or continuous project review and observation services. The Engineer does not guarantee the performance of, and shall have no responsibility for, the acts or omissions of any contractor, subcontractor, supplier or any other entity furnishing materials or performing any work on the project.
- 5) Neither the professional activities of the Engineer, nor the presence of the Engineer or his or her employees and sub consultants at a construction site, shall relieve the General Contractor and any other entity of their obligations, duties and responsibilities including, but not limited to, construction means, methods, sequence, techniques or procedures necessary for performing, superintending or coordinating all portions of the Work of construction in accordance with the contract documents and any health or safety precautions required by any regulatory agencies. The Engineer and his or her personnel have no authority to exercise any control over any construction contractor or other entity or their employees in connection with their work or any health or safety precautions.
- 6) The Client shall promptly report to the Engineer any defects or suspected defects in the Engineer's work or services of which the Client becomes aware, so that the Engineer may take measures to minimize the consequences of such a defect. The Client warrants that he or she will impose a similar notification requirement on all contractors in his or her Client/Contractor contract and shall require all subcontracts at any level to contain like requirements. Failure by the Client, and the Client's contractors or subcontractors to notify the Engineer, shall relieve the Engineer of the costs of remedying the defects above the sum such remedy would have cost had prompt notification been given.
- 7) Either party may terminate this Agreement by giving thirty (30) days advance written notice. The Engineer shall be paid for services rendered to the date of termination on the basis of a reasonable estimate of the portion of services completed prior to termination and shall be paid for all reasonable expenses resulting from such termination and for any unpaid reimbursable expenses.
- 8) For services involving the renovation of or modification to existing structures including, but not limited to, the mechanical, electrical, and plumbing systems thereof, the Engineer will rely on his observation of readily observable existing conditions. Although the documented systems components of the existing structure to be modified will be analyzed, the actual components of the existing structure cannot be fully determined because the Engineer was not present during fabrication or construction. The Engineer will therefore make recommendations and designs which in the Engineer's opinion will meet the needs of the situation, commensurate with economic constraints, but for which

- the Engineer can make no assurances that unforeseen conditions which come to light may not require changes in the scope of services or in the design.
- 9) In the event of any litigation arising from or related to the services provided under this Agreement, the prevailing party will be entitled to recovery of all reasonable costs incurred, including staff time, court costs, attorneys' fees and other related expenses. The venue shall take place in Lake County, Florida.
 - 10) In an effort to resolve any conflicts that arise during the design or construction of the project or following the completion of the project, the Client and the Engineer agree that all disputes between them arising out of or relating to this Agreement shall be submitted to non-binding mediation unless the parties mutually agree otherwise.
 - 11) It is intended by the parties to this Agreement that the Engineer's services in connection with the project shall not subject the Engineer's individual employees, officers or directors to any person legal exposure for the risks associated with this project. Therefore, and notwithstanding anything to the contrary contained herein, the Client agrees that as the Client's sole and exclusive remedy, any claim, demand or suite shall be directed and/or asserted only against Electric Services, Inc., a Florida corporation, and not against any of the Engineer's employees, officers or directors.
 - 12) In recognition of the relative risks and benefits of the project to both the Client and the Engineer, the risks have been allocated such that the Client agrees, to the fullest extent permitted by law, to limit the liability of the Engineer and his or her subconsultants to the Client and to all construction contractors and subcontractors on the project for any and all claims, losses, costs, damages of any nature whatsoever or claims expenses from any cause or causes, so that the total aggregate liability of the Engineer and his or her subconsultants to all those named shall not exceed the Engineer's total fee for services rendered on this project. Such claims and causes include, but are not limited to negligence, professional errors or omissions, strict liability, breach of contract or warranty.
 - 13) The Client acknowledges the Engineer's construction documents as instruments of professional service. Nevertheless, the plans and specifications prepared under this Agreement shall become the property of the Client upon completion of the work and payment in full of all monies due to the Engineer. The Client shall not reuse or make any modification to the plans and specifications without the prior written authorization of the Engineer. The Client agrees, to the fullest extent permitted by law, to indemnify and hold the Engineer harmless from any claim, liability or cost (including reasonable attorneys' fees and defense costs) arising or allegedly arising out of any unauthorized reuse or modification of the construction documents by the Client or any person or entity that acquires or obtains the plans and specifications from or through the Client without the written authorization of the Engineer.
 - 14) In the event the Client consents to, allows, authorizes or approves of changes to any plans, specifications or other construction documents, and these changes are not approved in writing by the Engineer, the Client recognizes that such changes and the results thereof are not the responsibility of the Engineer. Therefore, the Client agrees to release the Engineer from any liability arising from the construction, use or result of such changes. In addition, the Client agrees, to the fullest extent permitted by law, to indemnify and hold the Engineer harmless from any damage, liability or cost (including reasonable attorneys' fees and costs of defense) arising from such changes, except only those damages, liabilities and cost arising from the sole negligence or willful misconduct of the Engineer.
 - 15) The Client agrees, notwithstanding any other provision of this agreement, to the fullest extent permitted by law, to indemnify and hold harmless the Engineer, its officers, partners, employees and consultants from and against any and all claims, suits, demands, liabilities, losses, damages or costs, including reasonable attorneys' fees and defense costs arising out of or in any way connected with the detection, presence, handling, removal, abatement, disposal, threatened formation, growth, release or dispersal of any fungi, molds, spores, mycotoxins of any kind, asbestos or hazardous or toxic substances, products or materials that exist on, about or adjacent to the project site, whether liability arises under breach of contract or warranty, tort, including negligence, strict liability or statutory liability or any other cause of action.
 - 16) Any provision of this Agreement later held to be unenforceable for any reason shall be deemed void, and all remaining provisions shall continue in full force and effect. All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating responsibility or liability between the Client and the Engineer shall survive the completion of the services hereunder and the termination of this Agreement.

EXHIBIT 'E'

ONE - WAY
PAIR



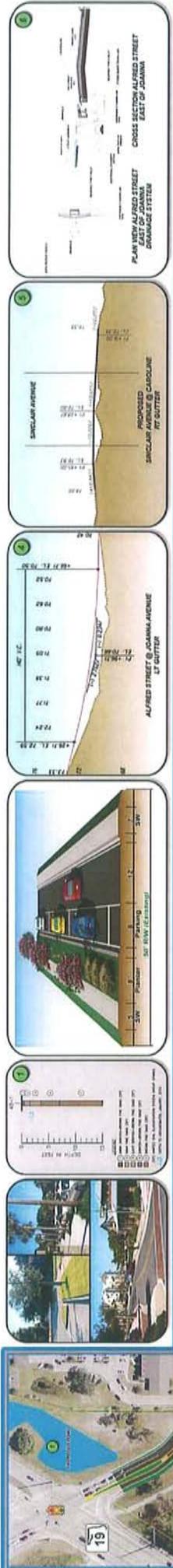


EXHIBIT 'F'

LAKE COUNTY PUBLIC WORKS SCOPE OF WORK CHECKLIST:

Updated 11/30/09

- A. General Requirements
- B. Survey Requirements
- C. Right of Way Plan Requirements:
- D. Plan Deliverables:
- E. Invoice Requirements:
- F. Public Meeting Requirements:

A. General Requirements:

- Consultant shall prepare a project schedule and present to the County project manager at the project kickoff meeting
- Consultant shall construct and maintain a web page detailing the project
- Consultant shall schedule, conduct, and present **all** public meetings according to the approved public meeting scope and public meeting checklist.
- Consultant shall Advertise and Notify the public of the public meeting schedule and location according to the approved public meeting scope and public meeting checklist.
- Consultant will attend monthly progress meetings for the life of the project at the Public Works Dept facility.
 - At the discretion of the County project manager, telephone conference calls may substitute for face to face meetings

B. Survey Requirements:

- The project survey will be a record survey of existing conditions to include location and identification all constructed or fixed improvements and features within the survey area, identification and location of all relevant property information such as deed lines, plat lines, designated roads, right of way lines, easements and other matters of public record or information referenced in title report. When required, elevation data with sufficient density and coverage to develop DTM's, ground elevations extending a minimum of 25 feet beyond survey limits, contractors and subcontractors must have capability to work from plans in AutoCAD format. Lake County does not provide hard copy detailed plans for the purpose of survey stakeout. All work to be performed in appropriate Florida state plane coordinate system, vertical datum to be NAVD88, signed and sealed record survey to be furnished in both hard copy and appropriate electronic format.
- Survey limits may change due to conditions

- Survey shall show existing recorded right of way with recording information for the dedication document clearly identified (deed, plat, court order, or recorded maintenance or right of way maps). This information shall include intersecting side street right of way shown on the survey. All other evidence of right of way that is shown on the survey shall be shown in different line type, with the source clearly identified (i.e. property line per deed, DOT monument found, RW per unrecorded plat, recorded plat, etc.). Final signed and sealed survey shall be provided to the Project Manager for review by the County Staff. Upon approval, three (3) signed and sealed copies of the survey, along with an electronic file in appropriate format shall be provided to the Project Manager for distribution to County Staff.
- The stationing for the project once set at the 30% level is not to change unless directed to do so by the County project manager

C. Right of Way Plan Requirements:

- The consultant shall be responsible for all title searches needed to provide an accurate Project Survey and Right of Way Maps. The consultant shall meet with the Lake County Right of Way Manager prior to initiating any title searches to discuss title search parameters, and for approval of the title search company that will be used. The search shall be a minimum of a 30 year search. The consultant shall provide the Right of Way Manager with a copy of the Title Opinion, and copies of all associated documents. Cost for each search should be included in the project quote.
- Prior to beginning survey, the Consultant will request copy of the RW Package from the Lake County Right of Way Manager. This package will include all the right of way information available in the Lake County Public Works Department
- Five (5) signed and sealed sketches and legals will be completed by the Consultant of **each** parcel required for acquisition by the County for the project
- All sketches and legals must reference the signed and sealed project survey, and must include the square footage and acreage for each RW parcel being acquired.

D. Plan Deliverables:

- Deliverables at the 30% design submittal level:
 - Three (3) signed and sealed copies of the project survey, and an electronic file in Autocad format identified by Lake County.
 - A letter from the Consultant to the County project manager stating **all** permits that will be required for the project and what agency the permit will be sought from
 - Consultant will complete an initial threatened and endangered species survey and present a copy of the results to the County project manager
 - Consultant will complete a phase one environmental survey (if applicable) and submit results to the County project manager
 - Submitted plans will include "line and grade" plan view and:
 - exceed the construction boundaries by 300 feet running longitudinally with the travelway and show existing conditions
 - include a cover page acceptable to the County project manager

- include County typical sections
 - include County general notes pages
 - show centerline of proposed roadway as the baseline of project
 - show stationing
 - show existing pavement striping (on additional sheet if necessary for legibility)
 - show existing conditions (grades, signalization, right-of-way, property lines, parcels, trees, driveways, fences, gates, utilities, everything relevant from the survey, etc)
 - show proposed edge of pavement and proposed right-of-way
 - Submittal will include 3 sets of review plans (11" x 17" paper to proper legible scale) and a CD in AutoCAD format of the submitted plans
 - A copy of the submitted plans will also be send to **all** utilities within the limits of the project for "red – brown – green" markup
- Deliverables at the 60% design submittal level:
 - An **electronic** copy (AutoCAD, .pdf) of the 30% plan submittal "red – brown – green" markups from **all** utilities within the limits of the project added to the submittal CD
 - A copy of **any and all** permit plans, permit package (including calculations if necessary) that will be submitted to required permitting agencies, **or** copy of a letter of request for exemption from needing a permit that will be sent to the permitting agency.
 - Three copies of the signed and sealed Right of Way Maps showing existing and proposed right of way shall be provided. The existing right of way shown on the project survey, and shall include the recorded right of way (including public easements for roadway uses), and any other RW as approved by the Lake County Engineering Director or his designee. Final signed and sealed Right of Way Maps shall be provided to the Project Manager for review by the County Staff. Upon approval, three (3) copies of the signed and sealed Right of Way Maps, and an electronic file in AutoCad format, shall be provided to the Project Manager for distribution to County Staff.
 - Three (3) signed and sealed copies of the Geotechnical Report
 - Submitted plans will include all items listed under the 30% submittal and:
 - all corrections made to the 30% reviewed plans addressing the comments made by the County project manager
 - all corrections made to the reviewed plans by the utilities (incorporate the information from the red – brown – green markups)
 - any problem areas that may exist with utilities noted on the plans
 - plan views, profile views, and cross section views (interval to be set by the County project manager)
 - show proposed stormwater management system
 - show the relevant Geotechnical information
 - show approximate location of listed species
 - Copies of any correspondence between a utility and the Consultant will be provided to the County project manager
 - Submittal will include 3 sets of review plans (11" x 17" paper to proper legible scale) and a CD in AutoCAD format of the submitted plans
 - Deliverables at the 90% design submittal level:
 - A copy of **all** needed permits for the project **approved** by the permitting agency

- A copy of an exemption letter from needing a permit from a permitting agency (if applicable)
 - A copy of the submitted plans will also be send to **all** utilities within the limits of the project for final "red – brown – green" markup
 - Submitted plans will include all items listed under the 60% submittal and:
 - all corrections made to the 60% reviewed plans addressing the comments made by the County project manager
 - all proposed signing, pavement marking, and signalization plans
 - Three (3) signed and sealed copies of the signal warrant (if applicable)
 - Submittal will include 3 sets of review plans (11" x 17" paper to proper legible scale) and a CD in AutoCAD format of the submitted plans
- Deliverables at the 100% design submittal level:
 - Submitted plans will include all items listed under the 90% submittal and:
 - All corrections made to the 90% reviewed plans addressing the comments made by the County project manager
 - All corrections made to the reviewed plans by the utilities (incorporate the information from the red – brown – green markups if any)
 - Submittal will include 3 sets of review plans (11" x 17" paper to proper legible scale) and a CD in AutoCAD format of the submitted plans
- Deliverables at the Final submittal level:
 - 3 copies each of **all** permits
 - 3 copies each of **any** agency permit exemption letter
 - 3 copies each of **any** geotechnical reports
 - 3 copies each of **any** environmental reports
 - Two (2) signed and sealed project plan record sets
 - Ten (10) Hard Copy of the Original Signed and Sealed Sets clearly showing the engineers signature, date, and seal.
 - Thirty five (35) DVD copies of the Scanned Original Signed and Sealed Sets clearly showing the engineers signature, date, and seal.

E. Invoice Requirements:

- The Contractor is free to submit required deliverable items **before** the listed submittal percentage level with the approval of the County project manager
- Design submittals will not be considered complete until all items listed under the appropriate design submittal level are delivered and approved by the County
- Invoices will be put thru for payment by the County project manager **only** when the County is in possession of all deliverables for the relevant submittal.
- Advancement to the next design submittal level may not take place until the previous submittal is approved by the County.

F. Public Meeting Requirements:

1. Public Meeting Check List

- Project Discussion Meeting (Approx. 2 months before meeting)
(Invite Chris Patton)
- Mailing List (Get ready 6-weeks prior to public meeting)
- Meeting Location Facility (Arrange 6-weeks before public meeting)
 - Proposed Meeting Day/Date/Time
(Start time for Meeting & Presentation Start Time)
 - County Commissioner's Availability for meeting time and location must be verified!
 - Notify County Attorney of Proposed Date
 - Check Facility Amenities
Visit site and check for following:
 - 1. Screen
 - 2. Sound System
 - 3. Seating
- Flyer (Mail out 4 weeks prior to public meeting)
 - 1. Engineering Director's Approval
 - 2. Public Works Director's Approval
 - 3. County Manager's Approval
- Legal Advertisement
(Advertise in Newspaper for 1 day only- 5-7 day prior to public meeting)
- Consultant Presentation (Have ready for review at Public Works Office at least 2-weeks prior to public meeting)
 - (Consultant Responsible for the following)
 - Boards
 - Powerpoint
 - Sign In Sheets
 - Speaker Cards
 - Comment Cards
 - Refreshments (water, cookies typical)

2. After the Meeting Procedures

- Compile Comments
- Prepare Responses
- Update Mailout List
- Contact Owners (if requested)
- Mail out Responses
- Website (add to website)

THIS PAGE INTENTIONALLY LEFT BLANK



AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: October 6, 2010

AGENDA TAB NO. 9

SUBJECT TITLE: Request for Qualifications (RFQ) to Design/Construct Pavilion

OBJECTIVE: To authorize staff to advertise an RFQ to seek a qualified contractor to design and construct the Wooton Park pavilion utilizing the methodology of Construction Manager at Risk.

SUMMARY: Oftentimes governmental capital projects utilize the Design-Bid-Build method of construction and the order of procuring the construction services is thusly:

- 1) Design
- 2) Solicitation for Bids
- 3) Selection of lowest most responsive bid
- 4) Construct
- 5) COMMON RESULTS: project costs can be higher than original bid due to change orders. Quality of products and services needs constant monitoring as this is a low bid methodology. Builder/contractor cannot provide valuable input during design, including value engineering with potentially cost savings suggestions.

Other methods of construction services for governmental projects do exist including the Construction Manager at Risk method.

For the pavilion project, staff and Pavilion Architect Bob Blaise are recommending that the city utilize the "Construction Manager at Risk" method of procuring construction services for this project which provides the following:

- 1) Select a contractor prior to designing the project. The selected contractor is at the design table from the beginning, providing input that speaks to the practicality of design and its ability to fall within the budget.
- 2) Contractor establishes a control budget at 30% of design and evaluates the control budget at 60% and then fixes a guaranteed Maximum Price (GMP), which is the maximum cost to build.
- 3) Contractor selects the most qualified (not necessarily the lowest price, but best quality) sub-contractors for the various trades, with the input of the

design team and the City. City has right to approve all subcontractors and materials vendors.

- 4) Contractor serves as the Construction Manager and is incentivized to stay on budget because the budget is established at the beginning (similar to a "not to exceed"). Contractor stands to make incentive bonus if project comes in on time and under budget.
- 5) Contractor provides "Open Book" accounting of all aspects of the project for the city utilizing the City's tax exempt status to purchase materials thereby saving approximately 3.5% of the project cost.
- 6) COMMON RESULTS: Quality project that comes in on budget and on time without the Contractor attempting to make additional monies via change orders.

OPTIONS:

- 1) Authorize staff to advertise an RFQ for a Construction Manager at Risk for the Pier and Pavilion Project only.
- 2) Authorize staff to advertise an RFQ for a Construction Manager at Risk for the Pier and Pavilion Project and any other project the city deems it appropriate and advantageous including but not limited to the Public safety Complex, amphitheater if it passes in November etc...
- 3) Do not authorize staff to advertise for an RFQ.

STAFF RECOMMENDATION: That council move to advertise an RFQ for a Construction Manager at Risk for the Pier and Pavilion Project and any other project the city deems it appropriate and advantageous.

FISCAL IMPACT: n/a

LEGAL SUFFICIENCY: Meets legal sufficiency

THIS PAGE INTENTIONALLY LEFT BLANK

THIS PAGE INTENTIONALLY LEFT BLANK



**AGENDA SUMMARY
TAVARES CITY COUNCIL
OCTOBER 6, 2010**

AGENDA TAB NO. 10

SUBJECT TITLE: Approval of Graphics for Alleyway Signs

OBJECTIVE:

To obtain final approval from City Council for the graphics on the alleyway identification signs.

SUMMARY:

On June 2nd, Council approved and assigned names to the City's downtown alleyways. The alleyways were named after famous seaplane aviators and after pioneering families that have made a historical impact on Tavares. On July 21st, Council approved alleyway signs with white, bold lettering on a blue background. The signs are to be mounted on a decorative black sign pole. Council discussed placing our city logo on the upper left face of the sign. A monument, that will provide historic information commemorating the honored individuals after whom the alleyways were named, will be designed and placed in Wootton Park. The details of this monument will be brought back to Council at a later date.

CTI Signs has provided three proposed designs for the alleyway sign faces. Staff is seeking Council's final recommendation on the graphics.

OPTIONS

1. That City Council discusses and chooses a final alleyway sign graphic proof that will be applied consistently to the 15 named alleyways within our City downtown.

STAFF RECOMMENDATION

That City Council provides staff with a final preference for the alleyway sign graphics.

FISCAL IMPACT:

The cost for each alleyway sign is \$395. This amount is budgeted for in the alleyway improvement fund. The City's Public Works Department will install the signs.

LEGAL SUFFICIENCY:

This report has been reviewed by the City Attorney and approved for legal sufficiency.

THIS PAGE INTENTIONALLY LEFT BLANK



**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: October 6, 2010**

AGENDA TAB NO. 11

SUBJECT TITLE: NEW EVENT: Tavares Celebration of Fine Arts

OBJECTIVE: To approve a new event and to authorize staff to work with local organizers to develop an annual fine arts festival in Tavares.

SUMMARY: Recently, staff met with local event planners, Christina Smith of Oracle Events and Sydra Nightingale of Nightingale's Consulting, to discuss the possibility of developing an annual fine arts festival in Tavares.

Ms. Smith and Ms. Nightingale have a proven record for delivering quality events and have been involved with other cities in bringing forth cultural events similar to the one that they are proposing for Tavares.

Attached is a proposal which illustrates a detailed offering of their services and those that will be provided by city staff.

OPTIONS:

- 1) Approve the new event and authorize staff to proceed with developing the event with the event organizers
- 2) Do not approve

STAFF RECOMMENDATION: Make a motion to approve the new event and authorize staff to work with the event organizers to develop this signature, cultural event.

FISCAL IMPACT: cost of support services

LEGAL SUFFICIENCY: meets sufficiency



Tavares Celebration of Fine Arts

Lake County's First!

January 21-23, 2011

"All can be found in downtown Tavares... Make a day of it!"

Three-day Juried Fine Arts Fest featuring over 50 select gallery quality artists...

Award winning specialty food court!

Cash Awards for juried artists!

Live music throughout the show!

Educational youth activities!

Run by Artists for Artists!

Vendor Information:

Booth fee's:

\$100 for 3 days

+ \$50 for electric

+ \$50 for corner

+ \$50 to be juried in for cash awards

Food Vendors: \$300

Corporate: \$1000 - \$7500

City to provide:

- Event Plan Submission
- Layout Map
- Permits
- Licensing
- Insurance
- Snacks and Water for artists

City Services Requested:

Load in and kick-off: 5:00 pm Friday, Jan. 21st till 11:00 pm

Sunday, Jan. 23rd, show closes at 5:00 pm, followed by artists' departure

- Waste Management Jan 21-23
- EMT Jan 21-23
- Fire/Police Jan 21-23
- Roving Security Jan 21-23
- Volunteer Base Jan 21-23 (20/day)
- Power Jan 21-23
- Water Jan 21-23

Layout boundaries:

Lakefront

Marina Store to Disston Ave. to Railroad track

Kid's vendors will be placed near Splash Park
Large Pavilion will be Hospitality
Small Pavilion will be entertainment
Platform/Hard scape will be Food Court

Services provided by Christina Smith (Oracle Events) and Sydra Nightingale (Nightingale's Consulting):

- Food Court - Specialty, Hot and Gourmet
- Fine Art Vendors - #50-80 for the first year
- Music in the Pavilion 3 days
- Marketing Sponsors
- Corporate Sponsors
- In-Kind Sponsors
- Marketing Strategy
- Logistics
- Printing
- Additional fundraiser - post event "The Captain's Silent Auction"

Marketing Expense: Co-op with City of Tavares, Lake County Department of Economic Development & Tourism-- \$6300.00

Orlando Sentinel - 50,000 household insert product value of \$13,000: \$3500

Email Blast: \$300

Signage: \$2500

- 2 Reusable full color banners 24"x3"
- 12 Load In/Route full color signage - reusable
- 2 Hospitality/VIP Lounge full color signage -reusable
- 20 Event Route Step-in signs reusable
- Full color posters
- Handbills 1000
- Event Polo Shirts - Lead Volunteers/Advisory Committee

Marketing provided in addition to Media Sponsorship:

LSCC-TV - 100,000 households

Link to appropriate websites

Social Networking - FB, Constant Contact and E-vite

Email Blast to 11,000 (List includes State Leaders, TV, Radio, Print, Agents, Stakeholders, etc.)

THIS PAGE INTENTIONALLY LEFT BLANK



**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: October 6, 2010**

AGENDA TAB NO. 12

SUBJECT TITLE: Invitation from Chairman of Lake County Board of County Commissioners to Discuss Fire & EMS Services

OBJECTIVE:

To discuss the invitation from the Chairman of the Board of County Commissioners

SUMMARY:

The Chairman of the Board of County Commissions has invited elected city councilmembers and county commissioners to a joint meeting to discuss fire and EMS services to be held December 7, 2010 from 4:00 p.m. to 6:00 p.m. at the Leesburg Community Center on Dixie Avenue in Leesburg.

Attached is the letter of invitation and the referenced study done for Volusia County on this topic.

OPTIONS:

- 1) Discuss the invitation
- 2) Do not discuss the invitation

STAFF RECOMMENDATION:

Council discuss the invitation to attend the joint meeting.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A



LAKE COUNTY
BOARD OF COUNTY COMMISSIONERS

September 29, 2010

Dear Elected Official:

Over the last several weeks an issue has been raised at the Lake County Commission meetings involving consolidation of fire and EMS services in the County with one commissioner even mentioning the possibility of privatization of some of these services. By chance this week I noticed that Volusia County, adjacent to us on the east, was going through the same issue and in fact this week a report was presented to the County and Cities which was commissioned and paid for by a local community group. While Volusia County is larger in population than Lake County, it has many similarities including a large number of cities, unincorporated urban areas, and a large expanse of rural area. The report and presentation are very interesting and I am attaching a copy to this letter for your review.

All of us are facing fiscal challenges due to the economy and citizens are demanding that we provide services in the most efficient manner possible. It is an appropriate time for all of us to sit down and discuss the issue of fire and EMS services in Lake County, and to discuss whether it would make sense to jointly study this issue to see if there is a more efficient manner of delivering services to our citizens, without sacrificing the high level of service that we all enjoy. The Board of County Commissioners would like to invite you to a joint meeting of all of the elected city council members and county commissioners that will be held on December 7, 2010 from 4:00 p.m. – 6:00 p.m. at the Leesburg Community Center, located on Dixie Avenue in Leesburg, Florida. At that meeting the only item on the agenda will be a discussion of fire and EMS services.

This is a matter of great importance to the citizens of Lake County. We look forward to seeing you on December 7 at 4:00 p.m. In order to make sure that appropriate seating facilities are available, we would appreciate it if you would RSVP to the County Commission office by calling 352-343-9849. We will ensure that the meeting is properly advertised and that minutes will be taken.

Sincerely,

WELTON

Welton G. Cadwell
Chairman

WGC/wt

P.O. BOX 7800 • 315 W. MAIN ST. • TAVARES, FLORIDA 32778-7800 • P 352.343.9850 • F 352.343.9495
Board of County Commissioners • www.lakecountyfl.gov

JENNIFER HILL
District 1

ELAINE RENICK
District 2

JIMMY CONNER
District 3

LINDA STEWART
District 4

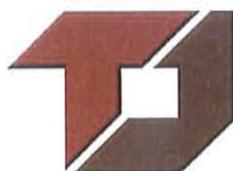
WELTON G. CADWELL
District 5

Final Report

Halifax Area Civic League

POSSIBILITIES OF FIRE AND RESCUE SERVICES CONSOLIDATION IN VOLUSIA COUNTY

July 2010



Prepared by:
TriData Division,
System Planning Corporation
3601 Wilson Boulevard, 5th Floor
Arlington, VA 22201

FINAL REPORT

Possibilities of Fire and Rescue Services Consolidation in Volusia County *Halifax Area Civic League*

Submitted to:

Halifax Area Civic League
200 S. Beach Street
Ormond Beach, FL 32174

Submitted by:

Dr. Harold Cohen, Senior Program Manager
TriData Division, System Planning Corporation
3601 Wilson Boulevard, 5th Floor
Arlington, VA 22201
(703) 351-8300

July 2010

Table of Contents

ACKNOWLEDGEMENTS	1
Community Leaders.....	1
City and County Finance Directors	1
Volusia County Fire Chiefs	2
SPC/TriData Participants.....	2
EXECUTIVE SUMMARY	3
I. INTRODUCTION	6
Key Terms and Abbreviations	6
Background.....	8
Risk and Demand.....	9
II. FIRE DEPARTMENT PROFILES	12
Daytona Beach.....	12
Daytona Beach Shores	13
DeLand.....	14
Deltona.....	15
Edgewater	17
Holly Hill	18
New Smyrna Beach	19
Orange City.....	20
Ormond Beach	21
Ponce Inlet	23
Port Orange	24
South Daytona.....	25
Volusia County	26
Comparison of Service Areas	30
Pensions	32
III. FIRE RESPONSE	35
IV. EMERGENCY MEDICAL SERVICES	41
Paramedic Saturation	44
V. COMMUNICATIONS/DISPATCH	48
Primary PSAP's	48
Secondary PSAPs	48
VI. MERGING MODELS	52
Single Dependent Fire Rescue District.....	52

Possibilities of Fire and Rescue Services Consolidation in Volusia County
Halifax Area Civic League **FINAL REPORT**

Single Independent Fire Rescue District	60
Other Merging Options	62
Eastside Independent District	62
Westside Independent District	67
Northeast/Southeast Districts.....	72
Northeast Independent District	72
Southeast Independent District	76
VII. LEGAL ISSUES.....	79
VIII. CONCLUSION.....	80
APPENDIX 1	83
APPENDIX 2.....	88

ACKNOWLEDGEMENTS

TriData wishes to acknowledge those organizations and citizens who participated in this study. A special accolade is due to the Halifax Civic League Fire-Rescue Committee, a group of community business leaders and citizens who provided support and financial backing for the study.

Community Leaders

P.T. "Bud" Fleuchaus, DDS,	Halifax Civic League
Howard Tipton	Halifax Civic League
Robert Williams, D.L.	Senior VP Daytona State College, Halifax Civic League
Eugene Miller	Retired City Manager
Michael Abels, Ph.D.	University of Central Florida
Glenn Storch, J.D.	Halifax Civic League

City and County Finance Directors

Mike Robertson	Daytona Beach
Steve Whitmer	Daytona Beach Shores
James Seelbinder	DeBary
Kevin Lewis	DeLand
John McKinney	Edgewater
Kurt Swartzlander	Holly Hill
Althea Philord	New Smyrna Beach
Christine Davis	Orange City
Kelly McQuire	Ormond Beach
Jeaneen Clauss	Ponce Inlet
John Shelley	Port Orange
Christopher Campbell	South Daytona
Charlene Weaver	Volusia County Property Appraiser
Michael Mellon,	Executive Director EVAC
Peter Springer, MD	Emergency Medical Foundation
Morgan B. Gilreath, Jr.	Volusia County Property Appraiser

Volusia County Fire Chiefs¹

Gary Hughes	Daytona Beach
Jim Bland	Daytona Beach
Stephan Dembinsky	Daytona Beach Shores
John McDanial	DeLand
Steve Cousins	Edgewater
Ron Spencer	Holly Hill
Dave McCallister	New Smyrna Beach
Herbert Hoffman	Orange City
Skip Irby	Ormond Beach
Dan Scales	Ponce Inlet
Tom Weber	Port Orange
Ken Burgman	Port Orange
Tad Derr	South Daytona
Jim Ryan	Volusia County

SPC/TriData Participants

The following SPC/TriData staff and consultants contributed to the project.

Philip Schaenman	Corporate Oversight
Dr. Harold C. Cohen	Project Manager
Michael Ertz	Primary Researcher
Markus Weisner	GIS and Data Manager
Maria Argabright	Senior Project Support
Alexis Bobrik	Project Support

¹ Deltona Fire Department's official position was not to participate in the study.

EXECUTIVE SUMMARY

The Halifax Area Civic League, comprised of active business and community leaders, commissioned this study. The League recognized studies and numerous reports generated by various professional fire and rescue staff within Volusia County in recent years have pointed out the duplication in the delivery of these services. Due to today's economic climate, the League believed it was timely to update operational and financial information and objectively begin frank public discussion on the subject. Furthermore, it is the belief of the League that the possibility of merging these services in some way would not only result in significant cost savings but, importantly, better service the entire Volusia community would also result.

