



---

---

MINUTES

May 6, 2024

**JOINT SPECIAL MEETING OF THE SHORELINE FIRE DEPARTMENT AND  
NORTHSHORE FIRE DEPARTMENT BOARD OF COMMISSIONERS RFA PLANNING  
COMMITTEES**

**at Shoreline Fire Department's Headquarters Station 61  
and Virtual Meeting via Zoom**

**I. CALL TO ORDER**

1.1 Chief Cowan called the meeting to order at 4:10 PM.

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

Persons in attendance were Shoreline Fire Commissioners Ken Callahan, Rod Heivilin, Kim Fischer, Northshore Commissioners Tyler Byers, and Rick Webster. Also present was Chief Matt Cowan, Legal Counsel Brian Snure, Northshore Board Secretary Amy Oakley, and 3 members of the public. Commissioner Josh Pratt joined the meeting at 4:15PM.

**IV. PUBLIC COMMENT**

2.1 No public comments.

**V. BOARD DISCUSSION**

- 5.1 Initial planning meeting for establishing a RFA between Shoreline and Northshore Fire Departments / DISCUSSION
- The Chief introduced the Commissioners to the RFA Planning Committee.
  - Legal Counsel, Brian Snure, provided an overview of the Regional Fire Authority (RFA) formation process.
  - ***MOTION: Commissioner Pratt moved to select Kim Fischer as Chair of the RFA Planning Committee. Commissioner Byers seconded. The motion passed unanimously 6-0.***
  - The Planning Committee agreed to meet on the 3<sup>rd</sup> Monday of each month at 5:00 p.m. The next Planning Committee meeting will be Monday, May 20<sup>th</sup> at Northshore.
  - The Chief will begin drafting the background and needs statements.
  - Discussion topics for the May 20<sup>th</sup> meeting will include: Timeline, review background & needs Statements, discuss governance and RFA name.

**ADJOURNMENT**

The meeting adjourned at 5:46PM.

Attachments: Agenda, Public Notice, Brain Snure presentation, RFA Plan Template

**RFA PLANNING COMMITTEE**



---

**KIM FISCHER**, Chair



---

**ROD HEIVILIN**, Member




---

**KEN CALLAHAN**, Member



---

**RICK WEBSTER**, Member



---

**JOSH PRATT**, Member



---

**TYLER BYERS**, Member

**ATTEST**

Amy Oakley

**Amy Oakley**, Secretary

King County Fire Protection District No. 16

Adopted at a Special Meeting of the Joint RFA Planning Committee on May 20, 2024.



## SPECIAL MEETING AGENDA

### Joint Special Meeting with The Shoreline Fire Department and Northshore Fire Department Board of Commissioners RFA Planning Committees

May 6, 2024  
4:00 p.m.

Meeting will be held via Zoom conferencing and  
on-site at Station 61, 17525 Aurora Avenue North, Shoreline WA 98133

Join Zoom Meeting

<https://us02web.zoom.us/j/87941151467?pwd=aGczMVFpNDIyNE9vL1NSVTEvNzVTQT09>

Meeting ID: 879 4115 1467

Passcode: 005855

Dial by your location: #1-253-205-0468

- I. **Call to Order**
- II. **Pledge of Allegiance**
- III. **Roll Call**
- IV. **Public Comment** (please see public comment procedures)
- V. **Initial planning meeting for establishing a RFA between Shoreline and Northshore Fire Departments / DISCUSSION**
- VI. **Executive Session**
  - RCW 42.30.110(1)(i) Litigation
  - RCW 42.30.110(1)(f) Evaluate Complaints / Charges
  - RCW 42.30.110(1)(g) Applicant Qualifications / Employee Performance
  - RCW 42.30.140 Negotiations
  - RCW 42.30.110(1)(b) Real Estate / Site or Acquisition
- VII. **Adjourn**

#### **Public Comment Procedures:**

Individuals wishing to comment must do so by signing the Public Comment Sign-In Sheet or if appearing virtually by “raising their hand” or the equivalent. Each individual must state their name, the organization they are affiliated with if applicable, and their city of residence. The chair shall recognize those persons and provide them the opportunity to comment. Individuals may speak for two minutes and those representing recognized organizations may speak for four minutes.



