



King County Fire Protection District 10
Board of Commissioners
AGENDA BILL D10-2016-03
February 10, 2016

SUBJECT: Joint Resolution for the RFA to be submitted for the April general election

SUMMARY STATEMENT: A joint resolution of the Board of Commissioners of King County Fire Protection District No. 10 and the Board of Commissioners of Fire District 38, providing for the submission to qualified electors of District 10 and District 38, at the general election to be held on April 26, 2016 of a proposition that, pursuant to Chapter 52.26 of the Revised Code of Washington, approves a plan to form a regional fire protection service authority within the boundaries of District 10 and District 38, effective July 1, 2016 and providing for other matters properly related thereto.

Expenditure Required: N/A

Amount Budgeted: N/A

Fund Utilized: N/A

ADMINISTRATION'S RECOMMENDATION: Approve Joint Resolution allowing the formation of a RFA onto the April general election.

RECOMMENDED MOTION: Move to adopt the Joint Resolution of the Board of Commissioners of King County Fire Protection District No. 10 and the Board of Commissioners of Fire District 38 for the RFA to the April general election. *WIT*

ALTERNATIVE(S):

1. Do nothing.

EXHIBITS:

Originator JF

Administrative Review: 02/10/16

Action: *UNANIMOUS*

Date: 02/10/16

Motion By: *Larry Ruas*

2nd: *Mike Mizota*

Board Secretary: *[Signature]*

ORIGINAL

JOINT RESOLUTION

KING COUNTY FIRE PROTECTION DISTRICT NO. 10
RESOLUTION 16-02

FIRE DISTRICT 38
RESOLUTION NO.250

A JOINT RESOLUTION of the Board of Commissioners of King County Fire Protection District No. 10 and the Board of Commissioners of Fire District 38, providing for the submission to qualified electors of District 10 and District 38, at the general election to be held on April 26, 2016 of a proposition that, pursuant to Chapter 52.26 of the Revised Code of Washington, approves a plan to form a regional fire protection service authority within the boundaries of District 10 and District 38, effective July 1, 2016 and providing for other matters properly related thereto.

RECITALS

A. Providing an effective fire protection and emergency medical service system requires a collaborative partnership and responsibility among local and regional governments and the private sector.

B. There are efficiencies that can be gained by regional fire protection and emergency medical service delivery, while maintaining local control.

C. King County Fire Protection District No. 10 (“District 10”) and Fire District 38 (“District 38”) are both member agencies of Eastside Fire & Rescue and have had a cooperative partnership, striving to provide the highest level of fire protection and emergency medical services to their citizens within the confines of available resources.

D. On April 6, 2015, King County Fire Protection District 10 and Fire District 38 held a joint meeting to discuss the formation of a regional fire authority and to take action initiating the formation of the Planning Committee to develop a regional fire authority in accordance with the provisions of Chapter 52.26 RCW.

E. The Planning Committee met and prepared a Plan to create the “Eastside Regional Fire Authority,” and to govern and finance its operation. The Eastside Regional Fire Authority Plan is being formally approved and adopted by each entity pursuant to this Joint Resolution “the Plan.” A copy of the Plan is attached as **Exhibit A** and incorporated by this reference. Copies are also available from the administrative offices of District 10 and District 38.

F. The authority to form a Regional Fire Protection Service Authority is established by Chapter 52.26 RCW and requires that the voters in the area affected by the Plan must approve the Plan and establish the Regional Fire Protection Service Authority.

G. Therefore, in accordance with the Plan and state law, it is appropriate to place before voters within District 10 and District 38 (the proposed service boundaries of the Eastside Regional Fire Authority) at a special election to be held on April 26, 2016, a proposition calling for the approval of the Plan and the creation of the Eastside Regional Fire Authority, to be funded by a six year benefit charge and a property tax not to exceed \$1.00 per thousand during such time as the benefit charge is collected and not to exceed \$1.50 per thousand if the benefit charge is not being collected, all in accordance with state law.

NOW THEREFORE, THE BOARD OF COMMISSIONERS OF KING COUNTY FIRE PROTECTION DISTRICT NO. 10 AND THE BOARD OF COMMISSIONERS OF FIRE DISTRICT 38, DO HEREBY RESOLVE AS FOLLOWS:

RESOLUTION

SECTION 1. – Adoption of the Plan for the Eastside Regional Fire Authority.