In 2002, the Volusia Council of Governments employed TriData to perform a comprehensive system assessment for all fire and rescue services within Volusia County. At that time, the report stated, "Economies of scale could be improved in operations, training, prevention, communications and spans of control." The report further indicated the potential for significant cost saving by eliminating duplicate management structures, eliminating adjacent station houses and eliminating redundant fire apparatus.

In 2002, the combined expenditures for Fire/Rescue Services were \$43.8 million. Today, that same services cost \$85 million, an increase of 92.9%. This is partly due to high cost pension programs, too many fire stations, and general inflation. This does not include the approximate \$18 million in operating expenses for EVAC Ambulance.

Our recommendation is for all departments to unify as a Dependent Fire District with Volusia County. It is easily achieved through inter-local agreements. Through attrition, it would lead to an overall savings of \$5.7 million per year.

There are 16 incorporated cities or towns and combined with unincorporated Volusia County the estimated April 1, 2009 population was 507,105. Fire and Rescue Services are provided by 13 separate governmental fire agencies ranging in size from 9 firefighters and a fire chief in Ponce Inlet to Volusia County's 209 member department.

Fire Chiefs, their assistants, and finance directors provided the bulk of the data used to compile the report. Additional information was accessed from various web sites. City managers were provided a draft copy of their individual municipality's profile for their comments.

There are 59 fire stations, 740 authorized fire service positions, a combined operating budget of \$80,483,565 and an additional \$4,696,186 in capital cost or debt service budget for FY 09-10. We recommended the elimination of two stations and the relocation of two others.

The departments reported responding to 81,270 incidents in 2009, with only 2.6% of the incidents, 2,121 calls, as actual fires. Less than 1% of all responses were structure fires.

Possibilities of Fire and Rescue Services Consolidation in Volusia County
Halifax Area Civic League **FINAL REPORT**

Volusia County Fire Services is a dependent fire district providing services primarily to the unincorporated areas of Volusia County and is mostly funded by a fire tax millage rate of 3.6651 plus an additional \$1.32 million in general fund tax dollars. The city fire departments are funded as a component of their municipality's general fund. In order to fairly compare each service's cost, an equivalent fire tax millage rate was established for each fire rescue department.

The assumption is that a municipality merging with Volusia County's dependent fire district could reduce their general fund tax rate by the equivalent fire tax rate.

Numerous analyses are reported so as to compare various elements for each fire rescue department. Examples are: Population Density, Square Miles per Station, Human Resource Cost to include Cost per Capita, Cost per Employee and Pension Cost per Employee. In addition, for each city with a F.S. Chapter 175 pension plan we identify their pension fund's unfunded liability and debt per sworn member.

The pension analysis showed several cities with F.S. Chapter 175 pension plans have substantial unfunded liability. In one city, the unfunded pension liability is approximately 2.5 times more than the fire rescue department's annual operating budget. Combined, the total unfunded liability for the eight cities with F.S. Chapter 175 pension plans, is \$59,222,765. We recommended these cities develop a plan to reduce this debt.

Fire chiefs' budget and attempt to staff their organization based on the potential big fire and not actually work load demand. Each chief takes pride in their organization and works within the limits of their budgets. Several of the smaller fire departments are unable to fight a fire in a single family dwelling without the assistance of their larger neighbors. In most situations, the larger cities are spending more dollars on their fire services but subsidizing the smaller cities. We recommend if no mergers occur, the larger departments must evaluate the impact of automatic/mutual aid services provided to smaller departments.

Debate still continues today as it did twenty years ago on who should provide ambulance transport. The study does not go into detail on EMS. Several recommendations are made that enhance the delivery of EMS in Volusia County without changing the current system.

A cursory review was made looking at the current communication/dispatch centers. There are currently five dispatch centers. Examples of how a 9-1-1 emergency call is routed before responders are dispatched are provided showing where miscommunication can cause delays in response. We recommend the County merge all 911 resources under the VCSO.

The initial scope of work requested the study examine two types of merged organizations. The first was for all cities to combine with Volusia County Dependent Fire District. The second was to look at creating a unified Independent Fire District. The Civic League's fire-rescue committee requested that additional types of merging models be

explored taking into account the political differences that occur between the west and east sides of the county, as well as different philosophies between the northeast and the southeast.

In order to respect current employees, any conclusions or recommendations in this study were predicated on the constraint that no positions would be reduced except through attrition. All employed now would be employed within any merged system. Persons would be employed without loss of pay, but not necessarily in their current position or with their current rank.

For each merging model there is: a proposed organizational chart, proposed operating budget, an estimated tax millage rate, a revised organizational chart after personnel attrition, and a revised budget reflecting the leaner organization.

In August, 2005, a subcommittee of the Volusia County Fire Chiefs wrote a report titled, "Volusia Council of Governments TriData Study Update Fire EMS Services." The Chiefs stated, "Full consolidation is most efficient, but has the largest political barriers to overcome."

An alternative that addresses the above concern is the creation of an Independent Fire District with an appointed board. The organization would be identical to the Dependent District but the primary drawback is that the savings after attrition could be up to \$1 million less than that achieved with the dependent district.

The success of any of the merged models is dependent on Volusia County's collaboration with the municipalities. Each of the smaller independent districts merge portions of Volusia's fire rescue services with the newly formed district. And if Volusia County does not join each district jurisdictional boundaries will continue to dictate misplaced fire station locations.

I. INTRODUCTION

On April 20, 1965, the Community Development Council changed its name to the Civic League of the Halifax Area. The League is a not for profit Florida corporation and is non-partisan with its roots from the National Civic League. Membership is comprised of active business and community leaders.

The League's purpose is in part, "The corporation is formed to study, confer and act upon any matter, economic in character, which may be deemed to affect the welfare of the Halifax Area of the County of Volusia, or the State of Florida and to support any educational or civic enterprise by the League to promote such welfare."

In August 2009, the League formed a subcommittee of the Growth and Economic Committee to discuss concerns regarding the redundancy of fire and rescue services and rising costs within the County. The committee met numerous times to discuss options and potential effects of some form of fire rescue service unification as a way to be more efficient and economical. Retired Fire Chief Mike Ertz was asked to serve on the subcommittee in an advisory capacity.

The League subsequently approached SPC/TriData, a professional fire and EMS consulting firm, to provide support for a fire service study. On January 6, 2010, TriData entered into contract with the Civic League of the Halifax Area. This report presents the results of our analysis.

Key Terms and Abbreviations

ALS (Advance Life Support) includes paramedic provided life-saving procedures including: the placement of advanced airway adjuncts, intravenous infusions, manual defibrillation, electrocardiogram interpretation, and drug therapy. In Volusia County, ALS treatment is provided by licensed paramedics and approved by the County Medical Director.

BLS (Basic Life Support) consists of essential lesser-invasive life-saving procedures performed by emergency medical technicians including: CPR, bleeding control, splinting, oxygen administration, ventilation, and basic airway management. Basic life support level certifications include emergency medical technician (EMT) and certified first responders.

CRA (Community Redevelopment Agency) is a dependent taxing district established by city government for the purpose of carrying out redevelopment activities that include reducing or eliminating blight, improving the tax base, and encouraging public and private investment in the CRA. Trust funds are created for each CRA district as a means of holding revenues to be reinvested in the CRA. The trust fund receives its revenue through tax increments which is made up of property taxes contributed by the city and county. The

tax increment is calculated annually based on increases to property values within the designated CRA districts using the year in which they were established as the “base year”. For example, if an unimproved property was valued at \$10,000 in the base year and a new house is built on the property tomorrow, the new value of the property is \$25,000. The incremental difference in value is \$15,000. Taxes collected on the property will be split amongst the city, county and CRA according to these differences in value with the CRA receiving all taxes assessed on the incremental increase of \$15,000.

Dependent Fire District is a “Special District” working within a limited boundary created by general law, special act or local ordinance. The membership of the governing body is identical to that of the governing body of a single county or single municipality. Volusia County Fire Services is a Dependent Fire District with taxing authority governed by the Volusia County Council.

Equivalent Fire Tax Millage Rate – Municipal fire departments are funded through cities’ general operating funds. These funds may be a combination of ad valorem taxes, sales taxes, franchise fees, fines, permits and other user fees. The equivalent fire tax millage rate is the rate needed if the only source of revenue to fund the fire department were through property taxes. It is the amount that would be levied if the fire department were to be funded independently of the city’s general fund. In theory, the city could reduce its ad valorem tax rate by the amount identified by the fire rate. For example, DeLand has a city tax millage rate of 5.050981. A property owner pays \$5.050981 for every \$1,000 of taxable assessed property value. DeLand’s fire department equivalent fire tax millage rate is 2.4629. In theory, the city could lower its tax rate to 2.624081 if the fire department were to be funded separately and apart from the city’s general fund.

First Due is the geographical area within the fire department’s jurisdictional response zone where the closest fire station is programmed to respond to a fire rescue incident.

Independent Special Fire Control District – This is a special district created by special law or general law of local application, providing fire suppression and related activities within the jurisdictional boundaries of the district. With the exception of districts whose governing boards are appointed collectively by the Governor, the county council, and any cooperating city within the county, the business affairs of the district shall be conducted and administered by a five-member board.

ISO (Insurance Services Office) is a for-profit advisory organization that among other activities evaluates fire protection levels in communities throughout the United States. Insurance companies may use this information to help establish fire insurance property and casualty premiums. Some insurers and communities have deemphasized their reliance on ISO ratings because they are an incomplete rating system. (ISO is in the process of being updated to, among other things, reflect on prevention activities to a greater extent, and hardware on trucks less.).

Rating numbers range from 1 to 10 with a 1 being the best and 10 meaning no existing fire department. Many communities use the I.S.O. rating as a benchmark for measuring the effectiveness of their fire-protection services. Fire managers use it to assist in justifying expenses at budget time. According to a State Farm agent, research indicates that most large insurance companies currently do not rely on I.S.O but establish their own criteria to establish fire and casualty premiums. The agent also stated that there is no difference in premiums for a community rated 4, 5 or 6.

Net Operating Budget – As used in the report, net operating budget is the operating budget less the cost of the pension contribution.

Operating Budget – The total amount of funds budgeted for the fiscal year to pay for personnel services to include wages and benefits, equipment, maintenance, uniforms, and training. Not included are capital expenditures and debt service.

PSAP (Public Safety Answering Point) – The emergency communication center where 9-1-1 telephone calls are answered. This may or may not be the same location from which police, fire/rescue or ambulances are dispatched.

Reaction Time – A fire department's reaction time is the time it takes for fire personnel, upon being notified of an incident, to react to the call and get the responding apparatus in motion. This is also called turnout time.

Response Time – A fire department's response time here is the total time from when the fire station's personnel are notified of an incident until the first fire department unit arrives outside on the scene of the incidents. (Sometimes response time is used to mean from receipt of call to arrival on the scene.)

Secondary PSAP – An emergency dispatch center where initial 9-1-1 calls are transferred to for police, fire/rescue or ambulance dispatch.

Unfunded Liability – It is an actual pension expense that will occur in the future and there is no present funding to cover it.

Background

Today's economic climate is challenging local government to budget for services that were once taken for granted. Citizens are demanding lower taxes and governments are reducing their work force or implementing hiring freezes.

As communities mature it becomes prudent to explore options that can enhance the delivery of fire and rescue services. The Halifax Civic League commissioned this study to examine the issues of economies of scale, duplication of services and effective uses of resources within Volusia County and its municipalities' fire and rescue services.

Over the years several Florida counties and municipalities have unified their fire and rescue services creating successful fire and rescue organizations to include Miami-Dade County, Orange County, and Palm Beach County. In Seminole County, Altamonte Springs and Winter Springs merged their fire rescue departments with the County via an interlocal agreement.

In 2002, the Volusia Council of Governments employed TriData Corporation of Arlington, Virginia to perform a comprehensive system assessment for all fire and rescue services within Volusia County. The TriData report stated, "Economies of scale could be improved in operations, training, prevention, communications, and management spans of control." The report further indicated the potential for significant cost saving by, eliminating duplicate management structures, adjacent station houses and redundant fire apparatus. The 2002 Report showed combined expenditures for Fire/Rescue Services to be \$43.8 million. Today, that same service now costs \$85 million, an increase of 92.9%.

These expenditures not include the approximate \$18 million in operating expenses for EVAC Ambulance.

In 2005, the Volusia Council of Governments TriData Study Update on Fire EMS Services determined that a, "Full consolidation is most efficient, but has the largest political barriers to overcome."²

The Halifax Area Civic League Study, the subject of this report, analyzed the cost/benefit factors as well as legal issues in creating Independent Fire Districts versus utilizing Volusia County's current Dependent Fire District. The study recommended the most cost effective, efficient model as well as discussing other possible merger options. In addition other cost savings are identified applicable to current services.

This report details the expenditures and savings that each city and the County can realize by unifying their fire, rescue, fire inspection and related fire services through mergers.

Risk and Demand

Volusia County is the eleventh most populous County of Florida's 67 counties, encompassing 1,432 square miles with an estimated population of 507,105. The Deltona-Daytona Beach-Ormond Beach Metropolitan Statistical Area is the 101st largest metro area by population in the United States.

There are 16 incorporated cities or towns within the County. Fire/Rescue services are provided by 13 separate governmental fire agencies. Additionally, ambulance transport

²Volusia County Fire Chiefs. (2005). Volusia Council of Governments TriData Study Update Fire EMS Services. August 2005, Author.

is provided by EVAC, the countywide not-for-profit ambulance corporation. Approximately \$3.1 million subsidy was budgeted by the County for EVAC in FY 09–10.

Between the 13 agencies there are 59 fire stations, 740 authorized fire service positions, combined operating budgets of \$80,483,565 (FY 09–10) and an additional \$4,696,186 in capital cost or debt services.

Combined, the Departments reported 81,270 “incidents” in 2009. Not all such incidents are emergency responses because some departments generate incident numbers when they conduct fire inspections or take someone’s blood pressure when they walk into a fire station. Also, on emergency incidents where multiple agencies respond, each agency generates an incident report.. For example, a structure fire that occurred in Holly Hill in March required the services of four different fire rescue departments, each one generating their own incident number; one incident, four numbers.

The number of combined fire incidents for 2009 reported on our questionnaire, was 7,160 fires and 57,641 medical incidents, leaving 16,469 calls categorized as other. All fire departments in Volusia County report their incidents to the State on the Florida Fire Incident Reporting System, which is part of NFIRS, the national system.

According to the 2008 state report, Volusia County’s fire departments responded to 2,088 fire incidents, 49,949 Rescue/EMS, 17,452 other types of incidents and 3,626 false alarms, for a total of 73,115 incidents. In addition, departments crossed jurisdictional boundaries 6,959 times providing mutual aid. The 2,088 fire incidents identified on the State report have subcategories. The classification and number of fire incidents associated with each subcategory are: Structure fire 499, Vehicle fire 330, Other 1,227 and Exposure 32.

For 2009 the local fire rescue departments reported on our questionnaire a combined total of 8,006 fires and 57,346 medical incidents. The difference with the information on the State Fire Marshal’s report and the information provided by the departments is how the overall information is viewed when limiting the number of categorical choices. More sophisticated data analysis would reduce data conflicts and errors because it will reflect better accuracy in determining what exactly the fire service does.

On the state reporting system, a fire is an actual fire where the fire department had to take aggressive action to put the fire out. That fire could be a building, vehicle, brush or even a dumpster. NFIRS considers a fire, regardless of intensity, even if out on arrival as a fire. Fires reported on the TriData Questionnaire include the above but also a power line down, gasoline spill, fire false alarm , an authorized controlled burn or an out of jurisdiction response where the mutual aid department was cancelled before arrival.

In 2008, Volusia County experienced five fire fatalities, and in 2009, there were three. In 2008 there were 75 injuries resulting from fire or fire related incidents. In 2009 there were 78 fire related injuries.

Possibilities of Fire and Rescue Services Consolidation in Volusia County
Halifax Area Civic League **FINAL REPORT**

In total, the departments reported 81,359 incidents for 2008. Utilizing the percentages based on the 2008 Florida Fire Incident Report, our 2009 estimate, of actual fires was 2,121; rescue and EMS was 50,751, other types of incidents was 17,733, false alarms 3,684 and mutual aid provided 7,070 times. The actual percentage of fires to total calls was approximately 2.6%, with only 488 (0.06%) being actual structure fires.

II. FIRE DEPARTMENT PROFILES

There are 13 fire departments in Volusia County with a total of 59 fire stations. Each department profile below identifies key statistical information, including; population and square miles of the city, number of fire stations, number of personnel, and data relative to the fire department's operating budget.

Daytona Beach

The City of Daytona Beach, with an ISO rating of 4, is the second largest city in Volusia County based on population but the largest in square miles at 58.7. The City's population on April 1, 2009 was estimated at 65,208 a decrease of 281 from the previous year. The city grew by 1.7% since the 2000 U.S. Census when the population was recorded at 64,112.

The City's Fire Department staffs seven fire stations. Two stations are located on beachside and five stations on the mainland. The Department has 123 positions with 103 personnel assigned to the field. At full staffing, the Department staffs six engines, two rescue units, a squirt, a tower truck and one battalion chief. Nine of the ten units are ALS capable. Minimum on-duty staffing is 28, thereby reducing the number of rescue units from two to one and reducing the staffing on the tower from two to one. Staffing is never reduced below three on the engines or the squirt. A minimum of eight paramedics and nine driver engineer positions are filled at all times.

Between 2007 and 2009 the number of incidents the fire department responded to averaged 17,448. There were 17,336 in 2007 and 17,701 in 2009. The department's average response time to incidents in 2009 was 5 minutes 6 seconds.

In 2007, the Department responded out of jurisdiction 592 times. In 2008 the number of out of jurisdiction incidents increased to 963 and slightly decreased to 942 in 2009. Combined, Volusia County, Daytona Beach Shores and Holly Hill account for 85.77% of Daytona's out of jurisdiction incidents in 2009.

The Department's 2009 operating budget was \$12,720,531 a decrease of \$264,677 from the previous year. The net operating budget decreased by \$359,186 due to a 5.5% increase in required city's pension contribution. The City participates in a Florida State Chapter 175 pension plan. In FY 08-09, the cost to maintain actuarial soundness was \$1,722,492 or 13.26% of the operating budget. For FY 09-10, the cost to maintain actuarial soundness is budgeted at \$1,817,000 or 14.28% of the operating budget.

The true cost of a pension is its relation to the fire department salaries. The amount of money budgeted to maintain actuarial soundness of the pension fund is a percentage of salaries that can be expressed as the pension cost to salary ratio. In FY 08-09, the pension cost to salary ratio was 28.97%. The ratio increased to 30.56% for FY 09-10.

The City has maintained the same 5.42746 tax millage rate for the past two years. For FY 09–10, estimated revenues at 96% collection rate are projected to be \$22,716,121. This is a 20.84% decrease, or \$5,981,449 from FY 08–09. The City is further projecting another 15% property value decrease for the FY 10–11 budget. To produce the same property tax revenue at a near 100% collection rate, the City would have to establish a tax millage rate of 6.0245. The Fire Department's operating budget equates to a tax millage rate of 3.0377 at a 96% collection rate which is 55.96% of the City's ad valorem tax rate. The Department shows no debt service or capital cost for FY 09–10. There was a \$78,185 capital expenditure in FY 08–09 to purchase radios, cardiac monitor and an Amkus Extraction Rescue Tool.

Daytona Beach Shores

The City of Daytona Beach Shores, with an ISO rating of 5, located on a barrier island, had an estimated population of 5,475 on April 1, 2009, an increase of 14 persons over the previous year. The City encompasses .97 square miles. The City experienced a 27% increase in growth since the 2000 U.S. Census adding an additional 1,176 residents.

The City operates a Public Safety Department. Public Safety Officers provide fire, EMS and law enforcement services. The Department is authorized 34 personnel, with three open positions. All field personnel are or will be certified in fire, EMT/ Paramedic, and law enforcement. There are 21 patrol officers who are the primary Fire and EMS personnel. The 5 criminal investigators as well as certified administrative staff will also respond to incidents if needed. The department has 16 reserves who are primarily single certified either in law enforcement or fire.

Law enforcement dictates the Department's primary duties. Personnel work a 12 hour shift and are assigned to one of four shift platoons. The fire station has no sleeping quarters, with one person assigned to the fire engine during each shift. The City has a contract with Volusia County to provide fire and rescue services to the unincorporated community of Wilbur-By-The-Sea, and a small section that lies to the west of the City's boundary and the Halifax River. The amount of the annual contract is \$166,429.

The number of fire and EMS incidents responded to in 2007 was 1,591, and in 2008 was 1,500. In 2009 the total number of incidents decreased slightly to 1,437. The Department's average response time to fire related incidents is 4:28 minutes and 3:28 for EMS calls.

The Department's Public Safety operating budget for FY 09–10 is \$4,381,800, a decrease of \$58,800 from the previous year. The financial questionnaire indicates the fire and EMS services portion of the FY 09–10 operating budget is \$1,450,654 or 33% of the total public safety budget.

The City participates in the Florida State Retirement System. For FY 09–10, the pension contribution required for Public Safety is \$450,900 with \$256,545 attributed to fire and EMS. Pension cost in relation to salaries was equal to 21.5% of payroll for FY 08–09. For 09–10, the budgeted pension liability increased to 23.3%.

The City's tax millage rate went from 4.17985 in FY 08–09 to 4.9972 in FY 09–10. The assessed taxable property values in FY 08–09 were \$1,858,473,000, which would generate \$7,768,138 revenue. For FY 09–10 assessed taxable property values decreased by 23.5% with resulting revenues of \$7,106,967 at a 100% collection rate. The City is projecting a 20% drop in assessed taxable values with a potential tax rate of 6.16 mils for the budget year beginning October 1, 2010, in order to generate the approximate same revenue as FY 09–10.

The fire and EMS portion of the budget accounts for 33% of the total public safety budget. This equates to 11 personnel. It is estimated for the City to operate separate police and fire departments the City would require 22 law enforcement positions.

Utilizing the above criteria, the fire department's equivalent tax millage rate is 1.0736 at a 95% collection rate which is 21.48% of the City's ad valorem tax rate. Capital cost and debt service are not part of the operating budget. Capital cost in FY 08–09 and FY 09–10 was \$207,849. Debt service in FY 08–09 was \$202,825 and for FY 09–10 it is \$202,560.

DeLand

The City of DeLand is the Volusia County seat encompassing 18.8 square miles, with an ISO rating of 4. The estimated population on April 1, 2009 was 27,123, a decrease of 203 from the previous year. DeLand grew by 29.75% since the 2000 U.S. Census, when the population was recorded at 20,904. The City's Fire Department staffs three fire stations, the oldest and headquarters station at 201 West Howry Ave. was constructed in 1975. Stations 82 (257 W. International Speedway Blvd.) and 83 (1655 East Taylor Rd.) were built in 2003 and 2007.

The Department has 47.5 authorized positions but funds 44.5. There are 40 personnel assigned to the field. Personnel staff three BLS engines, a ladder truck and a division commander. Minimum daily staffing is ten including the commander. Staffing may go to a low of 2 persons per engine and 3 on the truck. However, on most days staffing is greater than 10 due to the Department's commitment to maintain a minimum number of company officers and drivers on duty.

The number of incidents responded to in 2007 to 2008 increased by 6.25%, from 6,572 to 6,983. In 2009, the number of responses decreased slightly to 6,920. The number of incidents, included in the above totals, that were out of jurisdiction but where DeLand was

first due has been steadily increasing from 6.46% of the call volume in 2007 to 14.69% in 2009. The department's average response time in 2009 was 5 minutes 13 seconds.

Station 82 had a total of 1,111 first due responses in 2009. Out of jurisdiction first due accounted for 38% of the incidents. Station 83's out of jurisdiction first due incidents was 30% of their first due calls.

The Department's revised operating budget for FY 09–10 is \$3,505,293, a decrease of \$162,714 from FY 08–09. However, due to an increase in pension cost, the effect on the Department's net operating budget was reduced by \$258,758. The City has a F.S. Chapter 175 pension plan that covers all full-time, fire certified personnel except the fire chief. The fire chief is covered by a deferred compensation plan. In FY 08–09 the cost to maintain actuarial soundness of the pension plan was \$325,367 or 8.9% of the operating budget. The cost for FY 09–10 increased to \$422,745 or 12% of the operating budget.

The true cost of a pension is its relation to the fire department salaries. In FY 08–09, the cost to salary ration was 11.4%. The ratio increased in FY 09–10 to 15.2%, still one of the lowest contribution rates in Volusia County.

The City's property tax millage rate in FY 08–09 was 5.050981, had assessed taxable values of \$1,819,141,808, generating \$8,715,677 at a 95% collection rate. For FY 09–10, the millage rate was established at 5.9995, with assessed taxable values decreased by 16.7%, or \$304,497,995 resulting in projected property tax revenues of \$8,623,567.

The fire department's operating budget equates to a millage rate of 2.3397 based on a 100% collection rate. Since the City budgets at a 95% collection rate, the fire department's equivalent tax millage rate would be 2.4629 which is 41.05% of the City's ad valorem tax rate.

The above budgetary data and corresponding fire department millage rate does not include the Department's capital cost or debt service. The department showed no capital cost for FY 09–10 and \$30,000 in FY 08–09. The debt service, \$310,317 in FY 08–09 and \$310,504 for this year is for a fire station constructed in 2007. Fire impact fees are pledged toward the stations debt service.

Deltona

The City of Deltona, with an ISO rating of 4, is Volusia County's largest municipality with an estimated April 1, 2009 population of 84,264. This is a decrease of 1,657 residents from the previous year. The City grew by 21.2% or 14,721 residents since the 2000 U.S. Census.

The City's fire department staffs four fire stations within their 35.8 square miles. The City has plans to award a contract for a fifth station in the vicinity of Howland Blvd. and Catalina Blvd. around July 2010. The Department has 94 personnel with 69 assigned to

the field. Eleven personnel are assigned to the Communication Division. (Note: Deltona is the only municipality that dispatches its own fire department. They also are contracted to dispatch Orange City's Fire Department.) The Department staffs five ALS engine companies and one truck company. Minimum staffing on an engine is three personnel and two on the truck. In order to reduce overtime, and until Station 65 is complete, Engine 65 is taken out of service and two persons assigned to staff a rescue unit.

Deltona's rate of incidents dropped slightly from 8,115 calls in 2007 to 7,851 in 2009. The Department provided no first due, out of jurisdiction run data. According to the City's budget document, the Department had an average response time noted for FY 08–09 of 6:10 minutes for structure fires.³

The Department's operating budget for FY 09–10 is \$8,624,470 which is basically the same as the previous year. The Department's net operating budget decreased by \$141,077 in FY 09–10 due to a \$125,247 increase in city funded pension contributions.

The City has a F.S. Chapter 175 pension plan for 77 sworn fire personnel and another type of plan for their remaining seventeen employees. In order to attribute an accurate assessment of pension cost as reported in the other municipalities' profiles requires additional information from the City. This information is not readily available since the City has gone on record stating in an email, "Please be advised that the Deltona City Commission has directed us to reply to requests regarding this study in this manner and that we are NOT to actively participate in the study. This study was commissioned by a private civic group which has no ties to Deltona. We were not a participant in developing the scope of work, or any of the details of how the data would be manipulated." The email concludes the City's position is stated above and their lack of desire to participate.⁴

According to the County Property Appraiser the City's tax millage rate in FY 08–09 was 4.15329 mils, had an assessed taxable value of \$3,077,055,813 resulting in \$12,140,909 revenue at a 95% collection rate. In FY 09–10, assessed taxable values decreased by \$698,566,732, the millage rate increased to 5.43755 with corresponding revenue of \$12,341,023 at 95%.⁵

The Fire Department's operating budget equates to a millage rate of 3.8 at a 95% which is 69.88% of the City's ad valorem tax rate. (Deltona's budget document did not identify a separate cost to operate their communications division. Being the only municipality that operates their own fire dispatch center increases the operating expense resulting in a very high equivalent fire tax millage rate).

³ City of Deltona. (2009) City of Deltona Annual Budget for Fiscal Year 2009/2010. (Adopted on 9/21/2009). Available [On-Line]. <http://www.deltonafl.gov/go/deltona-sections/departments/finance-and-internal-services/budget-documents>.

⁴ E-mail to TriData from the City of Deltona.

⁵ City of Deltona (2009). Available: [On-Line].

The above budgetary data and corresponding fire department millage rate does not include the Department's capital cost or debt service. Capital cost in FY 08–09 was \$411,000 and \$379,000 in 09–10. No debt service was noted.

Edgewater

The City of Edgewater, ISO rating 5/9, had an estimated population on April 1, 2009 of 21,394, a decrease of 224 from April 2008. The city grew 14.6% since the 2000 U.S. Census.

The City staffs two fire stations located within the municipalities 22.2 square miles. Station 55, located at 1605 S. Ridgewood was constructed in the late 1950's and is in need of replacement. Station 57, located at 2628 Hibiscus Dr. was built in 1998.

The Department has 31 career personnel and 16 volunteers. Twenty-seven career personnel are assigned to the field. Nine personnel enable the Department to staff two engines, a transport type rescue and a battalion chief. Minimum daily career staffing is 6, providing for two ALS engines. Qualified, available volunteers augment the career personnel permitting the Department to shuffle personnel in order to staff the rescue and battalion chief positions.

Fire and EMS incidents have remained steady for three years. The number of incidents reported in 2007 was 3,009, 2,932 for 2008, and 3,055 in 2009. The City has a contract with Volusia County for \$240,000 to provide services to abutting unincorporated areas in order to assure a closest unit response. The Department's average response time is 4 minutes 12 seconds.

The Department's operating budget for FY 09–10 is \$2,652,502, a decrease of \$89,249 or 3.2%. The operating budget less the pension increase cost resulted in net operating being reduced by \$115,117 from the previous year. The pension cost in FY 08–09 was 10% of the operating budget. In FY 09–10, the pension consumed 11.2% of the operating budget.

Edgewater has a F.S. Chapter 175 pension plan. In FY 08–09, the cost to salary ratio was 10.86%. The ratio increased in FY 09–10 to 11.46% which is the lowest contribution rate in Volusia County.

In FY 08–09 the City had a tax millage rate of 5.9. Assessed taxable values were \$981,617,652 with resulting revenue of \$5,791,544. In FY09–10, assessed taxable values dropped 16.2%. The City established a tax rate of 6.36 with projected revenues of \$4,968,598, a decrease of 14.2%. The City is expecting a 15.5% drop for FY 10–11 assessed taxable values, with a projected tax millage rate of 5.9 resulting in \$3,894,802 revenue at a 95% collection rate.

The fire department's equivalent fire tax millage rate is 3.3953 mils which is 53.38% of the City's ad valorem tax rate. The above budget data and corresponding fire department millage rate does not include any debt service or capital costs. The Department budgeted \$210,000 for capital cost in FY 09–10. Capital cost in FY 08–09 was \$53,125. The Department showed no debt service.

Holly Hill

The City of Holly Hill, with an ISO rating of 6, consists of 3.89 square miles and an April 1, 2009 estimated population of 12,851 residents. This is a decrease of 93 from the previous year's estimate. The City grew by 6% since the 2000 U.S. Census when the population was recorded at 12,119.

The fire department consists of 14 authorized positions, with one field position vacant. The Department staffs one ALS engine with 11 field personnel. Minimum staffing is two personnel on the engine.

Holly Hill's incident rate has steadily declined over the last three years by 21.4%. In 2007, the Department responded to 2,776 calls. In 2008 the number of incidents was 2,594 and 2,183 in 2009. The Department responded to 178 first due out of jurisdiction calls in 2009, which was 3.5% of the total incidents. The incidents were divided between Daytona Beach (21), Volusia County (74) and Ormond Beach (83).

The Fire Department's operating budget from FY 08–09 to 09–10 increased slightly from \$1,313,200 to \$1,321,154. However, the department had 3.2% less operating money for FY 09–10 due to a 30% increase in required city pension contributions. The Department has a F.S. Chapter 175 pension plan. In FY 09–10, the pension contribution accounted for 14.5% of the operating budget as compared to 11.25% in FY 08–09. The true cost of a pension is its relation to fire department's salaries. In FY 08–09, the cost to salary ratio was 21.44%. Based on FY 09–10's first six month's payroll, the cost to salary ratio is expected to be 27.81%.

The City's tax millage rate in FY 08–09 was 4.8872. The taxable assessed value was \$714,232,979 generating \$3,316,069 at a 95% collection rate.