## KING COUNTY FIRE PROTECTION DISTRICT NO.16

7220 NE 181<sup>st</sup> Street  
KENMORE, WA 98028

BUSINESS: 425-354-1780    FAX: 425-354-1781

---

### NOTICE OF SPECIAL MEETING

DATED May 3, 2024

NOTICE IS HEREBY GIVEN that a special joint meeting of the Board of Commissioners of King County Fire Protection District No. 16 and Shoreline Fire Department RFA Planning Committee, will be held via **Zoom**, and in-person at: **Station #61, 17525 Aurora Ave N., Shoreline, WA 98133, Monday the 6<sup>th</sup> day of May 2024, at 4:00PM.** Meeting agenda posted separately.

# DRAFT RFA PLAN TEMPLATE

SHORELINE FIRE DEPARTMENT  
NORTHSORE FIRE DEPARTMENT  
RFA PLANNING COMMITTEE

## TABLE OF CONTENTS

	<u>Page</u>
Section 1: Background & Needs Statements .....	
Section 2: Definitions .....	
Section 3: Formation Authority .....	
Section 4: Jurisdictional Boundaries.....	
Section 5: Governance .....	
Section 6: Funding and Finance .....	
Section 7: Organizational Structure – Personnel - Administration.....	
Section 8: Operations and Services.....	

<b><u>APPENDICES</u></b>
--------------------------

Appendix A.....
-----------------

	<b>SECTION 1</b>	<b>BACKGROUND &amp; NEEDS STATEMENTS</b>
	<i>Adopted</i>	

1. The ability to for Districts to respond to emergency situations is endangered by growth, annexations, unfunded mandates, limited revenues, increasing expenses, etc.
2. Providing a fire protection and emergency medical service system requires a collaborative partnership and responsibility among local and regional governments and the private sector;
3. There are efficiencies to be gained by regional fire protection and emergency medical service delivery, while maintaining local control; and
4. Timely development of significant projects can best be achieved through enhanced funding options for regional fire protection, emergency services, specialized rescue, hazardous material mitigation, using existing taxing authority to address fire protection and emergency service needs, with new authority to address critical fire protection projects and emergency services.
5. Northshore and Shoreline have a long history of a cooperative approach to meeting the needs of their citizens. The Districts have shared a joint Chief since \_\_\_\_\_ an have shared a Board Secretary since \_\_\_\_\_. The District’s engage in joint training and have functionally operated as a single provider since \_\_\_\_\_.
6. On \_\_\_\_\_, the Boards of Commissioners of each District formed a Planning Committee to explore the feasibility of forming a regional fire authority and to draft a regional fire authority plan.
7. On approval of this Plan by both District’s Boards of Commissioners, the District will then asking its citizens to consider combining all functions and services currently provided by the two jurisdictions into a single entity, called a Regional Fire Authority.

**RFA Plan Revision:**

1. The **NEEDS STATEMENT** section of The **RFA Plan** is subject to amendment by a majority vote of the RFA Governance Board.



	<b>SECTION 2</b>	<b>DEFINITIONS</b>	
	<i>Adopted</i>		
	<i>Revision</i>	The <b>DEFINITIONS</b> section of The <b>RFA Plan</b> is subject to amendment by a majority vote of the RFA Governance Board.	
	<i>Revised</i>		

## A. DEFINITIONS

1. The definitions in this section apply throughout this **RFA Plan**, unless the context clearly requires otherwise.
  - 1.1. "**Board**", "**Governance Board**" or "**Governing Board**" means the Governance body of a regional fire protection service authority.
  - 1.2. "**Northshore**" means Northshore Fire Department
  - 1.3. "**Shoreline**" means Shoreline Fire Department
  - 1.4. "**Effective Date**" means [REDACTED] pending approval of the RFA Plan by voters of the Participating Jurisdictions.
  - 1.5. "**Participating Jurisdictions**" means Northshore Fire Department and Shoreline Fire Department.
  - 1.6. "**RCW**" means Revised Code of Washington.
  - 1.7. "**Regional Fire Protection Service Authority**" or "**Regional Fire Authority**" or "**RFA**" means a regional fire protection service authority formed pursuant to chapter 52.26 RCW. An RFA is a municipal corporation, an independent taxing authority within the meaning of Article VII, Section 1 of the state Constitution, and a taxing district within the meaning of Article VII, Section 2 of the state Constitution.
  - 1.8. "**Regional Fire Authority Planning Committee**" or "**Planning Committee**" means the committee created under RCW 52.26.030 to create and propose to Northshore Fire Department and Shoreline Fire Department the Regional Fire Authority Plan.
  - 1.9. "**Regional Fire Authority Plan**," "**RFA Plan**" or "**Plan**" means this Regional Fire Protection Service Authority Plan, drafted and approved in accordance with chapter



