

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



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Meeting Minutes

Wednesday, June 28, 2017

1:00 PM

City of Wichita / Sedgwick County joint meeting.

Wichita City Hall, 455 N. Main - 1st Floor Board Room

Board of Sedgwick County Commissioners

Pursuant to Resolution #007-2016, adopted by the Board of County Commissioners on January 20, 2016, members of the public are allowed to address the County Commission for a period of time limited to not more than five minutes or such time limits as may become necessary.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Sedgwick County, should contact the office of Crissy Magee, Sedgwick County ADA Coordinator, 510 N. Main, Suite 306, Wichita, Kansas 67203. Phone: 316-660-7056, TDD: Kansas Relay at 711 or 800-766-3777

Email: Crissy.Magee@sedgwick.gov, as soon as possible but no later than 48 hours before the scheduled event. Please include the name, location, date and time of the service or program, your contact information and the type of aid, service, or policy modification needed.

ORDER OF BUSINESS

CALL MEETING TO ORDER

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

EN BANC MEETING

JUNE 28, 2017

The Special Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 1:02 P.M., on Wednesday, June 28, 2017 in the Wichita City Hall First Floor Boardroom, by Chairman David M. Unruh, with the following present: Chair Pro Tem Michael B. O'Donnell II; Commissioner David Dennis; Commissioner Richard Ranzau; Commissioner James M. Howell; Mr. Jeff Longwell, Mayor, City of Wichita; Ms. Janet Miller, Vice Mayor, District 6, City of Wichita; Ms. Lavonta Williams, Councilmember, District 1, City of Wichita; Mr. Pete Meitzner, Councilmember, District 2, City of Wichita; Mr. James Clendenin, Councilmember, District 3, City of Wichita; Mr. Jeff Blubaugh, Councilmember, District 4, City of Wichita; Mr. Bryan Frye, Councilmember, District 5, City of Wichita; Mr. Michael Scholes, County Manager; Mr. Eric Yost, County Counselor; Ms. Karen Powell, Deputy County Counselor; Mr. Scott Hadley, Acting ACM Public Safety/EMS; Mr. Robert Layton, City Manager; Ms. Jennifer Magana, Director of Law; Ms. Karen Sublett, City Clerk; and Ms. Heddie Page, Deputy County Clerk.

Mayor Jeff Longwell, City of Wichita, greeted the Commissioners and Council Members and said, "So we will, we are live by the way, the cameras are rolling. So, thank you all for being here. We will officially call the City to order, and initiate this en banc meeting with our friends across the street. I will turn it over to Chairman Unruh to officially call the County Meeting."

Chairman Unruh said, "Thank you, Mr. Mayor. We are pleased to be here. Thank you for the invitation for us to get together and talk about an important subject. But at this time, I'll call to order the special meeting of the Board of County Commissioners and ask our clerk to call the roll, please."

ROLL CALL

The County Clerk reported, after calling roll, that all Commissioners were present.

Chairman Unruh said, "Thank you. We are now in session."

Mayor Longwell said, "So now that you've officially done roll call, how do we know that some of you aren't imposters? I mean, we don't do this official roll call."

Chairman Unruh said, "You have to take our word for it. You have to trust us."

Mayor Longwell said, "Well thank you very much. Obviously, our agenda is very small. We have one item of business and that is to work out this agreement with our Ambulance Service that you all provide, and provide very well for our community."

"I know that we've had a couple of Councilmembers that we've asked to try and work out a few issues, and so I'm really going to ask Councilmember Meitzner and Councilmember Frye to kind of lead the discussion because I've been out of town, and I haven't heard and haven't had a chance to be briefed by them on where we're at with the issues that we're trying to work our way through. We'll kind of open it up for anyone that wants to jump in there, Chairman. I don't know how you want to work our way through this. I know we have a new agreement, I think, that was forwarded to us this morning."

Chairman Unruh said, "That's correct."

Mayor Longwell said, "We'll ask our Councilmembers to kind of work through any potential sticking points that they might have, and so Councilmember Frye and Councilmember Meitzner we'll kind of look for you to provide us some direction as we work our way through this."

Councilmember Bryan Frye greeted the Commissioners and said, "You know, a little bit over a year ago, when we first had this renewal come before us, we were at this point in kind of trying to figure out where we were going to go with it. Commissioner Dennis and I, along with great assistance from staff, did a thorough review of EMS (Emergency Medical Services) operations. Totally impressed with the quality of care EMS is providing to our community, no argument there. Since our last council meeting on June 20th, when the proposal came forward at the council meeting for agreement, a lot more discussion. It was tabled to allow for more negotiation and myself, Councilmember Meitzner, along with city staff and Commissioners Unruh and Dennis and their staff, have been meeting and trying to figure out some commonality to get through on this agreement."

"I still think there's just a couple of sticking points that I'm not comfortable with yet. I don't know that we'll be able to get there today. I know that staff has provided an extension of the current contract, a 30-day extension notification window, so that if we're not able to finalize it today, there is an option to extend that to allow for more time and negotiation. But at the root, what I feel is still a sticking point is those citizens that are having to wait over an hour for non-emergent transport, is not addressed in this document. That's really where it's come down to for me. Pete?"

Mayor Longwell said, "Let me back up just for a second. You mentioned this working committee. Commissioner Dennis, you also served on that committee. Was there any other County Commissioners that served on that?"

Commissioner Dennis thanked the Chairman and said, "No. The last couple meetings that we had, Chairman Unruh also set in on some of those, but to go back in time just a little bit, as Councilman Frye said, we started meeting several months ago."

"We had our first meeting over in the Ronald Reagan Building, and at that time, why city and county staff really got a good overview of what EMS is all about. Following that meeting, we had a meeting here in your building, and again, city and county staff met."

"We also had Dr. McMaster from the Medical Society of Sedgwick County along with Dr. Gallagher, the Director of Medicine here in Sedgwick County in Wichita, involved in that meeting. Worked out some more details. Subsequent to that, we had a meeting over in our building, which the Mayor and Councilman Meitzner attended. We worked out more details from that meeting. Then it was presented to you with an agreement that we thought was the final agreement."

"Your City Manager then presented it to you on the meeting on June 13th as I recall, and that's the one that it was tabled at. We thought we had an agreement, and if you look at what the City Manager presented to you, why the recommendation was to agree to it. After that was tabled, we had two breakfast meetings with Councilman Meitzner and Councilman Frye. We talked about a number of other issues subsequent to that, numerous phone calls, numerous coordinations. If you kept track of all of the different iterations you'll have a file like I do. So, you were presented actually a copy yesterday with what we thought was going to be the final discussions.

"I know that Councilwoman Miller talked with Chairman Unruh yesterday about putting some more teeth in it. I know that the Mayor mentioned that on June 13th. We modified the contract again that you have today. The only change that is in the contract that is presented before you today from the one that was yesterday, was adding the teeth in the contract that says that, if we can't meet 98 percent of the time over two quarters, that we will present a corrective action to you which may entail hiring a third party vendor or may entail us providing additional resources. But we'll provide you with a recommended action that we will take, and we'll have the rest of that quarter and one more quarter to take those corrective actions. If, at the end of that period of time, we still can't meet it, you have the ability to terminate the contract at that time. It's written in just those words, that you can terminate it. So, follow the contract as currently written that says it is a five-year contract, and the reason that we have that in there, truly, is because we have to do long-range planning.

"We have to decide on where to build new facilities, whether or not to build, or purchase new equipment. So, we need to be able to do long-range planning for our CIP (Capital Improvement Plan) and for purchases and staffing. But, if you look at the paragraph six with the termination requirements that we added to that this morning, it really is a year contract because we have two quarters that we may not meet something, we have two more quarters to do corrective action, and at the end of that time, you can terminate the contract. So, I know that the concerns that have been expressed on having a five-year contract, we tried to address those. It does say it's a five-year contract, but in reality, it's a one-year contract if we can't meet the requirements.

"I know Councilman Frye mentioned that we have addressed those that are over an hour, well again, I think that paragraph six that we added teeth to, does address whether or not that we can meet the requirements of an hour. Today, we are at 98.45 percent, 98.45 percent of meeting any kind of a non-emergency dispatch in 60 minutes or less, that's where we're at today. We're actually talking about 1.45 percent of the time on whether or not that we can meet those requirements.