Holly Hill was the only municipality whose taxable assessed value increased in FY 09–10. This was due to two new condominium towers, located in their Community Redevelopment Area (CRA), added to the tax roll. However, this did not increase the tax value to the general fund since the incremental tax increase collected within the CRA can only be used in the CRA. As such, the taxable assessed values increased to \$821,060,332, but the City established a tax rate of 5.7258 to generate \$4,466,165 in revenue with only \$2,468,200 applied to the general fund.

The City's budget document for FY 09–10 showed \$2,468,200 in general fund revenue from ad valorem taxes. Utilizing this amount, the fire department's equivalent fire

tax millage rate is 3.064 which is 53.51% of the City's ad valorem tax rate. The Fire Department has no debt service and only a minimal capital cost budget of \$1,000 for FY 09–10, which is not part of the operating budget.

New Smyrna Beach

As of April 1, 2009, the City of New Smyrna Beach had an estimated population of 23,449, a decrease of 267 residents from the previous year. The City's population grew 16.96% since the 2000 U.S. Census when the population stood at 20,048. The City encompasses 38.28 square miles and has a 4/9 ISO rating.

The Fire Department staffs four ALS fire stations. Stations 51 (151 Williamson Blvd.) and 52 (500 3rd Ave.) are new with Station 53 (1400 N. Dixie Hwy) being replaced with an expected completion date of July 2010. The main station, Station 50 (103 Faulkner St), located downtown, was constructed in 1948 and is in dire need of replacement.

The Fire Department has 46 personnel with 42 assigned to the field. The Department maintains three person minimum staffing plus the battalion chief. The aerial tower is located at Station 51 on Williamson Blvd and is not routinely staffed. The three person crew responds to structure fires with the truck, otherwise, on all other calls the engine responds.

In 2007, the Department responded to 4,661 incidents, dropping in 2008 by 4.9% to 4,442 calls, than slightly increasing in 2009 to 4,482 calls. The Department's average response time, which is fire department notification to arrival, is 4 minutes 46 seconds.

Of special interest is Station 51's out of jurisdiction call volume. The Station is an expansion station that was constructed in 2005 to principally serve a large development west of Interstate 95. First due incidents in 2007 were 314. In 2008, first due calls totaled 332 and 262 in 2009. The three year total of first due alarms within the City was 908. The three year total of first due alarms out of jurisdiction totaled 735 or 44.7% of the station's first due call volume. In 2009, approximately every other call was for an incident out of jurisdiction. The majority of out of jurisdiction incidents are in unincorporated Volusia County.

The Department's operating budget in FY 09–10 was \$5,134,204 a decrease of 7% or \$365,074 from FY 08–09. The City has a F.S. Chapter 175 pension plan. In FY 08–09 the City contributed \$921,784 to maintain actuarial soundness. For FY 09–10, the City has budgeted \$955,025 which is 18.6% of the operating budget. The contribution percentage when compared to salaries subject to pension cost was 34.8% in FY 08–09. For FY 09–10, the cost to salary ratio is 37% which is the highest contribution rate in Volusia County.

In FY 08–09, the City had a millage rate of 3.1, assessed taxable values of \$3,443,228,086, with general fund ad valorem revenues of \$9,482,407. For FY 09–10, assessed taxable values dropped 20%; the City established a 3.4793 millage rate and

projecting ad valorem general fund revenues of \$8,701,336, a \$556,470 revenue decrease from the previous year.

As the City prepares for FY 10–11 projections indicate a 16% decrease in assessed taxable property values with an additional loss of \$314,668 provided the tax millage rate remains the same. The fire department's equivalent fire tax millage rate is 1.7891 which is 51.42% of the City's ad valorem tax rate.

The above budgetary data and corresponding fire department millage rate does not include any capital cost or debt service. The City has made substantial investments in upgrading their fire service facilities. In 2005 the City opened Station 51 at a cost of approximately \$2 million. In 2005 the City issued a general obligation bond that included funds to replace three existing fire stations. The fire department's debt service portion was \$511,969 in FY 08–09 and \$510,961 for FY 09–10.

Orange City

The City of Orange City is Volusia County's only municipality to see substantial growth in 2009. The estimated population on April 1, 2009 was 10,203, an increase of 6.77%, or 647 residents from the previous year. The City experienced 54.5% growth since the 2000 U.S. Census when the population was 6,604. The City has an ISO rating of 5/9, covering 6.98 square miles.

Orange City began providing fire and rescue services to the City of DeBary on November 6, 2009, providing fire rescue services to an additional 18.2 square miles with 18,741 residents. DeBary pays Orange City \$883,915 for the service.

The Department staffs three ALS engines; two in Orange City and one in DeBary. The Department has 28.5 positions with 24 assigned to the field. Minimum staffing on the Orange City units is two personnel and three on the DeBary unit. An Orange City lieutenant holds the position of battalion commander placing the minimum shift staffing at eight.

In 2007 and 2008, the Department responded to 3,490 and 3,418 incidents. In 2009, the total number of incidents increased by 29.6% or 1,013 incidents. The number of incidents in DeBary in 2008 was 1,446 and 1,214 in 2009.

A fair comparison of budgets between FY 08–09 and FY 09–10 cannot be made due to Orange City taking on the responsibility for the City of DeBary's fire services. Prior to November 6, 2009, DeBary's fire protection was provided by Volusia County Fire Services.

In FY 08–09, the Department's operating budget was \$1,565,475 which was 52.5% of the property tax revenues collected. For FY 09–10, the Department's operating budget is \$2,261,140 which is 55.7% of the property tax revenues plus the DeBary contract price.

The City's pension cost increased in FY 09–10 by \$75,000 over FY 08–09. However, the Department added nine firefighters who were previously employed by Volusia County as part of the DeBary contract. The City participates in the Florida State Retirement System. The pension cost in relation to salaries was 23.85% of payroll in FY 08–09 and 24.14% for FY 09–10.

Orange City's tax millage rate in FY 08–09 was 4.48. Revenue generated from assessed taxable property values of \$780,277,638 was \$2,980,730. In FY 09–10, assessed taxable values dropped by 15%. However, property tax collections increased due to a millage rate of 5.1953.

For FY 10–11, the City expects an additional 10% decrease in assessed taxable values. To calculate the fire department's equivalent tax millage rate, \$774,100 in expenditures associated with the DeBary contract is deducted from the Department's \$2,261,140 operating budget. The millage rate at 100% collection rate would be 2.2429. The City budgets at a 95% collection rate, making the equivalent fire department millage rate 2.36 which is 45.42% of the City's ad valorem tax rate. The above budgetary items and corresponding fire department millage rate does not include any capital items. In FY 08–09 \$56,000 was spent for required equipment. For FY 09–10, \$42,000 was required to equip the DeBary Station with necessary gear, radio/chargers and computer.⁶

Ormond Beach

The City of Ormond Beach has an ISO rating of 4/9. On April 1, 2009, the estimated population was 40,832, a decrease of 88 residents from the previous year. The City has seen an 11.1% population growth since the 2000 U.S. Census when the population was 36,301.

The City's Fire Department staffs four relatively new fire stations located within the City's 25.7 square miles. The Department has 55 authorized positions but only funds 49. There are 45 personnel assigned to the field. Personnel staff four ALS engines and a division chief who works a 24-48 hour shift. Minimum staffing is three personnel per engine.

The number of incidents reported for the years 2007 through 2009 has remained basically constant. In 2007 the Department had 5,602 incidents, 5,676 in 2008 and 5,566 in 2009. All incidents reported were dispatched through the communication center or as a silent alarm whereby the incident was witnessed or called in directly to the fire department.

The Department tracks average drive time for each station for all first due emergency responses. These averages do not include non emergency responses, cancelled

⁶ Note of interest: DeBary's equivalent fire tax millage rate equates to a low 0.5219.

en-route, automatic aid, mutual aid, or any other calls outside the first due response area. Drive time, is the recorded time when the fire engine initiates its response, typically known as “wheels moving”, until the first due unit arrives on the scene. Drive times for each station are as follows.

Table 1: Drive Times for Ormond Beach Fire Dept.

Station	Address	Incidents	Average Drive Time
Station 91	364 S Atlantic Ave.	355 incidents	2:54 min/sec
Station 92	189 S Nova Rd.	1059 incidents	3:24 min/sec
Station 93	300 Wilmette Ave.	614 incidents	3:13 min/sec
Station 94	2301 Airport Rd.	328 incidents	5:56 min/sec

The average drive time is 3 minutes, 38 seconds. The Department has an average reaction time of 1:07, bringing the overall average response time to 4 minutes 45 seconds.

The number of incidents, included in the above totals which were out of jurisdiction, but where Ormond Beach was first due has steadily increased from 7.9% of the call volume in 2007 to 11.5% in 2009. Of special interest is Fire Station 94’s (2301 Airport Rd.) out of jurisdiction call volume. In 2007, 68 or 9.2% of the calls Station 94 responded to were out of jurisdiction. In 2009, Station 94 responded out of jurisdiction 249 times, 26% of their first due responses.

The Department’s operating budget for FY 09–10 is \$5,690,070, an increase of \$15,530 over FY 08–09. However, due to a substantial increase in pension cost, the operating budget less pension cost was \$304,592 less than what it was in FY08–09. The City has a F.S. Chapter 175 pension plan. In FY 08–09 the cost to maintain the pension plan’s actuarial soundness was \$617,233 or 10.9% of the operating budget. The cost to maintain the pension for FY 09–10 is 16.4% of the operating budget or \$937,355. The true cost of a pension is its relation to fire department’s salaries. In FY 08–09, the cost to salary ratio was 17%. The ratio increased to 27.4% for FY 09–10.

The City has maintained a 3.80968 tax millage rate for the past two years. In FY 08–09 property taxes provided \$12,444,188 in revenue. In FY 09–10 revenues are projected to be \$10,803,882, a decrease of 13.2%, a result of assessed taxable values dropping.

The City is preparing the FY 10–11 budget. Projected property values will decline another 15%, further reducing property tax revenues by \$1,620,797 if the same tax millage rate is applied as in the previous two years.

The fire department’s operating budget equates to a millage rate of 1.926, at a collection rate of 100%. The City calculates their collection rate at 96% which would require a fire department millage rate of 2.0276 which is 53.22% of the City’s ad valorem tax rate. The above budget details and corresponding fire department millage rate does not include the Department’s capital cost or debt service. In FY 08–09 the capital cost was \$811,155

and \$949,724 in FY 09–10. Capital expenditures, which are non-repeating, were for apparatus and equipment replacement and the installation of a sprinkler system for Station 94.

Debt Service in 08–09 was \$284,715 and \$269,885 in FY 09–10. The debt service is from a 2003 General Obligation Bond and a 2005 Capital Improvement Note. The 2003 Bond was used to replace Fire Station 91. The 2005 Note was issued to replace Station 92.

Ponce Inlet

The Town of Ponce Inlet is 4.33 square miles and located at the end of a barrier island. The Town's 2009 population was estimated at 3,266, a decrease of 33 persons from April 1, 2008. The Town grew 30% since the 2000 U.S. Census when the population was 2,513. The Town has an ISO rating of 5.

The Fire Department is authorized 11.5 positions and has 4 volunteers. Nine persons are assigned to the field and the fire chief covers shift assignments as needed during the basic work week hours to reduce overtime. The Department operates one station, is ALS capable, and has a minimum staffing of 2. Prior to April 1, 2010, the Department's minimum staffing was 3.

The Department's incident rate has steadily increased since 2007. In 2007 the Department responded to 591 incidents. In 2009, incidents responded to were 767, a 30% increase. The increase is skewed since the Department generates incident numbers for public service activities such as performing a blood pressure check at the station. The Department's average response time when eliminating self-generated incidents is 4 minutes 9 seconds.

The Department's operating budget for FY 09–10 was \$995,591 a decrease of \$147,197 or 12.9% from the previous year.

The Town participates in the Florida State Retirement System. The Town's required contribution in FY 08–09 was \$122,235 or 10.7% of the operating budget. In FY 09–10, \$117,495 is budgeted which is 11.8% of the operating budget.

The Town's tax millage rate in FY08–09 was 4.175 which generated \$3,942,545 revenue based on a taxable assessed value of \$994,023,211. For FY 09–10 the tax millage rate is 4.03 with revenue of \$2,980,801 a decrease of 24.4% from the previous year.

The fire department's operating budget for FY 09–10 is 33.4% of budgeted property tax revenues. The Town budgets their collection rate at 97%. The fire department's equivalent tax millage rate is 1.346 which is 33.39% of the City's ad valorem tax rate.

The above budgetary data and corresponding fire millage rate does not include the Department's capital cost or debt service. The FY 08–09 capital cost was \$41,716 and

\$7,650 in FY 09–10. No debt service is recorded for FY 09–10 but \$38,120 was spent in FY 08–09.

Port Orange

The City of Port Orange, with an ISO rating of 4, is the third largest municipality in Volusia County. The April 1, 2009 estimated population was 56,732, a decrease of 486 residents from the previous year. The City has seen rapid growth since the 2000 U. S. Census when the population was 45,823, a 23.8% increase.

The City's Department of Fire and Rescue staff five fire stations strategically located throughout the City's 24.7 square miles. The City also has a contract for \$112,049 to provide services to a small unincorporated area south of the Harbor Oaks community. Additionally, the Department provides wild land interface fire protection to approximately 10 square miles on the City's well fields, located west of the corporate limits.

The Department has 66 authorized positions but only funds 62. There are 54 personnel assigned to the field, staffing five ALS engines and one battalion chief. Minimum staffing is 3 personnel per engine.

The number of incidents reported for the years 2007 through 2009 was 7,449; 7,614 and 7,654. These numbers can be misleading since they include various public service activities that generate an incident number. In each of the three years, there were approximately 2,000 incidents categorized as a fire service call. Examples of fire service calls include; fire company inspections, smoke detector installation, car seat installations, public education presentation or police assist. In 2009 the average response time was 5:11 minutes. The number of incidents, included in the above totals that were out of jurisdiction, but where Port Orange was first due has been steadily increasing from 6% of the call volume in 2007 to 6.9% in 2009.

Of special interest is Fire Station 74's (6701 Airport Rd) out of jurisdiction call volume. In 2007, 163 (19.8%) of the calls Station 74 responded to were out of jurisdiction. The percentage increased to 28.3% in 2009 with 211 out of jurisdiction incidents.

The Department's operating budget for FY 09–10 is \$7,310,706 a decrease of 12.5% or \$1,045,627 less than FY 08–09. The City has a F.S. Chapter 175 pension plan. In FY 08–09 the cost to maintain the pension plan's actuarial soundness was \$1,608,933 (19.25%) of the operating budget. The cost to maintain the pension for FY 09–10, although dollar wise is less than the previous year, increased to 20% of the operating budget at \$1,463,058. The true cost of a pension is its relation to fire department's salaries. In FY 08–09, the cost to salary ratio was 36.3%. The ratio increased to 36.9% for FY 09–10 which is 0.1% away from being the highest contribution rate in Volusia County.

The City has maintained the same 4.60 tax millage rate for the past two years. In FY 08–09 property taxes provided \$12,962,571 in revenue. In FY 09–10 revenues are

projected to be \$10,922,592, a decrease of 15.7%, which is a result of assessed taxable values dropping by 15.4%. The City is preparing for the FY 10–11 budget, which goes into effect October 1, 2010. Projections are that property values will decline another 13.4%, further reducing current property tax revenues by \$1,286,438 or 11.8%.

The fire department's operating budget equates to a millage rate of 2.8711 at a collection rate of 100%. The City calculates ad valorem taxes at a 95% collection rate. To generate the same operating revenue the fire department equivalent millage rate would have to increase to 3.0222 (65.7%) of the City's ad valorem tax rate. The above budgetary data and corresponding fire department millage rate does not include the Department's capital cost or debt service. In FY 08–09, \$1,592,012 was spent on Capital items. For FY 09–10, \$381,126 is budgeted. The capital costs relate to two new fire stations completed in 2009.

Debt Service in FY 08–09 was \$273,606, and for 09–10, \$274,755 has been budgeted. This is a continuing debt funded by voter approved bonds for the construction of two fire stations.

South Daytona

The City of South Daytona, with an ISO rating of 4, encompasses 3.56 square miles. The April 1, 2009 estimated population was 13,530, a decrease of 235 persons from the previous year. The City has seen a 9.74% population growth since the 2000 U.S. Census when the population was recorded at 13,177.

The City has two fire stations. Brian Ave. Station 99 was built in 1965 on a small residential lot. The facility is unstaffed and is used only for equipment storage and an office. In essence, South Daytona has one active fire station located in the very northeast corner of the City. The City has a contract for \$139,895 to provide fire rescue services to unincorporated properties that border the City's western boundary.

The Department has 14 authorized positions with 12 assigned to the field. Three personnel per shift are assigned to an ALS engine, plus a battalion commander. Minimum staffing is 2 plus the battalion commander. The fire chief is one of the twelve assigned to a 24/48 hour shift and serves as that shift's commander. Fire chief duties are performed on his scheduled off days.

The number of fire rescue incidents has decreased from a high of 2,275 in 2007, to 2,098 in 2009. In 2009, the Department ran 1% of their incidents as a first due out of jurisdiction. The Department's average response time for 2009 was 4 min 43 seconds.

The Department's operating budget for FY 09–10 is \$1,621,957 which is slightly less than the FY 08–09 budget of \$1,622,029. These budget amounts are net of capital outlay and debt service.

The City participates in the Florida State Retirement System. The required contribution increased slightly from \$190,858 in FY 08–09 to \$192,716 in FY 09–10. The percentage of pension cost in relation to the operating budget is 11.8% for this fiscal year. As a participant in the Florida State Retirement System, the State identifies the required percentage of contribution required based on salaries subject to pension cost. For FY 09–10 the City's pension contribution was 21% for its firefighters.

The City's tax millage rate for FY08–09 was 4.92003, generating \$3,222,771 in revenue at a 100% collection rate. In FY 09–10, the City's assessed taxable values decreased by 10%, but had an \$184,440 increase in revenues generated from new construction with a tax millage rate of 5.7781 representing a 1.7% decrease below the roll-back millage rate. Projections for FY 10–11 are for the assessed taxable values to decrease an additional 5% with an estimated roll-back tax millage rate of 6.06701 which will generate approximately the same revenue.

The fire department's operating budget equates to a millage rate of 2.75 at 100% collection rate. Assuming a collection rate of 95%, the fire department's equivalent fire tax millage rate is 2.8953 which is 50.1% of the City's ad valorem tax rate.

The above budget details and corresponding fire department tax millage rate does not include the Department's FY 08–09 or FY 09–10 Capital Cost or Debt Service. Capital expenditures in FY 08–09 were \$121,250 for replacement self contained breathing apparatus (SCBA) and a replacement vehicle. The SCBA's were 90% funded through a grant. Capital costs were reduced to \$33,702 for this year to reflect the actual cost of the replacement vehicle budgeted during the prior year. The Debt Service for the past two years has been \$66,351 for a replacement fire engine purchased in January 2007 and is the lease amount amortized over a seven year period.

Volusia County

Volusia County is the eleventh most populous county in Florida with an April 1, 2009 estimated population of 507,105. Since 2008, the County lost 3,645 residents. The County encompasses 1,103 square land miles and an additional 329 square miles of water.

Fire and Rescue services are provided in unincorporated areas of the County, and the cities of Lake Helen, Oak Hill and Pierson, through a dependent fire district. The Fire Department organization, Volusia County Fire Services (VCFS), has an ISO rating 5/9. Populations listed for VCFS protection areas are unincorporated County 116,448; Lake Helen 2,878; Oak Hill 1,984 and Pierson 2,651. The population served is less than the total sum since some areas of unincorporated Volusia receive services under contract with various municipalities.

The Department operates 23 fire stations including Daytona Beach International Airport. The airport station is strictly air rescue fire fighting with BLS first responder

capability. Station 16, Halifax Plantation, is owned by Volusia County but staffed by Flagler County who provides ALS services to both counties. Lake Harney, Station 37 is a BLS volunteer station with a closest unit response agreement contract with Seminole County for \$12,150. Of the remaining stations, sixteen are ALS and four are BLS first responders.

The Department has 209 personnel with 192 assigned to the field. Twenty-one positions are considered “transitional” and will be eliminated, either through attrition or transferred to another County department. Minimum staffing per station varies. No station has more than three personnel assigned at any one time. Six of the County stations, referred to as hub stations, are staffed with a minimum of 3 personnel and 14 stations are staffed with a minimum of 2 personnel. There are 9 floaters to ensure minimum staffing without causing overtime.

Between January 1, 2007 and December 31, 2009, VCFS responded to an average of 17,604 incidents. The least number of incidents were 16,985 in 2009, the greatest at 18,093 in 2008, and in 2007 there were 17,735 calls for assistance.

Table 2 lists the 2009 average response times by stations.

Table 2: Volusia County Response Times by Station

Station	Response Time	Station	Response Time
11	5:32	34	7:44
12	7:33	35	6:46
13	6:46	36	8:18
14	5:56	37	17:10
15	7:31	41	7:00
18	8:45	42	6:50
21	5:45	43	7:32
22	8:07	44	8:43
23	5:53	45	6:50
31	5:53	46	6:48
32	7:19		

The Department’s FY 09–10 operating budget, funded primarily by a fire tax millage, is \$27,156,684 a decrease of 11.37% from FY 08–09. The Department’s total budget excluding capital improvements, grants, impact fees and appropriate reserves for FY 09–10 is \$34,742,834. Of this, \$1,245,190 is for Daytona Beach International Airport fire services and is funded by the airport’s enterprise fund. Another \$1,322,508 is funded by the general fund for Station 15, hazmat operations, prescribed wildfire control and disaster management for on-site monitoring of special events such as speed week and bike week. Another component of the budget is the requirement to maintain financial reserves. The Department budgeted \$5,539,059 from the fire tax fund in FY 09–10 for reserves.

One component of Volusia’s budget that may be specific to some municipal budgets is the cost for rolling stock under a lease program. For FY 09–10, \$1,990,987 is included in the operating budget. Some municipalities fund their apparatus via other methods and the cost may show as a capital item or even as debt service.

The Department is a participant in the Florida State Retirement System. The State establishes the required payment the Department must submit based on payroll. For FY 09–10, the Department’s pension contribution based on wages subject to pension cost was 24.02%.

Ninety-seven percent of the Department’s budget is funded by property taxes. As a Dependent Fire District, the County Council sets the fire millage tax rate, separate and apart from the general fund tax rate, based on the Department’s budget request. For FY 09–10, the fire tax millage rate is 3.6651. Revenues, generated at 96% collection rate is subject to the assessed taxable values of \$7,028,058,457 in unincorporated Volusia, the cities of Lake Helen, Oak Hill and Pierson, are projected to be \$24,896,952 which is 6% less than FY 08–09. Budget analysts are projecting a 15% decrease in property values for FY 10–11. Assuming the same millage rate, fire tax revenues will drop to \$21,209,160.

Volusia County Fire Services is the only fire department in Volusia County primarily funded by a separate property tax structure. Its current millage rate in relation to the total budget does not provide a complete picture. To establish an accurate rate it necessitates portions of the Department’s budget be subtracted from the millage rate. Table 3 estimates a millage rate that fairly compares to tax rates identified for each municipality’s fire department.

Table 3: Estimated Volusia County Millage Rate

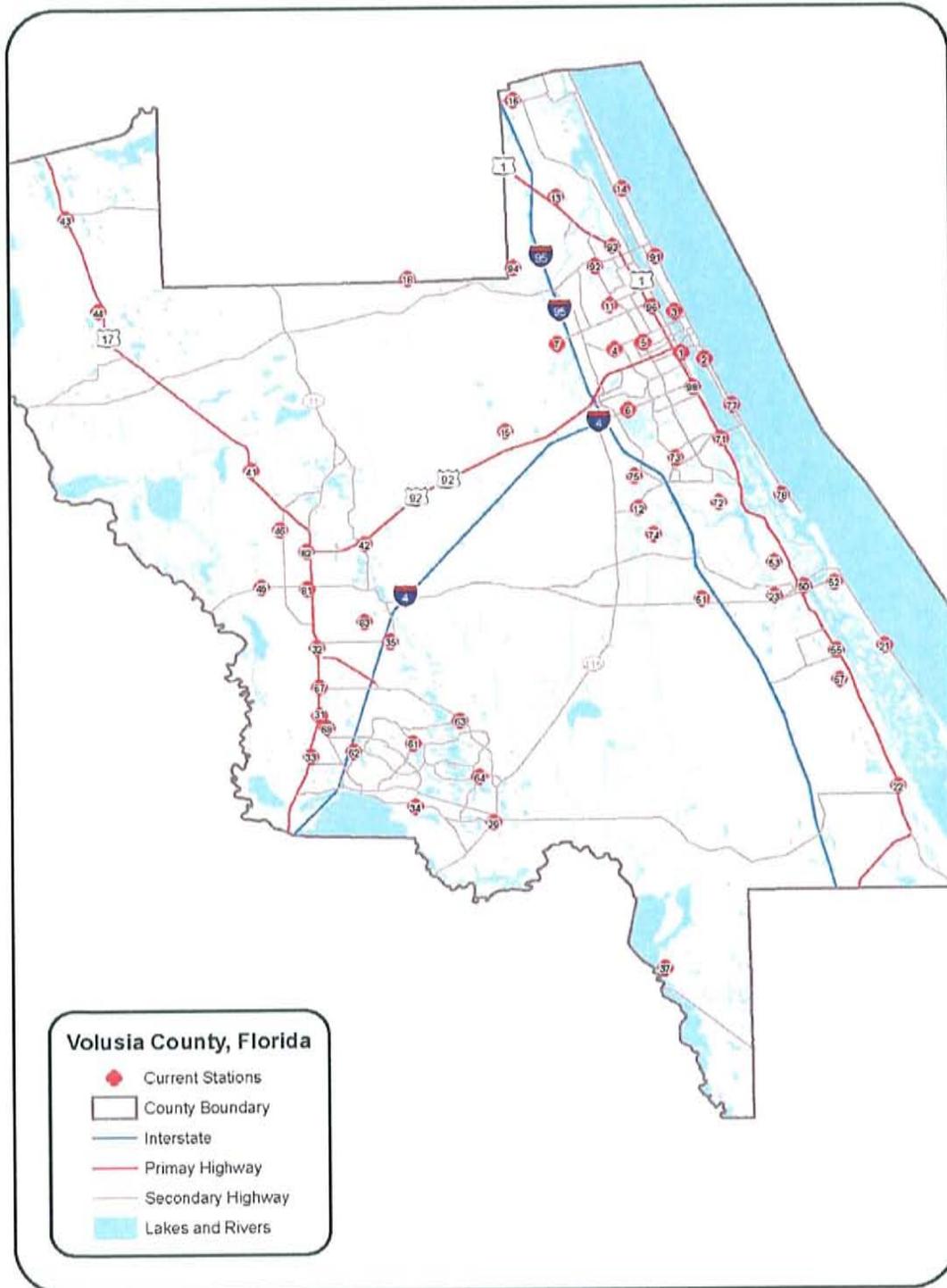
Total Operating Expenditures	\$27,156,684
Municipal Contracts	-726,795
(fire service; not hydrants)	
Airport Operations	-1,245,190
Net Operating	\$25,184,699

The Department’s operating budget equates to a tax millage rate of 3.73276. The millage rate does not include Capital improvements, grants or reserves. For FY 09–10, \$849,119 is budgeted for capital improvements, \$55,816 in grants and \$5,539,059 in reserve funds.

Figure 1 shows the location of all fire rescue stations in Volusia County.

Possibilities of Fire and Rescue Services Consolidation in Volusia County
Halifax Area Civic League **FINAL REPORT**

Figure 1: Fire Station Locations within Volusia County



Comparison of Service Areas

Table 4, Table 5, and Table 6 compare specific data to each department that is generally relative in providing fire rescue services.

Table 4: Population Density of Volusia County

Department	Population	Area Served Square Miles	Density Pop/ Square Mile	Square Miles/Station
Daytona Beach	65,208	58.7	1,111	8.38
D.B. Shores	5,475	0.97	5,644	0.97
DeBary*	18,741	18.2	1,029	18.2
DeLand	27,123	18.8	1,443	6.26
Deltona	84,264	35.8	2,353	8.95
Edgewater	21,394	22.2	964	11.1
Holly Hill	12,851	3.89	3,303	3.89
New Smyrna Beach	23,449	38.28	612	9.57
Orange City	10,203	6.98	1,461	3.49
Orange City**	28,944	25.18	1,149	8.39
Ormond Beach	40,832	25.7	1,589	6.43
Ponce Inlet	3,266	4.33	754	4.33
Port Orange	56,732	24.7	2,297	4.94
South Daytona	13,530	3.56	3,800	3.56
Volusia County***	123,961	966	128	43.9

*DeBary contracts with Orange City for fire services.

**Orange City's data includes the City of DeBary.

*** Volusia County's data includes population and area served for the cities of Lake Helen, Pierson and Oak Hill since they pay Volusia's fire tax millage. Daytona Beach International Airport is not included in miles/station.

Table 5: Staffing Comparisons for Volusia County⁷

Department	Total Personnel (Funded)	Assigned to Field	Minimum Daily On-duty Staffing	Total Personnel/ 1,000 Population
Daytona Beach	123	103	28	1.88
D.B. Shores*	11.5	11	N/A	2.1
DeBary**	9.6	9	3	0.51
DeLand	44.5	40	10	1.64
Deltona	94	69	17	1.11
Edgewater	31	27	6	1.44

⁷ Using the Pearson Product Moment Coefficient, there was a -.21 correlation between the population and the number of FFs per 1000 population. This indicates a weak negative correlation between population and firefighters per 1,000, indicating that a trend indicates smaller departments having a greater ratio of employees.

Possibilities of Fire and Rescue Services Consolidation in Volusia County
Halifax Area Civic League **FINAL REPORT**

Department	Total Personnel (Funded)	Assigned to Field	Minimum Daily On-duty Staffing	Total Personnel/ 1,000 Population
Holly Hill	13	11	2	1.01
New Smyrna Beach	46	42	13	1.96
Orange City	19.5	15	5	1.91
Ormond Beach	49	45	13	1.2
Ponce Inlet	11.5	9	2	3.52
Port Orange	62	54	16	1.09
South Daytona	14	12	3	1.03
Volusia County***	199.5	182.5	49	1.6

*Daytona Beach Shores' personnel per 1,000 population is based on the Department's public safety budget attributed to fire and one half for the chief.

**DeBary's personnel per 1,000 population includes 1/3 for fire marshal and 1/3 for the chief.

***Data does not reflect nine personnel assigned to Daytona Beach International Airport or Flagler County's personnel staffing Station 16.

The above does not take into account any volunteer or reserve members.

Table 6: Human Resources Comparisons⁸

Department	Operating Budget	Cost/Capita	Cost/Employee	Pension Cost/Employee
Daytona Beach	\$12,720,531	\$195.07	\$103,419	\$14,772
D.B. Shores*	\$1,450,654	\$264.95	\$131,877	\$23,322
DeBary**	\$883,915	\$47.16	\$98,212	N/A
DeLand	\$3,505,293	\$129.23	\$78,770	\$9,607
Deltona	\$8,624,470	\$102.35	\$91,749	\$7,164
Edgewater	\$2,652,502	\$123.98	\$85,564	\$9,668
Holly Hill	\$1,321,154	\$102.80	\$94,368	\$14,769
New Smyrna Beach	\$5,134,204	\$218.95	\$111,613	\$20,761
Orange City***	\$1,377,225	\$134.98	\$70,627	\$8,982
Ormond Beach	\$5,690,070	\$139.35	\$116,123	\$19,129
Ponce Inlet	\$995,591	\$304.83	\$86,573	\$10,681

⁸ Pearsons Product Moment Correlation revealed no correlation between number of employees and cost per employee (Corr = .04).

Possibilities of Fire and Rescue Services Consolidation in Volusia County
Halifax Area Civic League **FINAL REPORT**

Department	Operating Budget	Cost/Capita	Cost/Employee	Pension Cost/Employee
Port Orange	\$7,310,706	\$128.86	\$117,914	\$23,597
South Daytona	\$1,621,957	\$119.87	\$115,854	\$13,765
Volusia County	\$27,156,684	\$219.07	\$136,465	\$13,543
Volusia County****	\$21,453,981	\$173.07	\$107,808	\$13,543

*Daytona Beach Shores is a Public Safety Department where police officers are also firefighters and EMT/Paramedics. The City does not have a separate fire department. This budget amount represents only the fire portion of the total Public Safety Department's budget as accounted for by the City's Finance Director.