The Board of Commissioners of King County Fire Protection District No. 10 and the Board of Commissioners of Fire District 38 hereby formally adopt the Eastside Regional Fire Authority Plan, a true and correct copy of which is attached as **Exhibit A** and incorporated by this reference.

SECTION 2. – Findings of Board of Commissioners of King County Fire Protection District No. 10 and Fire District 38. The Board of Commissioners of King County Fire Protection District No. 10 and the Board of Commissioners of Fire District 38 hereby find that it is in the best interests of District 10 and District 38 to submit to the qualified electors of District 10 and District 38 at the general election to be held on April 26, 2016, a proposition to approve the Plan and to create the Eastside Regional Fire Authority. The Plan authorizes the RFA to be initially funded by a six year benefit charge and a property tax not to exceed \$1.00 per thousand during such time as the benefit charge is collected and not to exceed \$1.50 per thousand if the benefit charge is not being collected.

If approved by sixty percent of the voters within the boundaries of the proposed Authority voting on the ballot proposition in accordance with RCW 52.26.060, this proposition would create a regional fire protection service authority as provided in chapter 52.26 RCW called the “Eastside Regional Fire Authority,” with boundaries coextensive with the boundaries of the King County Fire Protection District No. 10 and Fire District 38, effective July 1, 2016, initially funded by benefit charges and regular property taxes under RCW 52.26.180-.270 and RCW 52.26.140.

SECTION 3. - Proposition for Voter Submittal. There shall be submitted to the qualified electors of King County Fire Protection District No. 10 and Fire District 38 for their ratification or rejection, at the general election on April 26, 2016, the question of whether or not the Eastside Regional Fire Authority should be created in accordance with the Plan. The Board of Commissioners of King County Fire Protection District No. 10 and the Board of Commissioners of Fire District 38 hereby requests the Auditor of King County, as *ex-officio* Supervisor of Elections, to call such election and to submit to the voters of King County Fire Protection District No. 10 and Fire District 38 the following proposition at such election, in the form of a ballot title, pursuant to RCW 52.26.060, as follows:

**KING COUNTY FIRE PROTECTION DISTRICT NO. 10
FIRE DISTRICT 38
PROPOSITION 1**

King County Fire Protection District No. 10 and Fire District 38 have adopted a Joint Resolution approving the Eastside Regional Fire Authority Plan (“Plan”) concerning the creation of the Eastside Regional Fire Authority.

This proposition would approve the Plan and create the Eastside Regional Fire Authority, effective July 1, 2016, to provide fire protection and emergency medical services funded by a six-year fire benefit charge (not to exceed sixty percent of the operating budget) and a property tax (not to exceed \$1.00 per thousand of assessed value or \$1.50 per thousand of assessed value if the benefit charge is not collected) and other sources identified in the Plan.

Should the Plan to create the Eastside Regional Fire Authority be approved?

YES []

NO []

SECTION 4. – *Authorize Continued Acts of Regional Fire Authority Planning Committee.* The Board of Commissioners of the King County Fire Protection District No. 10 and the Board of Commissioners of Fire District 38 hereby authorize the Regional Fire Authority Planning Committee to continue operating on an as needed basis until the effective date of the Eastside Regional Fire Authority. The Planning Committee shall function as the governing board for the purposes of carrying out the requirements of Chapter 52.26 RCW, including but not limited to holding a public hearing pursuant to RCW 52.26.230, until such time as Eastside Regional Fire Authority governing board is established pursuant to the Plan on July 1, 2016.

SECTION 5. – *Designation of Individuals to Receive Notices re: Ballot Title.* For purposes of receiving notice of any matters related to the ballot title, as provided in RCW 29A.36.080, the Board of Commissioners of District 10 and the Board of Commissioners of District 38 hereby designates the Fire Chief of Eastside Fire & Rescue and legal counsel as the individuals to whom the County Auditor shall provide such notice.