"If we don't, we put teeth in there to make sure that those citizens are taken care of. We're not talking about Wichita citizens. Every single one of those citizens in the City of Wichita, are Sedgwick County citizens too. We care very deeply about each and every one of those citizens, so we're not just trying to make sure that we satisfy Wichita. This is truly a Sedgwick County partnership agreement that we're looking for, but I do appreciate you letting me make a couple statements."

Mayor Longwell said, "Sure. Not a problem at all. I'll call on Councilmember Meitzner, and then we'll kind of open it up to the entire group."

Councilmember Pete Meitzner greeted the Commissioners and said, "Commissioner Dennis gave us the historic meeting perspective which we did, and we have worked out a lot of concerns. I think the concern that, I don't know, I mean, we know the number now, but this number of citizens in the city that we care for because we actually are signing off any rights to do anything and allowing an exclusivity to the

EMS of Sedgwick County to provide services as Commissioner Dennis said, to Wichita and all of Sedgwick County. But it's the issue about if that one or two percent that have to wait over an hour is, it may only be a few, it may be a lot someday. So, that is one that we just thought should have some, citizens should have some, we should have an option for that part.

"I don't think that our council in whole is, we're okay with, we understand long-term planning, I mean, that's what we do. We all do that, so, if the reason we've had one year was, not to regurgitate last year, but it was, last year at this time that it was kind of a different time, and we didn't have near the data we have now and the information, so it's what, it was extended a year at that time. I think all the effort is to try to work something out. The other, basically that's pretty much it, so."

Mayor Longwell said, "Let me just say from my perspective, I'm almost looking at this like its two separate agreements, even though it's not. One is that the transportation for operating emergency services which we have no intent to open it up at this point in time. We could, I mean, if there's, just want to make sure there's no confusion on this when we talk about, you know, the 98 percent. I mean, we can almost draw up language if it made you feel comfortable for long-range planning that the emergency side of this you can have, you know, for a 10-year contract, let's just say. We don't, we're not concerned with that. You guys provide great emergency service.

"Understanding what Councilmember Frye opened up with, with some of his comments, I think there's certainly some teeth into what you're saying, but yet the contract itself still grants exclusivity right up front which means there's obviously no desire to respond using outside services. I mean, is it that big of a deal just to alter that one paragraph where it grants the opportunity if so needed? You're still managing it. I don't understand the exclusivity clause in there.

"So paragraph five, 'during any and all terms of this agreement, the city agrees that the county will have the sole and exclusive right to operate emergency and non-emergency medical ambulance services'. The only time that that might be pre-empted is the new clause that you put in there saying if you can't meet basically over a year period, six months, and then a six-month corrective action period, so a one-year period, you can't meet the 98 percent, then you may, may open it up. Why not go ahead and say that in paragraph five because otherwise you kind of contradict the two, the teeth in the term and paragraph five."

Chairman Unruh said, "Mr. Mayor, I thought the way that we intend this to operate, and I think the language says that, that if we're non-performing for two consecutive quarters, we have to then be performing within the next two, or you can terminate the contract."

Mayor Longwell said, "So again, yeah."

Chairman Unruh said, "So, or in part of our remedial action, can be using a third party vendor, a private vendor, or we can strengthen our own resources. But, failure to comply that 98 percent threshold is, I mean we only get a pass, if that's the right word, for the first two quarters. After that, we have to comply. If we haven't, you can break the contract.

Mayor Longwell said, "So again..."

Chairman Unruh said, "Then the next two months, we can use a third party vendor."

Mayor Longwell said, "So again, let me say our intent isn't to break the contract. Our intent isn't to sever this agreement. Our intent is to have you provide the services for emergency and non-emergent transportation. So rather than put in the intent as just to sever the agreement, I would rather see a more pro-active approach to ensuring that, we're not saying you have to, so in paragraph five, just, you again control it. What is the harm with just saying that there may be a private operator? That you may use the resources of a third party operator and not just simply say you have exclusive rights?"

Chairman Unruh said, "Well in paragraph six, Mr. Mayor, it says that one of our options is to enhance our own service or supplement with the use of a third party private emergency medical ambulance. So that's in there, and we would certainly, we would certainly explore that if we were in non-compliance. I think the language suggested by Councilman Frye was that we could do either one, just get the job done."

Commissioner Dennis said, "Mr. Mayor, one point on the exclusivity, we need the option that deemed exclusive that we can contract ourselves. If we don't have an exclusive contract, you could go out and sub-contract with someone."

"The exclusivity gives us the ability that we can manage the EMS contract, the EMS process by going out and doing sub-contracting, and that's why we wrote paragraph six that way we did."

It's so that we can have the option to go out and do sub-contracting. So, if we don't have exclusivity, anyone could go out and contract."

Mayor Longwell said, "So you're saying the exclusivity only is for basically the management of the system, not owning and operating the vehicles."

Commissioner Dennis said, "Right. We're not saying that other people can't own and operate vehicles. We need exclusivity so that we can..."

Mayor Longwell said, "...to manage the system."

Commissioner Dennis said, "...do what's best to manage the EMS."

Mayor Longwell said, "...contract to manage the system. Okay, I understand that better."

Chairman Unruh said, "Mr. Mayor, I'm sorry..."

Councilman James Clendenin said, "Go ahead."

Chairman Unruh said, "I just wanted to make a point while we're talking about our response times, and I mentioned this to Councilwoman Miller yesterday, that from January 1, 2017 through June 9, 2017, instead of talking about percentages, the actual number of cases where we did not pick up within an hour in the city of Wichita, in those cases where we don't already have a contract, was 16 in just over five months. So, rather than talking about 1 ½ percent that we're not, that's a little, this is a specific number that we had this year. I don't want to discount the importance of picking those up, and I don't have the number in my mind, did we pick them up in an hour and 15 [minutes] or an hour and 30, but for a system as large as ours that provides a service, that number of people is, where we fell outside the one hour, I

guess I'm just saying that's really pretty good performance.

"As Commissioner Dennis reminded me, most all of those people where they were over an hour, are folks who are in the hospital waiting for transfer back to either home or nursing facilities of some kind. Complicating factors, a lot of those calls are made right near the end of the shift because the shift wants to get them all taken care of, and so that complicates our pick-up. We've got three or four at one time. That's something we have to deal with, but I guess my point is, no one was in any sort of stress or in any danger. It wasn't emergent, and they were under care."

Councilman James Clendenin greeted the Commissioners and said, "Is it my understanding that the hospitals now have a private number to call?"

Chairman Unruh said, "I don't know."

Commissioner Dennis said, "I asked that question of Scott Hadley, head of our EMS, and he said they call 911 and dispatch out of 911. Is that not true?"

Scott Hadley, Assistant County Manager of Public Safety, EMS Director greeted the Commissioners and said, "For Sedgwick County, the hospitals call 911 to schedule that transport, the non-emergent transport. A physician's office, it all goes through our 911 dispatcher."

Councilman Clendenin said, "Okay, so there's not a separate number right now for hospitals, to call like Wesley or..."

Mr. Hadley said, "No, if there's a transport required from Wesley to outside Sedgwick County, for example, going to Salina, that they would call a different number. We don't provide that service."

Councilman Clendenin said, "...outside the area."

Mr. Hadley said, "Correct."

Chairman Unruh said, "This contract that we're considering shows that we can use, in Section 5D, that we can use private providers if we're not able to perform."

Councilman Clendenin said, "So, I guess my question is right now, if a citizen is sitting in the hospital, and they want to get home, do they have the option to call 911 themselves and ask for a private transport right now? Or does Sedgwick County have to manage that for the citizen?"

Chairman Unruh said, "I think, at this point, Sedgwick County has exclusive right for those transports from hospitals..."

Councilman Clendenin said, "Okay."

Chairman Unruh said, "...we're under contract, and as a point of information, that time period there is 1 ½ hours for 90 percent of the pick-ups in 1 ½ hours."