52.26 RCW for the development, financing and operation of the \_\_\_\_\_  
Regional Fire Authority.

2. “\_\_\_\_\_ *Regional Fire Authority*” or “*RFA*” means the Regional Fire Protection Service Authority defined in this plan whose boundaries are coextensive with Northshore and Shoreline.

**RFA SECTION 2 PLAN REVISION DISPOSITION:**

The **DEFINITIONS** section of the **RFA Plan** is subject to amendment or revision only by a majority vote of the RFA Governance Board.

	<b>SECTION 3</b>	<b>FORMATION AUTHORITY</b>
	<i>Adopted</i>	
	<i>Revision</i>	The <b>FORMATION AUTHORITY</b> section of the <b>RFA Plan</b> is subject to amendment or revision only by submission of a revised RFA Plan to the electorate for approval.
	<i>Revised</i>	

**A. REGIONAL FIRE PROTECTION SERVICE AUTHORITY.**

1. Chapter 52.26 RCW provides statutory authority for the formation of a Regional Fire Authority by Northshore and Shoreline.

**B. PLANNING COMMITTEE AUTHORITY.**

1. RCW 52.26.030 and RCW 52.26.040 provides statutory authority to form and operate a Planning Committee.
2. The Participating Jurisdictions formed a Planning Committee consisting of three (3) members of the Northshore Board of Commissioners and the three (3) Commissioners of Shoreline Board of Commissioners.
3. The Planning Committee developed and presented to the elected officials of each Participating Jurisdiction the RFA Plan.

**C. RFA PLAN APPROVAL AUTHORITY.**

1. The legislative body of each Participating Jurisdiction reviewed and approved the RFA plan by Joint Resolution and called for an election to approve the RFA Plan.
2. The RFA Plan is being submitted to the voters of each District as a single ballot measure that must be approved by a 60% majority vote.
3. The Planning Committee has authority to take all necessary actions on behalf of the Participating Jurisdictions, perform all necessary duties as required to place the RFA Plan before the voters and to comply with the public hearing requirements contained in RCW 52.26.230.

4. Should the RFA Plan be approved by a 60% majority of the voters of the Participating Jurisdictions, the \_\_\_\_\_ Regional Fire Authority shall be formed on, \_\_\_\_\_, in accordance with RCW 52.26.070.
5. Upon voter approval of the RFA Plan, the Districts shall continue to exist as Washington State Municipal Corporations. The exclusive purpose of the continued existence of the Districts shall be to levy and collect taxes and/or other fire protection district revenue to be transferred to the RFA until such time as the RFA collects its own revenues and to provide representation to the newly formed RFA Governance Board.
6. If the RFA Plan is not approved by a 60% majority of the voters, then operations relating to the services set forth herein shall remain unchanged.

**RFA SECTION 3 PLAN REVISION DISPOSITION:**

The **FORMATION AUTHORITY** section of the **RFA Plan** is subject to amendment or revision only by submission of a revised RFA Plan to RFA Governing Board for approval.

	<b>SECTION 4</b>	<b>JURISDICTIONAL BOUNDARIES</b>	
	<i>Adopted</i>		
	<i>Revision</i>	The <b>JURISDICTIONAL BOUNDARIES</b> section of the <b>RFA Plan</b> is subject to amendment or revision only by a majority vote of the RFA Governance Board.	
	<i>Revised</i>		

**A. JURISDICTIONAL BOUNDARIES ON DATE OF FORMATION.**

1. On the Effective Date, the jurisdictional boundaries of the RFA shall be the legal boundaries of the Participating Jurisdictions.