**DeBary contracts with Orange City for fire services requiring three firefighters per shift. The cost and maintenance for the fire station and fire apparatus, owned by DeBary, is not included in the contract price with Orange City.

*** The pension cost per employee accounts for Orange City's 19.5 employees and the 9 firefighters assigned to DeBary.

**** Volusia County Fire is a taxing district, like a city, they are required to maintain reserve funds. To provide a more accurate comparison, \$5,702,703 in reserve funds were deducted from their operation budget.

Pension Cost per Employee does not necessarily provide a true picture when comparing various departments listed in Table 6. Pension cost and the rate of contribution is determined by the employee's classification. Firefighters are high risk and the contribution percentage is higher than for a non-high risk employee. A department with a higher number of non-high risk employee's will have a much lower pension cost/employee than a department that consists of all high risk or minimal non-high risk.

For example: Deltona has 94 employees, but only 77 are certified firefighter and categorized as high risk. Most of the other department's have one or two non-certified administrative positions resulting in higher pension cost/employee. Pension costs are based on wages and incentives an employee may receive for various certifications. The certification having the greatest effect on the pension is paramedic licensure. All Departments with the exception of DeLand have paramedics. Paramedic incentive compensation can exceed \$6,000 annually for each certified paramedic.

Pensions

Pensions are a major expense in providing emergency services. Whether it is in Los Angeles, California, where they have discussed filing for bankruptcy, or Volusia County, where fire department pensions require substantial taxpayer dollars to fund, public safety pensions are a significant issue. This year alone Volusia's local governments budgeted \$10,281,738 to support their fire rescue services pensions.

In addition to the required annual contributions to keep the fund actuarially sound, all of the municipalities that have F.S. Chapter 175 pension plans have unfunded liability. The Florida Retirement System generally does not carry any unfunded liability. When they do, they increase the contribution rate for participating governments.

Possibilities of Fire and Rescue Services Consolidation in Volusia County
 Halifax Area Civic League **FINAL REPORT**

Florida's State budget year runs from July 1 to June 30. Local government's budget year begins October 1 and goes thru September 30. The State's required pension contribution rate for their FY 09 was 21.33%. Due to their having an unfunded liability, the State is considering increasing the contribution rate beginning July 1, 2010 to 28.57%. This levy is supposed to reduce their unfunded liability to zero.

F.S. Chapter 175 plans are allowed to carry their unfunded liability forward and are only required to maintain actuarial soundness as determined by a certified actuarial accountant.

Table 7 and Table 8 identify data specific to each department's pension for FY 09.

Table 7: Pension Contributions

Department	Government Contribution Percentage	Years to be Vested	Multiplier Percentage	Employee Contribution Percentage
Daytona Beach	30.56	10	3.5	10
D.B. Shores	21.33	6	3	0
DeLand	15.20	10	3	5
Deltona	N/A	10	3	8
Edgewater	11.46	5	3	6
Holly Hill	27.81	6	3	8
New Smyrna Beach	37.00	10	3	1
Orange City	21.33	6	3	0
Ormond Beach	27.40	10	3.37	8.4
Ponce Inlet	21.33	6	3	0
Port Orange	36.90	10	3	0.5
South Daytona	21.33	6	3	0
Volusia County	21.33	6	3	0

Table 8: Pension Unfunded Liability-F.S. Chapter 175 Plans

Department	Unfunded Liability	Debt per Sworn Member
Daytona Beach	\$20,196,624	\$177,163
DeLand	\$72,262	\$1,680
Deltona	\$3,763,710	\$48,879
Edgewater	\$675,283	\$22,509
Holly Hill	\$1,437,122	\$110,547
New Smyrna Beach	\$7,772,941	\$172,732
Ormond Beach	\$7,458,000	\$149,717
Port Orange	\$17,846,823	\$302,488
Total	\$59,222,765	

Possibilities of Fire and Rescue Services Consolidation in Volusia County
Halifax Area Civic League **FINAL REPORT**

The unfunded liability that several cities have accumulated with their F.S. Chapter 175 pension plan is critical. With a weak economy and low interest rates of return it becomes imperative for these cities to develop a plan to lower the unfunded liability.

Recommendation 1: Affected cities with F.S. Chapter 175 pension plans should develop a plan to lower their unfunded liability.

III. FIRE RESPONSE

The National Fire Protection Association (NFPA) publishes codes and standards establishing guidelines for numerous fire department facets. Two standards of importance for this study are; NFPA 1710; Standard for The Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations and Special Operations to the Public by Career Fire Departments and NFPA 1500; Standard on Fire Department Occupational Safety and Health Program.

In part, NFPA 1710 states the first arriving fire company shall reach the scene of an incident 90% of the time within four minutes travel time. Furthermore, all units responding to the incident shall reach the scene of the incident 90% of the time within eight minutes. NFPA 1710 also recommends that four persons should be assigned to every fire engine or ladder truck.

NFPA 1500, as well as Florida State law, requires a minimum of four personnel in the initial stages of fighting the fire before any offensive attack can commence. Two firefighters can initiate the interior operation provided there are two people on the outside available to rescue the two inside firefighters, referred to as Two In – Two Out.

Fighting the fire from the inside is referred to as an offensive operation. NFPA defines this as an operation performed in the interior of involved structure that involves a direct attack to control and extinguish the fire.

Unless four persons are assembled on the fire ground, the arriving crews can only perform defensive measures. NFPA defines a defensive operation as; control the fire by limiting its spread to a defined area avoiding the commitment of personnel and equipment to dangerous areas. Map 2 highlights those areas where the closest unit located at a fire station can reach the scene of an incident within four and eight minute travel time.

Figure 2: Four and Eight Minute Response Times

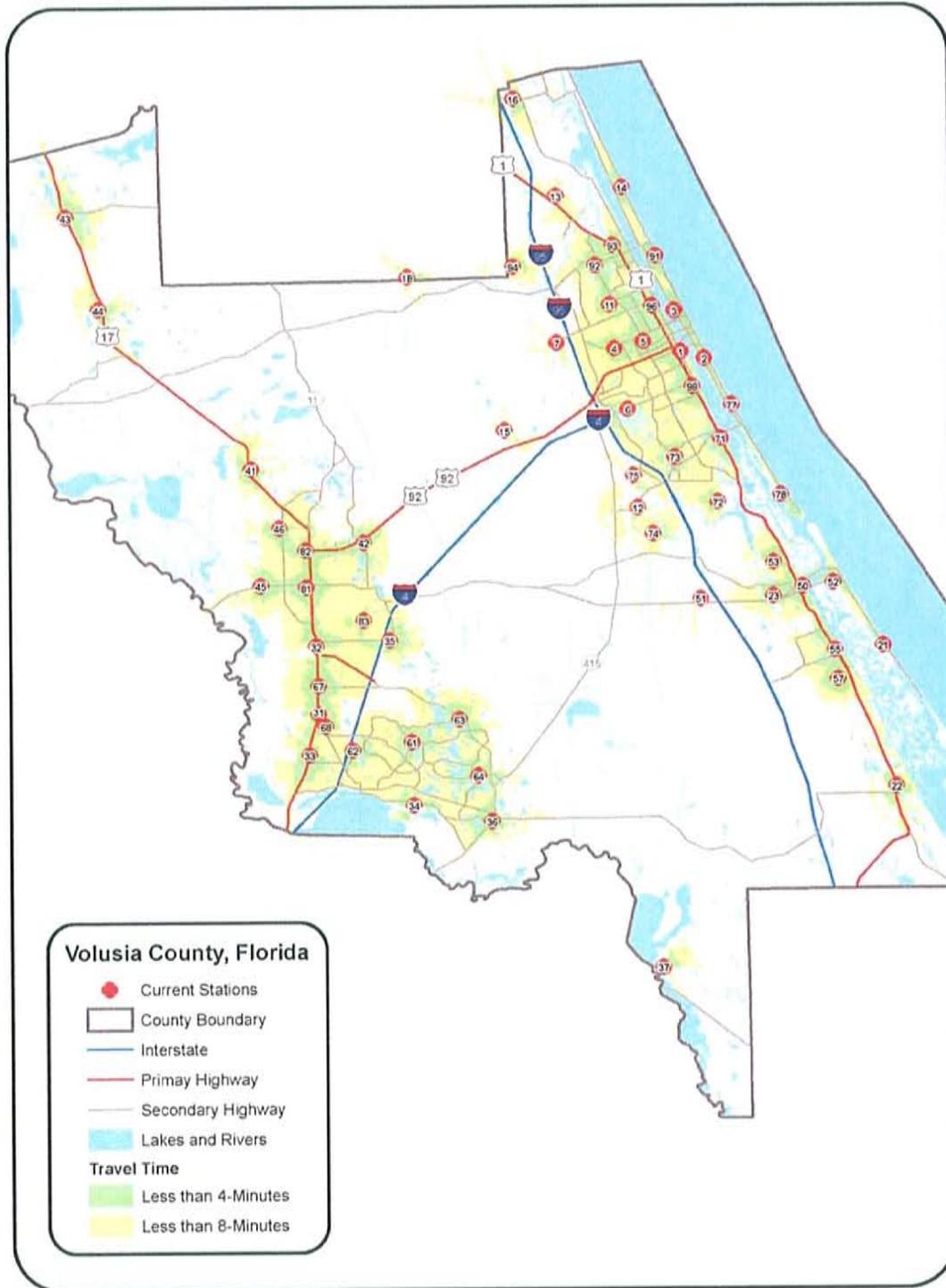


Table 13 and Table 14 lists the average response time for each fire department and EVAC as reported to TriData.

No fire department in Volusia County can initiate an offensive operation with their first arriving unit when they are at minimum staffing! Cities, through their budgeting process have identified the amount of risk they are willing to accept based on the low 2.6% actual rate of fires versus total number of incidents responded to.

The NFPA identifies three levels of fire response based on the type of hazard and recommends the type and number of apparatus and personnel.

- **Low Hazard:** 13–16 personnel; 12 firefighters, 1 command officer, 1 safety officer and 1 RIT (Rapid Intervention Team). Two engines one truck. An example of a low hazard structure is a single family dwelling.
- **Medium Hazard:** 17–20 personnel; 16 firefighters, 1 command officer, 1 safety officer and 1 RIT. Three engines one truck. An example of a medium hazard is an apartment building less than three stories or a small commercial occupancy.
- **High Hazard:** 26–29 personnel; 24 firefighters, 2 command officers, 1 safety officer and 1 RIT. Four engines two trucks. An example of a high hazard is a hospital, high rise building, large shopping center complex, or industrial complex.⁹

The amount of apparatus dispatched on an incident varies by jurisdiction.

Table 9 identifies the weight of response sent on a sample of incidents.

Table 9: Initial Weight of Response

Department	Single-Family Structure ¹⁰	Multi-Family Commercial	Vehicle Accident	Fire Alarm Sounding
Daytona Beach	3-E, 1-L, 1-R, 1-C	4-E, 1-L, 1-R, 1-C	1-E	1-E, 1-L
D.B.Shores	3-E, 1-L, 1-R, 1-C	4-E, 1-L, 1-R, 1-C	1-R	1-E
DeLand***	2-E, 1-L, 1-C	2-E, 1-L, 1-C, 1-S	1-E, 1-L, 1-C	2-E, 1-L, 1-C
Deltona	3-E, 1-R, 1-C	3-E, 2-L, 2-C	1-E	2-E, 1-C
Edgewater*	3-E, 1-L, 1-C	4-E, 1-L, 1-C	1-E, 1-R, 1-C	1-E, 1-C
Holly Hill	3-E, 1-L	4-E, 1-L	1-E	1-E
New Smyrna Beach*	3-E, 1-L, 1-C	4-E, 1-L, 1-C	1-E, 1-R, 1-C	1-E, 1-C
Orange City**	2-E, 1-L, 1-C	3-E, 2-L, 2-C	1-E	2-E, 1-C
Ormond Beach	3-E, 1-L, 1-C	4-E, 1-L, 1-C	1-E	1-E, 1-L
Ponce Inlet*	3-E, 1-L, 1-C	4-E, 1-L, 1-C	1-E, 1-R, 1-C	1-E, 1-C

⁹ NFPA

¹⁰ All assignments require automatic or mutual aid on the initial dispatch.

Department	Single-Family Structure ¹⁰	Multi-Family Commercial	Vehicle Accident	Fire Alarm Sounding
Port Orange*	3-E, 1-L, 1-C	4-E, 1-L, 1-C	1-E, 1-R, 1-C	1-E, 1-C
South Daytona*	3-E, 1-L, 1-C	4-E, 1-L, 1-C	1-E, 1-R, 1-C	1-E, 1-C
Volusia County	2-E, 1-S, 1-T, 1-C	2-E, 1-S, 1-T, 1-C	2-E, 1-S, 1-C	2-E, 1-S, 1-T

E=Engine, L=Ladder/Squirt, R=Rescue, C=Chief Officer, T=Tender (water tanker) S=Squad

*These departments are dispatched by the Regional Communication Center (RCC) in Port Orange. In lieu of a rescue unit a second engine or ladder is dispatched.

**In addition to the alarm assignment under Orange City dispatch protocols, structure fires in DeBary also have a Tender dispatched.

***DeLand's first due engine responds with lights and siren. All other units go nonemergency.

As listed in Table 9, inconsistencies exist between agencies regarding the number and type of apparatus dispatched to the sampling of incidents. In most situations, it is not the amount of equipment required but rather the transportation means to get the number of personnel to the scene to adequately address the emergency incident.

Dispatching multiple units on all types of incidents does not warrant the risk to the public or fire service personnel when experience dictates otherwise. Furthermore, it's costly and creates unnecessary wear and tear on the apparatus. The actual number of incidents is skewed because the reporting does not appear to take this into account.¹¹

A fire alarm sounding, not associated with a manual activation or a verbal confirmation of fire is in most cases unfounded. Multiple vehicles travelling at high speeds create a bigger safety issue than the incident they are responding to. Reducing the initial weight of response can eliminate risks and reduce fuel and vehicle wear and tear costs. The battalion chief and first due officer have the latitude to increase the alarm assignment.

Recommendation 2: On report of an automatic fire alarm sounding, change dispatch protocols to send one engine, with a minimum of three firefighters, non-emergency. If the engine is staffed with less than three firefighters an additional unit or a battalion officer should be sent.

Recommendation 3: On a motor vehicle crash (without reported entrapment), change dispatch protocols to just send the appropriate closest unit unless information warrants additional units.

Based on the three basic levels of hazards identified by the NPPFA, and the minimum number of personnel needed on the initial alarm, it is evident only a few of the 13 fire departments can meet the response criteria without the assistance of mutual aid.

Only the following fire departments can supply the required personnel on the initial alarm when at minimum staffing without the use of mutual aid.

¹¹ NFIRS as envisioned and started by former USFA Administrator Tipton was meant to account for mutual/automatic aid calls being reported as the same incident.

- **Low Hazard:** Daytona Beach, Deltona, New Smyrna Beach, Ormond Beach and Port Orange. (Although Volusia County has sufficient personnel on duty, their locations as scattered throughout the County, which makes for an unreasonable expectation of mustering their forces in a reasonable amount of time.)
- **Medium Hazard:** Daytona Beach, Deltona, Port Orange
- **High Hazard:** Daytona Beach

The concept of a fire mutual aid pact was to help one's neighbor when the incident exceeded resources. Over the past several years the system of mutual aid in Volusia County largely has changed to automatic aid. The impetus was Volusia County's EMS Ordinance requiring closest unit response on EMS incidents as a condition of their COPCN. As a result of merging dispatch centers, there is now also *closest unit response* on all fire calls. Advancements in Automatic Vehicle Locator (AVL) technologies provide the opportunity to further enhance the automatic aid concept.

The larger municipalities are now subsidizing fire services to the smaller cities. For example, a medium hazard commercial structure fire in Holly Hill gets four engines and one ladder truck. Holly Hill staffs one engine with as few as two firefighters. All other apparatus, including a command officer, comes from Daytona Beach, Ormond Beach and Volusia County.

Holly Hill spends \$102.80 per capita for fire services. Daytona Beach, Ormond Beach and Volusia County spend per capita \$195.07, \$139.35 and \$219.07 respectively. This is one example. The smaller cities must rely on the generosity of their larger neighbors translating into higher costs for the larger departments.

Recommendation 4: If no mergers occur, the larger departments should evaluate the impact of automatic/mutual aid services provided to smaller departments for which they receive no remuneration.

This report does not consider capital expenditures or debt service. An assumption of the study was any commitment to long term debt would continue to be borne by the government entity where it was created. Furthermore, any impact fees currently collected and dedicated to a capital expenditure would continue to fund said expenditure. For example, DeLand has a fire impact fee whereby the funds are dedicated to the debt service on Station 83.

Several cities and the County have fire impact fees. The impact fee is onetime fee that is assessed on new construction/development. The purpose is to establish a fair share of the anticipated cost for new equipment and facilities required to provide fire services for the new development. The collected fees are not permitted to pay for equipment replacement or personnel services.

Possibilities of Fire and Rescue Services Consolidation in Volusia County
 Halifax Area Civic League **FINAL REPORT**

The ability to collect fire impact fees is established through local ordinances with the rate assessed by resolution. Impact fees can only be assessed after an in-depth study is completed detailing the impact each new construction type has on the current level of service. One city cannot arbitrarily set their fee to another other city's fee for the sake of uniformity. Table 10 lists the various fire impact fees for several types of new construction within the jurisdictions.

Table 10: City Impact Fees

City	Single Family	Multi-Family	Commercial
Daytona Beach	Same rate for multi-family. Varies based on square footage of unit. \$185 for 1,000 sq. ft. to 1,999.99 up to \$237 for anything over 4,000 sq. ft.		\$355/1,000 sq. ft.
DeLand	\$82/dwelling	\$79/unit	\$22/1,000 sq. ft.
Deltona	\$214.49/dwelling	\$116.24/unit	Varies depending on type
Edgewater	Rates not reported or available on web site.		
New Smyrna Beach	\$299.61/dwelling	\$299.61/unit	\$0.45/sq. ft.
Orange City	\$158.54/dwelling	\$158.54/unit	\$263.07/1000 sq. ft.
Port Orange	\$277/dwelling	\$277/unit	\$0.20/sq. ft.
South Daytona	\$301.97/dwelling	\$161.17/unit	\$0.5491/sq. ft.
Volusia County	\$286.52/dwelling	\$286.52/unit	\$0.15/sq. ft.

The cities of Daytona Beach Shores, Holly Hill, Ormond Beach and Ponce Inlet do not have a fire impact fee.

Any form of merger would require an additional study with applicable ordinances to reestablish impact fees within the new district.

IV. EMERGENCY MEDICAL SERVICES

All fire departments in Volusia County provide EMS first responder services. All provide service at the ALS level, except for DeLand, a BLS agency. Patient transport is provided by EVAC Ambulance, the County's sole transport provider. Transport units are staffed by an Emergency Medical Technician and a paramedic. The system is commonly known as a two-tier system, with fire department response the first tier.

Medical direction, required by law, is provided by the medical director, Dr. Peter Springer, and funded by the County. The medical director has complete authority over all paramedics regarding their ability to perform ALS procedures within the County. The paramedic scope of practice is described in the medical protocols that are approved by the medical director. Medical protocols help insure consistency in treating medical patients in the field.

Since the mid 1980's, several cities have requested the County to issue them a Certificate of Public Convenience and Necessity (COPCN) to transport within their jurisdictional boundaries.¹² On at least two occasions professional studies were conducted with the same conclusion; do not fragment the current transport system. The cities' request to transport was denied. The dispute on who should transport continues today. Numerous attempts to change State law, which authorizes the County to establish rules regarding the issuance of COPCNs, have been attempted to no avail.

An EMS incident generates a response from the local fire department along with EVAC Ambulance, regardless of the nature of the call, from cardiac arrest, to broken finger, injury from a fall or transport of a patient from a nursing home. Over the years, the public and government leaders have considered this dual response to every incident as redundant, costly and unnecessary. The medical director recently requested dispatch centers within the County to institute a nationally-recognized Medical Priority Dispatch (MPD) protocol. The intent of the protocol is to assure the appropriate weight of response to an EMS incident, emphasizing patient care priorities, economy, and safety. Depending on the nature of the call, both fire and ambulance maybe dispatched to the incident or only fire or only an ambulance. MPD has not been implemented primarily due to resistance from fire chiefs.

Recommendation 5: The County fire chiefs should agree to accept and implement a nationally-recognized Medical Priority Dispatch system.

Fire department's staff their apparatus 24/7, referred to as level staffing with firefighters working 24 hours on followed by 48 hours off for an average work week of 56

¹² A COPCN is an authorization to provide a service. It is issued at the total discretion of a county.

Possibilities of Fire and Rescue Services Consolidation in Volusia County
Halifax Area Civic League **FINAL REPORT**

hours. Fifty three hours are at the regular hourly rate of pay with three hours at time and one half.¹³

EVAC staffs ambulances based on demand and locates their units at various intersections throughout the County. They operate as few as eleven during off peak hours and as many as 22 during peak hours. Data analyzed by EVAC identified peak hours to be between 10 a.m. and 10 p.m. The slowest time period for EMS calls was between midnight and 7 a.m. Although midnight to 7 a.m. is the slowest time for incidents, EVAC normally does not get to its low of eleven ambulances until 3 a.m. and begins to increase the number of units beginning at 5:30 a.m. Figure 3 identifies the EMS demand pattern for Volusia County.

Figure 3: Volusia County EMS Demand¹⁴

168 Hours: Relationship between demand and scheduled unit hours

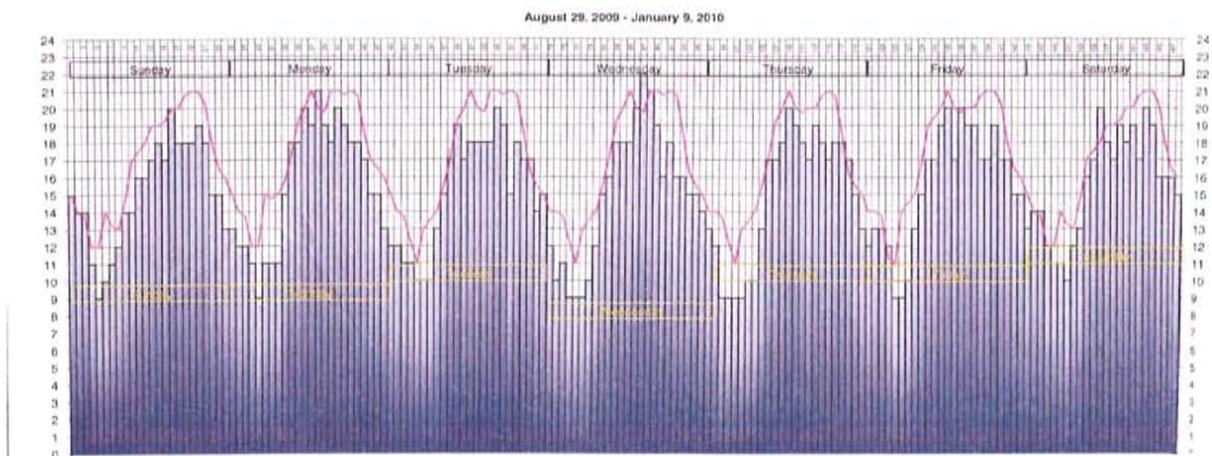


Table 11 identifies the home locations of ambulances during peak hours. Table 12 identifies the location of ambulances when staffing the minimum eleven units.

Table 11: Peak-Time Ambulance Locations

Eastside	Westside
SR 40 & Nova (Ormond Beach)	Brandy Wine & Hwy 17 (DeLeon Springs)
SR 40 & Atlantic Ave (Ormond Beach)	Woodland Blvd & ISB (DeLand)
LPGA & Nova (Holly Hill)	Amelia & New York Ave (DeLand)
Mason & Caswell (Holly Hill)	Orange Camp & Woodland Blvd (DeLand)
Williamson & ISB (Daytona Beach)	Graves & Volusia Ave (Orange City)
Beville Rd & Nova (Daytona Beach)	Howland Blvd & I-4 (Deltona)
Dunlawton & Atlantic Ave (D.B. Shores)	Saxon Blvd & Enterprise (Orange City)
Dunlawton & Clyde Morris (Port Orange)	High Banks & 17-92 (DeBary)
Mary & Ridgewood Ave (New Smyrna Beach)	Providence Blvd & Tivoli (Deltona)

¹³ The three hours of premium pay are required to fulfill the requirements of the Fair Labor Standards Act.

¹⁴ Table placed at the request of the Halifax group. It would not normally meet TriData's technical quality standard.

Eastside	Westside
SR 44 & Wallace (New Smyrna Beach)	Howland Blvd & Elkam (Deltona)
Indian River Blvd & U.S. 1 (Edgewater)	Courtland Blvd & Doyle Rd (Deltona)

The above are primary staging locations based on no demand. When an ambulance is dispatch to a medical call, other units will be relocated to secondary staging areas in order to fill in the gap.

Table 12: Non-Peak Ambulance Staging Locations

Eastside	Westside
SR 40 & Beach St. (Ormond Beach)	Amelia Ave & E. New York (DeLand)
ISB & U.S. 1 (Daytona Beach)	Providence Blvd & Tivoli (Deltona)
Dunlawton & Nova (Port Orange)	Saxon Blvd & Enterprise (Orange City)
Beville Rd & Nova (Daytona Beach)	Orange Camp Rd & S. Woodland (DeLand)
Post 7 & North Dixie Hwy (New Smyrna Beach)	Howland & Elkam (Deltona)
Indian River & S. Ridgewood (Edgewater)	

Ironically, according to the Florida State Fire Marshal's 2008 Annual Report, the peak time period for fires is between 11 a.m. to 9 p.m. with the least amount of fires occurring between midnight and 8 a.m. However, fires occurring between these hours tend to more serious in nature due to delays in detection. Combining the fire service use of static staffing and deployment, and EMS dynamic staffing and deployment offers the greatest cost-benefit for the citizens. Fire departments should attempt to identify times where static staffing and deployment do not contribute to faster response times or where there may not be a need for service.

Recommendation 6: Departments should determine how to use the combination of static and demand staffing and deployment to justify need for and cost of resources.

Who can staff an ambulance cheaper has been argued for years in Volusia County. The base hourly starting rate for an EVAC emergency medical technician (EMT) and a lead paramedic is \$29.60 per hour. In the fire department starting hourly rate for an EMT and paramedic is approximately \$24.70 per hour. To staff an ambulance 24/7 would require a four platoon system for EVAC versus a three platoon system for the fire department. EVAC's annual base wages for a 24/7 unit under the four platoon system would be \$264,742. With pension contribution the cost increases to \$280,626. The fire department's base wage cost using the three platoon system is \$221,559. However, once the required pension contribution is added the total cost increases anywhere from \$246,949 to \$303,535. Based on the average of the ten highest contribution rates listed in Table 7, the fire department's cost is \$280,560.

The above is for a starting paramedic and EMT. As wages approach midpoint, EVAC's annual cost is \$313,511 for a four platoon 24/7 unit. The fire department's cost for their three platoon system is \$358,645.

It is important to note that the above wage comparison is only effective on the primary 11 units EVAC maintains in service 24/7. All other ambulances are staffed on demand. If the system demand only requires a 12 hour ambulance, the cost to EVAC is half of a 24 hour unit. With the fire department, the demand may be for 12 hours but with level staffing the cost basically doubles that of EVAC's for that 12 hour unit.

Currently, the most cost effective ambulance transport system favors EVAC for the following reasons.

- EVAC retirement plan is a 401K (defined contribution) whereby EVAC contributes 6% based on the employee's wages versus the higher governmental percentage contribution rate (See Table 7) required by the fire department's defined benefit plan.
- EVAC staffs ambulances based on call demand. The fire department staffs on numbers assigned to a unit for 24 hours 7 days a week.

Several fire departments have conducted studies indicating they could perform ambulance transport within their municipality and produce revenue that would assist offsetting the fire department budget.

A singular view does not look at the effect on the current transport system. While the single entity may gain revenue, the total system has to readjust its budget for the lost revenue. Unless the fire department system is regionalized, or unified, the total cost for ambulance transport will increase requiring additional taxpayer dollars to subsidize the ambulance system if individual fire departments transport.

Paramedic Saturation

In the early 1980's, with the birth of EVAC, not every ambulance was ALS. EVAC was operating BLS and ALS units. The nature of the call dictated which type of ambulance was dispatched to the incident. In the early 1980's not every fire department responded to medical calls and less than a handful were ALS certified.

Throughout the years, both systems worked hard to increase their ALS capabilities. The emphasis on employment for fire departments was to hire firefighter/paramedics. Both systems worked with their existing EMT employees and sent them to paramedic school. In a few situations, fire departments hired paramedics and sent them to fire school. Between the fire departments and EVAC there are over 325 paramedics on payrolls. There is little management control on the number of paramedics within the organization. It is not uncommon to have two or three paramedics on a fire truck and two paramedics on an ambulance responding to a medical incident.

Maintaining paramedic licensure requires extra training and certifications adding to the expense of maintaining an ALS system. It also drives up the cost of overtime. A fire

engine may be at minimum staffing but if one of those persons is not a paramedic, overtime is required to keep the fire engine in service.

EMT's can now perform more medical procedures than twenty years ago. Volusia County's data revealed that medical incidents requiring paramedic skills are used on less than 20% of the calls.¹⁵ If a patient requires treatment by a paramedic then it becomes essential the paramedic arrive on the scene in a timely manner.

This topic has received national attention in regards to ALS procedural efficacy, shortage or distribution, and the number of skills needed to keep up skill proficiency. Although specific issues are beyond the scope of our study, it is sufficient to say that there will likely be opportunities to readjust EMS services based on scientifically valid, evidence-based information. We are not, however, able to recommend a wholesale change in ALS delivery.

All Department's and EVAC keep track of their response times. Over a period of time an average response time is established. Table 13 shows the average response time of each department submitted to TriData.¹⁶

Table 13: Response Times for Fire and EMS

Fire Department	Average Response Time	EVAC to City	Average Response Time
Daytona Beach	5 min 06 sec	Daytona Beach	4 min 50 sec
D.B. Shores	3 min 17 sec	D.B. Shores	6 min 22 sec
DeLand	5 min 13 sec	DeLand	4 min 42 sec
Deltona	6 min 10 sec	Deltona	5 min 57 sec
Edgewater	4 min 12 sec	Edgewater	4 min 58 sec
Holly Hill	N/A	Holly Hill	5 min 47 sec
New Smyrna Beach	4 min 46 sec	New Smyrna Beach	5 min 17 sec
Orange City	N/A	Orange City	4 min 35 sec
Ormond Beach	4 min 45 sec	Ormond Beach	5 min 51 sec
Ponce Inlet	4 min 09 sec	Ponce Inlet	9 min 49 sec
Port Orange	5 min 06 sec	Port Orange	5 min 20 sec
South Daytona	4 min 43 sec	South Daytona	6 min 53 sec

Volusia County station's average response times are listed in the Volusia County profile located in Table 13. EVAC maintains average response times for various communities in the County as follows. The fire stations corresponding to the community are listed under the Fire Department heading (Table 14).

¹⁵ Wolcott, M.D., Foelker, T., and Springer, P.C. (2009). Evaluating the Impact: Fire Services Provision of Advanced Life Support. (October, 2009). Unpublished report.

¹⁶ 90th percentiles were not available.

Table 14: County Fire and EMS Average Response Times

Fire Station	FD Response Time	City	EVAC Response Time
Lake Helen Station 35	6 min 46 sec	Lake Helen	8 min 45 sec
DeBary Station 33	N/A	DeBary	8 min 15 sec
DeLeon Springs Station 41	7 min 00 sec	DeLeon Springs	10 min 00 sec
Glenwood Area Station 46	6 min 48 sec	Glenwood Area	6 min 48 sec
Oak Hill Station 22	8 min 07 sec	Oak Hill	9 min 32 sec
Pierson Station 44	8 min 43 sec	Pierson	16 min 14 sec
Seville Station 43	7 min 32 sec	Seville	19 min 43 sec

EVAC's average response time to urban areas closely mirror the fire departments. In a few Cities, EVAC's average response time was quicker by less than one minute. In other urban cities, the fire department's average response time was quicker by less than one minute. There are a couple of exceptions.

