

**City of Bellingham – Fire District 8  
Regional Fire Authority Planning Committee  
Meeting 8**

Date: Monday, November 27<sup>th</sup>, 2017

Time: 3:00 P.M. – 5:00 P.M.

Location: Bellingham City Hall - Mayor's Boardroom

Proposed Agenda

1. Approval of Minutes November 20<sup>th</sup>, 2017
2. Internal Services follow up language (20 minutes)
3. Governance (40 minutes)
4. Needs Statement ( 10 minutes)
5. Definitions Section (5 minutes)
6. Future meeting dates (5 minutes)
7. Next Agenda (5 minutes)
8. Closing Comments/Adjourn

The Regional Fire Authority Planning Committee meeting was called to order by Bellingham City Councilmember Terry Bornemann at 3:00 P.M. The meeting was held in the Mayor's Boardroom at Bellingham City Hall, 210 Lottie Street, Bellingham.

**Present:** Kelli Linville, COB Mayor  
Bill Hewett, Assistant Fire Chief  
Rob Neher, Fire District 8 Commissioner  
Monea Kerr, Mayor's Office  
Tim Kays, Fire Captain  
Terry Bornemann, Bellingham City Council  
Michael Lilliquist, Bellingham City Council  
Roger Buswell, Fire District 8 Commissioner  
Dave Pethick, Fire Captain, IAFF L106 VP  
Kristi Clift, FD Admin Services Manager  
Todd Lagestee, Citizen  
Brian Henshaw, COB Finance Director  
Bill Newbold, COB Fire Chief  
David Lehmann, Fire District 8 Commissioner  
Brian Heinrich, COB Deputy Administrator

Andy Absjornsen, COB Finance Manager  
Ted Carlson, COB Public Works Director  
Rob Glorioso, Local 106 President  
Monea Kerr, COB Mayor's Office

1. Approval of Minutes November 20, 2017

Captain Dave Pethick made the correction to last meeting's minutes that the deadline for putting something on the ballot is May 11, 2018, not May 16.

The November 20, 2017 minutes were approved as amended.

2. Internal Services follow up language (20 minutes)

Chief Bill Hewett presented Section 7 on Organizational Structure, Personnel and Administration. The biggest change from last meeting is right after 2. RFA Administrative Responsibilities, the last line was changed to "During any of these transitions, if by mutual agreement of the RFA and the City, parties may choose to extend or terminate early with at least 180 days notice." Chief Hewett explained that there are certain items that are going to transition on the effective date (day 1 of the RFA). If we get to a point where we realize we can't get certain items done on day one, by an agreement between the RFA and the City, the City would continue to do those services. For example, if they realize that finance, which was supposed to be transitioned out in the first year, is not going to happen on time, by agreement between the RFA and the City, the City would continue financial services. It has to be a mutual agreement and allows flexibility for both parties. It would be six months plus the term of whatever the item was. By the same idea, fleet maintenance and repair for instance, if they are further along than thought before three years are up, they could terminate that early. Staff deleted all the other timelines on each individual section.

Chief Hewett said under 2.8. Facilities, IT, Communication, originally it stated the service agreement would last for the first 3 years and if mutually agreed upon they would extend to another (1) additional 3 year term. This has been changed to: "The service agreement may be extended for additional 3-year periods upon mutual agreement." The service agreement can be extended to additional three year periods, it always has to be a mutual agreement and it does not limit the agreement to one additional term. It gives the opportunity for flexibility.

Chief Hewett said under 5. Seamless Transition, it details the need for a seamless transition, mutual agreement, and effort to keep things cohesive as we move through the process.

The planning committee had a discussion on Internal Services follow up language:

- Councilmember Michael Lilliquist said there is inconsistency in style, but 2.1 should read the same as the other sections and should have effective date.
- Captain Pethick said those details are in the second paragraph and human resources is an all encapsulating thing.
- Deputy Administrator Brian Heinrich said it is the same issue in section 2.4 for risk

management.

- Councilmember Bornemann asked: With these changes, is the committee ready to recommend for approval of Section 7 on Organizational Structure, Personnel, and Administration?

The planning committee unanimously approved the recommendation of Section 7, Organizational Structure, Personnel, and Administration as revised.