**B. CHANGES IN JURISDICTIONAL BOUNDARIES AFTER FORMATION OF RFA.**

1. Boundary Changes that do not require a RFA Plan amendment.
  - 1.1. **Annexation of a portion of a District by a City.** On the effective date of such annexation, the territory annexed shall automatically be removed from the boundaries of the RFA. In this situation the RFA shall not be obligated to transfer employees or assets of the RFA and the annexing city shall be restricted solely to assets and employees of the District, if any.
  - 1.2. **RFA Annexations.** Pursuant to RCW 52.26.090(g), the RFA shall have the authority to conduct annexations of unincorporated territory adjacent to the RFA pursuant to the statutory authority and procedures set forth in Chapter 52.04.001 through RCW 52.04.051.
  - 1.3. **RFA Partial Mergers.** Pursuant to RCW 52.26.090(g), the RFA shall have the authority to participate in the partial merger process under the authority and pursuant to the procedures set forth in RCW 52.06.090 and .100.
2. Boundary Changes that require a RFA Plan Amendment.
  - 2.1. **Annexations of Adjacent Fire Protection Jurisdictions.** The boundaries of the RFA may be expanded to include adjacent fire protection jurisdictions through the Plan Amendment and annexation procedures set forth at RCW 52.26.300.

**RFA SECTION 4 PLAN REVISION DISPOSITION:**

The **JURISDICTIONAL BOUNDARIES** section of the **RFA Plan** is subject to amendment or revision only by a majority vote of the RFA Governance Board.

	<b>SECTION 5</b>	<b>GOVERNANCE and ORGANIZATIONAL STRUCTURE</b>	
	<i>Adopted</i>		
	<i>Revision</i>	The <b>GOVERNANCE and ORGANIZATIONAL STRUCTURE</b> section of the <b>RFA Plan</b> is subject to amendment or revision only by submission of a revised RFA Plan to the electorate for approval.	
	<i>Revised</i>		

**A. GOVERNING BOARD STRUCTURE AND OPERATION.**

1. **Governing Board.** As provided by RCW 52.26.080, the RFA Governing Board shall be established consistent with the terms of this Section and shall have authority as of the Effective Date.
2. **Composition of Governing Board.** As provided by RCW 52.26.080, the governing board shall include 5 voting members consisting the current, seated members from Northshore and 5 current, seated members from Shoreline. [THIS IS ONLY ONE OPTION, The Plan could also provide for a directly elected RFA Board from the combined Shoreline/Northshore voters. A transitional plan could allow the existing fire district commissioners to continue serving out their terms.]
3. **Governing Rules.** The RFA Governing Board shall develop and adopt governance policies and rules for the RFA Governing Board to conduct business in accordance with RCW 52.26.080.
4. **Authority.** The RFA Governing Board shall have all the power and authority granted governing boards under Washington State law, and shall include the power and authority to make any decisions appropriate for the RFA and for matters related to Title 52 RCW.
5. **Compensation of Governing Board.** Commissioners of the Governing Board will receive compensation in the same manner and under the same conditions as provided by law for commissioners of a fire protection district organized under Title 52 RCW.

**RFA SECTION 5 PLAN REVISION DISPOSITION:**

The **GOVERNANCE and ORGANIZATIONAL STRUCTURE** section of the **Plan** may be amended by a majority vote of the RFA Governance Board.

	<b>SECTION 6</b>	<b>FUNDING and FINANCE</b>	
	<i>Adopted</i>		
	<i>Revision</i>	The <b>FUNDING and FINANCE</b> section of the <b>RFA Plan</b> is subject to amendment or revision by the Governing Board except when voter approval is required by statute.	
	<i>Revised</i>		

**A. INTERIM RFA FINANCES**

1. The operation and administration of the RFA for the remainder of \_\_\_\_\_ shall be funded by the funds budgeted for fire department services in the budgets of each Participating Jurisdiction of the RFA for the 20\_\_ calendar year.

**B. RFA REVENUES:**

1. **Tax Levies.** The RFA shall be authorized to levy and collect taxes in accordance with RCW 52.26.050 (1) (b) at the initial tax levy rate of **\$1.00** per thousand of assessed valuation.
2. **Benefit Charge.** The RFA shall be authorized to impose a benefit charge on all improved properties within the RFA service area, initially based upon the general formula and methodology provided in **Appendix \_\_** in accordance RCW 52.26.050(1)(a).
3. **Service Contracts.** To the extent permitted by law, the RFA Governance Board shall have the authority to pursue and contract with agencies and entities exempt from property taxes in accordance with RCW 52.30.020 and related statutes.
4. **Impact and Mitigation Fees.** The RFA shall have the authority to impose impact and mitigation fees in the manner authorized by law.
5. **Additional Revenue Options.** The RFA Governing Board shall have the authority to pursue, subject to any applicable statutory voter approval requirements and RFA Plan Amendment, if required, all additional revenue sources authorized by law including but not limited to revenue sources specifically identified in Title 52 RCW and Title 84 RCW that are not otherwise addressed in chapter 52.26 RCW.

