



Woodinville Fire & Rescue

**BOARD OF FIRE COMMISSIONERS
RULES OF PROCEDURE**

**ADOPTED FEBRUARY 6, 2018
By RESOLUTION 2018-01**



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**WOODINVILLE FIRE & RESCUE
RESOLUTION NO. 2018-01**

RULES OF PROCEDURE FOR THE BOARD OF FIRE COMMISSIONERS

RECITALS

WHEREAS, the Woodinville Fire & Rescue (“District”) Board of Fire Commissioners (“Board”) adopts Resolution 2018-01 establishing the Rules of Procedure for the Woodinville Fire & Rescue Board of Fire Commissioners; and

WHEREAS, Resolution 2018-01 supersedes all previous resolutions relating to Board rules of procedure; and

WHEREAS, the Board believes that establishing rules of procedure will facilitate the management of meetings and benefit the public’s interest in accomplishing business on behalf of the citizens of the District;

NOW, THEREFORE, it is resolved by the Woodinville Fire & Rescue Board of Fire Commissioners as follows:

- 1) That the Board’s Rules of Procedure attached to this Resolution as Exhibit 1, and dated February 6, 2018 are adopted as the Board’s official procedures.

ADOPTED AT A REGULAR MEETING OF THE BOARD OF FIRE

COMMISSIONERS OF WOODINVILLE FIRE & RESCUE THIS 6th DAY OF FEBRUARY

2018.

**WOODINVILLE FIRE & RESCUE
COUNTY OF KING, WASHINGTON**


Approved as to Form:


/s/Jeffrey Ganson
Jeffrey Ganson, District Counsel



Derek van Veen, Commissioner, Position 1



Jim Dorney, Commissioner, Position 2


Timothy Osgood, Commissioner, Position 3


Kevin Coughlin, Commissioner, Position 4


Roger Collins, Commissioner, Position 5

Attest:


Margene Michael, Board Secretary

Woodinville Fire & Rescue Board Rules of Procedure

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1.0 General Information

- 1.1. These rules constitute the official Rules of Procedure (“Rules”) for the Woodinville Fire & Rescue (“District”) Board of Fire Commissioners (“Board”). The Washington Fire Commissioners Association Commissioner’s Handbook may be referenced as a basic guide to understanding the various roles, duties and responsibilities of being a Fire Commissioner.
- 1.2. The Rules do not grant any rights or privileges, or provide an independent cause of action, to members of the public or third parties. They are adopted for the sole benefit of the Commissioners to assist them in the orderly conduct of Board business.
- 1.3. In all matters not addressed in the Rules, the Board shall be governed by applicable statutory requirements, District policies and Robert’s Rules of Order.
- 1.4. In the event the Rules conflict with state law, the Board shall follow the applicable statutory requirements and promptly amend the Rules.
- 1.5. The Board may, by a simple majority vote, temporarily waive any provision, in whole or part, contained in the Rules, but only to the extent such waiver does not result in a violation of state law.
- 1.6. The Board may review the Rules periodically as needed, but no less than once every two (2) years during the month of January in every even numbered year.

2.0 Elections

- 2.1. At the first meeting of each calendar year, the Board shall elect a Chair and Vice-Chair. Such elections may be postponed up to thirty (30) days upon Board motion. Elected officers shall serve for a term of one (1) year or until a successor is elected.
- 2.2. In the event the Chair or Vice-Chair is unable to complete the term of office, the Board shall elect a new Chair or Vice-Chair at the next regular meeting or as expeditiously as possible.

3.0 Oath of Office

- 3.1. As provided by RCW 29A.20.040, Commissioners shall take the oath either: (a) up to ten (10) days prior to the day the Commissioner’s term of office begins, or (b) at the last regular meeting of the Board held before the new Commissioner is to assume office.

4.0 Officers

4.1. Presiding Officers:

- 4.1.1. The Chair, or in his/her absence, the Vice-Chair shall preside at all Board meetings. It shall be the duty of the Presiding Officer to ensure that the transaction of Board business is in accordance with these Rules of Procedure.
- 4.1.2. In the absence of both the Chair and the Vice-Chair at a Board meeting, the remaining Commissioners shall appoint a Commissioner to serve as a temporary Presiding Officer.