### 3. Governance (40 minutes)

Chief Hewett presented Section 5 on Governance. He said staff had some conversations around governance and they took the recommendations and put those together, along with looking at some of the other RFAs to come up with this draft. He said staff knows there are some conflicts in this version that they will identify. We would create a transition board that would include three elected officials from the City to be appointed by the City Council and two seated, elected Commissioners.

The planning committee had a discussion on Governance:

- Mayor Kelli Linville asked: Would they only be council members? What about if the mayor would like to serve on the transition board? Administrative look at this is important.
- Fire District 8 Commissioner Roger Buswell said we need to decide who wants to and who can serve on that. There should be as many City Council seats as there are Commissioner seats.
- Chief Hewett said it was originally based on expiration terms. Each of them have different term lengths.
- Mayor Kelli asked: Couldn't you take that out?
- Chief Hewett said we could take out the expiration part altogether. It will be filled by a Commissioner by board and City-elected officials appointed by the City. Appointed members would be replaced by elected RFA Commissioners once their term is up.
- Commissioner Buswell said this leads us into the commissioner district portion of it.
- Chief Hewett said the idea would be that we would stagger the start of those positions over the course of two or three elections.
- Captain Pethick said given the timestamps on the transition board, they would start their six year term (two, two and one commissioner up for election at any given election cycle).
- Chief Hewett said we will add start dates to the transition board and take out expiration dates. We originally proposed one or two positions that would transition immediately in 2019, two more would transition in the 2021 election, and the remaining would transition in 2023. It would be three election cycles that would transition the board out in five years. We can also transition three positions in one year and three positions the next election cycle for fewer elections. How quickly do we want to see that board transition? We originally had a discussion about wanting to have commissioner districts. This would mean to get elected, the person would have to live in a particular geographic area. We talked about wanting to have those geographic districts but the election would be RFA-

wide. This would be good because it accounts for representation across location. The downside is the management of that over time. South Whatcom did it based on neighborhoods: Sudden Valley, Geneva, Yew Street, Lake Samish, and Chuckanut. Since then, state law has come back and clarified it has to be based on population. Each commissioner district has to be equal in population and has to be updated on a regular basis to make sure they stay balanced over the course of the time.

- Mayor Kelli said redistricting is not an unknown process. Things become unbalanced over time and get redistricted.
- Commissioner Buswell said the population balance in the Fire District 8 area is uneven. The Fire District needs at least two people on the RFA Commissioner Board.
- Mayor Kelli said sometimes they do districting like a pie wedge, aiming to have balanced district representation.
- Councilmember Lilliquist said the state law requires representation. There is no way that the Fire District is going to have a big percentage. It is always going to be a rural small district. Rural areas would be more likely to not have representation. The RFA has to draw district boundaries, and at least one of them would be from that northwest quadrant. By state law, it would only be one.
- Commissioner Buswell said we need equal representation.
- Councilmember Bornemann said theoretically without districting, the RFA could have five Fire District 8 commissioners on the board. We should be able to guarantee at least one.
- Councilmember Lilliquist said the issue is how the voting is determined. I would rather have the general elections be RFA-wide. I am trying to guarantee that the rural residents are never ignored.
- Councilmember Bornemann said if we do districting, you would have to live in your district to run. If there are two or more people running, there would be a primary amongst the district. The general election would be at large, which makes it accountable to everybody but at the same time from that specific district.
- Mayor Kelli said two redistricting's ago I was on the county board, and there is not a right or wrong way to do it. We have to show people maps and look at how it will be done fairly.
- Councilmember Lilliquist said no matter how you draw the map, there will be incentives. I could be the beloved child of Ward 6, but that still has to be approved and accepted by the rest of the wards. It ensures that you will always have a resident on the board but they are accountable to everyone.
- Mayor Kelli said I am for districts, a primary and general election with everybody.
- Fire District 8 Commissioner Rob Neher said if we do it by population, all the way out to the Guide could be one district. There would be an uneven distribution between population centers and rural areas. The rural area needs to have at least one voice.
- Councilmember Lilliquist said one out of five positions is 20 percent representation, which is a big enough chunk that they can't be ignored.
- Hewett said the idea today is to solidify some of these concepts and staff will bring a recommendation back for approval. Staff will remove definitions of tying appointed positions to any type of position number or expiration date, and will instead look at electing five commissioners from five commissioner districts (will work with planning on models), with staggered elections, district only voting for primary and RFA-wide voting

for the general election. On that staggering, do you want to do: start date of 10/1/18, first election 11/19 (start 1/20), next cycle 11/2021 (start 1/2022), third cycle 11/2023 (start 1/24)?

