

Memorandum of Agreement
Between
the Volunteer Rescue Squads of Virginia Beach
And
City of Virginia Beach

- A. Preamble: The Volunteer Rescue Squads of the City of Virginia Beach (rescue squads) and the City of Virginia Beach Department of Emergency Medical Services (VBEMS) have a long history of collaboration and partnership to deliver prehospital emergency care and services.

The participating rescue squads include the following:

Blackwater Volunteer Rescue Squad, Inc.
Chesapeake Beach Volunteer Fire and Rescue Department, Inc.
Creeds Volunteer Fire Department & Rescue Squad, Inc.
Davis Corner Volunteer Fire Department and Rescue Squad, Inc.
Kempsville Rescue Squad, Inc.
Ocean Park Volunteer Fire and Rescue Unit, Inc.
Plaza Volunteer Fire Company and Rescue Squad, Inc.
Princess Anne Court House Volunteer Rescue Squad and Fire Department
Sandbridge Rescue and Fire, Inc.
Virginia Beach Volunteer Rescue Squad, Inc.

The Council of Virginia Beach Volunteer Rescue Squads, Inc. (Rescue Council) consists of member representatives from these rescue squads.

The parties to this agreement recognize the increased costs of providing volunteer rescue and emergency medical services, and agree that an emergency medical services (EMS) revenue recovery is a sustainable source of revenue to help offset these cost increases.

All signatories to this agreement grant authority for the City of Virginia Beach, through its Department of Emergency Medical Services, to administer an EMS revenue recovery program to bill for ambulance transports, eligible treatments, and other allowable expenses approved by the Virginia Beach City Council, on behalf of the rescue squads participating within this agreement.

This Memorandum of Agreement (MOA) provides the City of Virginia Beach the authorization(s) needed to establish required billing credentials, payor applications, policies and procedures on behalf of all participating parties. This includes granting authorization to bill for services rendered on ambulances owned by the individual parties to this agreement.

The signatories to this agreement agree that the provision of financial allocations and other material support from the City of Virginia Beach is contingent on participation as a party to this MOA. The signatories also affirm that their charters and bylaws have no provisions prohibiting their participation in an EMS revenue recovery program.

- B. Purpose: This MOA establishes the framework for the Virginia Beach EMS revenue recovery program (the “Program”) and outlines the understanding of all parties regarding the administration of EMS billing, and allocation, of proceeds.

The Department of EMS serves as the city department responsible for administering this MOA and the Rescue Council serves as the representative party for the volunteer rescue squads. The responsibilities of each party include the following:

a. Responsibilities of the volunteer rescue squads:

1. Actively participate as a member of the Virginia Beach Volunteer Rescue Council.
2. Follow Department of EMS policies and procedures to remain compliant with operational and EMS billing requirements.
3. Submit any forms, filings and information needed to the Department of EMS which may be required for the establishment, and compliant administration of the EMS billing program.
4. Maintain up-to-date tax filings and non-profit organizational status.
5. Make rescue squad financial records, which do not include any donor or member identifying information, available to the City of Virginia Beach, or its agent(s), as needed for third-party audit or financial review of EMS billing program funds if required.
6. Utilize distributed funds specified for capital assets solely for those needs unless other use is authorized by the Department of EMS and Rescue Council. These assets must have a useful life greater than one year and cost in excess of \$5,000. This includes using these funds for new vehicle expenses, vehicle or building loan payments, new or replacement equipment, and rescue squad station needs.
7. Purchase only ambulances and vehicles authorized by the city’s fleet services, and medical director approved patient care equipment and medical supplies authorized by the Department of EMS.
8. Make all rescue squad owned ambulances, EMS equipment and operational facilities available for use by all Department of EMS approved members of the Virginia Beach EMS system, regardless of station affiliation.

b. Responsibilities of the Rescue Council:

1. Serve as the EMS billing program representative for the volunteer rescue squads, and will be the primary entity the Department of EMS works directly with for the development and administration of the EMS billing program.
2. Collaboratively participate with Department of EMS strategic planning programs and related efforts.
3. In partnership with the Department of EMS, recommend model ambulance specifications for use in the Virginia Beach EMS system, with minimum requirements that must be adhered to for ambulances purchased with EMS billing proceeds.