Advance life support procedures administered by the paramedic cannot be initiated until an initial assessment can be made. Within that time frame, EVAC's paramedic is likely on the scene. According to EVAC's documentation, only 2% of all ALS procedures are initiated prior to the arrival of an ambulance. This means minimal ALS procedures are taking place prior to the arrival of the ambulance. The first unit on the scene must assess the patient's condition and initiate, in most case, BLS activities before starting ALS procedures.

In the previously cited Advanced Life Support Study by Volusia County, the frequency in which ALS interventions were performed by paramedics ranged from once every three shifts to as infrequent a once in nine months. The numbers of paramedics versus the number of ALS incidents does not provide ample opportunity for paramedics to maintain skills proficiency.

Cities should reevaluate the number of paramedics in their system versus the actual need to provide services. Fire department average response times mirror EVAC's response times in the urban areas. As such not all fire stations require paramedics on their fire engines. Limiting the number of paramedics in certain areas could offer savings through reductions in premium pay, pension contribution, training, licensing costs and overtime.

DeLand is the only fire department in Volusia County that does not provide ALS. Their cost per employee, the effect of the fire department's budget against the city tax rate, and the pension contribution rate are the second lowest in the County. DeLand also has the lowest unfunded pension liability that is \$600,000 less than the second lowest and \$19 million less than the highest city. Also, there is no evidence that DeLand's patient care is adversely affected.

Possibilities of Fire and Rescue Services Consolidation in Volusia County
Halifax Area Civic League **FINAL REPORT**

Before eliminating ALS first response, each city should evaluate response times (fire and EVAC) to specific areas. There may be pockets where ALS first response is necessary. Also, determining the need for ALS based on specific interventions may not tell the whole story. Having EMS providers with ALS assessment skills may be beneficial to patients even if ALS interventions are not needed.

Recommendation 7: Cities should reevaluate their need to provide ALS-level first response. If response data indicates little benefit from providing first responder ALS, then cities should be allowed to reduce to BLS first response.

V. COMMUNICATIONS/DISPATCH

On December 5, 1983, Volusia County activated its Enhanced 9-1-1 system. At that time, every city with a police department had a primary PSAP. In addition, EVAC ambulance and the Deltona Fire District had secondary PSAPs.

An Enhanced 9-1-1 system identifies where the phone call is originating in the communication center. The phone company programs the phone line to ring into the communication center associated with that specific location's governmental jurisdiction's protocol and based on which agency provides law enforcement to that caller.

Today, there are three PSAPs and two secondary PSAPs.

Primary PSAP's

Primary PSAP's are the primary 911 answering points.

Volusia County Sheriff's Office (VCSO) – The VCOS receives 9-1-1 emergency calls from unincorporated areas throughout the County and all municipalities except Edgewater, Ponce Inlet, Port Orange and New Smyrna Beach. They dispatch Deputies in the County to include the cities of Deltona and DeBary. VCSO also dispatches the Lake Helen, Oak Hill, Daytona Beach, Daytona Beach Shores, DeLand, Holly Hill, Orange City and Ormond Beach police departments.

Regional Communication Center (RCC) – The RCC is located in Port Orange, and receives 9-1-1 emergency calls for the cities of Edgewater, Port Orange and New Smyrna Beach. In addition to dispatching police and fire departments for these three cities, they also received transferred 9-1-1 calls from the Sheriff's Office and Ponce Inlet to dispatch South Daytona and Ponce Inlet Fire Departments.

Ponce Inlet Dispatch – Ponce Inlet maintains their own PSAP to dispatch their police department.

Secondary PSAPs

Secondary PSAPs receive their calls from a Primary PSAP and function as the primary dispatch point for other units.

Deltona Fire Department – Deltona receives 9-1-1 transferred calls from the Sheriff's Office and dispatches their city's fire department and Orange City's fire department.

Volusia County Sheriff's Office Fire Medical Dispatch – Currently, fire calls for Daytona Beach, Daytona Beach Shores, DeLand, Holly Hill, Ormond Beach and VCFS are initially received by the Sheriff's primary dispatch and then the call is transferred to Fire Medical Dispatch Center for disposition.

Funding for the PSAPs is through a .41 cent per month telephone line service charge collected on monthly phone bills and a .50 cent per month charge on cellular phones. The County collects the service fees and funds the PSAPs.

To understand the process of what happens to a medical call received through 9-1-1 requires several examples based on where the call originates.

- Example 1: A 9-1-1 call originating in Daytona Beach is received by VCSO. The call is transferred to VCSO Fire Medical Dispatch where Daytona Fire and EVAC are dispatched to the incident.
- Example 2: The call originates in South Daytona. VCSO receives the call and transfers the call to RCC. RCC dispatches South Daytona Fire and calls via land line VCSO Fire Medical Dispatch to dispatch EVAC.
- Example 3: The 9-1-1 call is received in Ponce Inlet. Ponce Inlet transfers the call to RCC who in turn dispatches Ponce Inlet Fire and calls VCSO Fire Medical Dispatch by land line to dispatch EVAC.
- Example 4: A 9-1-1 call originates in Edgewater and is received by RCC. RCC dispatches Edgewater Fire and calls by land line VCSO Fire Medical Dispatch to send EVAC.
- Example 5: In Orange City, the 9-1-1 call is received by VCSO who in turn transfers the call to Deltona Fire. Deltona dispatches Orange City Fire and calls VCSO Fire Medical by land line to send EVAC.

In all examples with the exception of Example 1, EVAC's dispatchers never communicate with the caller. They rely on the information relayed to them by RCC's or Deltona's dispatchers. This format can lead to miscommunication between agencies resulting in the ambulance not arriving on the scene in a timely manner.

Case In Point – On January 8, 2010, EVAC was notified, as cited in Example 4, of a person having an asthma attack. An additional call for a heart attack was received in New Smyrna and EVAC diverted the ambulance from Edgewater to the heart attack. A second ambulance was then dispatched to Edgewater arriving some 32 minutes later. However, the condition of the patient deteriorated to the point of being critical. The patient died shortly after arriving at the hospital.

According to the March 19, 2010 Daytona Beach News Journal, an internal review by the County's EMS Director said "the first ambulance would not have gone to New Smyrna Beach had the information relayed initially by the Regional Communications

Center to the sheriff's communications center included more details about the patient's deteriorating condition.

In an interview with the Daytona Beach News Journal, RCC's director stated, "I listened to the (9-1-1) tape and all the information was relayed. There was no problem with the way his dispatchers handled the call."

It is not the intent of this report to place blame or take sides with what appears to be an error in communication between dispatch centers. We merely point out that such errors occur and that sometimes errors can lead to bad outcomes!

All fire department units and EVAC ambulances operate on the same 800 MHz radio system. They have the ability to communicate directly with each other without having to relay information through their respective communication centers. Once dispatched, the fire unit is assigned a tact channel by their dispatch center while the ambulance remains on its primary dispatch channel or a separate tact channel. The incident cited above may have been averted had the field units talked directly to each other on the same tact channel.

Recommendation 8: Assign multiple units on an incident to the same tactical channel.

The Edgewater incident highlighted another situation that may have prevented the fatality. By law, only EVAC may transport patients. Fire departments with transport capabilities are strictly forbidden from transporting. On this incident, noting there was a delay in EVAC, Edgewater requested permission to transport. That request was denied.

Several years ago Deltona was fined \$2,000 for transporting a person with severe chest pains after waiting 17 minutes with no EVAC ambulance on the scene. If city first responder units are capable of transport and have a qualified crew, then the patient's condition would dictate who transports. A similar situation exists in St. Petersburg, FL, where fire department first response units that are transport capable are available. We suggested a protocol that if the patient's condition meets the criteria for MPD Level D or E, and after initial assessment and treatment and the transport unit's ETA is greater than five minutes, then the first responder can elect to transport, without being subject to penalty.¹⁷ Volusia County is a large county. EVAC's staffing by demand works well and saves money. However, there are occasions when demand may exceed EVAC's capabilities and a contingency plan would best serve all parties.

Recommendation 9: Create a protocol where fire departments whose first responder vehicles have transport capability could transport patients under specific situations. This action may necessitate the issuance of a limited COPCN.

¹⁷ SPC/TriData. (2009). Preliminary Report on EMS in St. Petersburg, FL. (Not available). Arlington, VA: SPC/TriData.

The Sheriff's Office is in the planning stages to build a dispatch center combining the current VCSO's communication center with VCSO's Fire Medical Dispatch Center. The merging of the two systems will reduce costs while enhancing the overall dispatch and communication process. A single PSAP could provide consistency in communications and best serves all residents of Volusia County, regardless which city they resided in. Deltona's 9-1-1 calls are already received by VCSO's communication center. The Sheriff provides law enforcement under contract to Deltona's 84,000 residents. Deltona Fire employees eleven people to dispatch fire and medical calls for their department and for Orange City.

Information was not provided on Deltona's cost to operate their dispatch center. Orange City's 9-1-1 calls are received by VCSO. Orange City's police department is dispatched by VCSO but fire and medical alarms require VCSO to transfer the call to Deltona for dispatch. Orange City provides fire rescue to DeBary. DeBary's 9-1-1 calls are received by VCSO who provides law enforcement under contract but are required to transfer the calls to Deltona for fire dispatch.

Orange City pays Deltona \$68,906.46 for dispatching Orange City Fire Rescue with a projected 10.23% increase to \$75,955.51 for FY 10-11. Ponce Inlet is a primary PSAP dispatch center who dispatches their police department but transfers their fire rescue calls to RCC to dispatch their fire department. RCC is a primary PSAP center providing regional police and fire rescue dispatch services to the cities of Edgewater, New Smyrna Beach and Port Orange. Additionally, Ponce Inlet and South Daytona contract with RCC for fire dispatch. RCC was created under a joint agreement between the cities of Edgewater, New Smyrna Beach and Port Orange.

The fire rescue departments RCC dispatches have operated under a closest unit agreement since RCC's inception. All five of the current fire rescue departments served by RCC utilized the same response protocols. The response system is functionally consolidated.

Relaying information can create communication difficulties, and cause delays when trying to provide optimum services. A single unified dispatch center would assist in resolving issues that arise between dispatch centers when information has to be relayed. The value of Deltona, RCC and Ponce Inlet's dispatch centers can only be weighed by their communities elected officials. The importance and community value of these centers versus overall cost and efficiencies should be considered by managers when preparing annual budgets. The 9-1-1 monies charged on every phone bill are paying for the equipment portion of the dispatch centers which is not part of the center's annual budgets. In 2009, 9-1-1 monies spent to maintain these three centers was \$61,294.87 for Deltona, \$183,387.24 for RCC and \$38,452.41 for Ponce Inlet.

Recommendation 10: To provide for maximum efficiency, the County should merge all 911 resources under the VCSO.

VI. MERGING MODELS

Our contract requires we preserve the vested rights of employees and are prohibited from recommending the elimination of any currently filled positions. The study was designed with the intent that all employed now would be employed within any merged system. Persons would be employed without loss of pay, but not necessarily in their current position or with their current rank. There also could be planned attrition under a countywide merger.

With these restrictions, any immediate personnel cost savings would be minimal. What is known, there are 740 authorized positions between all departments. Due to budget constraints, only 727 are filled. As this report was being prepared, local governments were facing another tough budget year with reductions in taxable assessed property values. Local governments will have two options; increase taxes or cut services.

Single Dependent Fire Rescue District

A single dependent district would merge all Volusia municipal fire departments with Volusia County Fire Services. As a single district, the County Council would have the potential to lower the overall cost in delivering fire and rescue services while increasing efficiencies. Station locations and personnel needs could be addressed without regard to municipal boundaries. Equitable services would be provided throughout the County. The smaller municipalities would not have to rely on their neighbors to provide required back up in order to meet the State's two in/two out rule. The larger municipalities would no longer be subsidizing the smaller cities' fire services.

There are currently 727 personnel working in fire rescue services. There are 45 uniformed administrative personnel and 629 line personnel assigned to the field. There are 53 non-uniform (civilian) employees. The total operating budget for FY 09-10 is \$80,444,953. To fund this on a countywide bases at the current FY 09-10 assessed property values, a fire tax millage rate of 2.75065 would be required, based on a 95% collection rate with an assessed taxable value of \$30,785,018,748. Table 15 lists the Equivalent Fire Tax Millage Rate for each fire agency

Table 15: Equivalent Fire Tax Millage¹⁸

Department	Equivalent Fire Tax Millage
Daytona Beach	3.0377
D.B. Shores	1.0736
DeBary	0.5219
DeLand	2.4629
Deltona	3.8000
Edgewater	3.3953
Holly Hill	3.0640
New Smyrna Beach	1.7891
Orange City	2.3600
Ormond Beach	2.0276
Ponce Inlet	1.3460
Port Orange	3.0222
South Daytona	2.8953
Volusia County	3.73276

On a population basis after merging departments, 377,940 residents would see their overall tax rate decrease while 129,089 would see a tax increase.

Minimal savings are usually achieved during the initial years of a merger until the new organization restructures through employee attrition. In addition each municipality could expect to save approximately 5% of their fire departments budget due to changes in work load and ancillary cost borne by other effected city departments.

Multiple jurisdictions built fire stations based on their specific jurisdictional boundaries. A single unified district would facilitate closing fire stations where service areas overlap and relocate others to best serve the overall system.

Fire stations in Orange City, including the unincorporated areas surrounded by Orange City, and the City of DeBary have built facilities based on jurisdictional needs alone. Orange City and the unincorporated areas do not require four fire stations. The City of DeBary is underserved with one fire station. Within the past six years, two previous studies indicated DeBary needed two stations. Orange City’s fire chief recommended a second location needed at a minimum for a rescue unit.

Recommendation 11: Upon merging, close Volusia County Station 31.
Recommendation 12: Upon merging, leave Orange City Station 68 as a temporary station.

¹⁸ Pearson Product Moment Correlation showed a moderate positive correlation (+.6) between equivalent fire tax millage and the number of employees. Logic would dictate that the correlation would be higher.

A review of the Orange City-DeBary corridor shows the need for three properly located fire stations.

By July 2010, Deltona has plans to begin constructing an additional station at the intersection of Catalina Blvd and Howland Blvd. The Fire Rescue Department already has the personnel and apparatus to staff the station.

Recommendation 13: Regardless of any mergers, begin constructing Deltona Station 65 in July 2010.

Recommendation 14: After merging, develop plans within three to five years to relocate Orange City Station 68 to the area of Saxon Blvd and Volusia Ave, Orange City.

Recommendation 15: After merging, develop plans coinciding with Station 68 to relocate DeBary Station 33 to the vicinity of Dirkson Blvd and US 17-92.

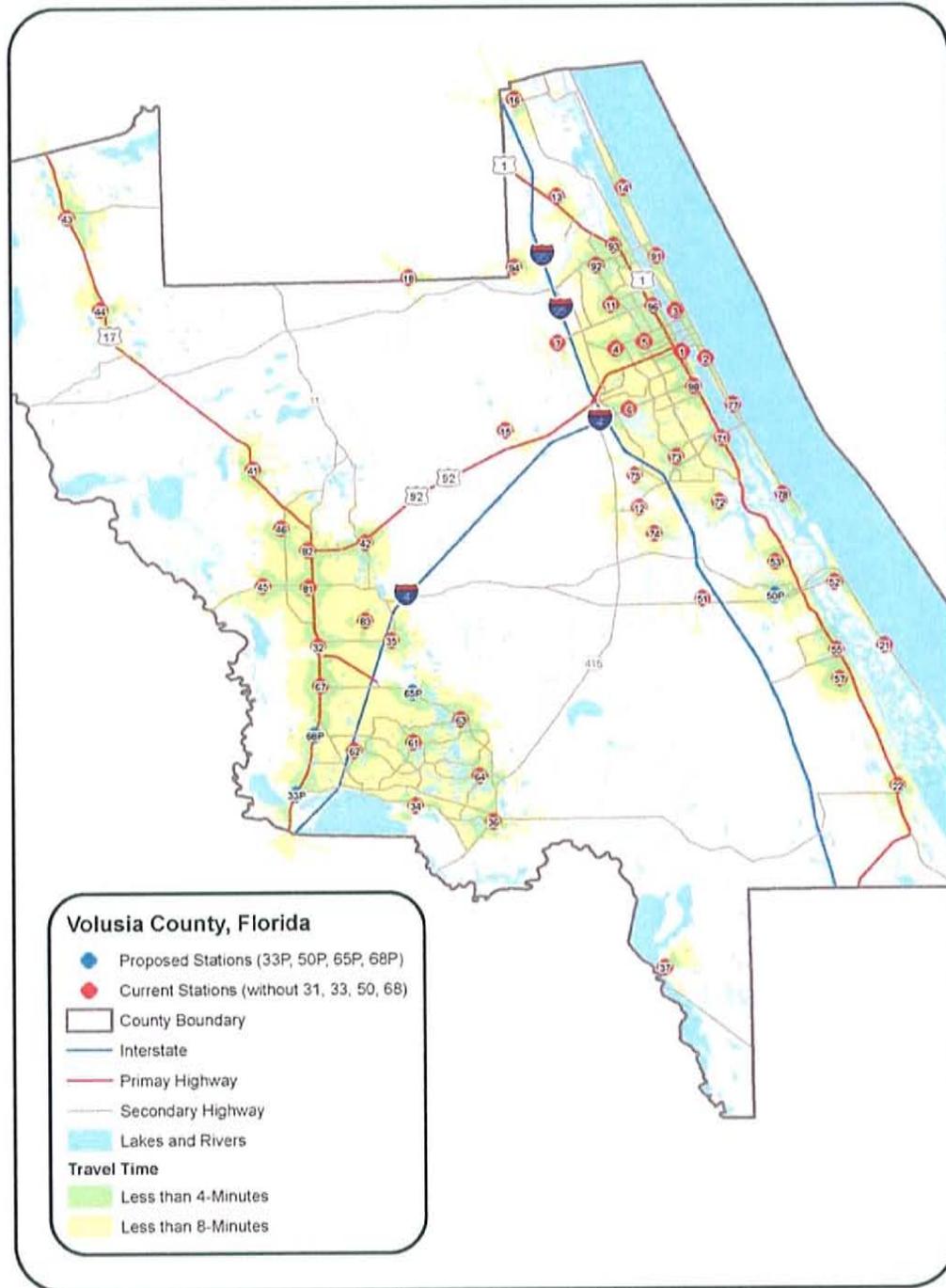
New Smyrna Beach Station 50 is out dated and in dire need of replacement. Station 50's response area overlaps with Volusia County Station 23, Turnbull. Station 23 sits on three acres of land.

Recommendation 16: Upon merging, close Volusia County Station 23.

Recommendation 17: After merging, develop plans to remodel Station 23 within two to three years and relocate Station 50 to this location.

Figure 4 shows the 4 and 8 minute response areas with the above recommendations.

Figure 4: Proposed Countywide Map



The following three organizational charts place all existing personnel, with the exception of Deltona's eleven dispatchers, within the system. Their experience and with the increased call demand on VCSO's fire medical dispatch it is assumed these persons would be able to relocate and dispatch for VCSO. Additionally, the number of civilian employees

exceeds the capacity to place everybody within the new organization. The additional cost levied by VCSO for the increase in work load is not obtainable at this time.

Figure 5: Proposed Merged Fire Organization

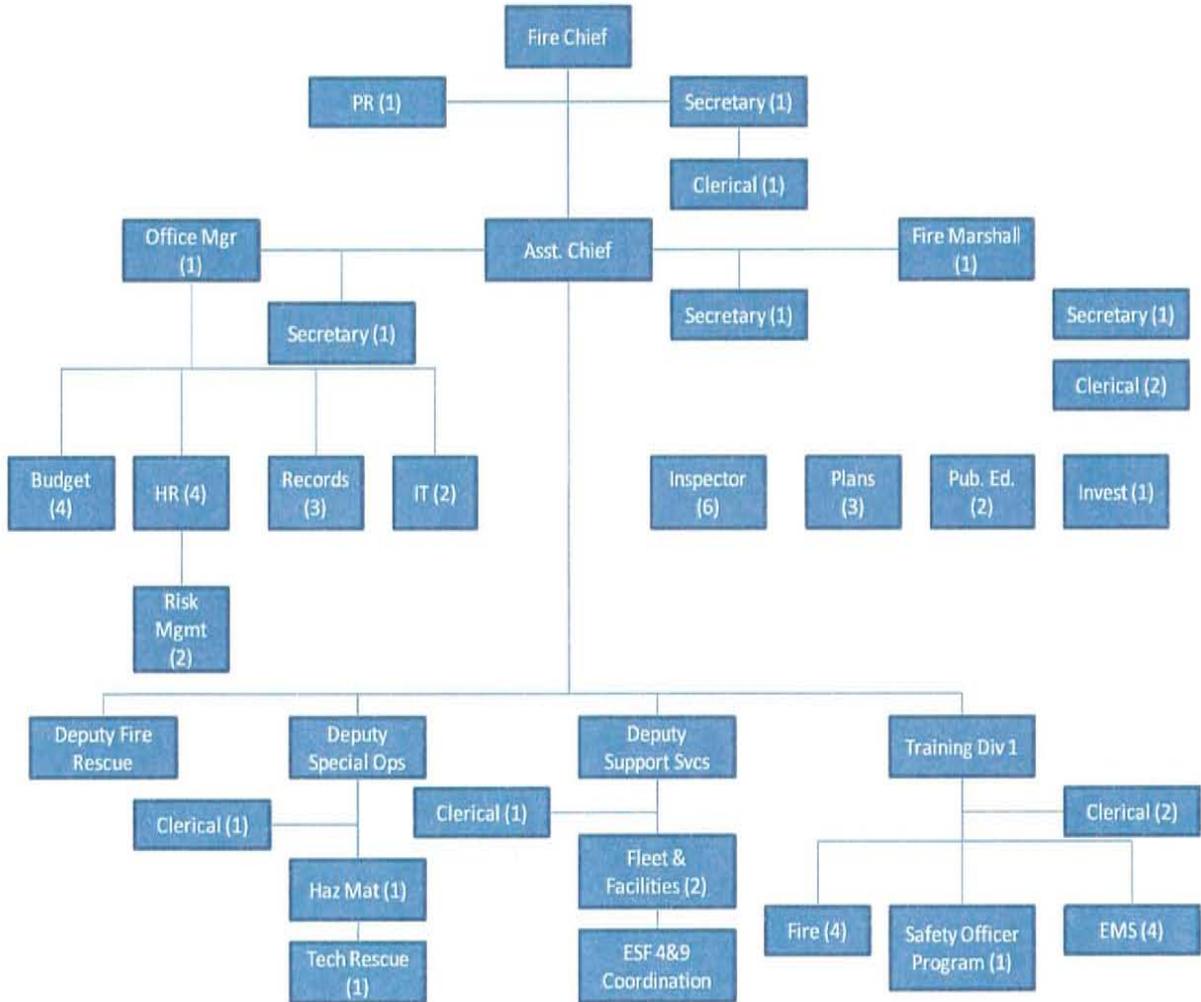
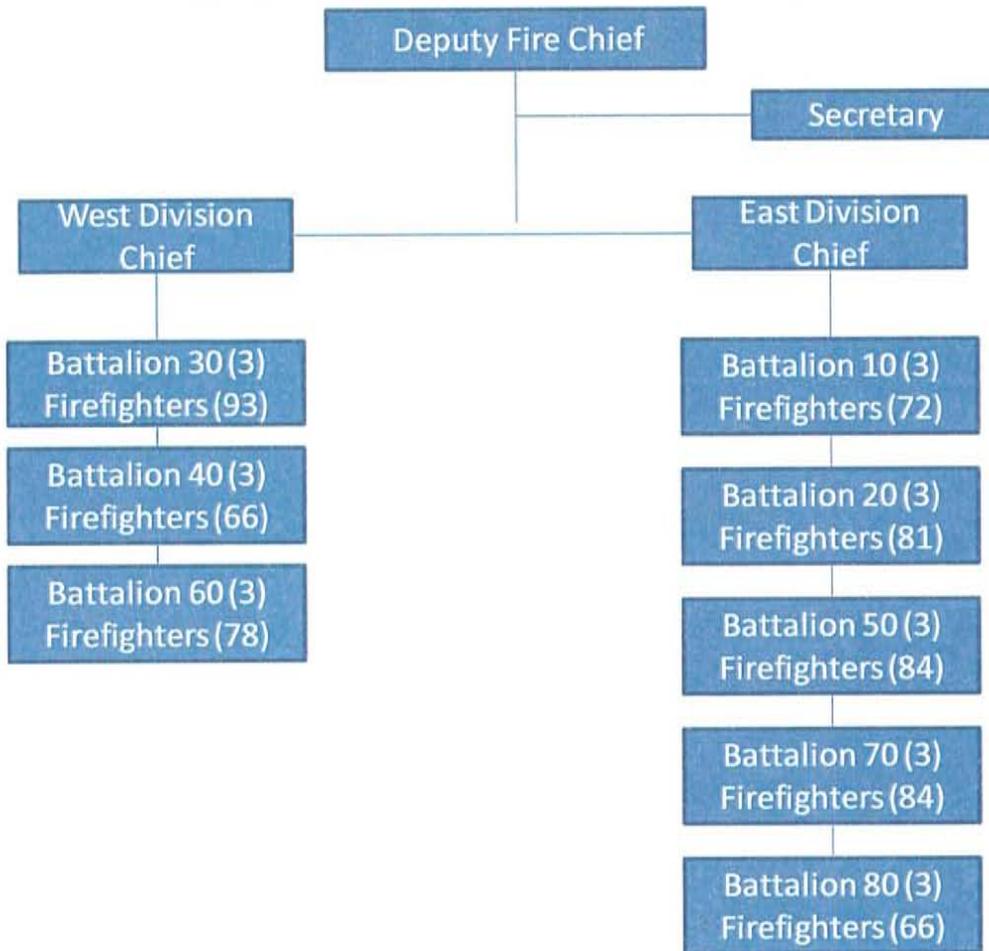


Figure 6 represents those who would be assigned to the fire rescue division.

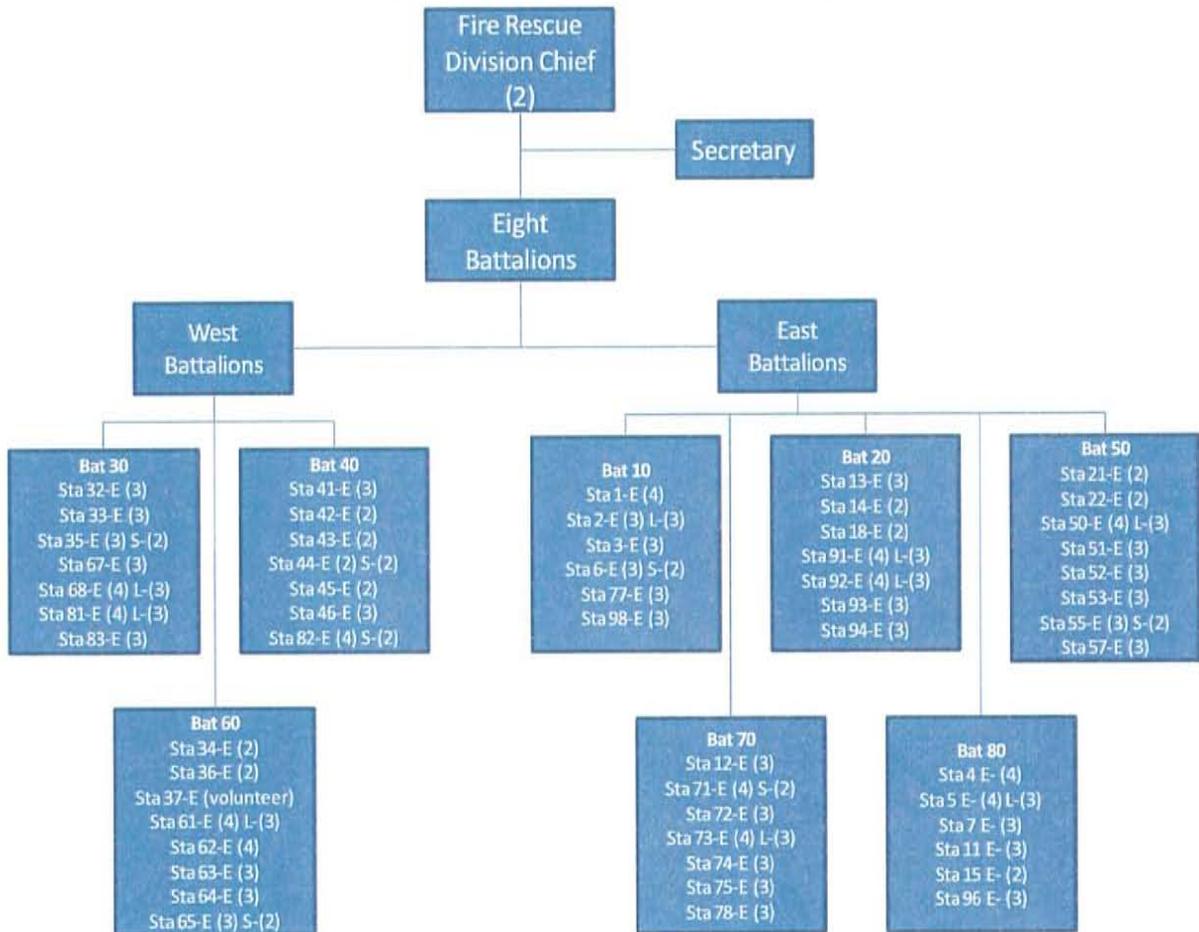
Figure 6: Organization Chart for Fire Rescue Division



Numbers in parenthesis represent the number of personnel in the position

Figure 7 shows the fire rescue division staffing needed to preserve the 24/48 schedule, and an average 56-hour workweek.

Figure 7: Fire Rescue Division Staffing



Numbers in parenthesis represent number of personnel assigned to the unit.

Through attrition the organization can adequately function with a reduction in the following administrative personnel: 1 – fire training specialist, 1 – EMS training specialist, 1 – ESF 4/9 coordinator, 3 – 24/48 hour division chiefs, 1 – budget analyst, 1 – risk management, and 1 – HR specialist for an estimated savings of \$749,559. Table 16 describes the above savings.

Table 16: Potential Savings by Attrition

Position	Wage	FICA	Insurance	W/C	Pension	Uniform, misc
Fire Training	\$55,000	\$4,207	\$5,525	\$1,518	\$15,675	\$1,300
EMS Training	\$55,000	\$4,207	\$5,525	\$1,518	\$15,675	\$1,300
ESF Coordinator	\$55,000	\$4,207	\$5,525	\$1,518	\$15,675	\$1,300
Division Chief (3)	\$225,000	\$17,212	\$16,575	\$6,210	\$64,125	\$ 3,900
Budget Analyst	\$32,500	\$2,486	\$5,525	\$897	\$3,770	\$275
Risk Mgr	\$47,500	\$3,634	\$5,525	\$1,311	\$5,510	\$275
HR Specialist	\$42,500	\$3,251	\$5,525	\$1,173	\$4,930	\$275
Total	\$512,500	\$39,204	\$49,725	\$14,145	\$125,360	\$8,625

After merging, and through attrition the work load does not require four fire or EMS training specialists. The ESF Coordinator is currently a function by an existing captain in Volusia’s organization and does not require a full time assignment. The proposed merged organization has two 24/48 hours division chiefs for a total of six positions. The fire incident rate requiring a senior chief officer, along with the number of battalions allows for one 24/48 hour shift division chief to accomplish daily management tasks. As with the training specialist, the work load does not support the need for multiple budget analysts, risk managers or HR Specialist once the organizations have merged and attrition begins to take place.

NFPA 1710 requires four firefighters on every engine or ladder truck. Unfortunately, fewer places continue in the United States can afford to continue meet the staffing criteria. Some departments have settled on hiring sufficient personnel in order to maintain three personnel on an engine or ladder truck. In Volusia County, the larger cities maintain three personnel on an engine while the smaller locales have reduced their minimum staffing to two persons. Volusia County’s minimum staffing is two personnel in 14 out of 21 fire stations

Under the current system, when combining the 13 fire rescue departments 210 firefighting personnel per shift staff 58 fire stations. (Station 65 is considered staffed for this section since the personnel are employed.) Minimum staffing is 176 personnel including 12 battalion chiefs leaving 164 personnel to staff fire apparatus.