- Commissioner Neher asked: Would that be like our current district where the election is in November and then the position starts in December?
- Chief Hewett said they are elected in November, get certified and then start in January. The RCW says commissioner terms are six years, and with five members we would want to stagger, turning over equally each year. How quickly do you, as City Council, COB Mayor and Fire District 8 Commissioners want to be out of this? We could transition faster, but you would end up identifying one of these terms to be shorter and it would put you perpetually back on to one of these cycles.
- Mayor Kelli said our federal senators have a year or two when nobody is running. The less you run the better. I would prefer to have a dead year where nobody is running for office. I don't think it's bad to have a year where there is no election.
- Chief Hewett said there is no reason why this can't happen. From the staff perspective, I would suggest against turning over the majority in a year.
- Councilmember Lilliquist said I am serious about how much work it is. If we are asking a City Council member and the mayor to put in a lot of work, it might stretch them thin. I would like to have the transition be short and painful rather than long and painful.
- Chief Hewett said A,B,F have transition that would end the 2nd election cycle.
- Councilmember Lilliquist said I believe a shorter transition would be best.
- Captain Pethick said somebody on the transition board might need to stay until 2021.
- Chief Hewett said in one version, all five commissioners would be up for election but it would be specified that position 1 and 2 are two year terms, position 3 and 4 are four year terms and position 5 is a six year term. We could essentially hand off the RFA to a group of freshly elected officials. Most of our discussion leans towards transitioning for viability that a lot will be happening in the first three years. It would be nice to carry some institutional knowledge onto the governing board from this committee. In that case, as people are elected to the board, there are other existing board members that can provide mentorship and understanding of where we came from.
- Chief Newbold said in our discussion of internal services and looking at various time frames, we found it might be a benefit to have some of the governance board be related to those time frames (one year, three years+, etc.). It speaks beyond the 1 or 2 years.
- Councilmember Bornemann said the other part with how long we stay involved includes the question of: how long does the district commission want to stay a board? If it's one or two of the commissioners who are on to the end, then the board has to stay in existence right?
- Chief Hewett said yes.
- Councilmember Bornemann said that is something to consider too.
- Councilmember Lilliquist said the 6 year commissioner position could be filled with another commissioner.
- Chief Hewett said as long as Fire District 8 stays in existence, we would have to have a five member commissioner board be elected. After we transition, the Fire District would then go back to the voters and ask them to dissolve the Fire District and all the fire commissioners for the fire district would go away. In any of these models, the Fire District Commissioners would be out of it in 2024 at the latest. Then they would take the

initiative back to the ballot.

- Chief Hewett said as long as we are in transition mode, the Fire District has to remain in play until the RFA starts to collect their own taxes. With the South Whatcom RFA, they waited one or two full years before going back to the voters and asking the four districts to dissolve.
- Councilmember Lilliquist said a similar body is the WTA board. I was appointed to it and by law had to sit on it. That position turns over every year. The City Council fills that position and provides a new member to serve on the board each year. Do we assume that these people will stay in their position for all four years? Only three of the City Council members have four years left. Unless we do something like the WTA, there would only be a few City Council members that would be able to serve the four year term.
- Chief Hewett said we do fall back to what the WTA board does. Each year when the City Council and Fire District 8 Commission goes to their reorganization meetings, they would elect two RFA reps.
- Councilmember Bornemann said we almost have no choice but to do that. With all of these elected officials, we have other jobs and don't know how things will change from year to year. Hopefully there would be continuity.
- Finance Director Henshaw asked: What would the District 8 commissioner's responsibility be other than to fill the seats of the RFA? Nothing. Their responsibility needs to be specified in the plan.
- Chief Hewett said we can't specify what the District 8 Commissioner's responsibilities are outside of the RFA.
- Finance Director Henshaw said the transition plan should address some of those issues or otherwise they will have a split board. What would happen if all commissioners wanted to be on the RFA board? It seems like if you are going to address it, you need to address it now. We should come back to this.
- Councilmember Bornemann said sometimes people want the same position and whoever gets the most votes would get the position.
- Commissioner Buswell said we still have to collect tax money and then we have to vote to give that money to the RFA.
- Chief Hewett said when we talk about finances, if we started in October, the RFA would levy its first taxes in January of 19 and wouldn't actually collect them until April of 19.
- Finance Director Henshaw said just like on the City side, it has to be agreed to in the interlocal agreement. We need to clarify what is going to happen if five commissioners wanted to be on the RFA but there are only two spots on the board.
- Chief Hewett said it is cleaner on the District 8 side because state law says if you don't clarify that, all their collections go to the RFA.
- Councilmember Bornemann said asked: Does the committee agree that 1. There will be five positions and 2. It will be set up with five districts? Yes, agreed. Do I hear any preference on how we want to stagger this? Whether it's a two and three right off the bat or a two, two, one situation? Does anyone have real preferences on that?
- Mayor Kelli has a preference for two and three.
- The planning commission unanimously approved to transition two commissioners the first two years and three commissioners the second two years.
- Councilmember Lilliquist said I support the two and three, but there might need to be a