Councilman Clendenin said, "So, for that 2 percent, honestly, I think 98 percent is, if you're hitting 98 percent, it's an absolutely an amazing goal. Honestly I think it's probably a hefty goal to manage long-term, but let's just talk about the 2 percent. If we have the opportunity within that 2 percent to make sure that 100 percent of the people are satisfied by just allowing citizens that fall within that 2 percent to call a private transport, we could fix all the problems right now. They can call 911 just like

everybody else does, and just tell 911 instead of calling EMS, call, I don't even know what the name of the private transport companies are, but it's non-emergency. "I think if citizens had a choice, instead of them making the choice, the government, us, Wichita, Sedgwick County making a choice for them, I really believe they can make their own choice of whether or not they, who they go with for non-emergency service. I think a lot, it could fix everything."

Chairman Unruh said, "Commissioner O'Donnell has a comment."

Commissioner O'Donnell thanked the Chairman and said, "But we have exclusivity right now with Wesley HCA (Hospital Corporation of America) Hospital here in town, and our EMS is in talks with Ascension Health right now about performing that exclusively with the Via Christi properties. If that happens, those 16 individuals that waited over the allotted time, we would be at 100 percent, and if there's exclusivity, there's not, there's no one else that would have been affected negatively by that, just for reference."

Councilman Clendenin said, "Okay."

Commissioner O'Donnell said, "They were all hospital transports. Everybody in their homes met in that period of time."

Councilman Clendenin said, "I guess my concern is that just on a quality of life, even if it's one person, you know, if they get a chance to make a phone call and say, you know, I'm going to be here an hour, instead I'm going to call, instead of calling UBER, I'm going to call LIFT, or instead of calling a taxi company, it's non-emergency transport. I think we have an opportunity here to give citizens some choice and improve their quality of life at the same time. It's probably, what I'm suggesting would take all of this off the rails, I guess, but everything that's been negotiated, but it seems like a very simple fix. It really does."

Mayor Longwell said, "Vice-Mayor."

Vice-Mayor Janet Miller, greeted the Commissioners and said, "Councilmember Clendenin, I'll weigh in on this because this is where we were a year ago. That is going to free market system for all non-emergent transfer. And..."

Councilman Clendenin said, "Well I'm just suggesting the people in the two percent, not all of it. I'm just suggesting that if someone's told you are going to have to wait over an hour, you do have the option to..."

Mayor Longwell said, "But they don't know that when they call 911."

Councilman Clendenin said, "911 is already talking to them, 911 can tell them."

Vice-Mayor Miller said, "Okay, I wanted to make, I guess I didn't understand that. I was like, anytime they wanted to..."

Councilman Clendenin said, "I'm just talking about this 2 percent of people, you know, that are being told you are going to have to wait an hour, hour and a half, that they at that point could have the option."

Vice-Mayor Miller said, "Like I have suggested, the similar scenario where Sedgwick County just goes ahead right now at the beginning of the contract, calls up XY, no to issue an RFP (request for proposal), and contract with third party provider right away

so that on January 10th of next year, if we can't pick somebody up in an hour, and they already have somebody set up that could come get that person in less than an hour. Apparently that, there was some concern about going through all that effort for the 16 people, is what I heard, 16 times roughly to 32 to 50 people a year. I guess ultimately the county has to decide, you know, is that, are you okay with telling your tax payers, yeah 50 or 60 of you a year are going to have to wait longer than an hour, and we're not willing to go through an RFP process to have a stand-by third party to do that. I think we all wish they had that option. I think, what I've heard is that you guys feel like that's too much trouble to go through for just 30-50 people a year."

Commissioner O'Donnell said, "Thank you, Mr. Chair. I think that the concern is two-fold. First, it's if someone is going to call and get the non-emergent care, other factors can happen. There can be a terrible car accident, there could be a fire, there could be extenuating circumstances that is more pressing when you have someone's life on the line. Our system at EMS, what this says is it disrupts it. So, we're not going to look at, you know, raising taxes to subsidize whatever loss we're going to have by not having those 16 or 50 people a year. But we'll have shift changes and other things, but I think if we tell the people in the city of Wichita and in Sedgwick County that this might mean that instead of us getting to their home in five minutes if you're having a heart attack, or if you're loved one is in cardiac arrest, it'll take seven minutes or eight minutes.

"I think people would much rather be in a safe environment for a few minutes longer, like a hospital, in these circumstances than knowing it's going to take us longer to respond to actual emergent calls. There's pretty high favorability with the general public with EMS. People seem to be pretty happy with it. I think that disrupting that could have negative consequences and could affect our response times and that should concern anybody and everybody."

Councilman Clendenin said, "That's a big stretch."

Vice-Mayor Miller said, "I'm not saying you that would go take the non-emergency person first. You would just call XYZ..."

Commissioner O'Donnell said, "Right."

Vice-Mayor Miller said, "...transport which you had dispatched out, and your ambulance would still go to the emergency service."

Commissioner O'Donnell said, "Right, and I understand that, but it does disrupt the funding that we would have in EMS. That funding would have to be, that money would have to be found somewhere else, and that's what I'm saying, it could be shift changes, it could be reduction in staff. There are ways that we're going to have to find money for that, and that could have the effect of longer response times for emergent care because the way we have it with the exclusivity, is that it's a system that's operating all together in a pretty nice package, and I think Scott Hadley and the folks at EMS do a very good job of making both of those sides balance so that we have a great EMS team here in Sedgwick County, and that response times are pretty good. There's always perfection, and you know, none of us are perfect in any job we do, but over 98 percent is pretty remarkable for any government entity. So, thank you Mr. Chair."

Chairman Unruh said, "Commissioner Dennis, did you want, I think Commissioner Ranzau hadn't spoken and he wants to talk."

Commissioner Ranzau thanked the Chairman and said, "I'll preface this by saying

that you may find this surprising, but I find myself in the minority with my Commissioners today. I have a couple of issues with this particular contract. The first one is Item 3, accreditation. Right now we are accredited, but it's not mandated by the current agreement. I would ask the city to allow us to have the flexibility to determine that there's a cost benefit analysis that I think we have to continually do, so that's an issue. Then with the major sticking point of paragraph 6, I'm open to allowing private sector entities to provide non-emergent transports, whether it'd be 45 minutes, an hour, whatever. I think we need to give honest consideration to this because it is about customer service.

"I'll have to disagree with my fellow Commissioner that this is not going to affect, the amount of money we're talking about, there's no reason why this should affect our emergent response, okay. That's just, I don't believe that's accurate because having someone else to assist us with non-emergent actually frees us up, and the amount of funding that we might lose, we have room for efficiencies within the EMS department, I can assure you. So, I think I'd be open to accommodating the city's request as far as non-emergent private sector options there. I think it would be a win-win for everybody. I just don't think the sky's going to fall."

Mayor Longwell said, "So, I'm just trying to do the math here. I think when we had our June whatever it was, 13th meeting, we were shown a slide that said on average, ambulance service collects \$2,500 a ride. That's the number that was thrown out on that PowerPoint. I don't know why you chose [\$]2,500, I think it was an average of collections, so you took all of the rides and divided them, but anyways, they showed us \$2,500 going off of memory. I think it was \$4,000 is what is charged, but I don't know why they use the \$2,500 figure."

Councilman Meitzner said, "I think it's more like 300."

Mayor Longwell said, "Alright 5, yeah right, 500, I'm sorry. So, we're not talking about a lot of money then. So if you just take \$500 times 50, what is that?"

Commissioner Ranzau said, "[S]25,000."

Mayor Longwell said, "So \$25,000 would impact your services?"

Chairman Unruh said, "I think the question is, do you think there's any private service company that would want to gear up for that level of business?"

Mayor Longwell said, "I think there's some today that are operating in the city for rides outside of Sedgwick County that are saying they would be staffed and willing to take some of that responsibility."

Chairman Unruh said, "Well I understand that that's the request, but Mr. Mayor, if we had a private company, and we will look for one, we'll try to put out an RFP and find them, I mean, that's part of what we're agreeing to do, but I think that this current company that's working right now, which we don't know anything about..."

Mayor Longwell said, "I don't either."

Chairman Unruh said, "...nobody has come to us and said, here's what we got, let us in the door, let us do some of this, let us provide, we have no idea if they have 1 ambulance or they had 10 ambulances. But if they've got a couple of ambulances and one of them is in Reno County and one of them is in Saline County, they cannot respond to a non-emergent call within an hour. So, if we want to choose it, we'd have to check all that out first. How much investment do you have? Are you going to be

able to respond to our call? Do you have the crew members? Right now, they may have, but I suspect they do not have the resources, and would they be willing to gear up for 50 rides a year, or whatever the number is. I think that's part of my question, and I kind of interrupted Commissioner Dennis. I think he wanted to make a comment. Are you still up?"

