

**North Whatcom Fire & Rescue– Whatcom County Fire District #4
Regional Fire Authority Planning Committee**

Charter / Operating Rules

As adopted October 7, 2020

A. **Mission of the Regional Fire Authority (RFA) Planning Committee:** The mission of the Planning Committee is to create and propose to the Board of Fire Commissioners of North Whatcom Fire & Rescue/Fire District 21 (“NWFR”) and Whatcom County Fire District #4 (WCFD4) [collectively referred to as the “Boards”] a plan (“Plan”) for a regional fire authority encompassing the entire territory within the jurisdictional boundaries of the NWFR and the District, including the proposed governance, design, financing and development of fire protection and emergency service facilities and operations, including maintenance and preservation of facilities or systems, all as authorized by Ch. 52.26 RCW. The Planning Committee is advisory to the Board of Commissioners of NWFR and the Board of Commissioners of the WCFD4. The Planning Committee shall seek to develop a Plan which, if approved by the voters of the NWFR and WCFD4, will achieve the following goals and outcomes:

1. To provide sustainable funding and service levels over time to meet the needs of the growing population in the Districts, while at the same time dealing with a shrinking tax base in WCFD4 as Bellingham continues its annexation of portions of WCFD4.
2. To build on the current operating agreement and partnership between the two fire districts and create a single, fully-integrated fire service agency with efficient operations and streamlined decision making processes in place.
3. To fund specific service level improvements to better serve the residents and businesses within the proposed RFA.
4. To ensure the RFA Plan addresses the concerns and needs of both Districts and is ultimately supported by both District Boards of Commissioners.
5. To provide transparent, understandable information to the public about the potential impacts of the proposed RFA.
6. To ensure meaningful public input opportunities during the planning process, and to consider public input received in the drafting of the Plan.
7. To ensure the governance plan for the RFA provides equitable representation of the two member agencies, and to provide sufficient flexibility in the Plan to allow additional cities and fire districts to join the RFA in the future without needing to resubmit a new RFA plan to the voters of Districts 4 and 21.

B. **Membership:** The Planning Committee membership shall include 3 Fire Commissioners from NWFR and the 3 Fire Commissioners from the WCFD4. NWFR shall also appoint one Alternate member from its Board of Commissioners who shall participate in meetings in the absence of one of the NWFR primary appointed Committee members; the Alternate is encouraged to attend meetings to remain informed of the Committee's deliberations but will not be considered a member or receive the stipend at any meeting unless filling in for an absence.

C. **Process:**

1. Schedule. The Planning Committee will meet on a regular basis approximately twice a month from August 2020 through April 2021, and once a month from May through July 2021. The Chair of the Planning Committee may also schedule special meetings as may be necessary or appropriate.
2. Developing Preliminary Recommendations, Public Outreach Process. The Planning Committee will accomplish its mission by reviewing staff-developed reports, information, options and recommendations and considering public input. The Planning Committee will identify preliminary recommendations with respect to all items that must be included in the Plan. The Planning Committee shall also provide advice on the public outreach effort accompanying the development of the Plan and public education effort after the Plan is approved.
3. Periodic Updates to Boards. The Planning Committee will provide periodic updates to the Board of Commissioners of both NWFR and WCFD4 in the form of preliminary recommendations, in order that the Boards may provide timely input on the development of the Plan.
4. Board Deliberations. Either or both Boards may determine they need additional time to deliberate on a preliminary recommendation from the Planning Committee, and if so, the Planning Committee will shift its work plan so as to not delay the schedule any further than necessary. A Board choosing to deliberate on a preliminary recommendation will make every effort to conclude its deliberations by the end of its next regularly scheduled meeting.
5. Reconciling Direction from Boards. If either Board is opposed to any preliminary recommendation of the Planning Committee, it will promptly so advise the Planning Committee. The Planning Committee will then work to amend the preliminary recommendations to reconcile it with input from the Boards and bring revised preliminary recommendations back for review by the Boards. In the event of any apparently irreconcilable conflicts between the Boards, the Planning Committee will so

notify the Boards and propose a resolution. Work on the project will cease, at any point at which either the Board adopts a resolution to halt work on the project.