SECTION 6.- *Implementation.* The Eastside Fire & Rescue Fire Chief is authorized to implement such administrative procedures as may be necessary to carry out the directives of this legislation, including modifying the text of the “Eastside Regional Fire Authority Plan” and the text of the ballot title and any other text, language and/or descriptions relative thereto necessary to conform such ballot title, text, language and/or descriptions to the intent of the parties, consistent with the objectives of this resolution. No substantive modifications to the ballot title, text, language and/or descriptions of any document shall be made without the approval of the Boards of Commissioners of each District.

SECTION 7. *Copies Filed with the King County Auditor.* The Eastside Fire & Rescue Chief, or designee, is hereby authorized and directed, no later than February 26, 2016, to provide to the County Auditor a certified copy of this resolution and the proper District officials are authorized to perform such other duties or take such other actions as are necessary or required by law to the end that the proposition described in this resolution appear on the ballot before the voters of the proposed Eastside Regional Fire Authority at the April 26, 2016 election.

SECTION 8. – *Severability.* If any section, subsection, paragraph, sentence, clause or phrase of this resolution is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this resolution.

SECTION 9. – *Ratification.* Any act consistent with the authority and prior to the effective date of this resolution is hereby ratified and affirmed.

SECTION 10. – *Effective Date.* This resolution shall take effect and be in force immediately upon its passage.

ADOPTED by the Board of Commissioners of King County Fire Protection District No. 10, King County, Washington, at a special open public meeting of such Board on the 10th day of February 2016, the below commissioners being present and voting.



COMMISSIONER




COMMISSIONER



COMMISSIONER



COMMISSIONER



COMMISSIONER

ATTEST:



DISTRICT SECRETARY

ADOPTED by the Board of Commissioners of Fire District 38, King County, Washington, at a special open public meeting of such Board on the 10th day of February 2016, the below commissioners being present and voting.



COMMISSIONER



COMMISSIONER



COMMISSIONER

ATTEST:



DISTRICT SECRETARY

EASTSIDE REGIONAL FIRE AUTHORITY

RFA PLAN

TABLE OF CONTENTS

	<u>Page</u>
Acknowledgement	1
Section 1: Background & Needs Statements	2
Section 2: Definitions	4
Section 3: Formation Authority	6
Section 4: Jurisdictional Boundaries.....	9
Section 5: Governance	11
Section 6: Funding and Finance	12
Section 7: Organizational Structure – Personnel - Administration.....	15
Section 8: Operations and Services.....	16

APPENDICES

Appendix A – Jurisdictional Boundaries	17
Appendix B – Benefit Charge Formula	18

ACKNOWLEDGEMENT

As the cities of our region grow in size there becomes a natural reduction in the size and value of the fire protection districts that formerly provided emergency services to those areas. This reduction in size and value will continue to present a challenge to all fire districts in the region. King County Fire Protection District 10 and Fire District 38, through a long-standing partnership and positive working relationship of many years, have agreed to explore different options which could produce greater effectiveness and value to our taxpayers.

The exploration of different options have and continue to be focused on (1) Service Level Maintenance/Improvements, (2) Sustainable Financial Strength, (3) Stability of Funding Sources, and (4) A Vehicle for Growth.

No change or other option will be pursued unless thorough and detailed analysis demonstrates that each entity will be stronger and more sustainable together than we are apart.

EASTSIDE REGIONAL FIRE AUTHORITY

SECTION 1	BACKGROUND & NEEDS STATEMENT	
<i>Adopted</i>	2-10-2016	
<i>Revision</i>	The BACKGROUND & NEEDS STATEMENT section of The RFA Plan is subject to amendment by a majority vote of the RFA Governance Board.	
<i>Revised</i>		

1. The ability of 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.
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. The Cities of Issaquah, North Bend, Sammamish and King County Fire Protection District 10 and Fire District 38 have had a cooperative partnership (Eastside Fire & Rescue), striving to provide the highest level of fire and emergency medical services to our citizens within the confines of available resources.
6. Cooperation and the partnership between the Cities of Issaquah, North Bend, Sammamish and King County Fire Protection District 10 and Fire District 38 began with an interlocal agreement in 1999, providing the legal structure for the entities to remain separate but work cooperatively together.
7. On April 6, 2015, King County Fire Protection District 10 and Fire District 38 held a joint meeting to discuss the formation of a regional fire authority and to take action initiating the formation of the Planning Committee to develop a regional fire authority in accordance with the provisions of Chapter 52.26 RCW.

