

FACTS RELATIVE TO LBTS SPECIAL "FIRE-SERVICE" ASSESSMENT

1. Fla. Supreme Court has clearly ruled that a **"fire rescue program funded by special assessment may not use its equipment and personnel to provide emergency medical services for accidents and illnesses...."**
2. In addition to its ALS Medical Transport Unit (Ambulance) funded under the LBTS **"Fire Rescue" (EMS) budget, BSO provides LBTS with one "ALS Engine" with a staff of three, 24/7, funded under LBTS's nominal "Fire Department" budget.** (LBTS/BSO "Agreements" (contracts) dated 12/26/2003 and 6/23/2004, page 6)
3. BSO notes in the same contracts that LBTS intends to levy a non-*ad valorem* special assessment to fund the provision of fire protection services, and that **such assessment must be consistent with the Supreme Court decision.** BSO agrees to provide all information, **including "without limitation" call data and cost allocation between EMS and fire protection, needed for the Town's development of its special-assessment methodology.** (op. cit., page 9)
4. BSO specifies that the **cost of the "3-person Engine Company"** (cross-trained firefighter/paramedics -- FF/P) within the FY 2004-05 contract **is \$1,531,598.** (BSO Internal Memo dated June 1, 2004)
5. September 2004 Report by LBTS consultants GSG notes that the County has provided a **"three person advance life support (ALS) engine company"** to serve the Town: "Engine 36" (Town of LBTS Fire Protection Preliminary Assessment Report, September 2004, prepared by Government Services Group, Inc., page 5)
6. The GSG Report shows **that Engine 36 is staffed by cross-trained firefighter/paramedics and emergency medical technician ("FF-Paramedic"; "FF-EMT") and that the engine, with paramedics and EMT, responds to all rescue calls as well as all fire alarms.** (op. cit., page 6)
7. The GSG Report clearly states that in the base year (on which the LBTS "Fire" assessment regime was to be (and has since been) based, 2003, **there were 1,100 fire protection calls, of which 856 (77.8%) were "classified as EMS calls** based on the type of situation found indicated on the incident report." The Report also states that **those "856 EMS calls were not included in the [following GSG cost allocation] analysis."** (op. cit., page 8)
8. The LBTS 2005/06 budget document specifies the total cost of the 2004/05 "Fire Department" budget, including a \$1,928,162 contract payment to BSO, was \$2,132,157. **The BSO-certified cost of ALS Engine 36 and crew** shown in item 4, above, it can therefore clearly be seen, **represents 71.8 percent of the entire nominal LBTS "Fire Department" budget for FY 2004/05.** (Town of LBTS, Proposed Annual Budget - Fiscal Year 2005/2006, Oct. 01, 2005 - Sept. 30, 2006, page 68)
9. Since 77.8% of calls serviced by Engine 36 were EMS calls (item 7, above), **it is clear that (77.8% X 71.8%) 55.86 percent of LBTS's nominal "Fire Department" budget should rather have been allocated to the EMS budget,** since it **clearly funded EMS services.**
10. As the LBTS FY 2005-06 budget document also clearly shows, between FY 2003/04 and FY 2004/05 **13 positions, representing the entire 3-man crew of Engine 36** (factored for 24.7 service) **was arbitrarily transferred from the LBTS "Fire Rescue" (EMS) budget to the "Fire Department" budget,** presumably (together with the GSG decision not to include EMS calls in their cost-allocation analysis) **to assist in "hiding" those clearly EMS resources in the nominal "Fire Department" budget, to attempt to justify funding those EMS resources by a non-ad valorem special assessment, contrary to the 2002 supreme court ruling.** (op. cit., Pages 69 and 67)