**C. TRANSFER OF ASSETS.**

1. **Northshore and Shoreline Assets.** On the Effective Date, the Districts shall immediately transfer any remaining and future assets to the RFA. Such assets shall include all real

property and personal property, including but not limited to furniture, office equipment, motor vehicles, reports, documents, surveys, books, records, files, papers, or written material owned by or in the possession of the District.

2. On the date of the formation of the RFA, Northshore and Shoreline shall transfer to the RFA all funds held with Skagit County together with all future property tax and contractual payments received at the time of receipt.

#### **D. LIABILITIES.**

1. **District Debt** On the Effective Date, the RFA shall assume all outstanding liabilities of Northshore and Shoreline.
2. **Future District Expenses.** All future expenses incurred by the Districts beginning in 20\_\_ shall be the responsibility of the RFA.

#### **RFA SECTION 6 PLAN REVISION DISPOSITION:**

The **FUNDING AND FINANCE** section of the **RFA Plan** is subject to amendment or revision by the Governing Board except when voter approval is required by statute.



	<b>SECTION 7</b>	<b>ORGANIZATIONAL STRUCTURE - PERSONNEL - ADMINISTRATION</b>	
	<i>Adopted</i>		
	<i>Revision</i>	The <b>ORGANIZATIONAL STRUCTURE - PERSONNEL - ADMINISTRATION</b> section of the <b>RFA Plan</b> is subject to amendment by a majority vote of the RFA Governance Board.	
	<i>Revised</i>		

**A. ORGANIZATIONAL STRUCTURE.**

- 1. Organizational Chart.** RFA shall be organized as provided in **Appendix A** of the RFA Plan.

**B. PERSONNEL.**

- 1. Fire Chief.** On the Effective Date, the Fire Chief of Shoreline shall serve as the Fire Chief of the RFA. The Fire Chief shall at all times be appointed and serve at the pleasure of the Governance Board.
- 2. Personnel.** The existing personnel of Northshore and Shoreline shall transfer to the RFA to fulfill assigned duties as outlined in the organizational structure in **Appendix A**. All Northshore and Shoreline personnel shall be transferred on the Effective Date at their current rank, grade and seniority.
- 3. Agreements.** All current employee agreements, personal service contracts, and any other contracts or agreements pertaining to work, duties, services or employment with Northshore and Shoreline shall be transferred over with all personnel on the Effective Date.

**C. ADMINISTRATION.**

- 1. Administration.** The administrative staff of the RFA shall be the current members of Northshore and Shoreline administrative staff. All current administrative and business functions, agreements, documents, operations, and policies and procedures from Northshore and Shoreline shall transfer over to the RFA unless otherwise noted in this plan.
- 2. Seamless Transition.** Unless otherwise noted in the RFA Plan, the transfer of authority and the administration and management of the RFA shall be seamless and shall initially

model the current administrative and management components of the current Northshore and Shoreline.

The **ORGANIZATIONAL STRUCTURE – PERSONNEL - ADMINISTRATION** section of The **RFA Plan** is subject to amendment by a majority vote of the RFA Governance Board.

	<b>SECTION 8</b>	<b>OPERATIONS AND SERVICES</b>
	<i>Adopted</i>	
	<i>Revision</i>	The <b>OPERATIONS AND SERVICES</b> section of The <b>RFA Plan</b> is subject to amendment by a majority vote of the RFA Governance Board.
	<i>Revised</i>	

**A. FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES.**

1. On the effective date, the RFA shall become the service provider for all fire protection, fire suppression, emergency medical services and for the protection of life and property within the areas currently served by Northshore and Shoreline.
2. The RFA Governing Board shall determine staffing models, standards of coverage, deployment standards, field operations, command staffing, and operational policies and procedures for the RFA and shall, within budgetary limitations work to maintain or improve service levels.
3. All current automatic aid and mutual aid agreements, and any other contractual services agreements, documents, or memorandums currently in place with Northshore and Shoreline shall be transferred over on to RFA on the Effective Date to provide continuous, seamless readiness and emergency services coverage.