- D. **Public Input.** All meetings of the Planning Committee shall be open to the public and shall be duly noticed as public meetings as required by law. Agendas for meetings (and to the extent practicable all meeting materials) shall be posted online not less than 24 hours before each Committee meeting. The Planning Committee is required by statute to ensure there are opportunities for public input in the development of the Plan. The Planning Committee shall adopt a plan for public input, which will at a minimum include conducting two public information and input sessions before the Plan is approved by the NWFR and WCFD4. NWFR and WCFD4 will also host a website (the "RFA Website") where the public and other stakeholders can gather information and review the agendas, proceedings and materials considered by the Planning Committee. The Planning Committee may determine whether to take public comment at its meetings, and shall provide the public a means to submit written comments to the Committee. If the Planning Committee determines to take public comment at its meetings, it shall approve the rules relating to such comment.
- E. **Public Communications.** Members of the Planning Committee may be called on from time to time to comment about the activities of the Planning Committee or the subject matter under deliberation. In such communications, Members will take care to distinguish any official Planning Committee positions from individual Member positions. Members agree to refer inquiries from the press to the Chair and Vice-Chair of the Planning Committee for response on behalf of the Planning Committee.
- F. **Chair and Vice-Chair of Planning Committee:** At its first meeting, the Planning Committee elected a Chair and a Vice-Chair from among its Members. The Chair and Vice-Chair will review and approve agendas in advance of meetings. The Chair will preside over the meetings; the Vice-Chair will preside over the meeting in the absence of the Chair. The Chair and Vice-Chair shall serve as spokespersons for the Planning Committee and shall sign transmittals and reports of the Planning Committee, and assume such other duties as may be delegated to them from time to time by the Planning Committee. Any vacancy in the post of Chair or Vice-Chair may be filled by the Planning Committee upon a vote of a majority of the Planning Committee. In all events, one of these officers must be a WCFD4 representative, and one must be a NWFR representative.
- G. **Resignation and Appointment of Replacement Members.** Any Member of the Planning Committee from NWFR may resign, and such resignation shall be effective upon submitting written notice to the Chair and the resigning member's Board. The Board of the resigning Member's agency shall take prompt action to appoint a replacement member. District 4

representatives may not resign, unless they are also resigning as a District 4 Commissioner, because all three District 4 Commissioners must by statute serve on the Planning Committee.

- H. **Planning Committee Meetings.** Notice of all meetings of the Planning Committee shall be given by the Chair or his/her designee in writing by electronic mail or personal delivery to all Members at least seven (7) days prior to the date on which the meeting is to be held; provided, however, the Chair may call for special meetings upon not less than twenty four (24) hours' notice. Any notice shall specify the date, time and place of the meeting; provided, however, notice may be waived in writing signed by the person or persons entitled to such notice, whether before or after the time at which the notice is required to be given, which shall be equivalent to the giving of such notice. Notice for a special meeting shall also specify the business to be transacted as required by RCW 42.30.080(3).
1. Agendas. Prior to each regularly scheduled meeting, the Planning Committee, the Chair and Vice-Chair shall work with staff to confirm an agenda for the meeting. At the beginning of the meeting any Member may request that the Chair add an item to the agenda. The decision whether to add an item shall be made by the Chair. Agendas will be made available to the Members electronically (by email) at least 3 days prior to the meeting. Staff supporting the Planning Committee shall make best efforts to provide all meeting materials to the Planning Committee at least 2 days prior to the meeting date.
 2. Quorum. A quorum at any meeting shall consist of Planning Committee Members who represent a simple majority of voting members.
 3. Rules of Order. All meetings of the Planning Committee shall be conducted informally but as needed shall be in accordance with the latest edition or revision of Robert's Rules of Order, except as otherwise provided in this Charter.
 4. Minutes. The Planning Committee has appointed a Secretary. The Secretary shall prepare and maintain summary minutes of Planning Committee meetings, recording attendance, general discussion items, decisions and votes (where taken). Minutes approved by the Planning Committee shall be available to the public and posted on the RFA Website.
 5. Meeting Notices and Agendas. All meeting notices and agendas will be posted on the RFA Website in compliance with RCW 42.30.077-.080.

6. A designated labor representative will be provided an opportunity to participate in the Committee discussions and to offer comment at each meeting.

J. Decision Making:

1. Votes. The Planning Committee shall attempt to make decisions by consensus, defined as approval from not less than four Planning Committee members, including two from each agency. Where such consensus cannot be achieved, items may be approved by majority vote of the Planning Committee, however, the lack of consensus shall be noted. The minutes shall reflect the votes of each member. Each Member of the Planning Committee has one vote. No proxy voting is allowed.
2. Routine Items. Routine actions of the Planning Committee will be confirmed by majority vote.
3. Approval of Final RFA Plan. Notwithstanding the terms of Section I.1-2, the final proposed Plan must be approved by not less than two-thirds of Planning Committee members from both NWFR and WCFD4.

K. Staff support for Planning Committee: Staff support will be provided by the employees of NWFR and WCFD4, and an independent facilitator. Both agencies acknowledge that additional consultant support may be necessary to develop all the information sought over the course of this effort. The Planning Committee will utilize the law firm of Chmelik, Sitkin & Davis, P.S. (CSD) to obtain legal advice. The cost of such legal services will be borne by NWFR. Before CSD provides advice to the Planning Committee, CSD is directed to forward such proposed advice to the WCFD4's legal counsel, Quinn & Quinn, P.S. for review. If the legal advisors disagree on the advice that will be provided to the Planning Committee, the two law firms will collaborate in an effort to reach a consistent answer. If the disagreement cannot be reconciled, the Planning Committee meeting notes will reflect the difference in legal opinions.

L. Funding: The Planning Committee has recommended that all committee approved project costs be allocated equally between NWFR and WCFD4.

N. Approval and Amendment of this Charter: This Charter shall be approved by vote of not less than four Members of the Planning Committee, including two Members representing the WCFD4 and two Members representing the NWFR, and any amendments must be similarly approved.