4. Provide recommendation(s) for fund disbursements to participating agencies when applicable.
5. Make Rescue Council financial records available, which do not include any donor or member identifying information, to the City of Virginia Beach, or its agent(s), as needed for third-party audit or financial review if required.

c. Responsibilities of the City of Virginia Beach:

1. Develop and administer the EMS billing program through the Department of EMS.
2. Establish a restricted special revenue fund for the collection and administration of all EMS billing receivables and make fund reports available to the Rescue Council.
3. Utilize EMS billing funds only for EMS operational and/or rescue squad expenses.
4. Ensure transparency for the allocation of billing program funds through regular reporting, audit(s), and upon the request of the Rescue Council.
5. Ensure representative participation of rescue squad and Rescue Council members in Department of EMS strategic planning efforts.
6. To not allocate residual EMS billing reserve funds from the restricted special revenue fund balance without advisement of the Rescue Council.
7. Select and retain a third-party EMS billing company through City procurement means.
8. Make all EMS billing financial documents and records, which do not include any donor or member identifying information, available to the Rescue Council or for third-party audit or financial review.
9. Develop all required EMS billing policies, procedures and requirements and administer these through the Department of EMS.

C. Use of EMS Billing Funds: EMS billing funds will be allocated to EMS operational expenses through the Department of EMS, volunteer Rescue Council and/or volunteer rescue squad expenses. These funds may include expenses related to initiatives derived from the strategic plan collaboratively developed by the Department of EMS, with input from the Rescue Council.

D. Annual Allocation of EMS Billing Funds: A proposed five-year financial plan for the EMS billing program will be included as an attachment to this MOA. These planned allocations will be reviewed annually and are subject to realization of available funds and appropriation of such funds by the City Council. These allocations will not be modified without endorsement from the Rescue Council.

E. Dissolution or Merger of Rescue Squad(s): The dissolvment of a rescue squad, or merger of two or more rescue squads, will be cause to review and update the current year's allocation plan, as well as the plan for any remaining years of the current five-year plan. The parties to this MOA agree that any assets purchased with EMS billing funds, which are still usable, will be made available to the other parties of this agreement if needed for the continuity of service delivery within the VBEMS system. Such use will be coordinated between the Department of EMS and

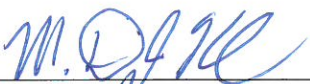
the Rescue Council. There is to be no cost to the other party(ies) assuming the asset for any portion(s) of the asset purchased with EMS billing funds.

- F. Third-party Audit: The parties to this agreement acknowledge that the EMS billing program will be subject to third-party audit coordinated by the City of Virginia Beach. The expense(s) of this audit will be funded through the EMS billing program proceeds. All parties agree to be cooperative as needed for completion of audit(s). Audit findings will be made available to the Rescue Council.
- G. Audit by the City and the City Auditor. The City shall have the right to audit all books and records (in whatever form they may be kept, whether written, electronic, or other) related to or pertaining to this MOA and the Program. This provision shall not apply to those activities of the Rescue Council or rescue squads that concern other fundraising, community relations, or volunteer morale. Any books and records subject to this provision shall be made available, upon request, to the City, through its employees, agents, representatives, contractors, or other designees, during normal business hours at the party's office or place of business in the City, through its employees, agents, representatives, contractors, or other designees, during normal business hours at such office or place of business. In the event there is no such location, the books and records, together with the supporting or underlying documents and records, shall be made available for audit at a time and location in Virginia Beach, Virginia, which is convenient for the City.
- H. Term: The effective date of this MOA is the date it is executed by the last signatory. The MOA will remain in effect for a period of no less than five (5) years and will autorenew for five (5) one-year periods, unless terminated by the City of the Virginia Beach and/or the Rescue Council with at least 180days written notice being provided to all other parties.
- I. Liability: For purposes of the Program and administration thereof, the parties to this agreement acknowledge that financial and civil liability for the negligent acts and omissions of each participant remains the sole and exclusive responsibility of the participant and/or the participants sponsoring entity. Each participating party of this MOA shall assume the responsibility and liability for the acts and omissions of its own employees or agents in connection with the performance of their official duties. Nothing in this MOA is intended to serve as a waiver of sovereign immunity by any agency to which sovereign immunity may be applicable. This MOA is not intended, and should not be constructed, to create any right or benefit, substantive or procedural, enforceable at law or otherwise by any third party against the parties hereto.
- J. Governing Law: This agreement is made in Virginia Beach, Virginia, and shall be governed by the laws of the Commonwealth of Virginia.

