

A RESOLUTION TO DECLARE DEKALB COUNTY IN BREACH OF ITS MEMORANDUM OF UNDERSTANDING BETWEEN DEKALB COUNTY, GEORGIA AND THE CITY OF DUNWOODY, GEORGIA RELATED TO THE ADMINISTRATION OF EMERGENCY MEDICAL SERVICES AND TO REAFFIRM ITS REQUEST TO THE STATE OF GEORGIA TO OPEN A NEW AMBULANCE ZONE FOR THE CITY OF DUNWOODY, GEORGIA

WHEREAS, DeKalb County is the holder of the sole ambulance zone certificate for ambulance service to all areas of DeKalb County and awarded its ambulance contract to American Medical Response Inc. (AMR); and

WHEREAS, the City of Dunwoody declared an EMS Emergency on May 21, 2018 due the consistent failure of the county's emergency medical service provider, American Medical Response Inc. (AMR) via an Intergovernmental Agreement with DeKalb County to adequately and appropriately provide emergency medical service for the benefit of public welfare in the City of Dunwoody for the period of at least two years prior to May 21, 2018; and

WHEREAS, notice of the EMS Emergency was transmitted to the Region 3 EMS Council on May 24, 2018 with a specific request to open a new ambulance zone in the City of Dunwoody pursuant to O.C.G.A. §31-11-3 in order to improve the economy, efficiency, and benefit of public welfare; and

WHEREAS, the Region 3 EMS Council appointed a 5-person Ad-Hoc Committee to study the ambulance zone now awarded to DeKalb County; and

WHEREAS, the City of Dunwoody demonstrated good faith collaboration and cooperation with DeKalb County by entering into a Memorandum of Understanding directly with DeKalb County on November 5, 2018 for improving ambulance services in the City of Dunwoody; and

WHEREAS, DeKalb County has failed to comply with the provisions of the Memorandum of Understanding during any of the seven months from inception through May 31, 2019; and

WHEREAS, the City of Dunwoody has attempted to achieve a resolution through direct dialogue between the Dunwoody Police Chief and the DeKalb County Fire Chief and through negotiations as outlined in the Memorandum of Understanding; and

WHEREAS, DeKalb County has not responded to the City of Dunwoody's multiple requests to cure its breach status; and

WHEREAS, the economy, efficiency and benefit of public welfare remains at significant risk through the ongoing breach of the Memorandum of Understanding by DeKalb County ambulance services despite the best efforts of the City of Dunwoody to cooperate, collaborate, and afford DeKalb County every opportunity to bring its ambulance service into contract compliance;

THEREFORE, the Mayor and the appropriate staff are directed to contact the DeKalb County CEO and staff to try to set up a meeting prior to July 18th to attempt to resolve the outstanding issues leading to the breach of the Memorandum of Understanding;

NOW THEREFORE BE IT RESOLVED AND EFFECTIVE by the Mayor and Council of the City of Dunwoody while in regular session on July 8, 2019 at 6:00 pm, declares DeKalb County in breach of its Memorandum of Understanding with the City of Dunwoody for ambulance services; and

BE IT FURTHER RESOLVED to reaffirm its request to the State of Georgia Region 3 EMS Council and also now includes the State of Georgia Department of Public Health Commissioner Dr. Kathleen E. Toomey, and the State of Georgia Governor Brian P. Kemp to expeditiously open a new ambulance zone for the City of Dunwoody to improve the economy, efficiency, and benefit of public welfare for its residents, businesses, and visitors; and

BE IT FURTHER RESOLVED the City Manager, Mayor or anyone else representing the City of Dunwoody are hereby directed to transmit this resolution to the named parties in writing and in any verbal communications.

SO RESOLVED AND EFFECTIVE by the City Council of the City of Dunwoody, Georgia, this 8TH day of July, 2019.

Approved:

Denis L. Shortal, Mayor

Attest:

City Clerk
(SEAL)