8. King County Fire Protection District 10 and Fire District 38 will be asking its citizens to consider combining all functions and services currently provided by the two jurisdictions into a regional fire authority, called Eastside Regional Fire Authority.

RFA Plan Revision:

1. The **BACKGROUND AND NEEDS STATEMENT** section of The **Eastside Regional Fire Authority Plan** is subject to amendment by a majority vote of the RFA Governance Board.

EASTSIDE REGIONAL FIRE AUTHORITY		
	SECTION 2	DEFINITIONS
	<i>Adopted</i>	2-10-2016
	<i>Revision</i>	The DEFINITIONS section of The RFA Plan 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. **“2011 Bonds”** means the Unlimited Tax General Obligation Bonds, 2011, issued by District 38 pursuant to Resolution No. 226 currently outstanding in the principal amount of \$2,465,000.00.
 - 1.2. **“2012 Bonds”** means the Unlimited Tax General Obligation Bonds, 2012, issued by District 10 pursuant to Resolution No. 12-01 currently outstanding in the principal amount of \$4,515,000.00.
 - 1.3. **“Board”, “Governance Board” or “Governing Board”** means the governance body of a regional fire protection service authority.
 - 1.4. **“Bonds”** means, together, the 2011 Bonds and the 2012 Bonds.
 - 1.5. **“District 10”** means King County Fire Protection District 10
 - 1.6. **“District 38”** means Fire District 38
 - 1.7. **“Eastside Regional Fire Authority” or “ERFA”** means the Regional Fire Protection Service Authority defined in this plan whose boundaries are coextensive with District 10 and District 38.
 - 1.8. **“EF&R”** means Eastside Fire & Rescue.
 - 1.9. **“Effective Date”** means July 1, 2016 pending approval of the RFA Plan by voters of the Participating Jurisdictions.
 - 1.10. **“EF&R ILA”** means the Eastside Fire & Rescue Interlocal Agreement January 1, 2015 – December 31, 2021.

1.11. "*Participating Jurisdictions*" means District 10 and District 38.

1.12. "*RCW*" means Revised Code of Washington.

1.13. "**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.

1.14. "*Regional Fire Authority Planning Committee*" or "*Planning Committee*" means the committee created under RCW 52.26.030 to create and propose to District 10 and District 38 the Regional Fire Authority Plan.

1.15. "*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 Eastside Regional Fire Authority.

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.

EASTSIDE REGIONAL FIRE AUTHORITY		
	SECTION 3	FORMATION AUTHORITY
	<i>Adopted</i>	2-10-2016
	<i>Revision</i>	The FORMATION AUTHORITY s section of The RFA Plan is subject to amendment by a majority vote of the RFA Governance Board.
	<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 District 10 and District 38.

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 District 10 Board of Commissioners and the three (3) Commissioners of District 38.
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 60% of the voters of the Participating Jurisdictions, the Eastside Regional Fire Authority shall be formed on, the Effective Date 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 primary purposes 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, to levy and collect excess taxes to make timely payments of principal of and interest on the Bonds, and to provide representation to the newly formed RFA Governance Board.
6. At such time as District 10 or District 38 no longer provide revenues or representatives to the RFA governance board and the 2011 Bonds or 2012 Bonds, as applicable, are no longer outstanding, either district may be dissolved in accordance with RCW 52.26.120.
7. If the RFA Plan is not approved by 60% of the voters, then operations relating to the services set forth herein shall remain unchanged.