Commissioner Dennis said, "Actually you said a lot of things that I was getting ready to say. No one has come to talk to me, and I would have thought since we're the ones that have the exclusive contract right now, they'd have been talking to us. But, so right now I can't tell you, I don't know what assets or resources they have. I don't know what their non-emergent response times are. I don't know what training that they have, what kind of licenses that they have. Are they EMT, paramedic, ALS capable, I have no idea on that. Do they require payment up front when they show up at the hospital? Are they going to want money immediately, and some of them do. Are they credentialed through our Medical Director, as every other EMT/paramedic in Sedgwick County is. How long have they been in business in Wichita? How many times have they been unable to meet the need or had to reschedule the transfer? "What are their insurance and bonding requirements, because if we do sub-contract to them, are we going to be liable if they get sued? That's a significant concern. With little or no warning, a third party vendor could leave the market, leaving a void in our community. Their purpose is to make money. Our purpose is to provide service. We are not a profit-making organization. We don't take one cent of profit out of our EMS operations. So, we meet the budget each year. We're not working, we're not striving to turn a profit. With third party vendor, elected officials are taken out of accountability. Right now if something happens with our EMS, I'll guarantee you the elected people are the first to be contacted to let them know that there's a problem. So, because of these points, we're hesitant to jeopardize the safety in our community. I've already asked our legal department, I've asked our purchasing department, I've asked our EMS, can you go out and get these questions answered because I don't have the answers. So, right now if I tell you I'm going to accept anything that you want, we'll contract immediately with third party vendor, I'm very hesitant to do that."

Mayor Longwell said, "So, let me back up because the Vice-Mayor provided, you know, a great question. It sounds like then you're at least willing to go through the RFP process, and try and qualify some to put them on a list as opposed to waiting until you get into non-compliance to the 98 percent. Whether you're successful or not, we don't know yet, but I would say that there is some accountability because again, you're going to be granted the exclusive rights to manage the system. So, you're still accountable. There's still some kind of accountability. Now you may have to manage, potentially a private vendor, but there's still accountability because you have exclusive rights to manage, right? Doesn't that grant you some accountability?"

Commissioner Dennis said, "Does that mean that if we do fall below 98 percent, because our vendor can't meet the requirements, that you're going to terminate the contract then at the end of a year because we've tried everything we could do."

Mayor Longwell said, "So, not really, again, what you guys are saying is you can either increase your owned assets, I mean, I guess the question is how did you get from 82 percent to 98 percent in a two-year span? You increased your assets."

Chairman Unruh said, "Yes, we did."

Mayor Longwell said, "So, you still have that ability."

Councilman Frye said, "And there's still a compliance plan component of it too, to be able to meet those numbers. So there's still that opportunity to get to that 98 percent."

Item 6 here still only addresses trying to reach that 98 percent goal and maintaining, it doesn't do anything for those people that are above that 98 percent threshold. You have no recourse to use a third party provider. There's no means for that, for those. So, all those questions that you brought up are certainly questions that you can ask as part of that RFP process, and as the provider of their service, I would hope that you would ask those. So, you're right, giving the exclusive right to operate, gives you that accountability."

Vice-Mayor Miller said, "I think some of the questions that you asked, Commissioner Dennis, are things that are already specified in your contract. They would have to meet these, you know, qualifications, so I think your staff's already made an effort to qualify exactly what they would have to do, so all of that's in here. You know, maybe one option is if there isn't, if there's, if that's the question about rather or not there's somebody who could meet, potentially meet this need, you know, maybe there is an option where we extend, you know, our existing contract for 30 days or something to give the county an opportunity to issue an RFP to find out what the responses are, and rather or not one can be selected. If for some reason we find there's, that there is no one who submits, is responsive I guess, as they say to your RFP, then that would tell us one thing. If there are more than one company, and you can select someone, that would tell you we could go in a different direction."

"You know, we're not unfamiliar with our counterparts changing services which requires additional funds to be spent. Day Reporting Center (DRC) is just one example. You know, we ended up with several hundred thousand dollars as a result of that service change that the county felt it needed to make. We feel like we need to make a change here, and that might in fact mean you have to spend \$25,000 or something more than what you're spending now on your EMS. I guess I'm not sure that, in my mind, make it a deal killer."

"To your question about, do those people get transported by the private sector, I would say they're not included in the calculation. Your dispatch has already determined up front that that person's not, you know, we don't have resources right now to get to somebody in an hour because it's shift change, so you call the third party transport, and it's not even included in the calculations. So no, it wouldn't count against you, except it would help your numbers because then you would be picking up all the others in an hour. That would help get you to, closer to 100 percent probably."

Chairman Unruh said, "So the council's saying 98 percent performance is not good enough?"

Mayor Longwell said, "So we're, no, I think we're saying 98 percent is the contract, what I understood the Vice-Mayor just said as right now, basically that, 2 percent, and that is a great way to look at it. So that 2 percent doesn't impact the contract today. So if you were to utilize an outside vendor, could find one, they could pick up those calls. That guarantees you that you'll stay above that 98 percent range if you get 1/2 of them picked up in a timely fashion. So now you've got even more latitude to meet the 98 percent, so the contract 98 percent were willing to live with."

Chairman Unruh said, "Well we are guaranteeing by contractual language that we will perform at 98 percent..."

Mayor Longwell said, "Right."

Chairman Unruh said, "...and we'll do it either by making sure we have the resources, or contracting with a private..."

Mayor Longwell said, "Right."

Chairman Unruh said, "...vendor."

Mayor Longwell said, "Right, so we're on the same page."

Chairman Unruh said, "A private vendor that meets the standards..."

Mayor Longwell said, "Right."

Chairman Unruh said, "...and so we're promising we'll hit the 98 [percent]."

Vice-Mayor Miller said, "I think we all agree with that. The question is, what about those 50, let's just say it's 50 people a year that aren't going to get picked up."

Chairman Unruh said, "Well they will get picked up, and some of them in an hour and 10, some in an hour and 20, but they will get picked up."

Vice-Mayor Miller said, "Right, our question is, what can we establish today with this contract that gives those people another option. Not everybody another option, just those 50 people a year."

Chairman Unruh said, "So 98 percent is not good enough? I mean, we're going to pick them all up. The issue here is, is 98 percent in one hour a good number?"

Councilman Clendenin said, "No, no, it's not that the 98 percent isn't good enough, it's that everybody matters."

Chairman Unruh said, "The question, do you demand 100 percent performance. Do you demand 100 percent performance on all your emergency responses?"

Councilman Clendenin said, "No, what we're saying..."

Chairman Unruh said, "Well, how come you want us at 100 percent? Why do you not demand that your police respond?"

Councilman Clendenin said, "Contractually you're not being, what we're saying is, is that your 98 percent does matter, but those 50 people that don't get picked up in an hour and a half, they matter too..."

Chairman Unruh said, "Absolutely, and we pick them up."

Councilman Clendenin said, "...and so we're just trying to do everything we can, and we think there's a solution to make sure everybody has a shot at getting picked up when they want, and I think that we can give people choice in the matter as well. Maybe not everybody agrees with me, but..."

Chairman Unruh said, "You know..."

Councilman Clendenin said, "...everybody matters in this, and we just want to make sure..."

Chairman Unruh said, "I know, I understand, but I mean I don't, if 98 percent in one hour is a good standard, and we're going to pick the rest of them up too, we're not making wait till tomorrow, we're going get them picked up. I don't understand why that's not a good performance record that the city might agree with..."

Councilman Clendenin said, "It, you know..."

Chairman Unruh said, "...because I'm sure that in other agencies that you all are responsible for, you do not require 100 percent."