**RFA SECTION 8 PLAN REVISION DISPOSITION:**

The **OPERATIONS AND SERVICES** section of The **RFA Plan** is subject to amendment by a majority vote of the RFA Governance Board.

1  
2  
3  
4  
5

**APPENDIX A**  
**Organizational Structure**

**INSERT ORG CHART**

DRAFT

# Forming a Regional Fire Authority

**Brian K. Snure**

**Snure Law Office, PSC**



# Regional Fire Authority

- **Regional fire protection service authority “RFA”**
- A combination of a contractual consolidation “RFA Plan” with a vote of the people to create a new municipal corporation with its own governance and taxing authority. RFAs may be formed by fire districts, cities and towns, port districts and Indian tribes (52.26 RCW ).

# Procedures

- **Formation of RFA**

- **Form Planning Committee**

- 3 members from each participating jurisdiction
    - Design RFA Plan
    - Governance, Revenue, Assets/Liabilities, Personnel, Organization
    - Public Input

- **Governing Bodies of each Participating Jurisdiction must approve and jointly call for election.**

- **Election within boundaries of proposed RFA (simple majority unless financing involves benefit charge, EMS levy or excess levy then (60%).**

- **No BRB or other third party review required.**

# Procedures

- **Formation of RFA**

- Effective Date Considerations.

- If effective date is prior to October 1, then the RFA will levy taxes, benefit charges, etc. in the year RFA is formed for collection the following year.



# The RFA Plan

- **Included Elements**

- Background & Needs Statements
- Definitions (Participating Jurisdictions, Effective Date, RFA Name, etc.)
- Formation Authority
- Jurisdictional Boundaries
- Governance
- Funding and Finance - Assets/Liabilities
- Organizational Structure /Employees / Administration
- Operations and Services

# The RFA Plan

- Public Input Required
- Method of Amending
  - Statute requires that Plan identify how Plan can be amended.
  - Governing Board Amendments vs. Voter Amendments

# The RFA Plan

- **Background & Needs Statements**
  - Defined by Planning Committee
- **Definitions (Participating Jurisdictions, Effective Date, RFA Name, etc.)**
  - Effective date on or before October 1 allows newly formed RFA to levy taxes/benefit charge in year of formation for collection in following year.
  - RFA Name? New Entity, Tax Id, state registrations, etc.
- **Formation Authority**
  - Voter approval requirements, Planning Committee Authority, Status of fire district jurisdictions.

# The RFA Plan

- **Jurisdictional boundaries**
  - Initial boundaries defined by participating jurisdictions (no legal description required).
  - Plan should specifically address boundary changes of participating jurisdictions.
    - Fire District boundary changes (merger or annexation)
  - Plan should address RFA Authority (outside of chapter 52.26 RCW)
    - Incorporate 52.06 partial merger authority.
    - Incorporate 52.04 annexation of unincorporated territory authority.
    - RCW 52.26.300 provides authority for annexation of additional participating jurisdictions

# The RFA Plan

- Governance

- **Joint Governance, elected officials.**

- Appointed Elected Officials from Participating Jurisdictions
    - Elected RFA commissioners

- **Commissioner Districts**

- Based on population – Must be approximately equal
    - Based on participating jurisdiction boundaries – Creates potential constitutional issues.
    - Districting restricts residency of commissioner – election is RFA wide.

# The RFA Plan

- **Governance Considerations (example 1).**
  - RFA 1 Plan establishes the following governance Plan.
    - Three appointed City Council Members (population 150k)
    - Three appointed Fire District Commissioners (population 6500).
  - **This approach avoids constitutional equal voting rights.**

# The RFA Plan

- **Governance Considerations (example 2).**
  - RFA 2 Plan establishes the following governance Plan.
    - One elected commissioner District based on City Boundary (Pop. 50k)
    - One elected commissioner District based on Fire Dist. Boundary (Pop. 15k)
    - One elected Commissioner District based on RFA Boundary (Pop. 65k)
  - **This Plan subject to constitutional challenge under state and federal law**

# The RFA Plan

- **Funding**

- **Regular Property Tax Levies**

- RCW 52.26.140 Provides for three separate \$.50 levies
- Third \$.50 requires full time employee.
- Third \$.50 not available if have benefit charge.
- **TOTAL Maximum available \$1.50 or \$1.00 per thousand.**



# The RFA Plan

- **Funding**

- Emergency Medical Service Levy
  - \$.50 per \$1,000
  - 60% majority vote required
    - 6 Year Levy, 10 Year Levy or Permanent Levy subject to repeal by Voter Referendum
    - Simple majority renewal
  - Emergency Medical Services only
  - Could pick up portion of \$.50 that King county does not levy.