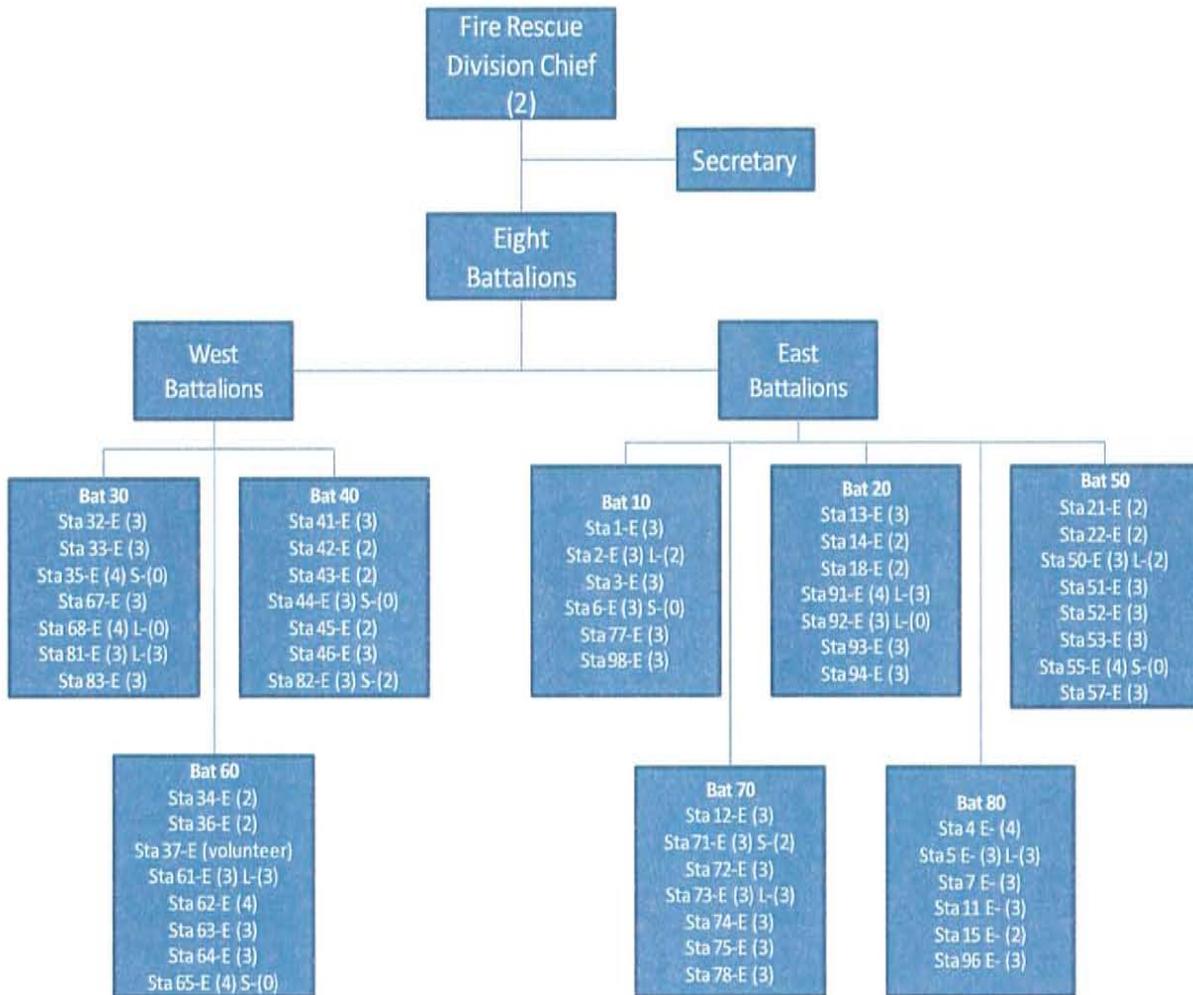
Our recommendation staffs 56 fire stations with full staffing at 218 firefighting personnel including 8 battalion chiefs and 2 shift division chiefs leaving 208 personnel to staff fire apparatus per shift. Minimum staffing would be 183 with 174 personnel to staff two less fire apparatus per shift while maintaining eight battalions. Staffing levels are increased across the board over the current system placing more personnel in the field.

Through attrition, the number of firefighting personnel can be reduced by 72 for an estimated savings of \$5,040,000. This would put full staffing at 194 personnel with minimum staffing at 176 with 168 personnel to staff fire apparatus while maintaining eight battalions. Figure 8 depicts unit staffing after attrition.

Combined savings through attrition, including administrative personnel is approximately \$5,789,560. Assuming taxable assessed property value of \$30,785,018,748 the fire tax millage at 95% collection rate would be 2.55269 mils.

Recommendation 18: Merge all departments with Volusia County as a dependent fire district.

Figure 8: Shift Staffing for Merged Department



Single Independent Fire Rescue District

In a memorandum to Howard Tipton from Jonathan D. Kaney Jr., Attorney at Law, (Appendix 1) there are two ways an Independent Special District can be created to provide unified fire rescue services.

The first is through ordinance under Florida Statute 125.05 that with approval of the governing bodies of the included cities, the County may create an independent district that includes both incorporated and unincorporated areas. The governing body of the F.S.

125 district may include a combination of city and county governing board members. A millage rate cap would be set by ordinance that would require voter approval to enact. The St. Lucie County-Ft. Pierce Fire District is an example of a F.S. 125 independent district.

The second method of creating a county wide independent fire district is by a special act of the Florida Legislature. Generally, an independent fire district created by special act has its governing board elected from the general electorate. Mr. Kaney has opined that the governing board of an independent district created by special act need not be elected but could be chosen otherwise. Regardless of which method of creating an independent district, the governing board is independent of any current municipal or county governing body. The independent board is responsible for the hiring of the fire chief, establishing board policy governing purchasing procedures, approving an annual budget and establishing a tax millage rate. An independent district eliminates the cities' potential objection to county control. It is the creation of a new level of government specializing in fire rescue services.

The organizational structural for a single independent fire rescue district is identical to the dependent district as set forth above.

The cost to operate an independent district whose structure mimics the previously recommend dependent district is approximately \$500,000 to \$1,000,000 more. Additional expenses will be incurred for the governing board, especially if the board is elected from the general electorate where elections would be required every other year. The organization will require a headquarters facility to house all office staff. Additional expenses are required for board meetings, advertising, legal representation, and auditors. Cost for health insurance would most likely increase since the organization would not have the same bargaining power as the larger county government.

One consideration for the budget is to maintain a reserve fund equal to 15% of the operating budget. The current budget has \$6,000,000 in reserve and would require an additional \$6,000,000. This can be accumulated over a three year period without causing a tax increase to raise the funds. Approximately \$4,789,560 can be saved after attrition if the single independent district is established. The tax millage rate for a single independent district is 2.58688 versus 2.55269 for the dependent district.

Merging the departments will require the services of one dispatch center versus the current three.

Recommendation 19: An Independent District should contract with VCSO for fire and rescue dispatching services.

If the communities opt for a unified independent district the recommendation is pursue independency utilizing the F.S. 125 option and avoid creating a board from the general electorate.

Other Merging Options

Each municipality believes that the services they provide is the best possible service to their citizens. The governing bodies believe in home rule and their right to choose what services they desire to provide. Fire rescue services have always been one of the main stays a community has provided from the date of the city's origins.

Most career departments in Volusia County began as volunteer organizations. Strong ties existed between the community and the volunteers as each depended on the other. Today, in Volusia County, there are less than 50 active volunteers who are able to enter a burning structure to fight a fire. All departments have evolved into career organizations.

The political environment may prevent the cities from merging with the County unifying all fire services. Regardless of the savings, enhanced delivery of services, or economy of scales, some cities may continue to "go it alone." One option is to create two independent districts; one on the east side of the County and one on the west side. The following discussions basically separate the single unified district into two separate districts. The 727 employees in the unified district are placed within one of the two districts.

Each municipality's budget is accountable for in its respective district. VCFS' budget is divided between the two district with 47.27% attributed to the east district and 52.72% accounted for in the west district.

The following options discuss each type of district as being independent. These same districts could still be dependent districts with the County establishing each as a municipal service district. Although not calculated, the savings listed for each district would be a little higher than what is listed for each independent district.

Eastside Independent District

An east side district would include the cities of Daytona Beach, Daytona Beach Shores, Edgewater, Holly Hill, New Smyrna Beach, Ormond Beach, Ponce Inlet, Port Orange, South Daytona and the areas served by Volusia County Fire Services battalions 10 and 20. There are currently 454 employees associated with the Eastside District. Figure 9 organization chart places 454 employees.

The assessed taxable property values in the district are \$21,651,311,755. The combined budget for the cities and a 47.27% share of VCFS budget equals \$51,734,333. A tax millage rate of 2.51519 would be required to fund the current combined budgets. Not included in the millage rate are required reserve funds or additional expenses for an independent governing board, as referenced in the previous independent fire district discussion.

Figure 9: Eastside District Organization Chart

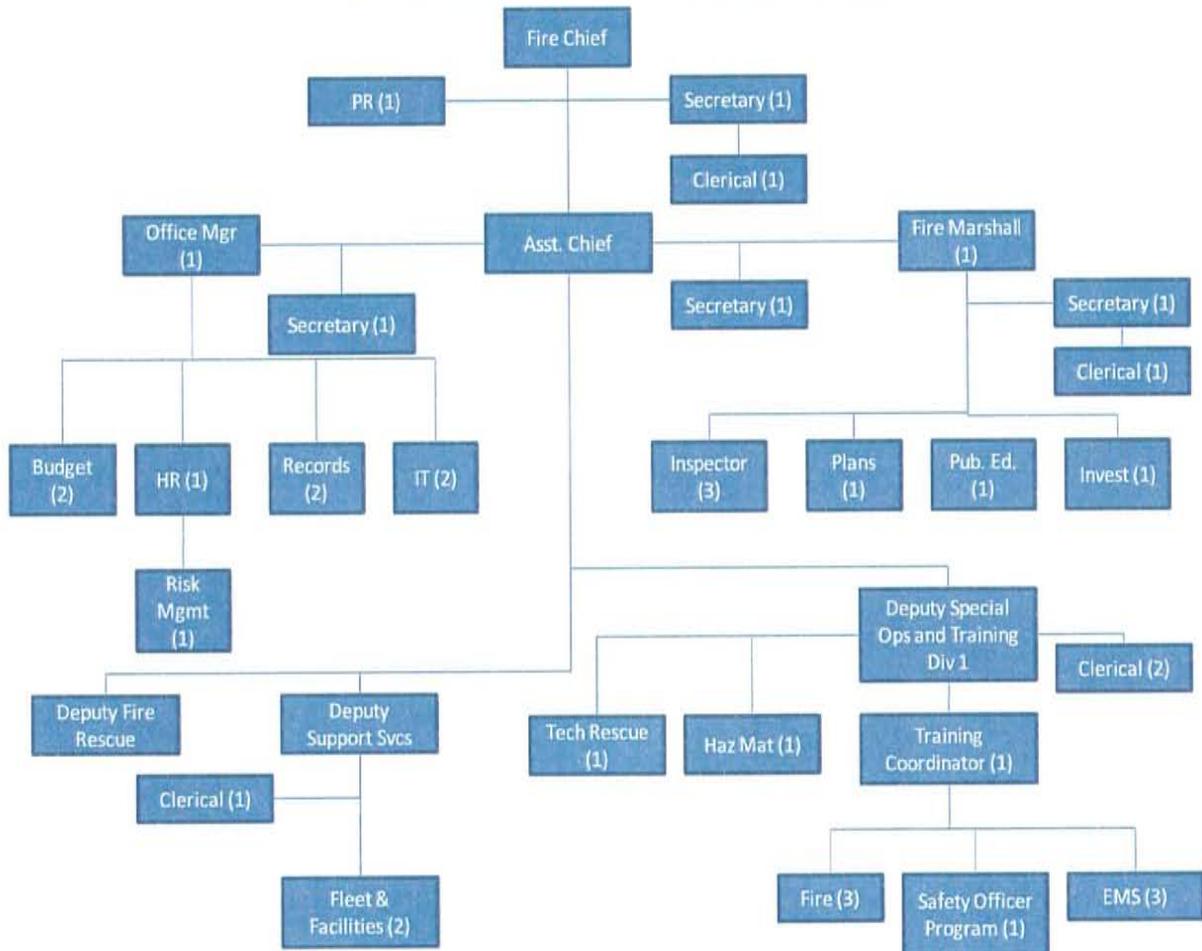
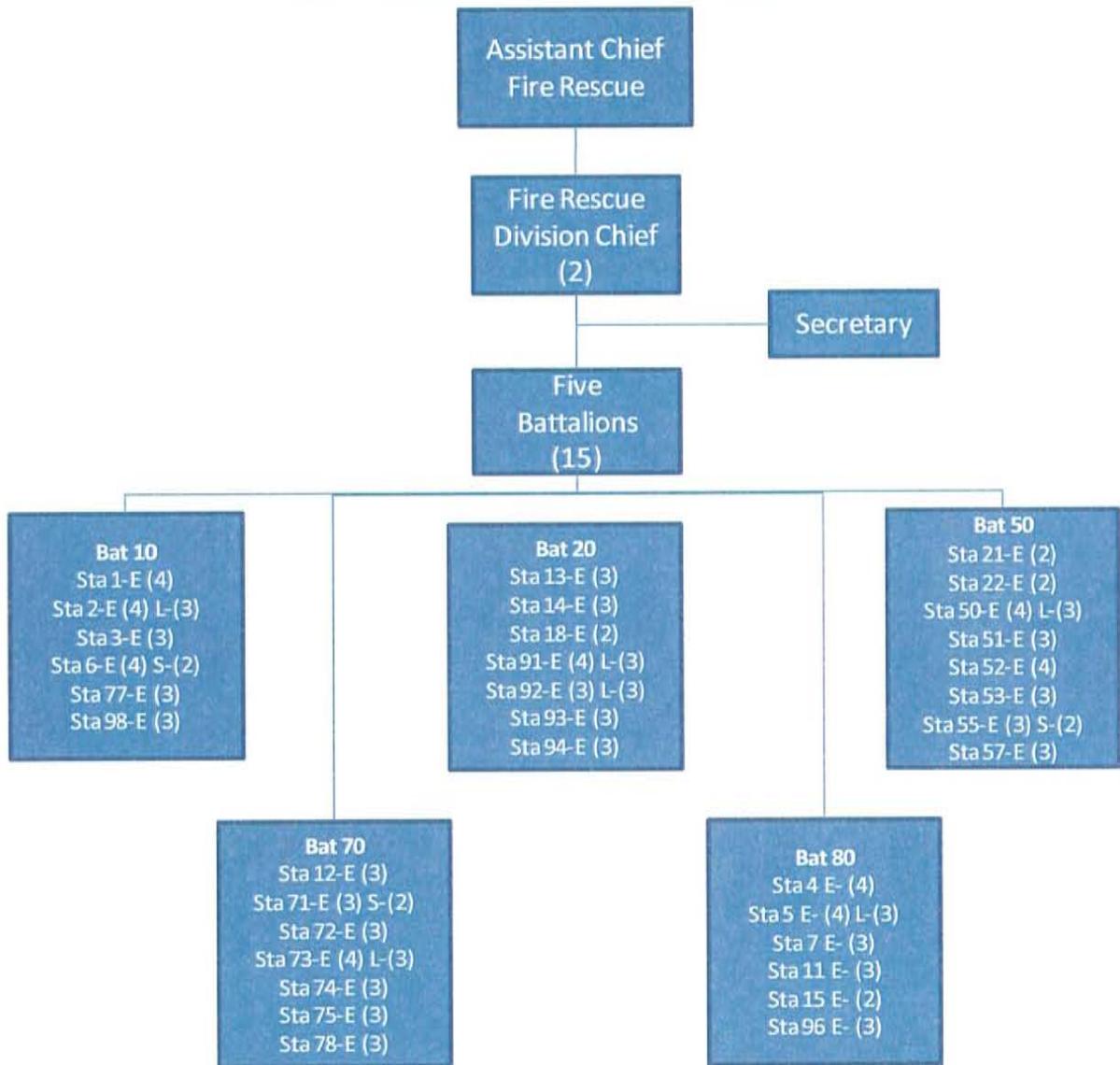


Figure 10 shows the proposed staffing for an independent Eastside district.

Figure 10: Eastside Independent District Staffing

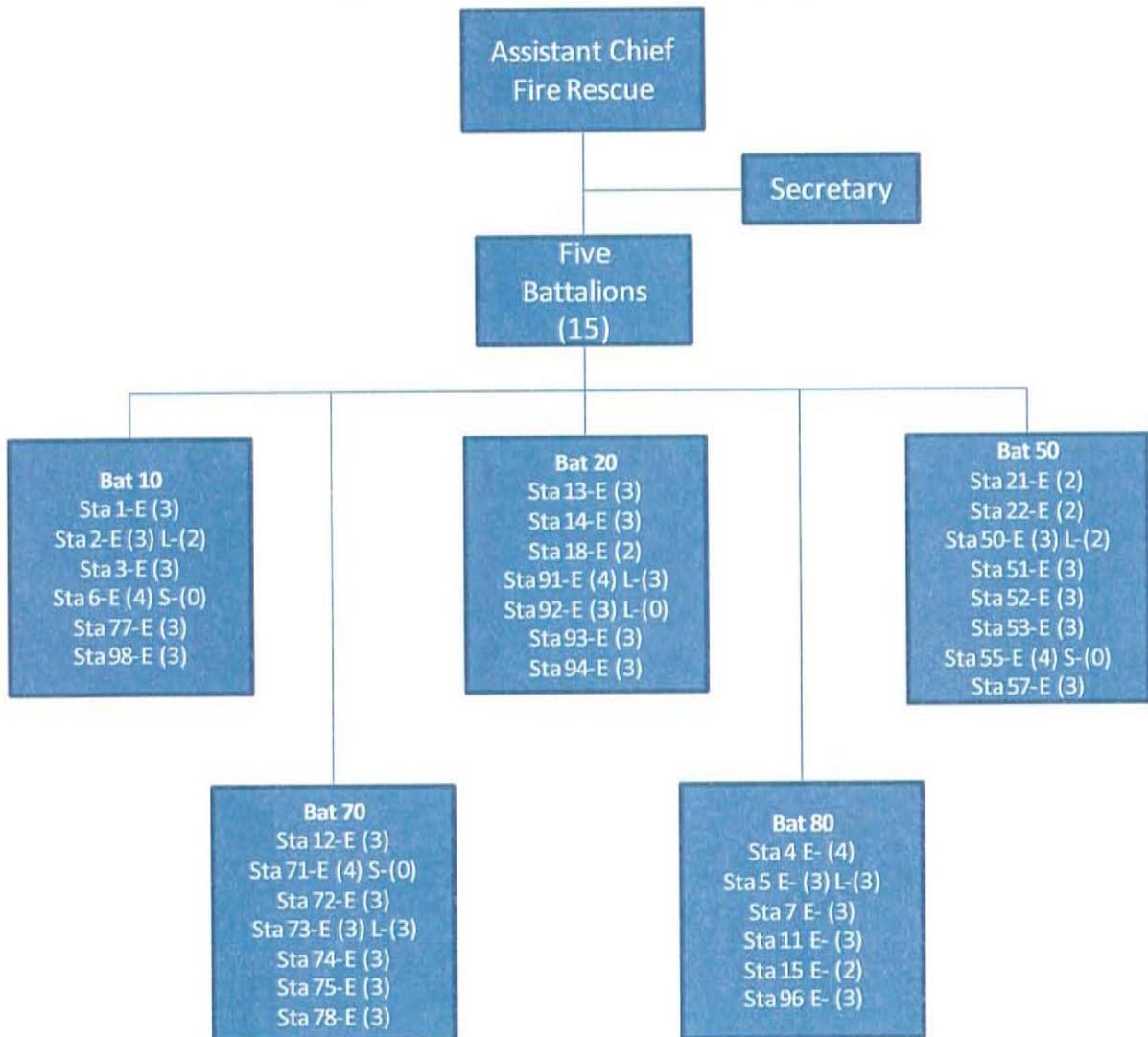


There are 137 personnel assigned to shift. This includes five battalions, down from the current seven, and one 24/48 division chief, placing 131 personnel on fire apparatus.

Attrition could reduce the firefighting forces by 45 resulting in a savings of \$3,150,000 and maintain better than current minimum staffing levels. Additional savings may be achieved through attrition with the reduction of 1 fire training specialist, 1 EMS training specialist, 1 safety officer program manager, 3 24/48 division shift chiefs for an additional \$480,000. Figure 11 depicts shift staffing after attrition.

After attrition, the tax millage rate necessary to generate the \$48,104,333 operating budget is 2.33871. Figure 11 describes staffing for the eastside after reduction by attrition.

Figure 11: Post-attrition Eastside Staffing

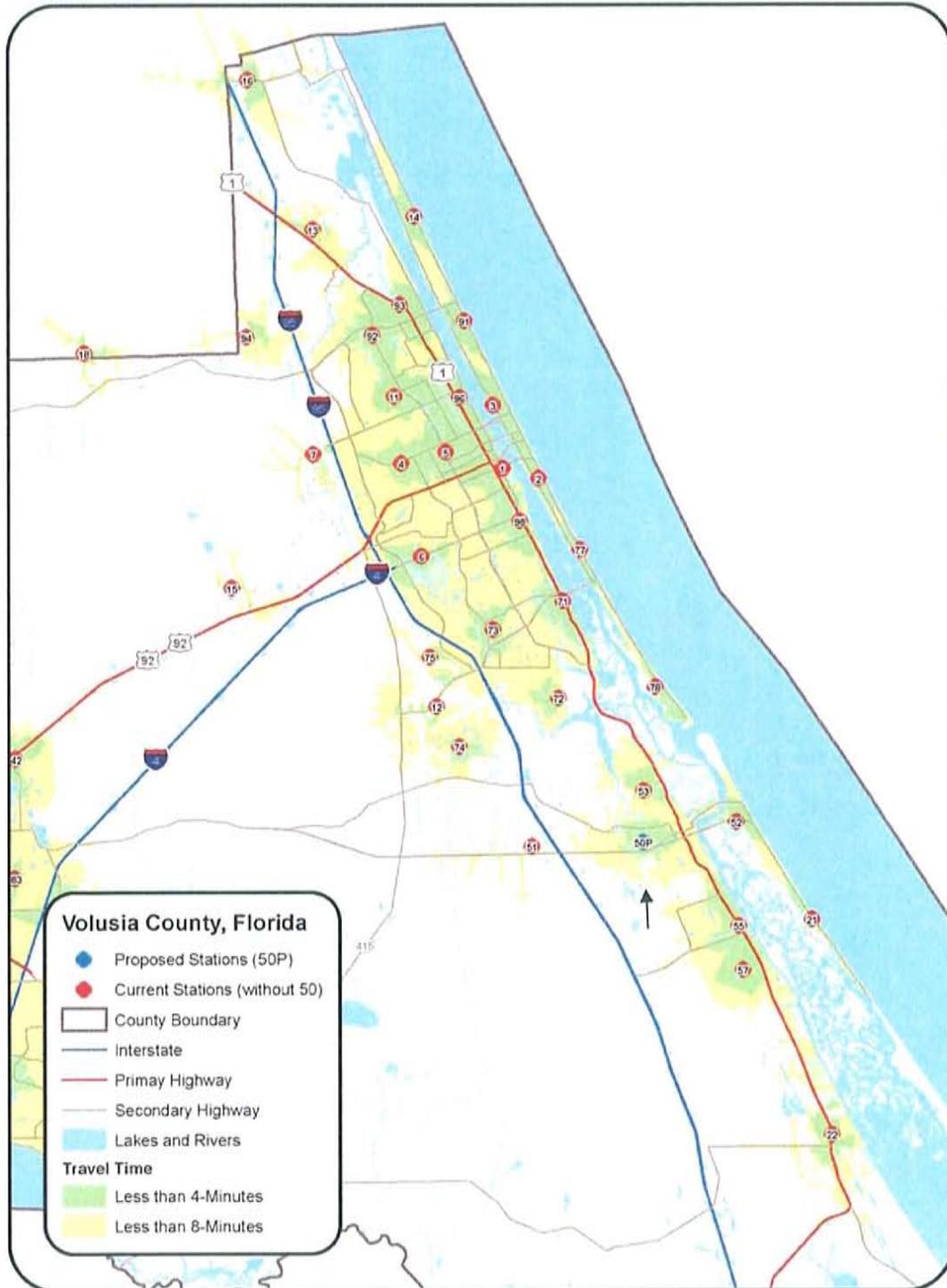


The Eastside District departments are currently dispatched by VCSO or RCC. The greater call volume is currently handled by VCSO.

Recommendation 20: The Eastside Independent District should contract with VCSO for fire rescue dispatching services.

Figure 12 below shows the location and the four and eight minute drive times for each station in the Eastside Independent District

Figure 12: Map of the Proposed Eastside



Westside Independent District

A west side district would include the cities of DeBary, DeLand, Deltona, Orange City and the areas served by Volusia County Fire Services battalions 30 and 40. There are currently 273 employees associated with this district.

The assessed taxable property values in the district are \$9,133,706,993. The combined budget for the cities and a 52.72% share of VCFS budget equals \$28,707,906. A tax millage rate of 3.30849 would be required to fund the current combined budgets.

There are two issues that cause the Westside District's millage rate to exceed the Eastside District's by approximately 1 mil. First, Deltona's budget includes eleven dispatchers increasing their budget substantially as compared to all other municipalities. Second, DeBary's fire rescue services cost equates to \$47.16 per capita while the County and the twelve cities with fire departments average \$168.02 per capita. In essence, DeBary is getting a great bargain while its neighbors subsidize the service. Not included in the millage rate are reserve funds or additional expenses for an independent governing board, as referenced in the previous discussion on independent districts.

Figure 13 outlines the administrative structure for the Westside District. There are 39 administrative positions including the Deputy Fire Rescue Chief. The eleven dispatchers have not been accounted for with the assumption they would relocate to VCSO Fire Medical Dispatch. There are 72 fire fighting personnel per shift including one shift division chief and three battalion chiefs. Minimum staffing would be 62 fire personnel including the three battalion chiefs.

Figure 13: Western Division

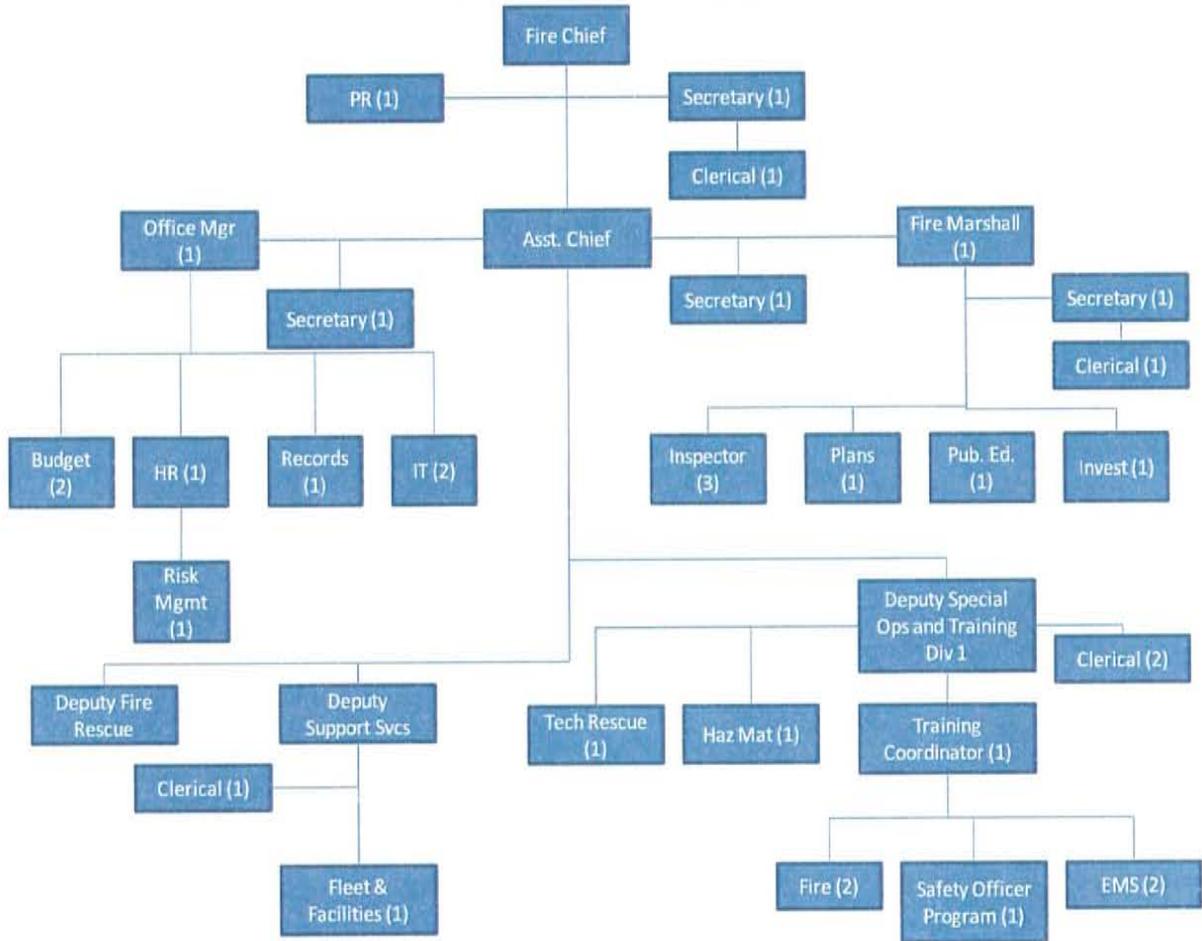
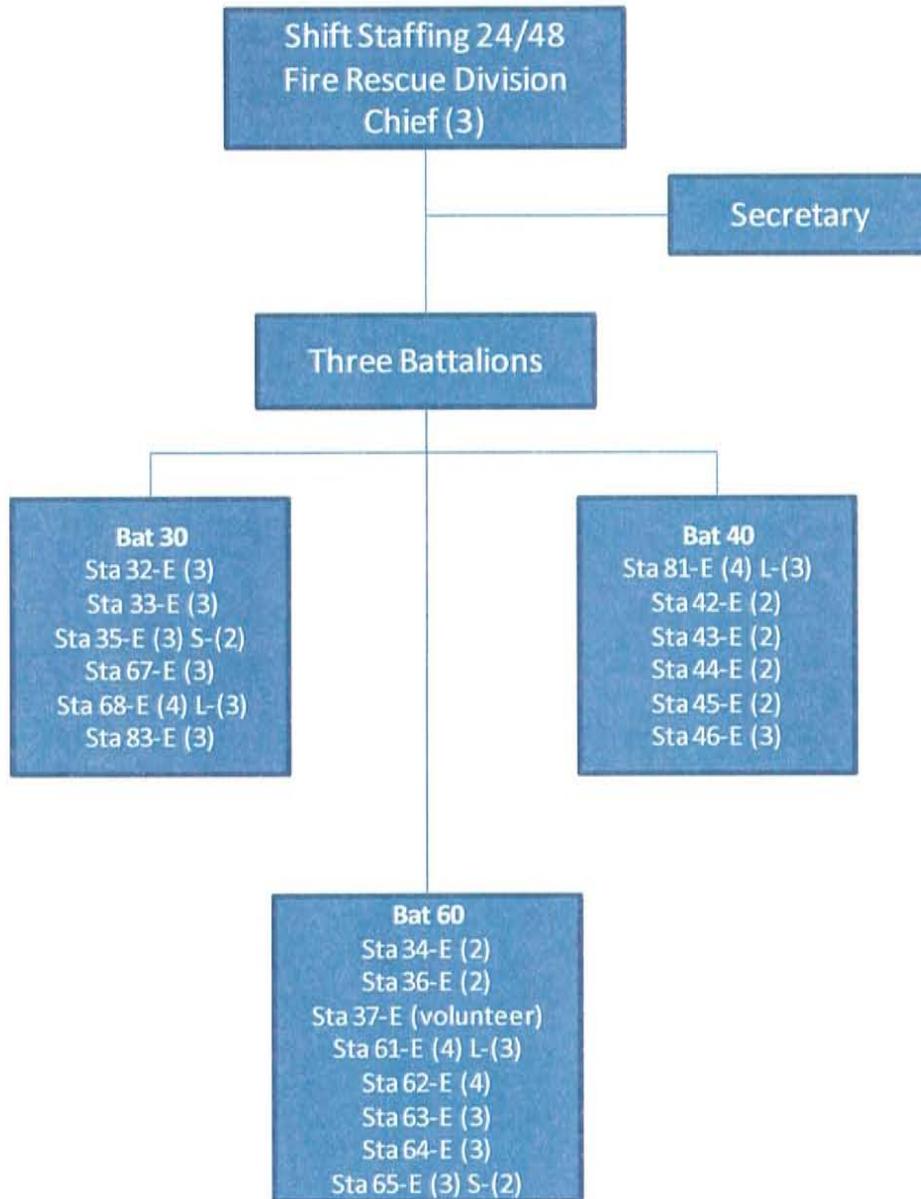


Figure 14 depicts unit staffing and the companies assigned to the Westside.