Councilman Clendenin said, "It's more about people having choice for me than it is anything else. It's more for people having a choice in a non-emergency situation. For us to say, no, you may not call who you want to transport you, we have to tell you who you have to use. If that person, if that company meets all the threshold requirements within the contract, and so for me, that's my biggest issue. It's just about people having choice in the matter in non-emergency service. You guys are performing amazing. I mean, you guys have amazing service, nobody's going to dispute that. As a matter of fact, I think 98 percent is a goal that's probably too high. I mean that is huge, so I just would love to have people to have choice. That's as simple as it comes down to for me."

Mayor Longwell said, "And only when you know it's going to be over an hour."

Commissioner Howell said, "Mr. Chairman..."

Chairman Unruh said, "Yes."

Commissioner Howell thanked the Chairman and said, "I just have, I guess a question for the members of the city. Maybe someone from EMS can answer this question. Out of the roughly 50 a year that aren't transported within 60 minutes, how many of them are known to be a problem at the very beginning of that call where they say, we're not going to get to you in 60 minutes, it's going to be a little bit longer than that."

"We know that at the very beginning of that call, versus I think as Commissioner O'Donnell pointed out, sometimes they may have the best of intentions to get there, to say, in 30 minutes, but on the way to that call, something happens and they end up getting redirected. So, out of those 50, do we know what the breakdown is in terms of how many were known at the front end of that call to likely be more than an hour versus those that may be, it ended up that way because of circumstances that happened during the hour. Do we know what the breakdown is?"

Mr. Hadley said, "Commissioner Howell, I don't have that breakdown. I don't know the, to quantify that today. There are circumstances that we're on the way to that transfer, and we pre-empted with an emergency call, and we take the emergency call, and we send somebody else. They may be pre-empted, so sometimes from the onset, we don't know that we're not going to make it from the time they made that call because we dispatch the unit, we're sending them that way, and we'll make it within an hour, but we get pre-empted due to emergency calls."

Commissioner Howell said, "Okay."

Mr. Hadley said, "So those dynamics play into that, so we can't really say every time that someone calls, we know it's going to be more than an hour."

Commissioner Howell said, "So, let me just say then, obviously out of the 50, there's a combination. Some of them are either, character of the trade, some of them we know we're not going to make it on the front end, and some of them we know, we intend to get there, but something happens, and it changes the circumstances, we end up not making the hour because of some emergent issue that's going on, and we've got to deal with those life-and-death calls first. So, out of the 50, it's safe to say that there's a breakdown of how that, if you had the data, it would be some combination of those two things."

Mr. Hadley said, "Right. I think we could, if we look at that and say out of the 50, and I don't know a number today, but there may be some that's very easy to identify, we're not going to be there in an hour. We've had 4 requests, we're busy on this side of town, we know we're not going to make it in an hour, we may be able to do that. Others are not that simple."

Commissioner Howell said, "I may have a couple of other questions and comments. I just, let me just say, if we're going to focus on opening this up to third party companies to do these transports because we know at the front-end of the call that we're not going to make the hour, to me that's probably not really 50, it's something less than 50. Maybe it's half that, okay. Based on the comments from Councilmember Clendenin, it sounds like you would be, I don't want to put words in your mouth, but maybe you can clarify, you'd probably rather have all of the non-emergent transports have a choice. I mean, rather than just open this up to those 50 or 25 or whatever, you probably would like to say, if it's a non-emergency transport, you'd like to potentially see everyone have that choice. Would that be fair?"

Councilman Clendenin said, "In a perfect world, yeah, I would like to see that, but for the sake of negotiating..."

Commissioner Howell said, "Okay."

Councilman Clendenin said, "...and getting an agreement done, I'm willing to look at the two percent and say, okay we know that we have two percent here that are going to wait over an hour..."

Commissioner Howell said, "Okay."

Councilman Clendenin said, "...that's my, the biggest issue is just quality of life for even 50 citizens and making sure that they have a choice in how they get home."

Commissioner Howell said, "I guess, let me continue. We're trying to enhance our system right now. We've had plans for more stations. I think right now we've got another station up on Oliver about to open. We obviously had limited resources. If, for some reason, there's a lot of accidents going, and sometimes that happens. Sometimes there's a lot of things going on at one time, and the logistics are somewhat confusing to me a little bit. If someone makes a call and says I need a transport, if we know it's going to be more than an hour, do we tell them we'll get there at 2 o'clock and are we held to the standard of what we estimated we would be there, or is it held to the standard of when that call came in? I'm not really certain of that. It could be, if we know we're going to get there at a certain time, plus or minus 30 minutes, or whatever it's going to be, that ought to be, perhaps, what we would be accountable to.

"If it happens to be that it's based on when calls come in, it's conceivable that you might get 10 calls for non-emergency transports within a few minutes of each other,

and no service, whether it be the county or the third party, could take that type of peak load that might happen. So, I think it depends on how you calculate these response times, that's a factor. I would also like to ask, what happens if a third party company is now part of our system of care, and all of the sudden, there's a surge of calls that come in, and they only accept a certain number of those calls, is the default, it goes back to the county again. In other words, let's say you get 10 calls all at one time, and the third party takes 2 or 3 of those calls, and the remainder of those calls goes back to the county, and we can't perform because we've had this peak.

"I guess, there's still a lot of questions on how to calculate these things and know that if we have a third party in place, and we're only willing to accept, let's say, two or three of those calls, do we get essentially credited for the calls we couldn't take within 30, 60 minutes. There's a lot of questions about how we calculate these things. I don't think the contract is really clear on these logistics. I say that, I certainly appreciate the comments from our friends across the street.

"I certainly agree with Commissioner Ranzau on the free-market side of this thing. I agree with Councilman Clendenin that I think people should have a choice to the greatest extent possible. I also agree with Commissioner Dennis. I'm concerned about the balance of our system, and Commissioner Unruh, and if we upset this system of care, what are the consequences in this total system. I see both sides of this. I don't know how to move forward, but I think the contract has done a pretty good job of trying to define large parts of this, but I don't think it's all defined. I still have questions on how this is counted, on how we keep track of these calls, and I have concerns on both sides, if we move one way or the other. Thank you, Mr. Chairman."

Chairman Unruh said, "You're welcome. Commissioner Dennis."

Commissioner Dennis said, "Just a couple final comments, and then I'm not sure where we're going after this. I want to address Councilman Clendenin's concerns a little bit. I concur that we care greatly about the quality of life of every single citizen; therefore, we've invested over \$30,000,000 just on infrastructure within the city of Wichita. That includes the buildings, the equipment, the supplies and so forth. Out of 16 stations in Sedgwick County, 10 of those are inside of the city of Wichita. We have 163 full-time staff. We have, out of that 163, 85 percent of them are assigned here inside of the city of Wichita. We have 12 ambulances located in those 10 facilities. We added in 2017, eight more full-time personnel. Every single ambulance has someone that is ALS qualified on that ambulance, every single one of them.

"We're one of only two ground ambulances in the state, and we are 1 of 180 in the entire nation of 16,000 ambulance providers that are accredited. Every one of our personnel are credentialed by the Office of the Medical Director who receives their guidance from the Medical Society of Sedgwick County. We care deeply about those citizens. We are spending a fortune. Our budget just for personnel each year in the city of Wichita, is \$16,000,000, is what we're spending for salaries just in the city of Wichita, to meet that 98 percent that we've got now. Please don't tell me that we're not concerned about the quality of life, and every one of those matters to us."

Councilman Clendenin said, "Please, please don't misunderstand. My comments not at all were meant to reflect that you don't care, absolutely not. I think you guys do care a tremendous amount or you wouldn't have made such a lofty goal of 98 percent. I think the County Commission and the City Council of Wichita care a tremendous amount, and maybe we can arm wrestle over who cares more. But, I think we all care a tremendous amount about everybody. Just because we're at an

impasse about how we serve everybody, doesn't mean that we don't care.

"I think that we are going to get this worked out, so if I gave an impression that you guys don't care, that's not at all what I'm saying. What I'm saying is, is that those 50 people, and by the way, if we're giving people choice, I doubt very seriously, that all 50 people are going to call off private party.

"I bet you that half of those people are going to want to stick with EMS of Sedgwick County because of the very points that you mentioned on your paper there. So, I just want to make sure that those people that are in the two percent have choice, that's all."

Mayor Longwell said, "Councilman Frye."