# The RFA Plan

- **Tax Uniformity**
  - Tax levies must be the same throughout each taxing district
  - Required by Constitution
  - May require tax levy reductions
  - Know what you are getting into

# The RFA Plan

- **Funding**
  - **Excess Levies**
    - 60% voter approval required
      - Allows levy to exceed \$1.50 statutory limit
      - Not restricted by 1% constitutional limit
  - Maintenance and Operation
    - May be approved for 1-4 year periods (fire districts)
    - **May be approved for 1 year periods (RFAs, Cities)**
  - Capital Facilities
    - May be approved for up to six years (fire districts)

# The RFA Plan

- **Funding**

- **Benefit Charges**

- Service Charge (not a tax)
  - No Uniformity requirement
  - Up to 60% of operating budget
  - Retain tax levy rate capacity of: \$1.00/\$1,000
  - Fire Districts 52.18 RCW
  - RFAs 52.26 RCW
  - 60% majority for RFA formation approval if included.

# The RFA Plan

- **Funding**

- RFA – A clean slate
- RFA Tax Levy - Max \$1.50
- EMS Levy - Max >\$.50 (60% voter Approval)
- Benefit Charge (60% voter Approval) (hearings required)
- Excess Levies (60% voter Approval)
- Debt Financing
- New entity, all revenue sources defined in the plan and approved by voters.

# The RFA Plan

- **Funding Gap Issues**

- Gap between Formation date and date RFA collects taxes. RFA must be formed before October 1 to levy taxes collected in following year.
- Solutions.
  - Participating entities provide funding by agreement.
  - Form RFA but delay transfer of responsibilities for service until following year.
  - Interim short term financing

# The RFA Plan

- **Assets -Negotiated Transfers.**
  - **Ownership of Real Property.**
    - Not critical if have stable long term use. Long term leases, rights of reversion, etc.
  - **Ownership of Personal Property.**
    - Transfer of ownership of fire service equipment and apparatus simplifies insurance and maintenance issues.
- **Funds and Accounts.**
  - Work with County to transfer when necessary

# The RFA Plan

- **Liabilities - Negotiated**

- Voter approved debt stays with property owners that approved debt.
- Assumption of existing voter approved debt requires 60% voter approval in mergers and annexations.
- Transfer of non voter approved debt with associated assets.
- LEOFF I and Pension liabilities



# The RFA Plan

- **Organizational Structure /Employees / Administration**
  - Advance Planning
  - Administrative Structure transfer of non-represented employees.
  - Represented Employees
    - Union Involvement
    - Negotiate impacts and changes
      - Decision to annex, merge or form RFA not negotiable
      - Impacts of decision must be negotiated

# The RFA Plan

- **Organizational Structure /Employees / Administration**
  - One Employer - Employee transfers by statute and negotiation.
    - Statutory Reemployment rights generally protect rank, seniority, wages and benefits.
    - RFA statute does not require probationary period.
  - Common and recommended practice is to negotiate employee transfers prior to RFA effective date.

# The RFA Plan

- **Organizational Structure / Employees / Administration**
  - Civil Service
    - Optional for fire districts.
    - RFA
      - If one participating jurisdiction has civil service continuation must be negotiated.

# The RFA Plan

- **Operations and Services**
  - Support services and other services.
    - What will RFA employees provide?
  - Code Inspections and Fire Investigations.
    - RFA has authority but must have contracts in place with City and or County

# The RFA Plan

- **Ambulance service Issue**
  - Fire Districts not prohibited from competing against private ambulance service.
  - RFAs are restricted if adequate private ambulance service exists.
  - RCW 52.26.040.

# Exit Strategies

- Statutory Consolidations
  - **Withdrawal from RFA**
    - Withdrawals to address tax prorationing authorized.
    - Participating jurisdiction withdrawals for non tax proration purposes may be authorized.

Now Go Forth  
and  
Consolidate!  
THANK YOU!