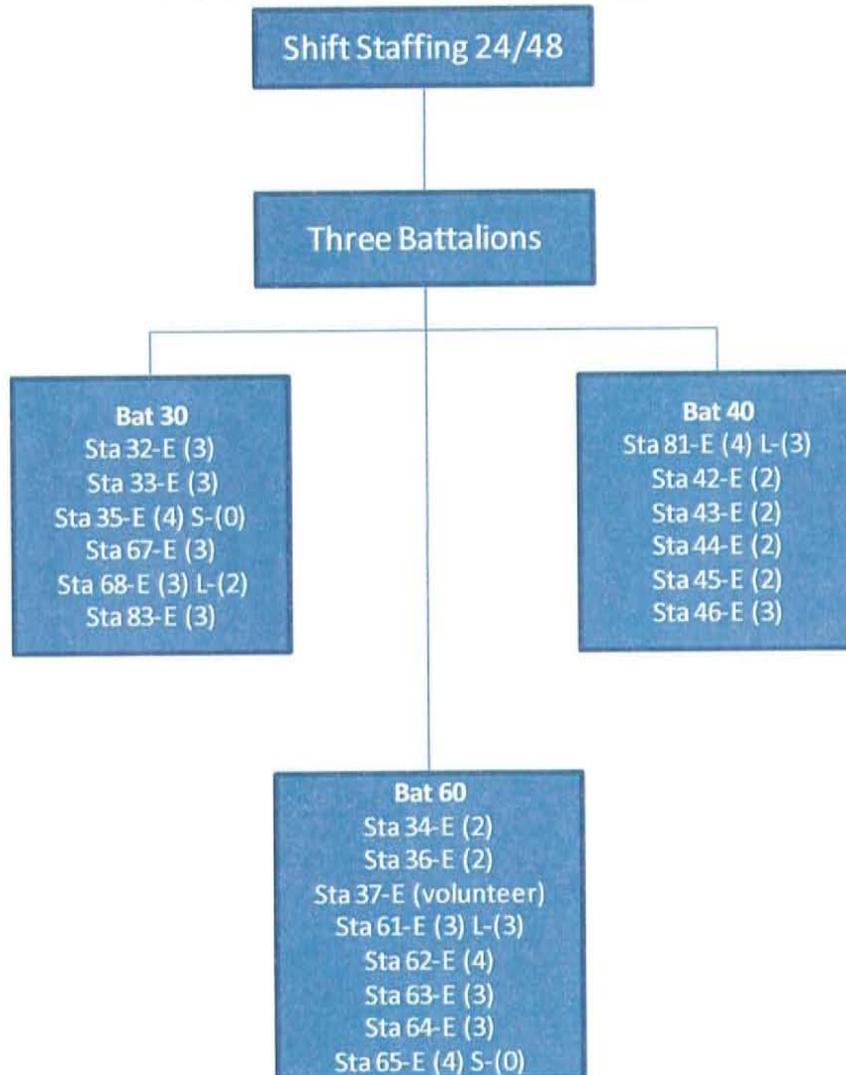
Figure 14: Westside Staffing



Through attrition, fire fighting forces could be reduced by 15 personnel resulting in a savings of \$1,050,000. Additional savings can be achieved through the reduction of three shift division chiefs, one secretary and the safety program manager for an additional \$476,000 reducing the budget by \$1,526,000. The tax millage rate to fund the \$27,181,906 budget would be 3.13263.

Figure 15 shows apparatus staffing after attrition. There are 64 fire fighting personnel including three battalion chiefs with minimum staffing at 55.

Figure 15: Westside Staffing After Attrition

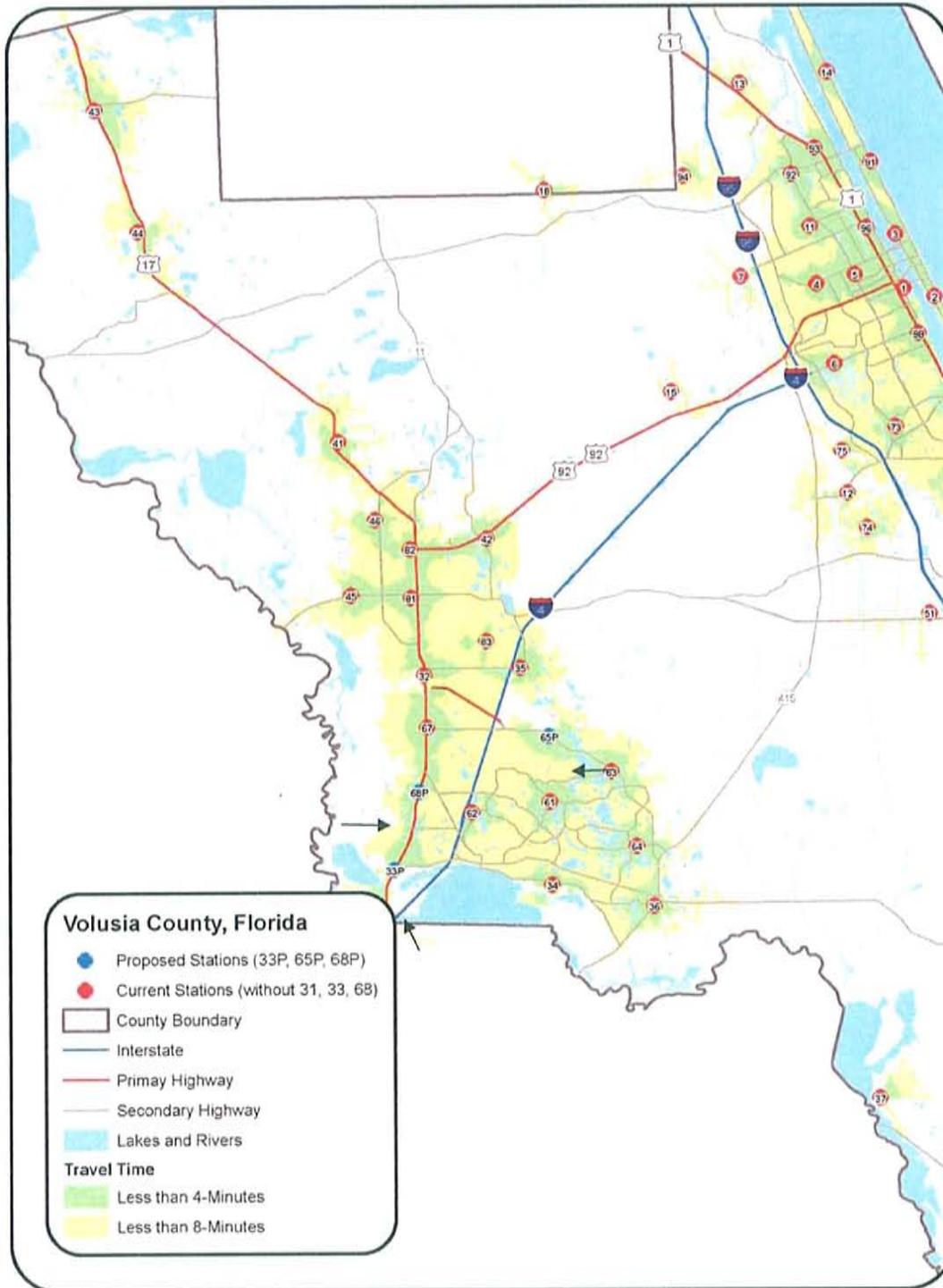


Deltona and VCSO currently handle the dispatching of fire rescue departments in the Westside District. VCSO handles a larger call volume than Deltona.

Recommendation 21: The Westside Independent District should contract with VCSO for fire rescue dispatching services.

Figure 16 shows the location and the four and eight minute drive times for each station in the Westside Independent District and the proposed locations of Station 65, relocation of Stations 33 and 68 and the elimination of Station 31.

Figure 16: Westside Station Locations



Northeast/Southeast Districts

There are two smaller independent districts that could be established include Northeast District and a Southeast District. The cost will increase substantially through the necessity of having two administrative centers where one sufficed in the Eastside District discussion.

In the Eastside District there were 43 administrative personnel. A separate Northeast and Southeast District requires 58 administrative personnel. The total number of employees required for the two smaller districts is 457, while the Eastside District employed 454. (Note: The nine firefighters previously shown with Daytona Beach Shores' Station 77 are not included in the 457 calculation.) Additional staff increases each sub-district's budget by \$472,500.

Creating separate smaller districts reduces the total number of shift personnel by nine.

Daytona Beach Shores was included as one of the departments in the single district and east side district organizations. These districts were designed as a single system where Daytona Beach Shores could benefit substantially by reorganizing their Public Safety Department back into a Police Department with the fire department merging with the larger organization. With the smaller organizations and Daytona Beach Shores' limited fires, it may be in their best interest to remain a Public Safety Department. We recommended, however, that the contract with Volusia County to provide fire services to Wilbur by the Sea and other unincorporated areas be cancelled if the following two districts are established.

In exchange for closest unit response, the Northeast District and/or the Southeast District would provide automatic aid on all structure fires and those incidents requiring more apparatus/personnel than the Shores can muster.

For budgetary purposes, VCFS budget share utilized in the Eastside District has been reallocated with 60% attributed to the Northeast District and 40% to the Southeast District.

Northeast Independent District

The Northeast District consists of Daytona Beach, Holly Hill, Ormond Beach and the unincorporated areas of Volusia County's Battalion 10, except for Station 12, Spruce Creek. The assessed taxable property value for the Northeast District is \$10,090,335,165.

Combined, the municipalities and \$7,702,178 of VCFS budgets total \$27,433,933. Not included in this budget figure is the increase cost associated with an independent district that was not required in the dependent district. That cost alone is estimated at

\$500,000 plus an additional \$472,500 for additional administrative staff leaving a \$28,406,433 to be funded by a 2.96338 tax millage rate.

Figure 17 shows the Northeast District's administrative structure.

Figure 17: Northeast District Organization

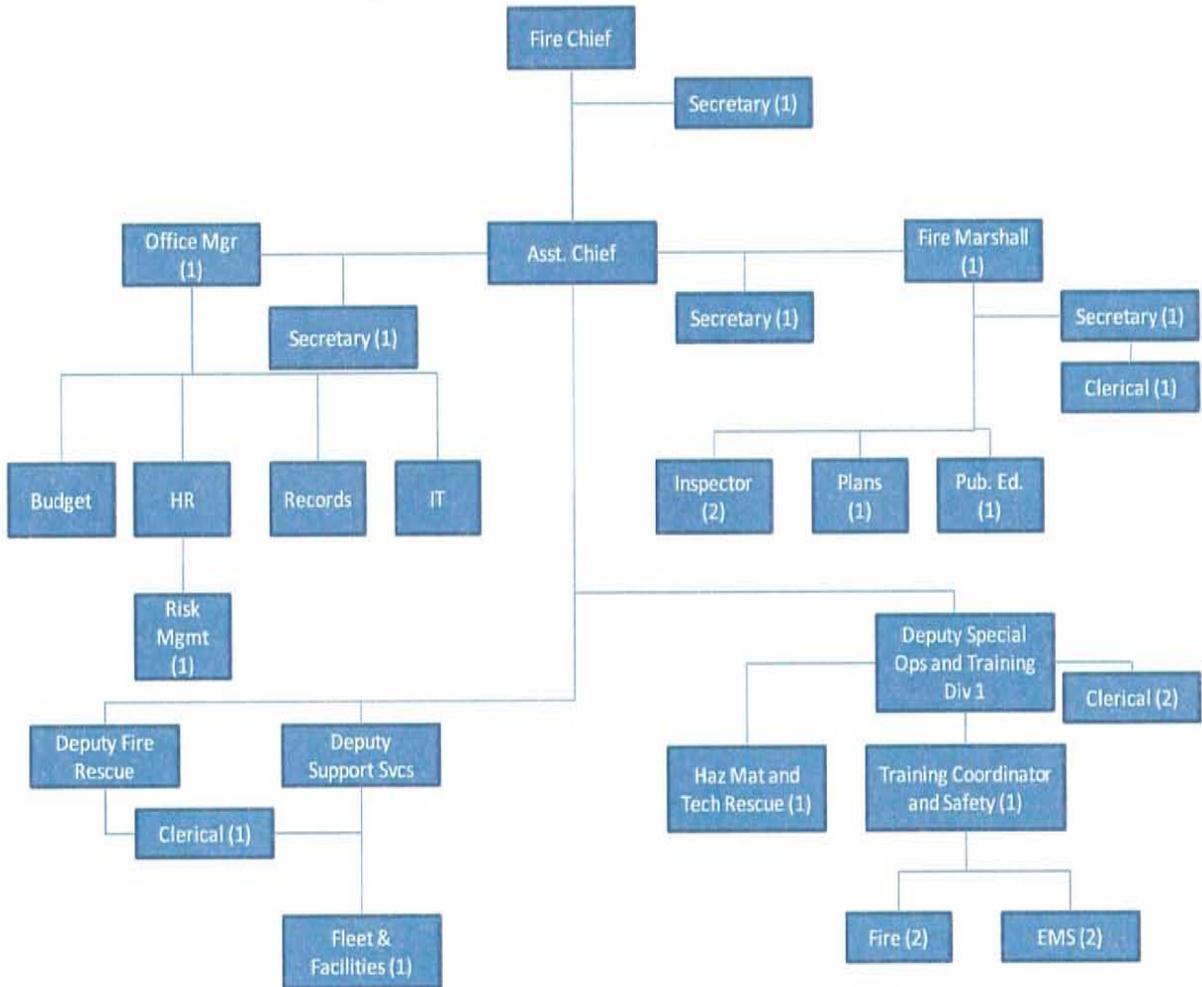


Figure 18 depicts apparatus staffing and the stations assigned to each battalion. At full staffing there are 69 firefighters and three battalions. This is the same personnel unit staffing depicted in the Eastside District. Minimum staffing reduces the number of personnel assigned to the apparatus by 10.

Figure 18: Northeast District Staffing

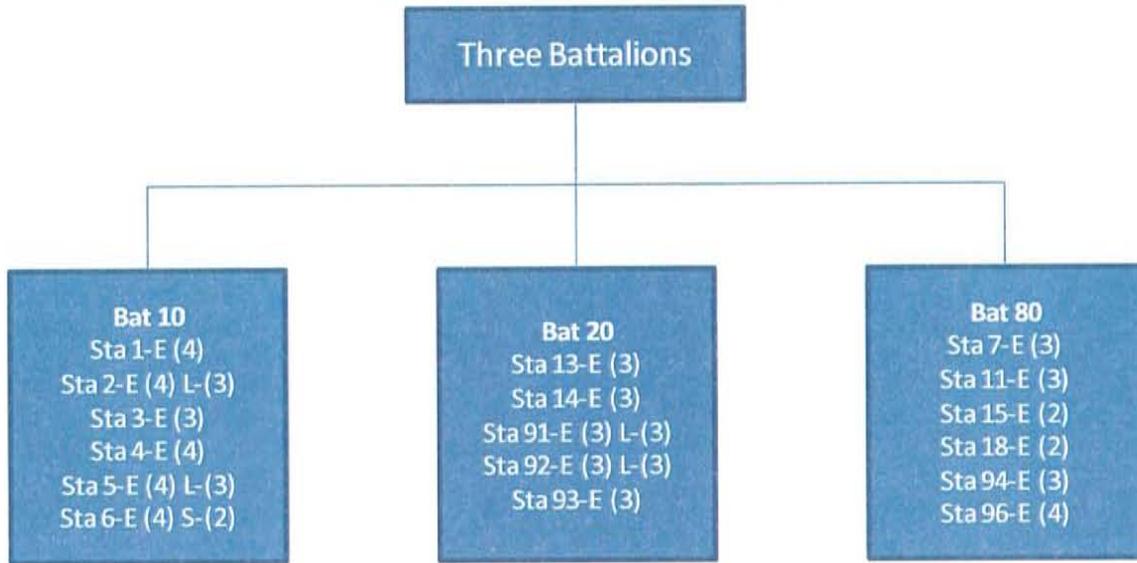
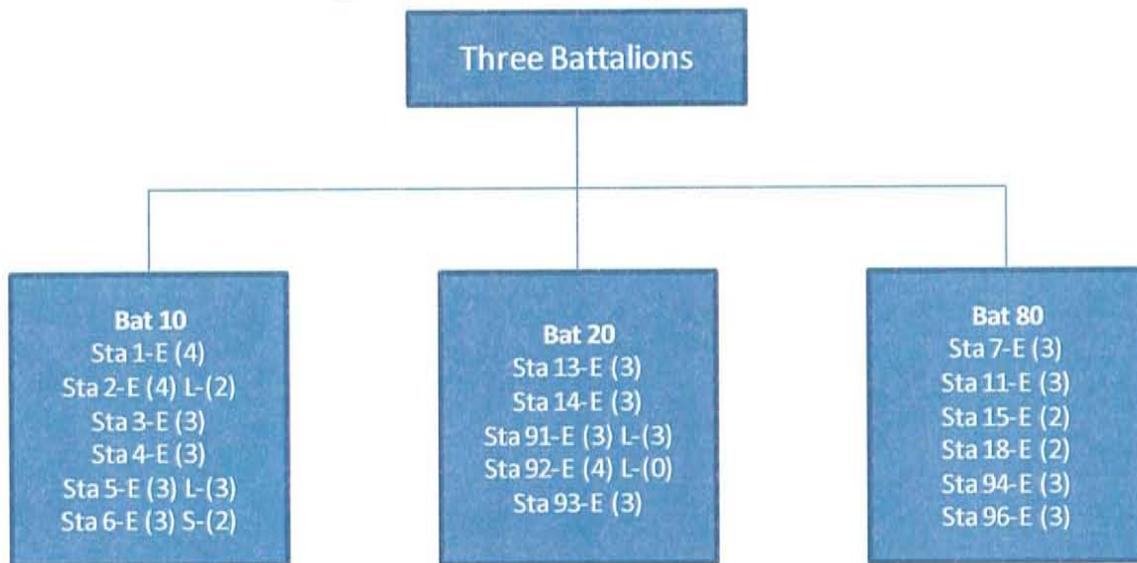


Figure 19 shows unit staffing totaling 62 personnel, plus 3 battalions after attrition, resulting in a savings of \$1,470,000. Minimum staffing would drop to 54 personnel plus the battalions per shift. No savings are anticipated through any reductions in the administrative section of the organization. After attrition 2.81002 mils would be required to fund the budget.

Figure 19: Northeast Staffing After Attrition



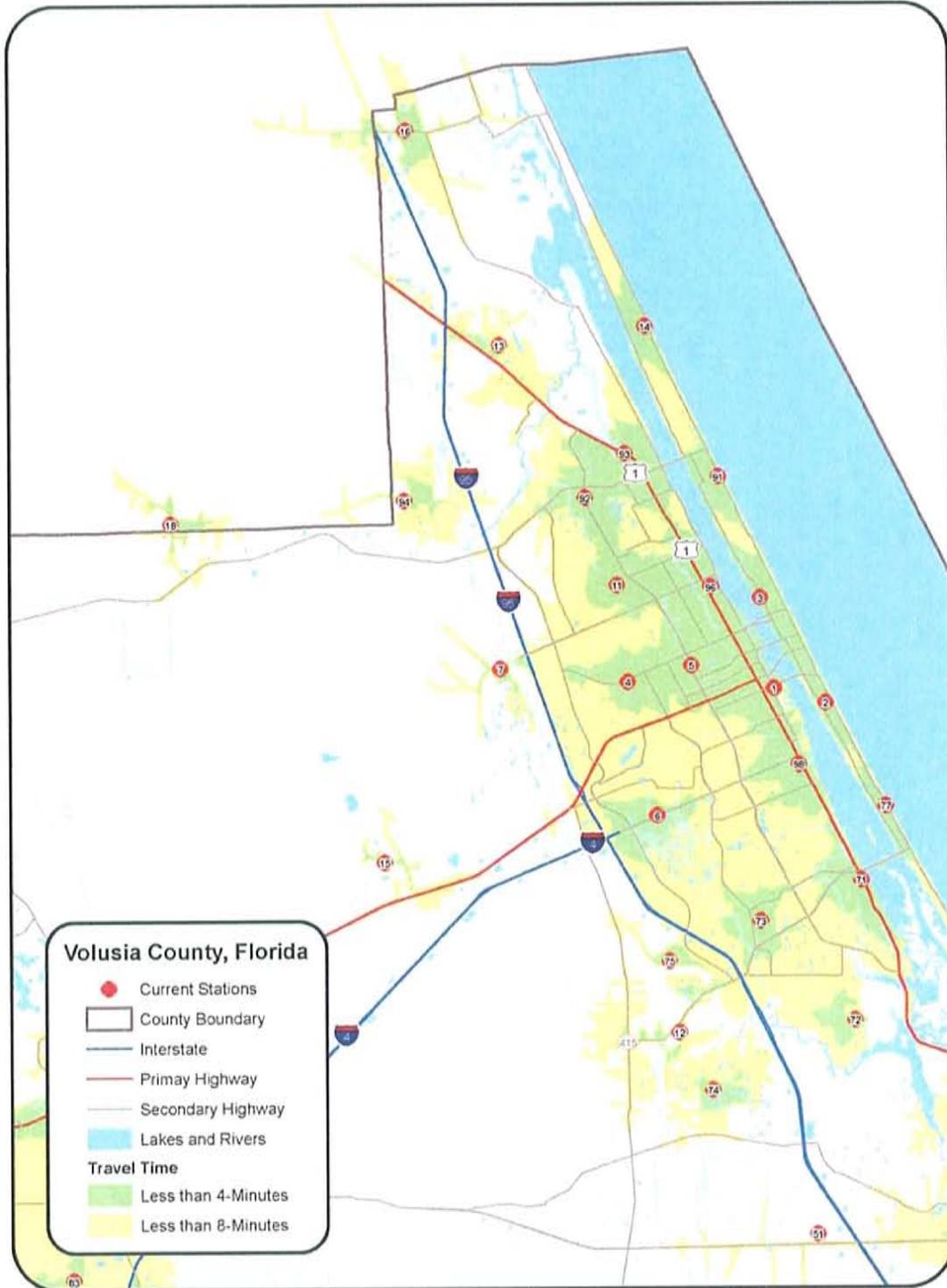
All departments in the Northeast District are currently dispatched by VCSO.

Recommendation 22: The Northeast Independent District should contract with VCSO for fire rescue dispatching services.

Possibilities of Fire and Rescue Services Consolidation in Volusia County
Halifax Area Civic League **FINAL REPORT**

Figure 20 shows the location and the four and eight minute drive times for each station in the Northeast Independent District.

Figure 20: Northeast Independent District



Southeast Independent District

The Southeast District includes the cities of Edgewater, New Smyrna Beach, Ponce Inlet, Port Orange, South Daytona and the areas served by VCFS Battalion 20 and Station 12, Spruce Creek. The taxable assessed property value for the district is \$10,122,596,136.

The combined budget for the municipalities and \$5,134,785 of VCFS' budget is \$22,849,745. Not included in this budget figure is the increased cost associated with an independent district that was not required in the dependent district. That cost, estimated at \$500,000 plus \$472,500 for additional administrative staff, leaving a \$23,822,245 budget to be funded by a 2.47723 tax millage rate. The following organizational chart shows the Southeast District's administrative structure which is identical to the Northeast District's.

Figure 21: Southeast District Organization

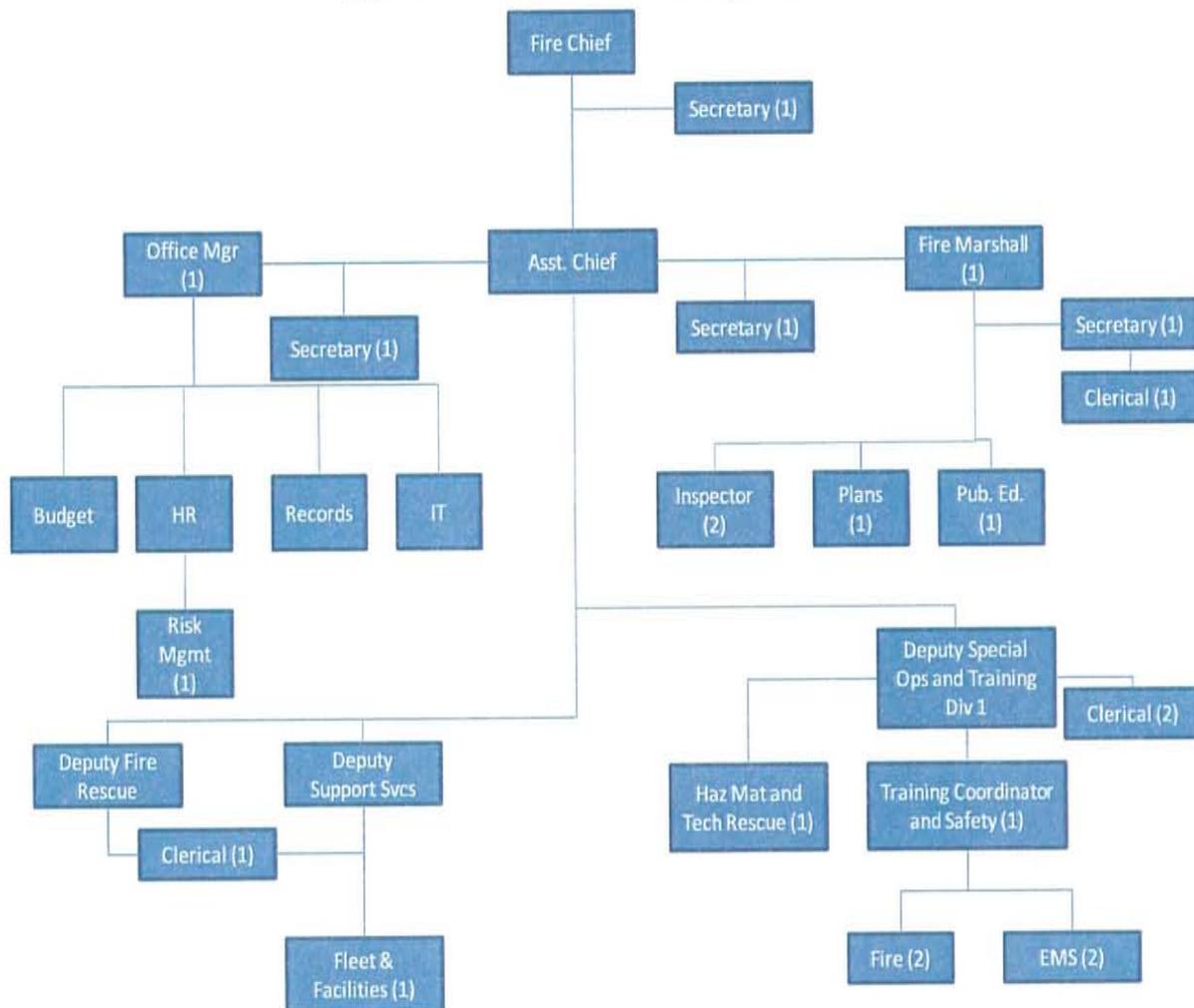


Figure 22 depicts unit staffing for the apparatus in the two battalions. Full staffing is 59 personnel on the apparatus plus two battalion chiefs. Minimum staffing is 52 assigned to the apparatus.

Figure 22: Southeast District Staffing

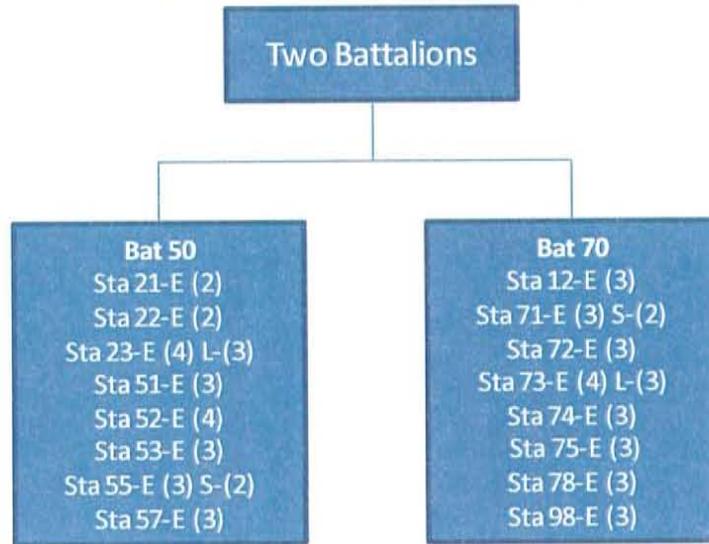
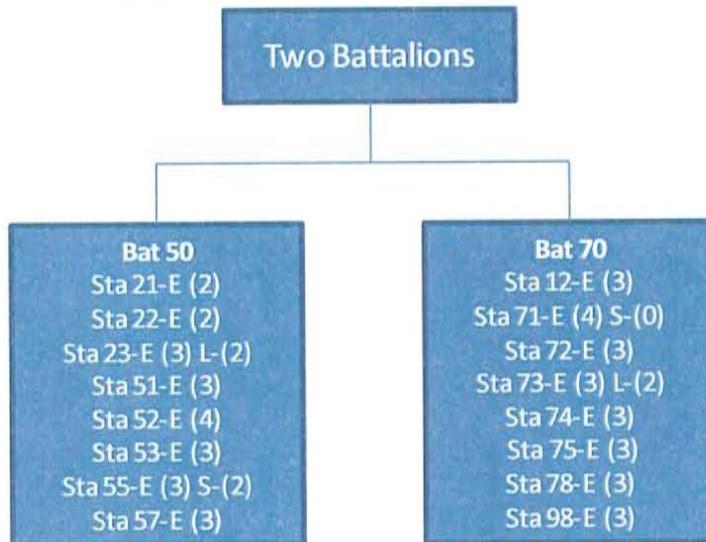


Figure 23 reduces full staffing to 54 resulting in a savings of \$1,050,000. No additional savings are anticipated through any reductions in administrative staff. The tax millage rate required to fund the revised budget is 2.36804.