D. RELATIONSHIP TO EASTSIDE FIRE AND RESCUE

1. District 10 and District 38 are signatories to and members of EF&R as established and operating under the EF&R ILA.
2. District 10 currently serves as the employer of all employees serving EF&R.
3. The EF&R ILA shall remain in force during the RFA planning period and after the Effective Date.
4. District 10 and District 38 shall assign all of their interests, rights, obligations and responsibilities under the EF&R ILA to the Eastside Regional Fire Authority on the Effective Date. By way of clarification, but not limitation, the assignment shall include, but not be limited, to the following rights, obligations and responsibilities of District 10 and 38:
 - 4.1. The Eastside Regional Fire Authority Governing Board members shall appoint ERFA Governing Board Members to fill the two District 10 and one District 38 EF&R Board positions under Section 3.2 of the EF&R ILA.
 - 4.2. The Eastside Regional Fire Authority shall be responsible for the Financial Contributions of Districts 10 and 38 as calculated under Section 7 and Exhibit A of the EF&R ILA.
 - 4.3. District 10 and 38 real and personal property shall be Eastside Regional Fire Authority real and personal property under Section 12 and Exhibit B of the EF&R ILA
 - 4.4. The Eastside Regional Fire Authority shall assume all existing and future Indemnification and Hold Harmless rights, responsibilities, obligations and benefits of Districts 10 and 38 under Section 13 of the EF&R ILA.

- 4.5. The Eastside Regional Fire Authority shall assume the responsibilities, obligations and benefits of Districts 10 and 38 under the Withdrawal provisions of the EF&R ILA set forth in Section 16.
- 4.6. The Eastside Regional Fire Authority shall assume the responsibilities, obligations and benefits of Districts 10 and 38 under the Termination provisions of the EF&R ILA set forth in Section 17.
- 4.7. The Eastside Regional Fire Authority shall assume the responsibilities, obligations and benefits of Districts 10 and 38 under the Annexation and Incorporation provisions of the EF&R ILA set forth in Sections 18 and 19.

RFA SECTION 3 PLAN REVISION DISPOSITION:

The **FORMATION AUTHORITY** section of The **RFA Plan** is subject to amendment by a majority vote of the RFA Governance Board.

EASTSIDE REGIONAL FIRE AUTHORITY

SECTION 4	JURISDICTIONAL BOUNDARIES	
<i>Adopted</i>	2-10-2016	
<i>Revision</i>	The JURISDICTIONAL BOUNDARIES section of the RFA Plan 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. The boundaries are generally depicted on the map attached as **Appendix A** of this Plan.

B. CHANGES IN JURISDICTIONAL BOUNDARIES AFTER FORMATION OF RFA.

1. Boundary Changes that do not require a RFA Plan amendment.
 - 1.1. City annexations of areas included within the boundaries of the ERFA by a City that is a member of EF&R shall be addressed consistent with Section 18 of the EF&R ILA.
 - 1.2. **Annexation or Incorporation of a portion of a District by a City that is not a member of EF&R.** 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.
 - 1.3. **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.
 - 1.4. **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.

1.5. Annexation of areas by the City of Carnation. Provided that the City of Carnation remains annexed into District 10, on the effective date of any future Carnation annexation of territory outside the boundaries of District 10, the territory annexed shall automatically be included within the boundaries of the RFA pursuant to RCW 52.26.090 and RCW 52.04.091. The territory added to the RFA by such annexation shall be subject to the taxation, charges, and bonded indebtedness (if approved as part of the annexation process) of the RFA. Any transfer of assets or employees that occurs as a result of such annexation shall be between the transferring entity and the RFA.

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.

EASTSIDE REGIONAL FIRE AUTHORITY

SECTION 5	GOVERNANCE	
<i>Adopted</i>	2-10-2016	
<i>Revision</i>	The GOVERNANCE section of the Plan may be amended by a majority vote of the RFA Governance Board.	
<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 six (6) voting members consisting of three (3) current, seated members from District 10 to be appointed by the District 10 Board of Commissioners, and three (3) current, seated members from District 38.
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** section of the **Plan** may be amended by a majority vote of the RFA Governance Board.