4.2. Presiding Officer's Duties:

- 4.2.1. Call all Board meetings to order.
- 4.2.2. Adhere to the Board's approved meeting agenda.
- 4.2.3. Permit and manage public participation in Board meetings.
 - 4.2.3.1. Require all speakers when recognized by the Chair to state their name and place of residence, speak to the issue at hand, and observe the Board's meeting decorum rules.
- 4.2.4. Manage Board discussion to ensure orderly participation of Commissioners.
 - 4.2.4.1. Provide each Commissioner who requests to speak an opportunity to speak when recognized by the Chair.
- 4.2.5. State each motion before it is discussed and before it is voted on.
- 4.2.6. Put motions to a vote and announce the results.

4.3. Officer Removal:

- 4.3.1. The Board may remove the Chair or Vice-Chair from office by a simple majority vote.

5.0 Committees

- 5.1. The Board may establish Standing Committees and Special Committees of not more than two (2) Commissioners. The Board Chair shall appoint all Committee Chairs, and may also appoint a Commissioner to serve as an alternate committee member to either the Standing or Special Committees, with the concurrence of the Board. Alternate committee members shall attend committee meetings only in the absence of one of the regular committee members.

5.1.1. Standing Committees:

5.1.1.1. Standing Committees include, but are not limited to: (a) Executive, (b) Finance, (c) System Performance, (d) Intergovernmental Relations and (e) Human Resources.

5.1.2. Special Committees:

5.1.2.1. The District's Fire Chief, with the concurrence of the Board, shall be responsible for identifying Special Committee projects. Generally, Special Committees will be formed for the purpose of addressing the District's strategic plan.

5.1.3. Human Resources:

5.1.3.1. The Board vests the responsibility for initially considering with District staff and providing recommendations to the Board on District human resources matters in the Human Resources Committee. The Human Resources Committee possesses no independent authority to act or make final decisions, and shall forward its recommendations for consideration and action to the Board.

6.0 Board Secretary

6.1. The Fire Chief's Executive Assistant, or a designee, shall serve as the Board's Secretary, and provide administrative support to the Board.

6.1.1. Commissioner Requests for Staff Assistance:

6.1.1.1. To minimize interference with District operations, Commissioners shall submit all requests for staff assistance on District matters to the Secretary, whether those requests relate to Board committee work or a Commissioner's individual inquiry.

6.1.1.2. The Secretary, in consultation with the Board Chair, shall arrange for staff to respond to the request, and advise the requesting Commissioner and Board Chair when the requested assistance may be available, or why the request may not be addressed within a reasonable period of time.

6.2. The Secretary shall serve proper legal notice of all Board meetings and public hearings, and prepare the agenda for regular and special meetings.

6.3. The Secretary shall attend all of the Board's regular and special meetings. If the Secretary is not available for a Board meeting, the Fire Chief shall appoint a member of the District's staff to act as Secretary for the meeting.

- 6.4. The Secretary shall keep and maintain a current year-to-date record of each Commissioners attendance at all meetings.
- 6.5. The Secretary shall keep the minutes of all regular and special meetings of the Board, and maintain all Board and committee records.

7.0 Preliminary Meeting Agenda Preparation

- 7.1. The Secretary, or designee, shall prepare a preliminary agenda for each Board meeting, specifying the time and place of the meeting and stating a brief description of each item to be considered by the Board. The preliminary agenda is subject to review prior to issuance by the Executive Committee.
 - 7.1.1. An item for a Board Meeting may be placed on the preliminary agenda by any of the following methods: (a) A majority vote of the Board; (b) Board Consensus, (c) Board Chair or Vice-Chair, (d) Board Committee, and (e) Fire Chief.
 - 7.1.2. To the extent possible, the preliminary agenda will be emailed to all employees, posted to the District's website and posted on the bulletin board outside the District Headquarters office door at Station 31 by 6:00 p.m. the Friday preceding the Board meeting date.
 - 7.1.3. To the extent possible, Board meeting packets, containing materials to be considered at the next Board meeting will be available for the Board's review by 6:00 p.m. the Friday preceding the Board meeting date.

8.0 Public Notice Meetings and Hearings

8.1. Notice of Regular and Special Meetings:

- 8.1.1. All meetings will be announced in a timely fashion with the appropriate location and time and notice shall be posted on the District website and on the bulletin board outside the District Headquarters office door at Station 31.

8.2. Notice of Public Hearings and Quasi-Judicial Hearings:

- 8.2.1. A public hearing, such as those held annually on the budget or tax levy and those relating to benefit charges, must be advertised in two consecutive notices of a local newspaper, the last date no more than ten (10) nor less than three (3) days before the hearing. The notice shall state the purpose, time, date and place of the hearing.