Figure 23: Southeast Staffing After Attrition

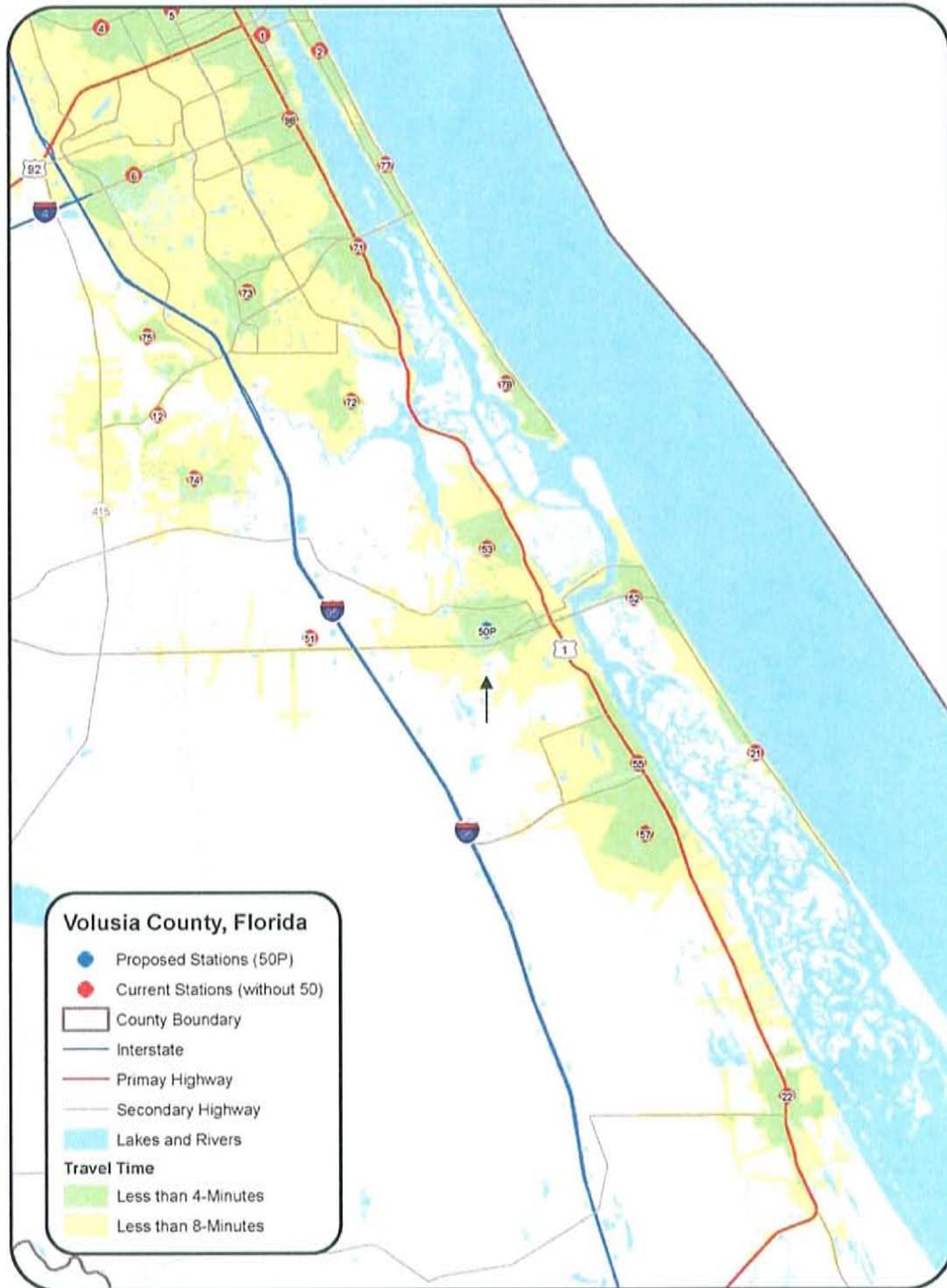


With the exception of the County stations in the Southeast District, all departments are dispatched by RCC.

Recommendation 23: The Southeast Independent District should contract with RCC for fire rescue dispatching services.

Figure 24 below shows the location and the four and eight minute drive times for each station in the Southeast Independent District.

Figure 24: Map for Southeast Independent District



VII. LEGAL ISSUES

Addendum 1 contains a copy of correspondence to Howard Tipton from Jonathan D. Kaney, Jr. with the Cobb Cole law firm in Daytona Beach discussing how the cities and county could merge their fire and rescue services. The choices Mr. Kaney presented give the local governments several options and the methods needed to become a unified fire district. It is understood and assumed that whichever option was exercised that each entity would transfer the appropriate and agreed upon assets and liabilities to the unified fire rescue department.

If a municipality's Charter requires the city maintain its own fire department then the governing body will have to follow legal procedure to abolish the requirement before entering into any merger agreement. It is possible that the Charter may require voter approval. A Charter change requiring voter approval to disband the city's fire department in favor of a consolidated system could face strong opposition from labor organizations. The challenges will depend on the type of district that is opted for.

Most of Volusia's labor organizations have previously expressed support of a single independent fire-rescue system, particularly if ambulance transport is part of the new organization. Some discussions have occurred with city unions strongly objecting to merging with Volusia County as a dependent district

Pensions is an area where the expertise of a certified actuarial accountant would be required to assist in determining what pension liabilities would remain with the municipalities with F.S. Chapter 175 plans. Each municipality with the F.S. 175 plan will have to determine who remains with the F.S. 175 plan and who transfers to the Florida State Retirement System (FRS). Resistance will be higher among those employees whose F.S. 175 benefits exceed the FRS benefits.

Addendum 2 is a copy of a sample bill that (proposed by State Representative Pat Patterson) made its way through Volusia County this past year that creates the independent special district to be known as the Volusia County Emergency Services District. This bill establishes a five member elected board of commissioners. If the decision is to merge as an independent district we recommend the governing board be appointed as permitted by F.S. 125 as outlined in Mr. Kaney's memorandum.

VIII. CONCLUSION

The actual number of fire incidents in Volusia County is rather small. Only 2.6% of the 80,000 plus incidents generated were for fires and less than 1% for structure fires. The majority of the fire rescue departments responses are EMS responses. Volusia County's EMS system is a two tier system where ambulance transport is provided by a not-for-profit corporation while fire departments provide primarily ALS first response.

There are 59 fire stations in Volusia County. The study recommends closing two stations where the County and cities response areas overlap. The study also recommends relocating two stations to better serve the Orange City and DeBary communities.

One stipulation of the study was no person currently employed would be eliminated until retirement.. The study complies with that directive and identifies a leaner organization that could eventually save \$5.7 million a year through attrition. There are numerous recommendations that can be applied to the current system and individual organizations regardless of any mergers.

Six merging options were presented for consideration with their estimated costs. They are:

- **Single Dependent District:** This organization is the simplest to create and provides for the greatest savings.
- **Single Independent District:** This organization removes the cities objections to County control. Savings are good but approximately \$1 million less than the Dependent District.
- **Eastside Independent District and Westside Independent District:** These two organizations divide the County in half between the east side and the west side. Each half may work better separate due to differences in their regional concerns.
- **Northeast District and Southeast District:** As with the east and west side of the County, there are different philosophies and concerns. This organizational structure provides an opportunity for the communities involved to enhance the overall delivery of services while achieving savings.

None of these merger options can succeed without Volusia County's cooperation.

For the Eastside Independent District to succeed as identified requires the success and implementation of the Westside Independent District. The funds to create these two districts proportionally divide VCFS current budget. If the West says no or vice versa the County would have to maintain its fire service organization at a cost that may exceed the allocation included in the Westside District's budget. If that occurs, the tax millage rate

Possibilities of Fire and Rescue Services Consolidation in Volusia County
 Halifax Area Civic League **FINAL REPORT**

identified for the Eastside District would have to increase or the number of positions reduced.

For years local governments, citizens and business leaders have recognize the inefficient duplication of fire and rescue services in Volusia County

The opportunity exists to merge Volusia’s 13 fire rescue departments into one highly efficient, cost effective organization providing optimal services.

The study’s primary recommendation is to unify all fire rescue departments into a single dependent district.

List of Recommendations
1. Affected cities with F.S. Chapter 175 pension plans should develop a plan to lower their unfunded liability.
2. On a fire alarm sounding, change dispatch protocols to send one engine, non-emergency.
3. On a motor vehicle crash (without reported entrapment), change dispatch protocols to send the appropriate closest unit.
4. If no mergers occur, the larger departments must evaluate the impact of automatic/mutual aid services provided to smaller departments for which they receive no remuneration
5. The County fire chiefs should agree to accept and implement a nationally-recognized Medical Priority Dispatch system.
6. Departments should determine how to use the combination of static and dynamic staffing and deployment to justify need for and cost of resources.
7. Cities should reevaluate their need to provide ALS-level first response. If response data indicates little benefit from providing first responder ALS, then cities should be allowed to reduce to BLS first response.
8. Assign multiple units on an incident to the same tact channel.
9. Create a protocol where fire departments whose first responder vehicles have transport capability could transport patients under specific situations. This action may necessitate the issuance of a limited COPCN.
10. The County should merge all 911 resources under the VCOS.
11. Upon merging, close Volusia County Station 31.
12. Upon merging, leave Orange City Station 68 as a temporary station.
13. Regardless of any mergers, begin constructing Deltona Station 65 in July 2010.
14. After merging, develop plans within three to five years to relocate Orange City Station 68 to the area of Saxon Blvd and Volusia Ave, Orange City.
15. After merging, develop plans coinciding with Station 68 to relocate DeBary Station 33 to the vicinity of Dirkson Blvd and US 17-92.
16. Upon merging, close Volusia County Station 23.
17. After merging, develop plans to remodel Station 23 within two to three years and relocate Station 50 to this location.
18. Merge all departments with Volusia County as a dependent fire district.
19. An Independent District should contract with VCOS for fire and rescue dispatching services.

List of Recommendations
20. The Eastside Independent District should contract with VCSO for fire rescue dispatching services.
21. The Westside Independent District should contract with VCSO for fire rescue dispatching services.
22. The Northeast Independent District should contract with VCSO for fire rescue dispatching services.
23. The Southeast Independent District should contract with RCC for fire rescue dispatching services.

APPENDIX 1

Memorandum



To: Howard Tipton
From: Jonathan D. Kaney Jr.
Date: November 16, 2009
CC: Bud Fleuchaus
Subject: Civic League Fire Study

As we discussed at lunch last week, these are comments on the possible legal vehicles through which cities and the county might merge their fire and emergency services through interlocal agreement. These comments refer to the case wherein the city and county governing boards have agreed to the merger and refer solely to the means to accomplish the agreement.

The authority for merging these functions by interlocal agreement is as follows:

- Fla. Const., art VIII, § 4 provides that "any function or power of a [local government] may be transferred to or contracted to be performed by another [local government] after approval by [dual referenda] or as otherwise provided by law."
- Fla. Stat., § 125.0101 authorizes a county to contract with a city to provide fire protection and other services. This authorizes functional consolidation by interlocal agreement in lieu of dual referenda otherwise required by the constitution.
- Fla. Stat., § 163.01 provides the general authority for local governments to exercise powers and functions jointly under interlocal agreements.

Pursuant to an interlocal agreement, the cities and county could consolidate the fire protection service by transferring the appropriate and agreed fire department assets and liabilities into a new unified fire department ("UFD"). This new UFD could be operated and funded either as a dependent district of the County or as an independent district created by special law or by county ordinance. In principle, either approach could serve the purpose, but there are significant funding and governance differences between them.

Dependent District and Municipal Service Taxing Units

The cities and county could transfer the fire department assets and liabilities to a new dependent district created by county ordinance, which would become the operating UFD.

To fund the operation of the UFD, the county could create a series of Municipal Service Taxing Units ("MSTU") encompassing service areas to include the cities and adjacent unincorporated areas. With consent of each city, the MSTU statute authorizes the county to include incorporated territory within a county MSTU. Fla. Stat., §125.01(q) & (r). Presumably, each participating city would become the core of an MSTU drawn to encompass that city and adjacent service areas. Each MSTU would be authorized to levy ad valorem taxes and non ad valorem special assessments on the property within the unit to fund the operation of the UFD in that district. The millage levied on property in the MSTU's for all municipal services provided by all taxing units may not exceed the 10 mil cap.

The statute requires that the Council must be governing body of each MSTU, which would obviously be a sticking point in negotiating with the cities. However, the interlocal agreement could create a dependent district or not-for-profit corporation to serve as the operating entity, i.e., the new UFD. This entity could be governed by a board made up of a city and county officials or their appointees. This UFD would contract with the County to provide the fire protection services in return for funding derived by the County from taxes and assessments drawn from the MSTU's.

Such a new UFD would not have power to tax or assess but would be dependent on the County Council for funding and budget control.

In shaping a plan for unified fire protection under this model, there is great flexibility provided that the plan conforms to these constraints:

1. Any ad valorem tax funding is subject to the 10 mil cap applicable within the included municipalities and the unincorporated area.
2. The MSTU's would have authority to levy non ad valorem assessments and service fees.
3. The County Council must be the governing body of each MSTU and control the budget of the UFD.
4. A new city-county UFD serving as the operating entity would be dependent on the county for its funding and budget approval.

Independent Special District

Instead of a district dependent on the county government, the cities and county could avail of an independent special district as the vehicle for consolidation of fire services. This can be accomplished by special act or by ordinance.

As to the ordinance, Fla. Stat., § 125.05 provides that, with approval of the governing bodies of the included cities, the County may by ordinance create an independent district that includes both incorporated and unincorporated areas. Such a "125.05 district" may provide "municipal services and facilities from funds derived from service charges, special assessments, or taxes within such district only." Fla. Stat., § 125.05(1).

The governing body of the 125.05 district may include a combination of city and county governing board members. The statute provides that the district board shall be composed of county commissioners and "may include elected officials of the governing body [of included cities]" Fla. Stat., § 125.05(2). I construe this to require all members of the county board must sit on the district board and to allow some members of the city boards may sit as well. Apportionment of seats on the governing board will be as provided in the ordinance creating the district.

There are no similar restrictions on the makeup of the board of a district created by local law.

If this special district approach were followed, the special district would become the UFD. The interlocal agreement would provide for the cities and county to transfer the assets and liabilities of their fire departments to this district and to transfer the function of fire protection to the district, which would undertake this duty under the interlocal agreement.

The special act or ordinance may authorize the independent district to levy services charges and non ad valorem assessments. In addition, a 125.05 district may levy "any millage designated in the ordinance creating such a special district . . . and approved by vote of the electors." The same applies to a district created by special act.

If the special district (whether created by ordinance or special act) meets the statutory definition of an "independent district," its millage would not be subject to the cap applicable to municipal services provided by cities and counties. Fla. Stat., § 200.001(4). The limit is that it may not levy millage "excess of a millage amount authorized by general law and approved by vote of the electors." Fla. Stat., § 20.001(8)(e). That cap would be set in the ordinance or special act creating the district and approved by the electors.

The new special district will be classified as an independent district if it does not meet any one of the following criteria specified in Fla. Stat., § 189.43(2):

- (a) The membership of its governing body is identical to that of the governing body of a single county or a single municipality.
- (b) All members of its governing body are appointed by the governing body of a single county or a single municipality.
- (c) During their unexpired terms, members of the special district's governing body are subject to removal at will by the governing body of a single county or a single municipality.

(d) The district has a budget that requires approval through an affirmative vote or can be vetoed by the governing body of a single county or a single municipality.

Accordingly, the district will be independent if its governing body includes city officials chosen other than exclusively by the County Council or any single city, if the members cannot be removed by the County Council or by any single city, and if the budget adopted by the district board is not subject to veto or approval by any city or the county. It should be possible to fashion a governance structure that qualifies the district as independent if that is the desire of the contracting entities.¹

In crafting an interlocal agreement that will meet the needs of the several cities and the county, the flexibility allowed by the MSTU device seems necessary. My study leaves me with some question whether the 125.05 district could be authorized by ordinance to create taxing units analogous to the MSTU authorized for counties.

Section 125.05 does not expressly authorize the creation of such sub-districts, but neither does it forbid it. My tentative opinion is that the home rule powers of the county should empower it to authorize the 125.05 district to create the equivalent of MSTU's on the same conditions that the general law authorizes counties to do so. Such an ordinance would not be inconsistent with general law and actually would fit comfortably within the rationale on which the courts have approved the use of MSTU's by county governments. *Gallant v. Stephens*, 358 So. 2d 536 (Fla. 1978) (holding MSTU statute constitutional against challenge based in part on uniformity requirement); *Sokol v. Kimmins Recycling Corp.*, 729 So. 2d 998 (Fla. 4th DCA1999) (approving county's levy of special assessment within a sub-district of the county as a matter of home rule apart from the authority of Fla. Stat., § 125.01(r) & (q)). But this is only a tentative opinion that requires further study and discussion if needed in this project.

Special District Created by Special Law

The very same thing that could be achieved by an ordinance creating a 125.05 district could be achieved by a special act creating a statutory special district. Earlier this year, I worked with Mike Mellon and other representatives of the EVAC board to craft a special act that would establish a vehicle through which the cities and county could merge their fire and emergency services through interlocal agreement. This was the draft which Rep. Pat Patterson introduced for consideration by the local delegation and then withdrew.

With approval of Mike Mellon, I am attaching that draft together with the letter which transmitted the draft and commented on various provisions.

¹ See AGO 89-64 advising that the St. Lucie County-Ft. Pierce Fire District is an independent district and describing the makeup of its governing board, which consists of members appointed by the county commission and by several city commissions plus one appointed by the Governor. An earlier opinion of the Attorney General (AGO 85-09) construing a previous definition of independent district had advised that a district created under Fla. Stat., § 125.05 would not qualify as an independent district. The definition of an independent district has subsequently been changed, and that earlier opinion is not applicable today.

This draft provided for an elected governing board. After that draft had been completed, we offered the further opinion that the governing board could be chosen otherwise than by election. That opinion is also attached. To be clear, the governing board of an independent district created by special act need not be elected. The St Lucie-Ft. Pierce board offers an example of what may be done in the act.

It is also noteworthy that the specific restrictions on the makeup of the board of a 125.05 district created by ordinance do not apply to a district created by special act.

About Borrowing

The statute authorizing creation of a special district by ordinance does not deal specifically with the power of the district to borrow money or pledge assets or tax revenue. I have not considered this issue in comparing the 125.05 district with the special act alternative.

Comparative Summary

Each of these alternatives has advantages and disadvantages, which I believe can be summarized as follows:

The MSTU is simplest to implement. It does not require referendum approval.

Its chief disadvantage in the context of negotiating an interlocal agreement with the cities is that the County Council must ultimately control the budget and purse strings. The issue of control could be somewhat alleviated by organizing the UFD as a separate body governed by a city-county board, but the ultimate fiscal control in the county remains objectionable to the cities.

A further disadvantage of the MSTU may be the millage cap. The millage levied by the MSTU (i.e., the County Council) is part of the 10 mil cap for the included cities and for the unincorporated areas. This may be a disadvantage if the cities are unwilling to concede that taxing power to the County. Certainly it is a disadvantage as we go through these hard times where the demands for services impinge on the cap.

The MSTU approach offers clearly permits the flexible subdivision of the county into sub-districts tailored around the cities as compared to the uncertainty on this point with the 125.05 district. However, I believe the uncertainty can be resolved, perhaps by an Attorney General advisory.

The special district whether created by ordinance under Section 125.05 or by special law offers comparative advantages.

Its governing board may include representatives of city commissions as well as Council members and will operate independently of the cities and county. This eliminates the cities' potential objection to county control.

APPENDIX 2

Florida House of Representatives -- 2009

HB _____

By Representatives _____

A bill to be entitled

An Act relating to Volusia County; creating and establishing an independent special district in said county to be known as the Volusia County Emergency Services District; creating a charter; describing the status, district boundaries and purposes; providing for a governing body; providing for elections, terms of office and filling vacancies in office and limits thereon; providing for officers, board compensation and bond; prescribing the administrative duties and financial disclosure, noticing and reporting requirements of the board; prescribing the powers of the board; authorizing the board to establish and maintain emergency medical, rescue and transport services and equipment; authorizing the board to make interlocal agreements with other public agencies; authorizing the board to make policies, rules, regulations and a fire code; providing for assessing and collecting taxes, assessments, user charges and impact fees; providing exemption from taxation; prohibiting the board from levying taxes on municipal property for services rendered exclusively to unincorporated areas of the district; authorizing the board to create, merge, and abolish special emergency service taxing units or sub-districts within the district; authorizing the district to levy ad valorem taxes for emergency services within a municipality when approved by the governing body of the municipality; providing for severability; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. The Volusia County Emergency Services District is hereby created and the charter for the district is created to read:

Section 1. Creation; status; boundaries.--There is hereby made, created and established the Volusia County Emergency Services District, an independent special district under chapter 191, Florida Statutes, which shall include the following lands:

All of Volusia County, Florida, as described in Florida Statutes (2008), section 7.64, and more particularly described as follows:

Beginning at a point where the southerly boundary of the Domingo Acosta Grant, also known as section thirty-eight, township thirteen south, range twenty-seven east (said Acosta Grant lying and being in Putnam County) intersects the easterly shore of Lake George, said point being south sixty-five degrees west a distance of thirty-two chains from the southeasterly corner of said Acosta Grant, according to United States Government survey of township thirteen south, range twenty-seven east; run thence north seventy-five degrees fifteen minutes east to a point in the shore of Crescent Lake (see map of boundary line dividing Putnam and Volusia Counties recorded in map book 5, page 87, Volusia County, Florida); thence along the southeasterly shore

{036712-006 : JAKEK/JKANE : 00656485.DOC; 3}

of said Crescent Lake to the north bank of Haw Creek; thence easterly along the north bank of said Haw Creek to the range line between range twenty-eight east and range twenty-nine east; thence south along said range line to the southwest corner of section nineteen, township fourteen south, range twenty-nine east; thence east along the south boundary of said section nineteen and other sections to the southeast corner of section twenty-two, township fourteen south, range thirty-one east; thence north on the east boundary of said section twenty-two and other sections to the township line between township twelve south and township thirteen south; thence east on said township line to the point where said township line is intersected by Old King's Road; thence northerly along said Old King's Road to its point of intersection with the line dividing the Bulow and Ormond Grants; thence northeasterly along said line between Bulow and Ormond Grants to the easterly shore of Bulow Creek; thence following a continuance of said line between Bulow and Ormond Grants, which line now becomes the line dividing lots 7 and 8 as shown on map of partition of the Bulow Tract (Filed in office--September 20, 1867, L. M. Richardson, clerk, Volusia County) according to map recorded in St. Augustine, to the intersection with Haulover or Smith Creek; thence northerly, along said Haulover or Smith Creek, to the intersection with the section line running between sections twenty-nine and thirty and thirty-one and thirty-two, township twelve south, range thirty-two east; thence east along said township line to the Atlantic Ocean; thence southerly along line of the Atlantic Ocean, including the waters of the Atlantic Ocean within the jurisdiction of the State of Florida to the township line between township nineteen south and township twenty south; thence west on said township line to the range line between range thirty-three east and range thirty-four east; thence south on said range line to the township line between township twenty-one south and township twenty-two south; thence west on said township line to the thread of the St. Johns River; thence north along the thread of said St. Johns River, what is known as "Old River," and running on the south and west sides of what is known on the maps of public surveys as "Huntoon's Island" and on the south and west shores of Lake George to the mouth of Sulphur Springs (now Salt Springs run); thence northeasterly, in a direct line, across Lake George to the place of beginning.

Section 2. Purposes and Intent.

(1) As used in this act, "Emergency Services" means: basic and advanced life support as defined in s. 401.23; rescue response service as defined in s. 191.003(6); prehospital or interfacility advanced life support and basic life support transport services as defined in s. 401.25; fire protection services as authorized by chapter 191; and telecommunications services.

(2) The purposes of the district are to promote economy and efficiency in the delivery of Emergency Services in Volusia County; to provide for greater uniformity, communication, coordination, and interlocal cooperation among local governments in Volusia County in the provision of Emergency Services; to provide for: the establishment and maintenance of emergency medical, rescue response and transport services; the acquisition and maintenance of emergency medical, rescue response, transport and other emergency equipment and facilities; and the employment and training of necessary emergency personnel; to provide for fire protection services.

{036712-006 : JAKEK/JKANE : 00656485.DOC : 31

facilities, and firefighting equipment; the establishment and maintenance of fire stations and fire substations; the acquisition and maintenance of all firefighting and protection equipment necessary for the prevention of fires or fighting of fires; and the employment and training of such personnel as may be necessary to accomplish fire prevention and firefighting. This act benefits the public health, safety and welfare.

Section 3. Governing body; elections; vacancies in office; officers; board compensation; bond.--

(1) Pursuant to chapter 191, Florida Statutes, the business and affairs of the district shall be governed and administered by a board of five commissioners who shall be elected in nonpartisan elections as hereinafter set forth. The commissioners shall serve for 4-year terms, except as provided herein. No person shall be elected to a four (4) year term as commissioner more than twice.

(2) The office of each commissioner is designated as a seat on the board, distinguished from each of the other seats by a numeral: 1, 2, 3, 4 and 5. The district shall be divided into five separate geographic areas with each area represented by seat on the district board. The boundaries of the five commissioner seats shall be the same as the like numbered Volusia County Council districts. The commissioner district boundaries may be changed by the district board based upon geographic and population criteria. In addition to requirements of candidates for election under general law, in order to qualify for such election or maintaining such a position, a candidate or elected commissioner shall reside within his or her respective district and be a qualified elector. Except as provided herein, the procedures for conducting district elections or referenda shall be as provided in s. 191.005, Florida Statutes, and as otherwise provided by general law.

(3) The three elected commissioners for seats 1, 3 and 5 in the initial election under this act shall serve terms of 2 years each. Subsequent elections under this act shall coincide with the general elections of this State.

(4) Each commissioner shall assume office ten (10) days following the commissioner's election. Each commissioner shall hold office until his or her successor is elected and takes office. No commissioner shall be a paid employee of the district while holding said position. This shall not prevent volunteers receiving reimbursement for expenses from serving as commissioners. Three members shall constitute a quorum.

(5) Vacancies in office shall be filled by special election, said election to be held coincidental with the next countywide general or special election. The board may appoint a qualified elector of the district to act as commissioner until the vacancy is filled by election. A commissioner must be a qualified elector residing within the district. A commissioner may be removed from office for any reason that a state or county officer may be removed.

(6) Annually, within sixty (60) days after election of new members of said board, the members shall organize by electing from their number a chair, vice chair, secretary, and treasurer. However, the same member may be both secretary and treasurer, in accordance with chapter 191, Florida Statutes, as amended from time to time.

{036712-006 : JAKEK/JKANE : 00656485.DOC, 3}

Possibilities of Fire and Rescue Services Consolidation in Volusia County
Halifax Area Civic League **FINAL REPORT**

(7) The commissioners may receive reimbursement for actual expenses incurred while performing the duties of their offices in accordance with general law governing per diem for public officials. Commissioners may receive compensation for their services in accordance with chapter 191, Florida Statutes, as amended from time to time.

(8) Each commissioner shall, upon assuming office, take and subscribe to the oath of office prescribed by s. 5(b), Art. II of the State Constitution and s. 876.05. Each commissioner, within 30 days of assuming office, must give the Governor a good and sufficient surety bond in the sum of \$5,000, the cost thereof being borne by the district, conditioned on the member's faithful performance of his or her duties of office.

Section 4. District Board, administrative duties.--The administrative duties of the governing board are as provided in section 191.005, Florida Statutes, as amended from time to time.

Section 5. Financial disclosure, noticing and reporting requirements.--The district and the board shall have those financial disclosure, noticing and reporting requirements as provided by general law and made applicable to said board members and independent fire control districts within the State.

Section 6. District powers, functions and duties.-- The district may provide Emergency Services in the district or any unit thereof. In order to achieve the purposes set forth in Section 2 above, the district shall have and the board may exercise those general and special powers prescribed by chapter 191, Florida Statutes, as amended from time to time. The district may exercise such powers separately or jointly with any other public agency of the state pursuant to chapter 163, Florida Statutes, as amended from time to time.

Section 7. Policies, rules and regulations and fire code.--The board is authorized to make and adopt policies, rules, regulations and a fire code for the prevention of fires, for fire control, and for the provision of rescue services within the district. Such policies, rules, regulations, and fire code shall be adopted in accordance with applicable general and special law, as amended from time to time.

Section 8. Financing of the district.--The methods for financing the district shall be as provided in chapter 191, Florida Statutes, and as provided by other general law applicable to independent special districts.

Section 9. Ad valorem taxes, non-ad valorem assessments, user charges and impact fees.-- The district board may fix and cause to be levied on all property of the district, or unit thereof, a millage sufficient to meet the requirements of the adopted budget, not to exceed 3.75 mills, pursuant to the provisions of Section 191.009(1), Florida Statutes, provided, however, that property situated within a municipality shall not be subject to taxation for services rendered by the district exclusively for the benefit of property or residents in unincorporated areas of the district. The district may establish, and subsequently merge or abolish those created hereunder, emergency service taxing or benefit units for any part or all of the district within which may be provided Emergency Services from funds derived from service charges, special assessments, or taxes within such unit only. Subject to the consent by ordinance of the governing body of the affected municipality given either annually

[036712-006 : JAREK/JKANE : 00656485 DOC; 3]

Possibilities of Fire and Rescue Services Consolidation in Volusia County
Halifax Area Civic League **FINAL REPORT**

or for a term of years, the boundaries of an emergency services taxing or benefit unit may include all or part of the boundaries of a municipality. In addition, the district shall have such authority to levy non-ad valorem assessments and charge impact fees and user charges as prescribed in chapter 191, Florida Statutes, as amended from time to time. Ad valorem taxes, non-ad valorem assessments, user charges and impact fees shall be assessed and collected in the manner prescribed by applicable general or special law.

Section 10. Bonds.--The district may issue bonds and notes pursuant to Section 191.012, Florida Statutes.

Section 11. Exemption from Taxation.--The assets and properties of the district are exempt from all taxes imposed by the State or any political subdivision, agency, or instrumentality of the State, pursuant to section 191.007, Florida Statutes.

Section 12. Amending the charter.--The district charter may be amended only by special act of the Legislature.

Section 13. District planning.--The district's planning requirements shall be as set forth in this act and chapters 189 and 191, Florida Statutes, as amended from time to time.

Section 14. Immunity from tort liability.--

(1) The district and its officers, agents, and employees shall have the same immunity from tort liability as other agencies and subdivisions of the state. The provisions of chapter 768, Florida Statutes, as from time to time amended, shall apply to all claims asserted against the district.

(2) The district commissioners and all officers, agents, and employees of the district shall have the same immunity and exemption from personal liability as is provided by general law of the state for state, county, and municipal officers.

Section 15. Dissolution.--The district shall exist until dissolved in the same manner as it was created.

Section 2. Construction.--This act shall be construed as remedial and shall be liberally construed to promote the purpose for which it is intended.

Section 3. Severability.--If any clause, section or provision of this act is declared to be unconstitutional or invalid for any cause or reason, the same shall be eliminated from this act, and the remaining portion of this act shall be in force and effect .

Section 4. Effective date.--This act and the charter for the Volusia County Emergency Services District shall take effect upon becoming a law.

{036712-006 : JAKEK/IKANE : 00656485.DOC, 3}

Jonathan D. Kaney Jr.

Memorandum to Howard Tipton dated November 16, 2009
Re: Civic League Fire Study

Errata Sheet

Each reference to Fla. Stat., § 125.05 should be Fla. Stat. § 125.01(5),
passim.

Jon Kaney

Jonathan D. Kaney Jr.

THIS PAGE INTENTIONALLY LEFT BLANK



**AGENDA SUMMARY
TAVARES CITY COUNCIL
October 6, 2010**

AGENDA TAB NO. 13

SUBJECT TITLE: City Administrator Report

OBJECTIVE:

To inform Council on city related matters.

SUMMARY: Will be presented at meeting

UPCOMING MEETINGS: (check with Susie Novack for any last minute changes)

- City Council Regular Meeting – October 22, 2010 – 4:00 p.m.
- Chamber of Commerce Business Luncheon – October 27, 2010 – 11:30 a.m.
- Lake Sumter MPO – Board Meeting – October 27, 2010 – 2 p.m. – Civic Center
- Library Board – October 8, 2010– 8:30 a.m. Library Conference Room, 314 N. New Hampshire
- Planning & Zoning Board – October 21, 2010 – 3:00 p.m.

- **EVENTS:**

- **Harvest Moon on the Lake Dora Bayou – October 23, 2010:**

3:00 p.m. - Hush Puppy Parade

7:30 p.m. - In concert - Buckwheat Zydeco

9:00 p.m. - Fall Harvest Light Show

9:10 p.m. - Movie Under the Stars - Twilight: New Moon

THIS PAGE INTENTIONALLY LEFT BLANK



**AGENDA SUMMARY
TAVARES CITY COUNCIL
October 6, 2010**

AGENDA TAB NO. 14

SUBJECT TITLE: City Councilmembers Report

OBJECTIVE:

To inform Council on city related matters.

SUMMARY:

Council will be offered an opportunity to provide a report at the meeting. Attached is any additional supporting information.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

THIS PAGE INTENTIONALLY LEFT BLANK