EASTSIDE REGIONAL FIRE AUTHORITY

	SECTION 6	FUNDING and FINANCE	
	<i>Adopted</i>	2-10-2016	
	<i>Revision</i>	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.	
	<i>Revised</i>		

A. INTERIM RFA FINANCES

1. The operation and administration of the RFA for the remainder of 2016 shall be funded by the funds budgeted for fire department services in the budgets of each Participating Jurisdiction of the RFA for the 2016 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; provided, that during any time the RFA does not impose the fire benefit charges described in Section 6.B. below, the RFA shall be authorized to levy and collect taxes in accordance with RCW 52.26.050(1)(b) at the rate of \$1.50 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 B** in accordance with 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.** To the extent permitted by law, the RFA Governance Board may impose and collect Impact Fees and Mitigation Fees pursuant to Chapter 82.02 RCW.
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. **District 10 and 38 Assets.** On the Effective Date, District 10 and District 38 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 District 10 and District 38.
2. **District 10 and 38 Revenues.** On the Effective Date, District 10 and District 38 shall immediately assign to the RFA all tax revenues (other than excess taxes collected to pay principal of and interest on the Bonds), all benefit charge revenues and all contract revenues that either District 10 or District 38 receives subsequent to the Effective Date.
3. **District 10 and 38 Accounts.** On the Effective Date, District 10 and District 38 shall transfer to the RFA all existing expense, reserve and bond funds (except bond funds relating to the payment of principal of and interest on the Bonds) held with King County.

D. LIABILITIES.

1. **District 10 Bonded Indebtedness.** District 10, pursuant to Resolution No. 21-01 adopted by the District 10 Board of Commissioners on April 18, 2012 authorized the issuance and sale of the 2012 Bonds in the aggregate principal amount of \$5,500,000. Resolution No. 21-01 also provides that principal of and interest on the 2012 Bonds shall be paid from excess tax levies, as approved by the voters of District 10 on February 14, 2012. Subsequent to the Effective Date, District 10 shall continue to impose such excess tax levies on all taxable property within the District for the purpose of paying principal of and interest on the 2012 Bonds until the 2012 Bonds (and any bonds issued to refinance the 2012 Bonds) are no longer outstanding. District 10 shall retain the Bond Fund (as defined in Resolution No. 21-01) with King County and such Bond Fund shall not be transferred to the RFA.
2. **District 38 Bonded Indebtedness.** District 38, pursuant to Resolution No. 226 as adopted by the District 38 Board of Commissioners on April 20, 2011 authorized the issuance and sale of the 2011 Bonds in the aggregate principal amount of \$2,975,000. Resolution No. 266 also provides that principal of and interest on the 2011 Bonds shall be paid from excess tax levies, as approved by the voters of District 38 on February 8, 2011. Subsequent to the Effective Date, District 38 shall continue to impose such excess tax levies on all taxable property within the District for the purpose of paying principal of and interest on the 2011 Bonds until the 2011 Bonds (and any bonds issued to refinance the 2011 Bonds) are no longer outstanding. District 38 shall retain the Bond Fund (as defined in Resolution No. 266) with King County and such Bond Fund shall not be transferred to the RFA.

3. **Post-Issuance Compliance.** As the user of the property financed with proceeds of the Bonds, the RFA shall monitor the use of such property and take all actions necessary to prevent interest on the Bonds from being included in gross income for federal tax income purposes, as further described in the Post-Issuance Compliance Procedures for Tax-Exempt Obligations adopted by District 10 in connection with the issuance of the 2012 Bonds.

In addition, the RFA shall file with the Municipal Securities Rulemaking Board's Electronic Municipal Market Access ("EMMA") on behalf of each District: (i) all annual financial information and operating statistics of the RFA and the Districts (including information relating to the outstanding principal amounts of the Bonds and the excess tax levies imposed by the Districts) and (ii) notice of certain listed events, all in the manner and timeframe described in Resolution No. 12-01 of District 10 and Resolution No. 226 of District 38, as applicable.

4. **General Debt.** Except as provided in Plan Section 6.D.1, and 6.D.2 the RFA shall assume all outstanding liabilities of District 10 and District 38 on the Effective Date.
5. **Future District Expenses.** All future costs and expenses incurred by the District 10 and District 38 after the Effective Date 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.

EASTSIDE REGIONAL FIRE AUTHORITY

SECTION 7	ORGANIZATIONAL STRUCTURE - PERSONNEL - ADMINISTRATION	
<i>Adopted</i>	2-10-2016	
<i>Revision</i>	The ORGANIZATIONAL STRUCTURE - PERSONNEL - ADMINISTRATION section of the RFA Plan is subject to amendment by a majority vote of the RFA Governance Board.	
<i>Revised</i>		

A. ORGANIZATIONAL STRUCTURE.

1. **EF&R ILA.** The RFA shall be a member of EF&R and fire protection and emergency medical services shall be provided under the organizational structure of EF&R as set forth in the EF&R ILA.