two year term somewhere in there.

- Chief Hewett said staff's recommendation would ultimately be version A: two commissioners elected at the first election and three elected at the second election. That would put us on a one (the third election), two (the fourth election), two schedule (the fifth election) after that.
- Councilmember Lilliquist said I would recommend that we make one of the second election cycles (group of three) to be a two year term.
- Chief Hewett said 3.2. had these additions: iv. Residency is established within the commissioner district after one year next preceding the election and v. No elected commissioner shall hold any other elected office or employment within the Regional Fire Authority. An existing councilmember could run for the seat but would have to vacate their other position to be on the RFA board.
- Councilmember Lilliquist said I like those two additions but logically, we should insert iv. and v. between i. and ii.
- The planning committee unanimously agreed to this revision.

#### 4. Needs Statement (10 minutes)

Chief Hewett presented Section 1, which detailed the Background and Needs Statements. He said his staff started to take inventory of what was left that needed to be discussed. These were two areas we needed to clarify.

Captain Pethick said months ago, we started talking about developing a needs statement. The directions were to be specific and generic in the language. This language is pretty generic except for Statement 5, because the Fire District and City have been working together for even longer than that. This was mirrored off of what Renton did. The backgrounds and needs are as follows:

1. The ability to respond to emergency situations by fire protection and emergency services jurisdictions has not kept up or progressed with the community's needs and special service demands. Anticipated increase in population will likely exacerbate this problem.
2. Providing a fire protection and emergency services system requires a collaborative partnership and responsibility among local and regional governments, the private sector, and the community.
3. Delivery of core emergency services and timely development of significant projects can best be achieved through stable funding options for regional fire protection and emergency services.
4. The City of Bellingham and Whatcom County Fire District 8 have had a cooperative partnership; striving to provide the highest level of fire and emergency services to our community within the confines of available resources.
5. Cooperation and the partnership between the City Bellingham and Whatcom County Fire District 8 began with an interlocal agreement in 1997, providing the legal structure for the entities to remain separate but work cooperatively together.
6. The City of Bellingham and Whatcom County Fire District 8 will be asking its citizens to consider combining all functions and services provided by the two jurisdictions

The committee had a discussion on the Background and Needs Statement:

- Commissioner Buswell said he has an objection. At the bottom of the page, the organization is listed as “Bellingham Regional Fire Authority (BRFA)”, but we have not discussed a name. You are making an assumption there.
- Mayor Kelli said under number 6, where it says “consider combining all functions and services,” isn’t it what we agree on what we want to provide? The way it is phrased leads to the assumption that all functions would be provided. I want to make sure it’s based on what we decide we want to do rather than what we do now.
- Captain Pethick said this is as per the plan or the ILA.
- Councilmember Lilliquist said I don’t like that language. Maybe we should say something like: “consider combining most functions as outlined below...” I would prefer something that said here’s what we agreed to, see below.
- Mayor Kelli said how about if we said: “the City and the Fire District will be creating a Regional Fire Authority, defined by the RFA plan or ILA.”
- Councilmember Bornemann said voters are going to want to know that we are combining these two things.
- District 8 Commissioner Neher said people are going to call 911 and still get a fire truck and ambulance or whatever they want.
- Finance Director Henshaw said just take out “all” in number 6.
- The planning committee unanimously agreed to this revision.
- Councilmember Lilliquist said under number 1, it depends on where the growth occurs. In some regions we are keeping up with needs and in others we are not. It sounds like a population issue but it’s also an issue of where. It has to do with where growth is.
- Chief Hewett said part of it is growth management and part of it is population. We are not meeting our service in the center of our city, due to the overall infill and population in station 3’s area. We have call volume issues as well as distance issues. Maybe the anticipated increase in population should say growth.
- Chief Newbold said instead of growth of, the demand of the services. Encompasses a lot of cause and effect.
- Mayor Kelli asked: Can we just say there is a need because we are not meeting our service level? Residents would respond to that. The simple thing is: we are not meeting our desired level of service. Let’s have staff simplify that language in number 1.
- Commissioner Buswell suggested the name of “Bellingham Marietta Regional Fire Authority.”
- Councilmember Bornemann said I like that name, but most of us are assuming that this will not be the end of the expansion of the RFA and that’s the only reason I would suggest against it. We would have to potentially change the name if more areas were added in.
- Commissioner Buswell suggested the name of “Bellingham Bay Regional Fire Authority.”
- Chief Newbold said I appreciate the forward thinking, but we have seen an example of an RFA growing beyond its name. In that case, they went back to voters to change the name, so that is a possibility too. A little forward thinking is good though.
- Mayor Kelli said I like the name “Bellingham Bay RFA.”

The planning committee unanimously approved to adopt the name “Bellingham Bay Regional Fire Authority (BBRFA).”



Staff will bring back recommendations on Section 1, Background & Needs Statement.

#### 5. Definitions Section (5 minutes)

Chief Hewett presented Section 2, which detailed Definitions. Staff went through and copied what Renton RFA did and changed where we saw fit.

The planning committee had a discussion on the Definitions Section:

- Councilmember Lilliquist said under 1.12, the name needs to be changed to Bellingham Bay Regional Fire Authority.
- Mayor Kelli said we defined the Fire Benefit Charge, but do we have to define the property tax too? We could put the amount of property tax.
- Councilmember Lilliquist said I assume tax would be spelled out elsewhere. Yes, in finance.
- Chief Hewett said we could define the term “property tax,” but we don’t need to.
- Captain Pethick said the effective date is what we are shooting for and can be changed.
- Councilmember Henshaw said add 2018 to the 1.4 effective date.

The planning committee unanimously approved the recommendation for Section 2, Definitions, as amended.

#### 6. Future meeting dates (5 minutes)

Chief Newbold for our December 18th meeting, please bring schedule for standing meetings for the first quarter of 2018. Be prepared to discuss what schedules look like for the beginning of 2018.

#### 7. Next Agenda/Date (5 minutes)

Chief Hewett said we have 90% of the issues wrapped up right now. At our next meeting, we will discuss the Life Safety division, will start working on the finance section, finish up the remaining sections, and take all of these parts and pieces and insert them into our first draft of an RFA plan. This will allow us to see how these pieces work together and highlight what still needs to be ironed out in the plan. Staff will show the planning committee what a draft plan looks like in our next meeting and then have a bit of a break for the holidays to start developing any items for the interlocal and financial sections of the plan.

Mayor Kelli said I have questions about finances. Did you talk about that last week?

Chief Newbold said we reviewed revenues and expenditures, but we have not started reviewing a full financial sheet.

Councilmember Lilliquist said the FBC is based on an estimated \$10.5 million, I think some of those are the biggest issues I’m having a hard time chewing on. I hope we aren’t done.

Chief Newbold said we are not done.

The next RFA planning committee meeting will be held Monday, December 18<sup>th</sup> from 3:00 P.M. to 5:00 P.M. in the Mayor's Boardroom at Bellingham City Hall, 210 Lottie Street, Bellingham.

#### 8. Closing Comments/Adjourn

The RFA Planning Committee adjourned at 4:40 P.M.

Recorded by Monea Kerr.