K. Venue/Disputes: Any claim of a breach or dispute arising out of this MOA shall be subject to a meeting of the party alleging such breach or dispute, the rescue squad or squads, the City, and the Rescue Council, as applicable. Should the parties to such dispute not reach a reasonable resolution to such dispute, the parties may voluntarily subject the matter to mediation or arbitration as agreed by the parties. If such claim of a breach or dispute not be remedied as provided herein, any court action upon this agreement shall be held in the applicable state court for the City of Virginia Beach.

By subscription of their signatures on the following page, the parties acknowledge that they have read, understood, and will abide by the foregoing statements in this MOA.

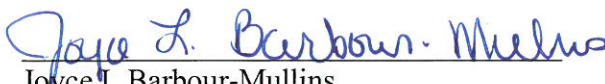
[signatures on following pages]



Michael Dylan Koch
Chief
Ocean Park Volunteer Fire and Rescue Unit, Inc.

4-7-25


Date



Joyce L. Barbour-Mullins
President
Davis Corner Volunteer Fire Department and Rescue Squad Inc.

4-9-25


Date



Michael McCracken
Treasurer
Chesapeake Beach Volunteer Rescue Squad and Fire Department Inc.

4-7-25

Date



Trevor Kirk
Board Chair
Princess Anne Courthouse Volunteer Rescue Squad and Fire Department Inc.

4-9-2025


Date



Nikki Midciff
Chief
Princess Anne Courthouse Volunteer Rescue Squad and Fire Department Inc.

4-9-2025

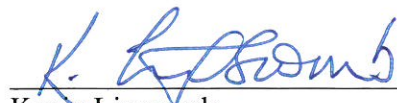
Date



Nancy Gregory
President
Creeds Volunteer Fire Dept. and Rescue Squad, Inc.

4-10-2025


Date



Kevin Lipscomb
President
Kempsville Rescue Squad, Inc.


7 APR 2025

Date



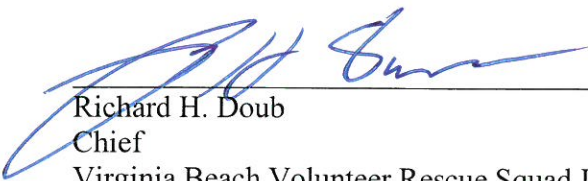
Christopher R. Florio
Rescue Captain
Blackwater Volunteer Rescue Squad, Inc.

04/16/2025
Date




Jessica B. Donahoe
President
Blackwater Volunteer Rescue Squad, Inc.

4-7-2025
Date



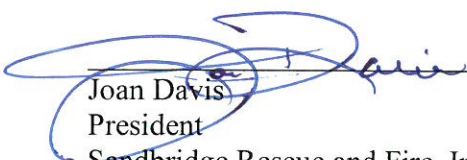
Richard H. Doub
Chief
Virginia Beach Volunteer Rescue Squad Inc.

4/10/2025
Date




Charles A. Crews, Jr.
President
Plaza Volunteer Fire Company & Rescue Squad Inc.

4/15/2025
Date



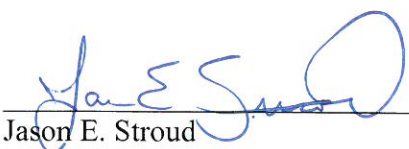
Joan Davis
President
Sandbridge Rescue and Fire, Inc.

4-7-25
Date



Michael McCracken
President
Council of Virginia Beach Volunteer Rescue Squads, Inc.