Councilman Frye said, "I hope no one walks away from this meeting questioning our belief in the quality of care that Sedgwick County is providing. I started off my comments today saying how impressed Mr. Meitzner and I both have been during this process and learning about, and again, the 98 percent, very lofty goal, but again, I hope no one ever questions the fact that we believe strongly in the quality of care that EMS is providing to our citizens. At the same time, I believe as electeds, our charge is to make life better for all citizens, and at this point, this contract fails to do that. It's doing it for 98 percent, but not the other two percent.

"I think there's a way for us to improve this to allow for that, and we're not addressing it right now. One of my first comments, or one of the early comments I made, was staff had prepared an amendment for us to allow a 30 day extension of the notification, so that we can continue to negotiate. I don't think we're going to get this done in the allotted time that we have today. So, I'd like to motion that we adopt that extension, allow us to have more negotiation and conversation with the intent of bringing back a mutually agreeable contract for approval by both parties on August 1st, or before August 1st. I think we're at that point. There's too many questions that have been raised that we're not going to be able to address or answer at this point."

Chairman Unruh said, "I just want to make, perhaps this is just an editorial comment, but our goal is 100 percent. But there are exceptions and there are circumstances that keep you from making that goal, so, in our language, I think we should say our goal is 98, that's not our goal. Our goal is 100 percent service, and I think that, you know, we want to do that in all of our services and especially EMS services. It's, I think there's a high likelihood that as we continue to invest as we're adding a couple more EMS posts, that we'll probably improve that. Hitting 100 percent goal is probably not likely, but that doesn't mean we don't care about who may not get picked up in an hour, but I guarantee you they are not in an emergency situation, and they will get picked up."

Mayor Longwell said, "So that might be a nice change in language. We could simply insert that your goal is 100 percent, but the contractual portion of this is left at 98 percent. I mean, that..."

Chairman Unruh said, "Well that's the default point."

Mayor Longwell said, "...that reflects everyone's desire."

Chairman Unruh said, "That is the default point..."

Mayor Longwell said, "Right, right."

Chairman Unruh said, "...the 98 percent."

Mayor Longwell said, "Right."

Chairman Unruh said, "But our goal is still, we could write in there our goal is 100 percent, but should we..."

Mayor Longwell said, "Sure."

Chairman Unruh said, "...fall below 98 percent, then we are in default, and we have to take remedial action."

Mayor Longwell said, "Sure."

Chairman Unruh said, "That could be done."

Mayor Longwell said, "So, I think that would be a nice change of language. We need to word it exactly right, so it doesn't force you all to comply with the 100 percent. We get that."

Chairman Unruh said, "Well if that change would advance the conversation, I'm ready to do that."

Vice-Mayor Miller said, "I'm not clear how that materially changes the contract."

Mayor Longwell said, "It doesn't, I mean there's still, I think a few issues to work out potentially. I'll fall back on, I kind of like the direction that the Vice-Mayor was going in. We may be much ado about nothing if we can't find a vendor willing to meet the needs as a third party vendor, and so would 30 days provide you enough time to try and see if there's anyone willing to step forward and potentially..."

Chairman Unruh said, "(inaudible) I don't think so, yeah, it'd take probably closer to two months before we could..."

Mayor Longwell said, "Right."

Chairman Unruh said, "...get an RFP and interview them..."

Mayor Longwell said, "Councilman Meitzner."

Chairman Unruh said, "No wait, one of our attorneys is saying, how long, Karen?"

Ms. Karen Powell greeted the Commissioners and said, "I'm thinking three months before we can get an RFP to get responses back, at least three months (inaudible)."

Chairman Unruh said, "So, there authoritatively we said probably three months."

Councilman Meitzner said, "Okay, let me add a little bit of calmness to the, to this herewith. First of all, we first started discussing, at one time, the 90, the hour was actually 45 minutes, and we looked at data and thought, and it was presented and asked of us, can we make this an hour versus 45 minutes. Then, I can't remember how we got to the 98 percent, but it was, the improvement was shown from 80 something a couple years ago to mid-90's or higher today, whatever the comfort zone, was presented and offered to us, and I think we agreed to 98 [percent]. So, if it was 97 or 96, well I'd even agree to that. It was kind of what was proposed to us."

"We're not data statisticians on the performance on that level. So, we've been trying to agree to most things that have been proposed through this course. I got to counter that, I'm sorry that nobody in the county has had any discussions with any outside vendors because a couple of years ago, I've had three. There's a group in Kansas City that had contacted me. There's a local one operating today that has contacted me. There's one in another adjoining state that, I don't want to say which state, that had contacted. And all three of them basically was a frustration, and that when they tried to visit with EMS or county officials, they don't even get a meeting. So now you've also got to assume that all three that I talked to, were credentialed to do business in the communities they were at. So, we're not, in the, private industry's doing this all over the country as we've said except in our community.

"So, I think just a phone call in 30 days to say, hey would you guys be interested in this, are you accredited by this or that, I don't think the CASS (Commission on Accreditation of Ambulance Services) thing is something that private's need to be done. But I think you can probably find out yes or no, yeah that we can do it, and yes or no we'd be willing to bid it, or yes or no maybe you have three different contracts with them, and let them propose what they do, and if you guys decide, hey this meets our standards, let's get a contract so it doesn't have to be sole-source, and you got one that's priced at this and that. Okay, so that is not near as challenging as it might appear to be from my perspective. I'd be glad to get out my files and tell you which three companies there are that are doing it today.

"But, based on the fact that we had limited data, I've made a lot of other phone calls with pretty valuable people in the medical community here locally and around, and the impact that, in defense of what maybe Commissioner O'Donnell said earlier, whatever, when you do have competing services in a community, at what level, if it's wide open or if it's anything over 80 or 90 percent or whatever, what we're talking about, it does create an environment where now there's a comparison for prices, pricing, level of service, so to speak, response time, things like that.

"If it adversely affects the government supplier, then it has had an impact on property mill levies, things like that, that help to support, or whatever the taxing authority is that supplies the government provided EMS, so to speak. So, it does have, I recognize that.

"So, that's why I think the small, small percent that we're asking to say, can that be considered to say, as the Vice-Mayor said, just from day one, yeah, we've got the ball rolling. We've got offers coming in. If you want to do an RFP, I think that's okay. I'm not asking if you have to do an RFP. I just think you just take a letter of offer of services if they're available, and if they don't respond in an hour or whatever, then at least we can share to the community that, look, we've done everything we can. We're trying to monitor it. The local, the county controlled EMS is either supplying their own services, but they also have option B, which is, we've made a phone call over here, and it didn't work for under an hour.

"I don't think our council would be punitive or want to exercise a contract, you know, to end the contract, because you were in a bind, and the local private were in a bind. We can tell citizens, if the citizen calls the Mayor's office, citizens don't usually, when they have a problem, they don't even understand often time the difference between a county owned service or whatever. It's easier to call the Mayor or their Councilmember. So, I think, you're asking us, you told us the terms that we've kind of agreed to most in part, you've asked for a long-term deal. We're asking that if we're going to give you an exclusivity at no charge, we're not charging you for this

exclusivity, we're just allowing you to be exclusive for all the service, that we can't address that the very small portion of a choice. So, I'm not trying to add anxiety as much as I'm trying to add clarity. I think it's available. I think it's doable, and that's where I sit. If we need 30 days to make a phone call, I would agree."

Mayor Longwell said, "Councilmember Williams has a point to make."

Councilwoman Lavonta Williams greeted the Commissioners and said, "First of all I do want to also say that there's no doubt that the services that are provided by EMS right now are exemplary. I cannot say anything against those services. However, I would like to ask, Mayor, as we look at, and Chair, as we look at moving forward, is it out of line to look at an RFP to allow us at least 60 days to look at that RFP? If it is going to take additional time, could the Chair and the Mayor determine if that additional 30 days is needed?"

Mayor Longwell said, "So I think Pete brings up a good point that maybe the attorneys can address. Maybe you don't even need to go out for an RFP. Maybe you just simply accumulate a list if it's 2 companies, if it's 100 companies that meet the criteria and can be placed on a list. You just simply have a list of all of the companies operating in this area that meet the requirements of non-emergency transportation care that we've set forth. Do you even need to do an RFP?"

Chairman Unruh said, "That'd be a legal response, in my opinion, I don't know, but we can certainly compile a list. We're not breaking any law by doing that, or breaking any protocol, just to get a list, ask people who's out there because we're not..."

