

ORDINANCE NO. 24-_____

AN ORDINANCE CREATING A NEW ARTICLE 10 (GROUND AMBULANCE SERVICE ENTERPRISE) OF CHAPTER 14 (MUNICIPAL ENTERPRISES) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO THE CREATION OF A MUNICIPAL GROUND AMBULANCE SERVICE ENTERPRISE

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Article 10 (Ground Ambulance Service Enterprise) of Chapter 14 (Municipal Enterprises) of the Code of the City of Colorado Springs 2001, as amended, reads as follows:

14.10.101: LEGISLATIVE DECLARATION: The City of Colorado Springs ("City") hereby establishes the Ground Ambulance Service Enterprise as a government-owned business operation pursuant to Colo. Const. art. X, § 20 and City Charter § 7-90. The formation of a municipally owned ground ambulance service is further authorized under Colorado law through C.R.S. § 31-15-201(1)(f). The City hereby declares it to be in the best interest and the health, safety and welfare of the citizens of the City of Colorado Springs to form the Ground Ambulance Service Enterprise for the purpose of operating a ground ambulance service, including providing ground ambulance transportation services and the services of emergency medical service providers ("EMS Providers"), and the administration and funding of a self-sustaining community and public health program. The primary goals of the enterprise are to optimize and enhance medical response times, provide innovative and effective management of the ground ambulance service within the City and the Pikes Peak region, and reduce the cost of ground ambulance services.

14.10.102: FUNCTIONS AND ACTIVITIES: The enterprise shall perform the following functions and activities:

- A. Operate a ground ambulance service, including providing ground ambulance transportation services throughout the City of Colorado Springs and the Pikes Peak region;
- B. Providing medical care consistent with its license to operate a ground ambulance service, including the services of EMS Providers;

C. Coordinate ground ambulance services with public and private partner agencies, and health care providers throughout Colorado and the Pikes Peak region;

D. Administer a schedule of fees for the recovery of costs associated with the development and operation of a ground ambulance service;

E. Collect fees and coordinate with customers and insurance providers in connection with its operation of a ground ambulance service;

F. Through the fees collected by the enterprise, operate a ground ambulance service and community and public health program benefiting the public's health, safety, and welfare; and

G. Coordinate community and public health program activities with other public and private entities throughout Colorado and the Pikes Peak region.

14.10.103: DELEGATION OF AUTHORITY: The Ground Ambulance Service Enterprise Manager ("Manager") shall be responsible for the administration and management of the enterprise.

14.10.104: ENTERPRISE STATUS; ACCOUNTABILITY; CONTRACTS

A. Enterprise Status: The Ground Ambulance Service Enterprise is an enterprise operation of the City of Colorado Springs. The Manager shall operate the enterprise to ensure:

1. The enterprise remains a self-sustaining government owned business which may issue its own revenue bonds;
2. The enterprise continues to receive over seventy five percent (75%) of its annual nondebt revenue from nongovernmental sources; and
3. The enterprise continues to receive under ten percent (10%) of its annual revenues in grants from all Colorado State and local governments combined.

B. Accountability:

1. All claims against the enterprise operations shall be in accord with chapter 1 of this Code.
2. In accord with the provisions of chapter 1 of this Code, the City Auditor shall have those duties and responsibilities imposed by City Council to ensure the public accountability of the enterprise operation.

C. Contracts:

1. Subject to City Code § 1.2.404, the Manager is authorized to execute all necessary business contracts in the name of the enterprise. Business contracts executed in the name of the enterprise shall be deemed to have been executed by the City of Colorado Springs on behalf of its enterprise and shall be legally enforceable by the City of the enterprise against third parties and by third parties against the City or enterprise to the same extent that would occur if the business contract had been executed by the City of Colorado Springs on behalf of its enterprise. In addition, all contracts executed in the name of the enterprise shall be interpreted by any reviewing court as having been executed by the City of Colorado Springs on behalf of its enterprise.
2. The Manager is authorized to execute all enterprise contracts and agreements except those by which the City Charter, this Code, or other controlling law are required to be executed by a municipal officer of the City. The Manager may delegate signatory authority by administrative regulation to staff reporting to the Manager and may provide by administrative regulation for the further delegation of signatory authority.
3. Real or personal property donated to or acquired by the enterprise shall be held in the name of the City of Colorado Springs or in the name of the City of Colorado Springs acting by and through its Ground Ambulance Service Enterprise.

14.10.105: FEES: Fees to operate the enterprise shall be established by the Manager pursuant to section 14.10.107 of this Code and shall be charged for all services provided by the enterprise. All fees are to be paid to the enterprise and deposited into the Ground Ambulance Service Enterprise Fund.

14.10.106: GROUND AMBULANCE SERVICE ENTERPRISE FUND EXPENDITURES: The fees and charges and other revenue generated by the Ground Ambulance Service Enterprise shall be deposited in the Ground Ambulance Service Enterprise Fund, which shall be a fund of the City of Colorado Springs. The enterprise revenue placed into the Ground Ambulance Service Enterprise Fund shall only be expended to fund the Ground Ambulance Service Enterprise activities and shall not be placed into the City's General Fund or used for any purpose other than the functions and activities of the Ground Ambulance Service Enterprise. All revenues and expenditures relating to the operation of the ground ambulance services and related medical care provided by the EMS Providers shall be considered revenues and expenditures of the enterprise.

14.10.107: RULES AND REGULATIONS: The Manager is authorized to promulgate and adopt reasonable rules and regulations regarding the administration and operation of the enterprise, and the time, place, limitation and extent of use of

any enterprise equipment, property or facility including uses now existing or contemplated. Additional rules and regulations may be adopted as necessary to implement applicable Federal and State laws. Any rules and regulations adopted by the Manager shall be available for public inspection in the enterprise's administrative offices.

14.10.108: GOVERNMENTAL IMMUNITY: Nothing herein shall be interpreted as a waiver of the protections and immunities provided to the City and its municipal enterprises under the Colorado Governmental Immunity Act, C.R.S. §§ 24-10-101 through 24-10-120, as now written or amended in the future.

Section 2. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 3. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this ____ day of _____, 2024.

Finally passed: _____
Council President

Mayor's Action:

- Approved on _____.
- Disapproved on _____, based on the following objections:

Mayor

Council Action After Disapproval:

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.
- Council action on _____ failed to override the Mayor's veto.

Council President

ATTEST:

Sarah B. Johnson, City Clerk