B. PERSONNEL.

1. **Employer.** The RFA shall become the employer of record of all District 10 employees that are employed on the Effective Date. All employees shall be transferred at their current rank, grade and seniority consistent with the requirements of RCW 52.26.100. District 10 shall assign its rights, responsibilities and obligations as the EF&R employer under Section 9 of the EF&R ILA to the RFA on the Effective Date.
2. **Agreements.** All current employee agreements, collective bargaining unit agreements, outstanding labor issues, personal service contracts, and any other contracts or agreements pertaining to work, duties, services or employment with District 10 and District 38 shall be transferred over with all personnel on the Effective Date.

C. ADMINISTRATION.

1. **Operational Administration.** The operational administration of the RFA shall be provided by EF&R as set forth in the EF&R ILA.
2. **RFA Administration.** All current administrative and business functions, agreements, documents, operations, and policies and procedures of District 10 and District 38 that are outside the scope of the EF&R ILA shall transfer to the RFA on the Effective Date.

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

EASTSIDE REGIONAL FIRE AUTHORITY

SECTION 8	OPERATIONS AND SERVICES	
<i>Adopted</i>	2-10-2016	
<i>Revision</i>	The OPERATIONS AND SERVICES section of The RFA Plan is subject to amendment by a majority vote of the RFA Governance Board.	
<i>Revised</i>		

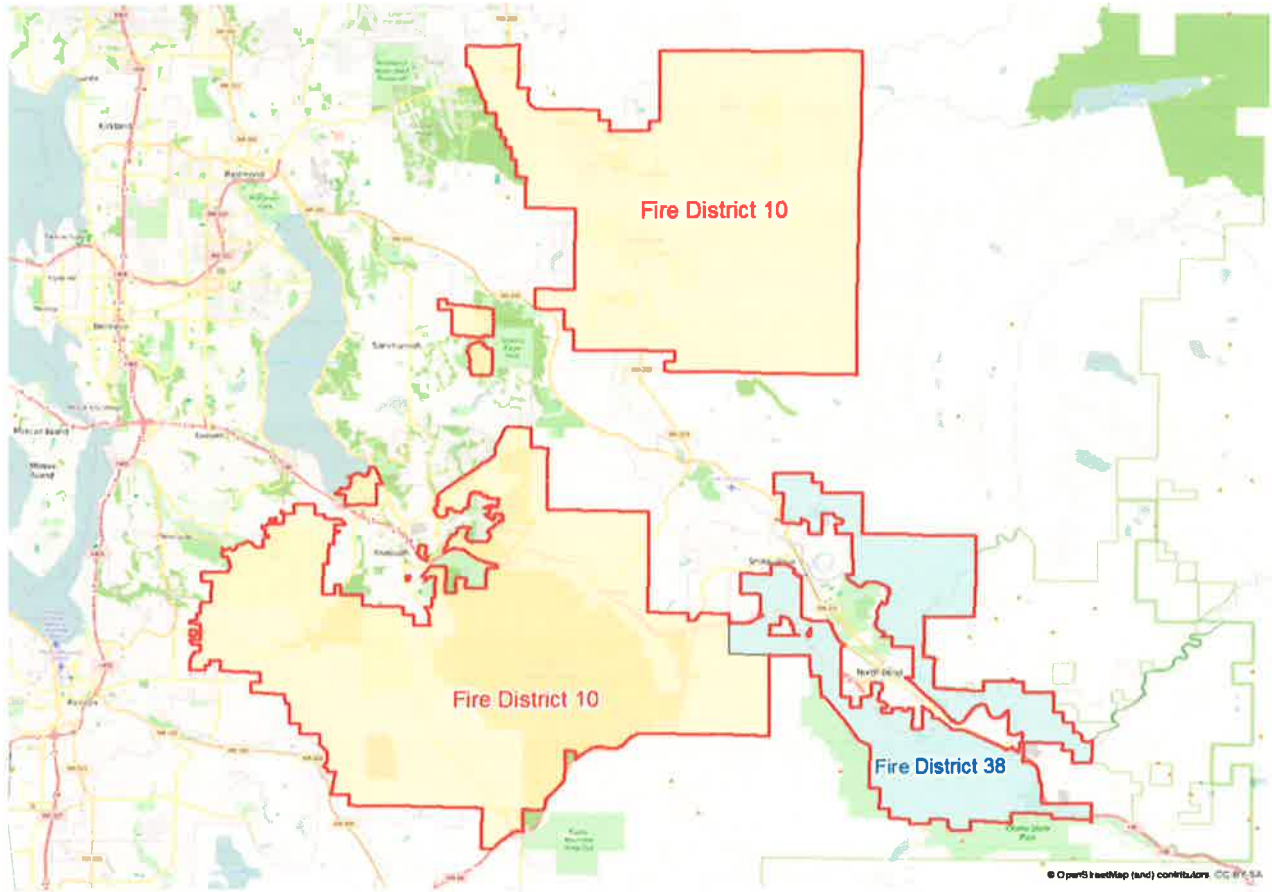
A. FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES.