Councilman Meitzner said, "Well you may find out that there's no interest."

Chairman Unruh said, "Might find out there's no interest."

Councilman Meitzner said, "I don't think that's the case, but based on couple years ago, might but, but I think they may say, hey it if this deal with minimum amount of market and the prices we'd have to do, to do service, they might tell us that. Well you'd have that in writing. You'd have that documented."

Chairman Unruh said, "Well we can, yeah we can compile a list. There's..."

Mayor Longwell said, "Certainly 30 days would give you enough time to see if there's even any interest out there."

Chairman Unruh said, "Yeah. Does that have anything to do with this contract under consideration today? I mean, we're just saying we're going to do that, but does that change this language?"

Councilman Frye said, "I think you still have to extend the notification until at least 30 days, so that..."

Chairman Unruh said, "Well..."

Mayor Longwell said, "So I don't know that..."

Chairman Unruh said, "...I mean..."

Mayor Longwell said, "...potentially it changes this contract, other than it reassures

our citizens that we have a list of people that we may call to supplement as required or as needed, additional resources."

Chairman Unruh said, "Well, I think that we can do that, and I think that we have language in the contract that says that we can use them if needed. We could even put that line in the contract that we're going to..."

Mayor Longwell said, "So, I think that..."

Chairman Unruh said, "...go out and compile a list."

Mayor Longwell said, "...we understand it, I think the council, and I'm speaking for the council now, that we're willing to grant exclusivity to Sedgwick County to provide services. What provides us even more comfort and adds just another layer of comfort for hopefully our citizens, is the fact that we now may utilize a list that we accumulate to provide even more resources potentially."

Chairman Unruh said, "Do you want that in the contract?"

Mayor Longwell said, "What's the..."

Chairman Unruh said, "We'd be happy..."

Mayor Longwell said, "So, I'm seeing all of our folks nod yes, I mean, I think they would like to see that somehow written into there."

Chairman Unruh said, "And we'll probably write in there that our goal is 100 percent..."

Mayor Longwell said, "So, I think that sounds better..."

Chairman Unruh said, "...but we'll have..."

Mayor Longwell said, "...but we're not going to be contractually obligated to that, I mean, we'll be reasonable in terms, and Pete's right, you know, we started out at 45 minutes. We said let's move it back up to an hour. I think the 98 percent figure came from, you've been responding to 98 percent of those calls, and that's what we just latched on to."

Chairman Unruh said, "It's a high standard."

Mayor Longwell said, "No question. No question. So, I think that the goal, I mean, our intent is to provide you exclusivity, to let you manage all of the calls."

Chairman Unruh said, "Okay, so..."

Mayor Longwell said, "Go ahead, Vice-Mayor."

Chairman Unruh said, "...the question is, can we move this to where we don't have to go through the process of extension? We can sign it today with those additions."

Mayor Longwell said, "That's a question we're going to have to ask our legal staff."

Vice-Mayor Miller said, "I guess it's not clear to me, are we, are they, are there any

conditions under which the county is required to use anyone off this list? Or is just the mere existence of the list all we're asked for? It's not clear to me."

Chairman Unruh said, "This language doesn't require us to use a private vendor."

Vice-Mayor Miller said, "Yes, that's what I'm asking..."

Chairman Unruh said, "It does not require..."

Vice-Mayor Miller said, "That's the way I read it, and so I'm not sure what the purpose of the list is if they're not ever required to use it, and the citizen can't use it. I'm not sure what purpose..."

Mayor Longwell said, "So..."

Chairman Unruh said, "It identifies the resources..."

Mayor Longwell said, "So, it identifies resources. The only time that they would be required to utilize it is if they don't meet the 98 percent goal after six months."

Chairman Unruh said, "And we're not putting in our own resources. We say this is a better way to go. Because right now we have either way..."

Mayor Longwell said, "You can do either one or both, or you might find out if there's growth, you may need to do both. I mean, again, who knows what the call volume's going to be."

Chairman Unruh said, "Right."

Mayor Longwell said, "I think the hang-up is some of the council would like to see you utilizing that list from day one on the calls that you know are going to be, so I don't, I mean, we're getting into splitting hairs now. I mean, obviously, you respond to 100 percent of the calls. So, 100 percent of the calls, you respond to. There's been very rare occasions where someone's waited 2 to 3 hours. I don't know if you recognize that they're going to wait 2 ½ hours on a call from the time the call comes in. Wherever that falls, I think some of the Councilmembers are saying, if you know, let's just pick another number. If you know that they're going to sit there for 2 hours and wait on an ambulance, would you be able to call someone from the list day one even though you're not out of compliance."

Chairman Unruh said, "I'm sure that we could establish that protocol. I mean, we do not have it now, but we could establish that protocol."

Mayor Longwell said, "So I think that's what the council is asking, is that protocol be established..."

Vice-Mayor Miller said, "That was my general issue from the beginning was just suggesting why not have this available so that if you know you're not going to make it, you have somebody to call. That's all I ever suggested."

Chairman Unruh said, "That would be our staff making that call..."

Mayor Longwell said, "Right, right..."

Chairman Unruh said, "...not the consumer."

Mayor Longwell said, "No, your staff making the call."

Councilwoman Williams said, "I think that I'd also ask what would be the length of this contract (inaudible)."

Mayor Longwell said, "There suggesting five years right now, but..."

Councilwoman Williams said, "(inaudible) five years or is there a way so year two years (inaudible)"

Mayor Longwell said, "We can do whatever we want."

Vice-Mayor Miller said, "Let's (inaudible) right now, if they don't make the 98 percent. Then (inaudible) six months' notice..."

Chairman Unruh said, "Right."

Vice-Mayor Miller said, "...so that's the (inaudible)"

Chairman Unruh said, "It's a one-year contract."

Mayor Longwell said, "So I think, I mean, sort of, if you don't meet compliance, I suppose, you can look at it that way. I'm good with a long-term contract if there's some mechanism in there, if we start the list of potential vendors, and we have some mechanism in there to say if they're going to, if we know they're going wait X, we'll utilize outside resources during that period."

Chairman Unruh said, "Okay then changes that we might find agreeable if we don't make, 100 percent's the goal..."

Mayor Longwell said, "Right."

Chairman Unruh said, "...98 percent is the performance standard. We could add the language that we will compile a list of potential vendors, and then Scott said he could set a protocol to call if we see that we're not going to make it."

Mayor Longwell said, "Right."

Chairman Unruh said, "So, if add those three things, or however many..."

Mayor Longwell said, "And you guys have exclusive rights to manage it..."

Chairman Unruh said, "...things. Then we can sign this without the process of extension. I mean, can our attorneys write real fast..."

Mayor Longwell said, "Let me hear from our attorney."

Chairman Unruh said, "Okay. Our guy is shaking his head, no."

Mr. Eric Yost, County Counselor, greeted the Commissioners and said "Mr. Chairman, I think we probably ought to confer privately about it. I've got some concerns, but they may not be your concern, and you're the client. But, if we're going through all of these hoops to get to the 98 percent, then why are we doing that if we've agreed up front just to start calling people and letting them do private

transport? I don't know why that language is in there, and I don't know if this is going to be a one-year trigger, or if we're going to take the one-year trigger out if we just give them the list right up front. So, I think we need to kind of think it through and talk about it, but it's up to you."

Chairman Unruh said, "Okay, I just see that as a tool for us to make our goal and so I, if I understood your comment, I'm not, I don't have a concern. I may not have understood his comment, that disclaimer."

Mayor Longwell said, "It sounds like it might be easier to get this contract done without attorneys. Jennifer, do you want to weigh in?"

Ms. Jennifer Magana, Director of Law, greeted the Commissioners and said, "I believe from the City's point of view, we are..."

Chairman Unruh said, "Mr. Mayor, I mean, do you want to try to have these changes made right quickly and we can sign it in 30 minutes if they can have it here?"

Mayor Longwell said, "So, let me hear from our attorney right quick."

Ms. Magana said, "Mr. Mayor and Councilmembers, I believe that from the city's point of view, we can insert these changes, the 100 percent goal, the 98 percent performance standard, and just language saying that the county will create the list. Section 7 of the draft agreement, or the existing agreement, seems to suggest already that, in the event the county does subcontract with a third party, it has a process by which personnel dispatch, personnel would dispatch the provider, if that's what you're talking about now. That would have that protocol."