9.0 Meetings

9.1. Open Public Meetings Act:

- 9.1.1. All Board and Committee meetings shall comply with the requirements of Chapter 42.30 RCW, the Open Public Meetings Act.
- 9.1.2. Communication between three or more Board members via telephone, email, in-person or any social media website, may constitute a “meeting” under the Open Public Meetings Act. Therefore, consistent with the spirit and intent of the Open Public Meetings Act:
 - 9.1.2.1. Commissioners shall not participate in a conference call where three or more Board members participate on the call, unless such conference call is duly noticed and conducted as an open meeting.
 - 9.1.2.2. Commissioners shall not participate in email discussions where three or more Board members are participants in the discussion on the email thread.
 - 9.1.2.3. Commissioners shall not, for the purpose of making a decision, engage in a series of meetings (by phone, email, social media or in-person), none of which include a majority of the Board but collectively do involve a majority of the Board (serial or chain meetings).
 - 9.1.2.4. Commissioners shall not engage in any communication on any District sponsored social media website.

9.2. Regular Meetings:

- 9.2.1. The Board shall meet the first Tuesday of each month beginning at 1700 hours. The third Tuesday of each month shall be reserved for a study session or second regular meeting, if needed. Regular meetings shall be held at District Headquarters, Fire Station 31, 17718 Woodinville-Snohomish Road NE, Woodinville, WA 98072, unless public notice is given of another location.
- 9.2.2. Should any scheduled meeting fall on a legal holiday, the meeting shall be held at the same hour and place on the next business day in accordance with RCW 42.30.070. The Board may cancel the meeting with appropriate notice to all parties and the public.
- 9.2.3. Regular meetings may be canceled, continued or adjourned to a specific date and time provided that notice is provided at least twenty-four (24) hours in advance of the meeting and in the same manner as for special meetings. The Board must hold a minimum of one (1) regular meeting each month.

9.3. Special Meetings:

- 9.3.1. Special meetings may be held by the Board subject to notice requirements in accordance with RCW 42.30.080. Special meetings may be called by the Chair or by a quorum of the Board, by written notice delivered to each Commissioner.
- 9.3.2. Special meeting notices shall be posted on the District website, at Headquarters/Station 31 and by email to District employees at least twenty-four (24) hours prior to the meeting. The notice shall specify the time and place of the special meeting and the business to be transacted. The Board shall not take final action on subjects other than those specified in the notice.
- 9.3.3. Notice of special meetings shall be given to any news media that have on file with the District a written request for meeting notices at least twenty-four (24) hours prior to the meeting.

9.4. Executive Sessions/Closed Sessions:

- 9.4.1. Executive sessions may be held for those purposes identified in RCW 42.30.110. Closed sessions may be held for those purposes identified in RCW 42.30.140.
- 9.4.2. Under RCW 42.30.110(2), before going into Executive Session, the Presiding Officer must publicly announce the purpose for the Executive Session, citing the appropriate section of the statute, and state the length of the session.
- 9.4.3. Should the session require additional time, the Presiding Officer shall make a public announcement that the session is being extended and state the length of the extension.
- 9.4.4. The Board may include or exclude any and all persons and members of the public in an Executive or Closed Session.
- 9.4.5. All written materials and verbal information provided to Commissioners during Executive Sessions shall be kept confidential to ensure that the District's position is not compromised.

9.5. Committee Meetings:

- 9.5.1. Standing and special committee meetings may be held at times, dates and locations determined by the committee members.

9.6. Excused Absences:

- 9.6.1. As provided by RCW 52.14.050, if appropriate notice of a meeting is given, a Commissioner shall forfeit his/her office by failing to attend three (3) consecutive regular meetings of the Board without being excused by the Board.
- 9.6.2. Commissioners may be excused from attending a meeting by contacting the Board Chair or Secretary prior to the meeting and stating the reason for his/her inability to attend the meeting. If email is used to communicate the absence, a response must be received prior to the meeting in order for the absence to be excused.
- 9.6.3. Following the Roll Call, the Board Chair or Board Secretary shall inform the Board of the Commissioner's absence and state the reason for the absence.
- 9.6.4. The absence may be excused by approval of a motion which shall be non-debatable. Upon passage of the motion by a majority of the Commissioners present, the absent Commissioner shall be considered excused.