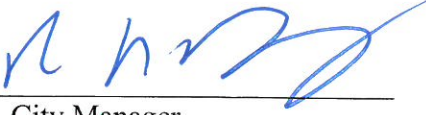
4-7-25
Date



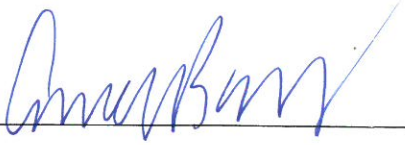
Jason E. Stroud
EMS Chief
City of Virginia Beach Department of EMS

4-21-25
Date


CITY OF VIRGINIA BEACH

By: 
City Manager
City of Virginia Beach

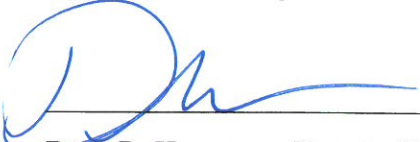
ATTEST:

By: 
City Clerk, City of Virginia Beach

Approved as to Risk Management:


Leah Hunger, Risk Manager

Approved as to Legal Sufficiency:


Dana R. Harmeyer, Deputy City Attorney

Attachment #1

To the
Memorandum of Agreement
Between
the Volunteer Rescue Squads of Virginia Beach
And
City of Virginia Beach

EMS Billing Proceeds Allocations and Distribution Plan for FY2026-FY2030

- A. The parties to the agreement agree that this allocation is a plan for fund distribution and is not a formal commitment of funds that have not yet been realized. All distributions are subject to funding availability and annual budget approval through the City Council.
- B. The Department of EMS is responsible for preparing and administering the distribution plan, in collaboration with the Rescue Council. This will include a review of this plan during the final quarter of each calendar year with the officers of the Rescue Council.
- C. The following allocations will be made for any net EMS billing proceeds:
 - 1. Thirty percent (30%) will be allocated to the City of Virginia Beach for EMS operating expenses through the Department of EMS.
 - 2. Thirty percent (30%) will be distributed to the Volunteer Rescue Squads of Virginia Beach for the following purposes:
 - a. Twenty percent (20%) to be utilized for expenses related to new or replacement capital assets. Funds will be equitably distributed to each squad based on the approved ambulance inventory to be maintained. This portion will be distributed first, and in August of each fiscal year.
 - b. Ten percent (10%) as financial contribution for the rescue squad to utilize as they deem necessary, through an equitable distribution method to be approved by the volunteer Rescue Council. This portion will be distributed second, and in July of each following fiscal year. This portion will be adjusted if necessary to not exceed the 30% total to be allocated.
 - 3. Twenty percent (20%) will be allocated to providing funding for strategic initiatives and identified system needs derived from the Department of EMS strategic plan and/or in collaboration with EMS system stakeholders.

4. Three percent (3%) to be allocated to an EMS technology fund for the primary purpose of replacing all Department of EMS cardiac monitors.
5. One percent (1%) will be allocated to replacement of capital equipment, with concurrence of the Rescue Council, which is used by the entirety of the Virginia Beach EMS system. Such equipment must be used for patient care, response and/or provider protection. These funds shall not supplant the use of the City's public safety equipment replacement funds.
6. One percent (1%) will be allocated for distribution amongst the following, in priority order:
 - a. 0.45% to the Volunteer Rescue Council
 - b. \$25,000 administered by the Department of EMS for the SWAT Medic program, Civil Disturbance Response Team medical component and Virginia Beach EMS Honor Guard, so long as teams have volunteer member participation.
 - c. Residual funding of the 1% to the Marine Rescue Team for operating expenses.
7. The Department of EMS may utilize a portion of remaining revenue, not to exceed 2% of budgeted annual revenue, for contingency funds and unforeseen expenses related to EMS operations and rescue squad expenses.
8. All remaining revenue that is not specifically allocated, and any funds that are unspent from year-to-year, will be retained as undesignated reserve revenue within the restricted special revenue fund. This is planned to be at least fifteen percent (15%) for each of these five years.
- D. Up to 25% of accrued undesignated reserve fund balance at any one-time, of the restricted special revenue fund, may be utilized to provide interest-free loans to participating rescue squads for new or replacement ambulance expenses. Such loans require the recommendation of the Rescue Council, and approval of the City Council.
- E. The Rescue Council's endorsement will be sought prior to any additional allocations or expenditures, for new expenses, of the undesignated reserve balance.
- F. This plan will expire at the conclusion of the term for the EMS Billing Memorandum of Agreement or when replaced by a new EMS Billing Proceeds Allocations and Distribution Plan.

Signatures below indicate approval of this plan for allocations, which the EMS Chief will administer through the City of Virginia Beach budgeting process:

Michael McCracken 7/21/25
Michael McCracken Date
President

Council of Virginia Beach Volunteer Rescue Squads, Inc.

Jason Stroud 7/21/25
Jason Stroud Date
EMS Chief

City of Virginia Beach