1. While the RFA is a party to the EF&R ILA, The EF&R ILA shall determine all operational and service delivery elements of service to the RFA service areas.
2. While the RFA is a party to the EF&R ILA, current staffing models, standards of coverage, levels of service, deployment standards, field operations, command staffing, and operational policies and procedures of EF&R shall be determined by the EF&R Board.
3. All District 10 and District 38 current automatic aid and mutual aid agreements, shall be transferred to the RFA on the Effective Date.

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.

APPENDIX A
JURISDICTIONAL BOUNDARIES



APPENDIX B

FIRE BENEFIT CHARGE

The Benefit Charge method of funding a regional fire protection service authority is established in RCW 52.26.180 – 52.26.270.

The the initial Benefit Charge formula values and factors that are to be applied in the RFA and the risk factors are set forth below. **These initial formulas, values, factors, discounts and exemptions are subject to change by the Governing Board as necessary to comply with the statutory requirements of RCW 52.26.180.**

Eastside Regional Fire Fire Authority - Benefit Charge Formula																			
Square root of total square footage X 18 X Category Factor X Balancing Factor X Applicable Discount = FBC																			
Total square footage of structure																			
Category Factors	400-999	1,000-1,799	1,800-2,699	2,700-3,599	3,600-4,999	5,000 +													
Residential	0.8	1	1.2	1.4	1.6	2													
Mobile Homes	0.8	1	1.2	1.4	1.6	2													
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><50,000</th> <th style="text-align: center;">50,001-200,000</th> <th style="text-align: center;">200,001 +</th> </tr> </thead> <tbody> <tr> <td>Apartments</td> <td style="text-align: center;">5.4</td> <td style="text-align: center;">10.8</td> <td style="text-align: center;">13.2</td> </tr> </tbody> </table>							<50,000	50,001-200,000	200,001 +	Apartments	5.4	10.8	13.2						
<50,000	50,001-200,000	200,001 +																	
Apartments	5.4	10.8	13.2																
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">< 3,999</th> <th style="text-align: center;">4,000-9,999</th> <th style="text-align: center;">10,000-29,999</th> <th style="text-align: center;">30,000-99,999</th> <th style="text-align: center;">100,000-199,999</th> <th style="text-align: center;">200,000 +</th> </tr> </thead> <tbody> <tr> <td>Commerical</td> <td style="text-align: center;">1.6</td> <td style="text-align: center;">2.4</td> <td style="text-align: center;">4.2</td> <td style="text-align: center;">7.6</td> <td style="text-align: center;">10.8</td> <td style="text-align: center;">13</td> </tr> </tbody> </table>							< 3,999	4,000-9,999	10,000-29,999	30,000-99,999	100,000-199,999	200,000 +	Commerical	1.6	2.4	4.2	7.6	10.8	13
< 3,999	4,000-9,999	10,000-29,999	30,000-99,999	100,000-199,999	200,000 +														
Commerical	1.6	2.4	4.2	7.6	10.8	13													
Balancing Factor				0.19															
Discounts																			
Sprinkler																			
0.9																			