9.7. Attendance of Executive Team Members:

- 9.7.1. The Fire Chief, or the acting Fire Chief, shall attend all Board meetings. When requested by the Board, District Executive Team members shall attend a Board meeting and remain for such time as the Board directs.

9.8. Meeting Decorum:

- 9.8.1. In Board meetings, Commissioners should be addressed as "Commissioner (surname)" or "Mr., Madam, or Ms. (surname)". The Chair should be addressed as "Mr., Madam, or Ms. Chair".
- 9.8.2. Board appropriate attire will be casual business attire, which includes District logo wear.
- 9.8.3. While the Board is in session, Commissioners must preserve order and decorum. A Commissioner shall not delay or interrupt, by side conversation, debate with the public, or otherwise, the proceedings of the Board, nor disrupt any Commissioner while speaking.
- 9.8.4. Each Commissioner shall have the right to express dissent from or protest against any matter before the Board and have the reason for such dissent or protest entered into the minutes.
- 9.8.5. In accordance with RCW 42.30.050, any person making personal, impertinent or slanderous remarks or who becomes boisterous while

participating in a Board meeting may be asked by the Presiding Officer to leave the Board meeting.

10.0 Quorum:

- 10.1. A quorum of the Board is three (3) Commissioners. The Board may take action at a meeting only when a quorum of the Commissioners is present.
- 10.2. In the absence of a quorum, no action may be taken except to adjourn the meeting to a subsequent date and time. Adequate notice of an adjourned meeting shall be given to any absent Commissioners, in the event it is not the next regularly scheduled Board meeting.

11.0 Order of Business during Regular Meetings

- 11.1. The order of business for each regular meeting shall be as follows, unless modified by the Board:
 - 11.1.1. Call to Order
 - 11.1.2. Pledge of Allegiance
 - 11.1.3. Roll Call
 - 11.1.4. Consideration of Agenda in Content and Order
 - 11.1.5. Public Comment Period
 - 11.1.6. Board Business
 - 11.1.6.1. Presentations
 - 11.1.6.2. Staff Reports and/or Resolutions
 - 11.1.6.3. Fire Chief's Report
 - 11.1.6.3.1. Budget Report (when available)
 - 11.1.7. Consent Agenda
 - 11.1.8. Reports and Requests from the Commissioners/Good of the Order
 - 11.1.9. Executive Session (if necessary)

12.0 Public Participation

12.1. Comments & Material Provided by Citizens:

- 12.1.1. Citizens wishing to address the Board shall sign in prior to the start of the Board meeting. At their discretion, the Board may allow citizens who have not signed in to speak.
- 12.1.2. For the record, citizens must state their name, address and the organization (if any) they represent.
- 12.1.3. Individual citizens may speak for three (3) minutes or less. However, this rule may be suspended at the discretion of the Chair or by majority vote of the Board.
- 12.1.4. The Board Chair or Board Secretary shall instruct the speaker that their comments are being recorded.
- 12.1.5. No person shall be allowed to address the Board while it is in session without first being recognized by the Chair. All speakers shall speak from the lectern.
- 12.1.6. Citizens may provide documents or materials to the Secretary before or after speaking at the lectern for future consideration by the Board.

12.2. Board Response:

- 12.2.1. The Board shall have the discretion to address any issue raised during the Public Comment period, or may refer the matter for future consideration to staff or a subsequent Board meeting.
- 12.2.2. Commissioners are encouraged to ask questions of citizens during the Public Comment period. The Board Chair has the discretion to curtail such discussion at any time, so that the business of the Board may continue without undue delay.

13.0 Voting

- 13.1. When a quorum of Commissioners is present, the Board acts by simple majority vote. This requirement cannot be modified by any procedural rule. There shall be no voting by proxy. No matter may be voted upon unless:
 - 13.1.1. The matter has been discussed by the Board at a previous meeting; or
 - 13.1.2. The matter has been placed on the agenda prior to the meeting; or

- 13.1.3. The matter is considered by a majority vote of the Board to constitute an exigent circumstance that warrants immediate consideration and possible action.
- 13.2. All votes shall be taken by voice, except that at the request of any Commissioner, a roll call vote shall be taken by the Board Secretary.
- 13.3. In the event of a tie vote on a particular matter, that matter shall be considered defeated.
- 13.4. Each Commissioner, including the Chair, may vote on any motions before the Board, unless an actual or apparent conflict of interest or an appearance of fairness question is presented.