Mayor Longwell said, "I think they just want assurance that seven, chapter seven, will be utilized if..."

Chairman Unruh said, "You say section seven will?"

Mayor Longwell said, "Yeah. So just one other point, and I don't, again, I brought this up during the June meeting, June 13th meeting. Do we really need section 11 in there?"

Chairman Unruh said, "Section 11?"

Mayor Longwell said, "Yeah, I know it's there because it's always been there. I mean, do we really need section 11?"

Chairman Unruh said, "I don't know. I mean, I don't think you can claim that levy."

Mayor Longwell said, "I know we can't, so why even have a Section 11 in there?"

Chairman Unruh said, "Well if Mr. Mayor, you would like to have it out, can we take it out?"

Mayor Longwell said, "I would love to strike Section 11."

Chairman Unruh said, "Uh-oh, our attorneys..."

Mayor Longwell said, "I want to hear why your attorney says Section 11 needs to be in there."

Chairman Unruh said, "I'll let him speak for himself. I don't know."

Mr. Eric Yost said, "Well it says in paragraph 11 that the city agrees not to make a claim on any portion of that tax levy, which means that if we take this out, you can make such a claim for portions of that tax levy."

Mayor Longwell said, "I don't think by law we can."

*Ms. Magana said, "This would preserve a right we have by statute. Leaving that language in would preserve the city's rights. It existed in the agreement since 2004."
Mayor Longwell said, "Can we make a claim to the county's tax levy?"*

Chairman Unruh said, "You know what, Mayor? I promise not to read it if you'll promise not to read it, and problem solved."

Mayor Longwell said, "Let me back up. Jennifer, can we make a claim to the county's tax levy?"

Mr. Yost said, "You can now, but statutes can be changed quicker than five year contracts can be."

Ms. Magana said, "I believe this is from the state statute, and I believe that is language that is accurate. It's been in there a while, and I would need to confer, but I believe that is appropriate."

Chairman Unruh said, "Okay."

Mayor Longwell said, "I'm going to look at all those contracts we have where this clause isn't in there, where we can start claiming the county tax levy."

Councilman Meitzner said, "Mayor, if a..."

Chairman Unruh said, "It sounds like your attorney has work to do now, huh? Well, Mr. Mayor, do you think your council is agreeable to those changes if the attorneys can get them in?"

Mayor Longwell said, "Sure. Let's hear, Councilmember?"

Councilman Meitzner said, "I'd like to have some discussion, but, my question is, if Councilmember Frye's motion, originally, if that was a motion to move for 30 days, I'd second it."

Councilman Frye said, "It was."

Councilman Meitzner said, "If it's still under protocol."

Mayor Longwell said, "Right, under our protocol, we have a motion and a second. Let me ask my Council, are there any other discussion on the motion?"

Vice-Mayor Miller said, "Well, I do want to read what we're going to sign and make sure that we all agree on it. So, I'm not comfortable leaving here today with a verbal, yeah we'll sign something if it says this. If we're saying we have the legal option of recessing for some amount of time while these changes are made and we can legally reconvene and read it and sign it, I can live with that. If, you know, the other option is to just say, it's sounds like we're going to accomplish this so let's extend the deadline and then each of us approve it at our next meeting, but that does leave open the risk

of somebody wanting some more terms changed."

Ms. Magana said, "Mr. Mayor, if I may clarify, the motion would need to be for an amendment to the existing agreement to amend Section 8, to move the notice of termination date back 30 days to August 1st. We need more than just an amendment to, or a motion to recess this item. We would need a joint agreement on the amendment that has been proposed."

Mayor Longwell said, "If I understand that correctly, we would also need the county to agree to that."

Councilman Frye said, "Correct."

Mayor Longwell said, "So I..."

Chairman Unruh said, "I'm glad we're included in this."

Mayor Longwell said, "Well, I mean, obviously if you don't agree to it, we fall back under last year's contract."

Councilman Frye said, "Or we cancel the existing contract."

Mayor Longwell said, "I get that, so..."

Chairman Unruh said, "Okay, so you have a motion on the floor to make Ms. Magana's motion..."

Councilman Frye said, "That's correct."

Chairman Unruh said, "...and you have a second? So, do we need to do that right now simultaneously, make that motion?"

Mayor Longwell said, "So, I don't know that we need to it simultaneously. I am fully convinced that we will have an exclusive agreement with you all. I think we're really, really close. I think some of them just want to be able to see the language in the contract before they sign off. So, we're a little different than the federal government. We don't have to pass it to see what's in it."

Chairman Unruh said, "I understand the historic reference."

Vice-Mayor Miller said, "The question is, does somebody want to make an alternate motion to just recess this body, what changes are made, and then come back."

Mayor Longwell said, "So, I don't know if that's going to give us enough time."

Chairman Unruh said, "I think..."

Mayor Longwell said, "I don't know that 30 days..."

Chairman Unruh said, "I think the County Commission would be willing to just recess and come back and sign it; however, we're willing to yield to your desire to..."

Mayor Longwell said, "So, I don't think there's any nefarious intent for the 30 days. We're going to get it worked out, so I would encourage us just to come back in 30 days. So, let me just call for a vote. We have a motion on the floor to amend the current agreement to an August 1st notification date, if I understand that right."

Councilman Frye said, "Yeah."

Vice-Mayor Miller said, "Yes."

Councilman Frye said, "Prior to August 1st."

Mayor Longwell said, "Any other discussion?"

There was no further discussion and a voice vote was called. Following the vote, Mayor Longwell announced the passage of the item 6-1 with Councilmember Clendenin dissenting.

Chairman Unruh said, "Do we have to call our vote? Yeah we do."

MOTION

Commissioner O'Donnell moved to extend the current EMS contract 30 days to August 1, 2017.

Commissioner Ranzau seconded the motion.

Chairman Unruh said, "Any discussion? Sir?"

Commissioner Dennis said, "Thank you. Sooner rather than later, do we not want to..."

Mayor Longwell said, "Yeah, we can do it anytime in that 30-day window."

Commissioner Dennis said, "I'd just as soon not end up at the end of July at the same time."

Mayor Longwell said, "All we're doing is granting the contractual notification 30 days, but we can come back in..."

Councilman Frye said, "Absolutely."

Mayor Longwell said, "...three days."

Vice-Mayor Miller said, "Well I would shoot, can't we just shoot for each of us doing it at our separate meetings. Do we have to have another en banc meeting?"

Mayor Longwell said, "No I think we can..."

Chairman Unruh said, "I think we can do that."

Mayor Longwell said, "Yeah, I think so."

Councilman Frye said, "Right."

Commissioner Dennis said, "Well we got our next meeting on July 5th. Is that..."

Councilman Frye said, "Sure."

Commissioner Dennis said, "...unreasonable?"

Mayor Longwell said, "No, not at all."

Councilman Frye said, "But we don't meet again till the 11th."

Chairman Unruh said, "Then we can go ahead and approve ours..."

Commissioner Dennis said, "But if we can kind of get your verbal agreement where we..."

Mayor Longwell said, "Yeah, perfect. Perfect."

Chairman Unruh said, "Okay. Any other discussion? Madam Clerk, please call the vote."

VOTE

<i>Commissioner Dennis</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Aye</i>
<i>Commissioner Howell</i>	<i>Aye</i>
<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Chairman Unruh</i>	<i>Aye</i>

Chairman Unruh said, "Okay, we're all in agreement what we're doing."

Mayor Longwell said, "We're there."

Chairman Unruh said, "Alright, so, what..."

Councilman Frye said, "It looks like we're having breakfast on Monday."

Mayor Longwell said, "Let me say, again, thank you. Thank you for coming over to our side of the street. Thank you for working your way through this. I like the direction we're heading in. You all have been very agreeable even when we disagree, and I appreciate the sentiment."

Commissioner Dennis said, "By the way, we took the tunnel."

Mayor Longwell said, "Very good. Alright, thank you very much."

Chairman Unruh said, "Alright, well thank you, and I guess the Commission will be adjourned. Thank you for your comments."

ADJOURNMENT