14.0 Meeting Minutes

- 14.1. The District's audio or video recording of a Board meeting shall constitute the official transcript of the proceedings in the absence of or until such time that there are approved minutes. In the event there is no District audio or video recording of the meeting, the approved minutes shall constitute the official transcript.
- 14.2. To the extent possible, the minutes of all meetings should be finalized and available for Board review by 5:00 p.m. on the Thursday following each meeting.

15.0 Code of Ethics / Appearance of Fairness

- 15.1. Commissioners shall comply with Chapter 42.23 RCW, the state Code of Ethics, and Chapter 42.36, state law on the appearance of fairness.
- 15.2. In order to ensure the public's confidence that all Board actions and transactions are fair and equitable, and the integrity of Board of Fire Commissioners, each Commissioner shall conduct business on behalf of the District without any actual or apparent conflict of interest between the public trust and their private interests.
- 15.3. Actual and apparent conflicts of interest occur where a Commissioner has a personal or financial interest in an entity seeking to or doing business with the District, and that Commissioner has responsibility over, or participates in, an action or transaction involving that entity as a Commissioner.
- 15.4. As an abstention or recusal does not always cure a conflict of interest or appearance of fairness questions, Commissioners who abstain from voting or recuse themselves from participating in Board deliberation, transaction or action shall state the reason for their abstention or recusal for the record prior to the relevant Board vote.

16.0 Confidentiality

- 16.1. Each Commissioner shall keep confidential all attorney/client communications, and all written material and verbal information provided to them during Executive Sessions under RCW 42.30.110.
- 16.2. If during an Executive Session, the Board directs District staff to manage a particular issue, each Commissioner acknowledges that all contact between the District and any other party concerning the issue is best conducted by District staff. This ensures the District's clarity and consistency with communication on that issue. Prior to discussing the issue with anyone other than other Commissioners, District counsel, the Fire Chief or his/her designee, Commissioners shall confer with the Chairperson for the Board of Fire Commissioners and the Fire Chief.
- 16.3. When District staff has determined that certain information provided to a Commissioner outside of an Executive Session is exempt from public disclosure under the Public Records Act or state law, the Commissioner receiving such information shall keep the same confidential.
- 16.4. If it is determined to be in the best interests of the District to release certain information previously held as exempt from public disclosure, or District staff determines that once applicable exemptions no longer apply to certain non-disclosed information, Commissioners may release that information.

17.0 Public Records Requests

- 17.1. The District's administrative staff shall be principally responsible for accepting and responding to all records requests in accordance with the Washington State Public Records Act (Chap. 42.56 RCW).
- 17.2. In the event a records request is made by a member of the public to a Commissioner, the Commissioner receiving the request shall immediately provide the requestor with the Board Secretary's contact information, encourage requestors to put their request in writing using the District's form (Form 1015-A, Request for Public Record), and forward to the Board Secretary the requestor's contact information with a description of the information requested.
- 17.3. Each Commissioner is personally responsible for identifying, gathering and forwarding to the District in a timely fashion all records in their possession and control that are responsive to a records request.

18.0 Equipment Issue

- 18.1. Commissioners will be issued the following upon their appointment: (a) ID card and badge case; (b) gold badge; (c) business cards; and (d) headquarters key and lock combination. Additionally, Commissioners may be issued the following: (a) logo wear (shirts, hat, and jacket); and (b) name badge.

- 18.2. Commissioners will not be issued radios, pagers or turn-out gear, and are not expected or encouraged to respond to fire or emergency calls.
- 18.3. When a Commissioner's term expires, Commissioners shall promptly return all District-issued equipment to the District.

19.0 Commissioner Compensation

- 19.1. Commissioners may receive two hours compensation per meeting, with no restriction on the number of meetings per month, but with an annual compensation limit, adjusted every five years, as outlined in RCW 52.14.010.
- 19.2. Commissioners may not "bank" attendance at meetings in one year and make a monetary claim for those meetings in the next fiscal year. RCW 52.14.010 contemplates that compensation to Commissioners for attendance at meetings is paid monthly as it is earned.
- 19.3. The Board shall establish which services a Commissioner may perform on behalf of the District for compensation. Commissioners may be compensated for any of the following services:
 - 19.3.1. All scheduled meetings of the Board.
 - 19.3.2. Board-level committee meetings and activities.
 - 19.3.3. Board-directed meetings or activities.
 - 19.3.4. Fire District related seminars and educational classes, with prior Board approval.
 - 19.3.5. Fire District Open House functions.
 - 19.3.6. King County Fire Commissioners Association general and board of director meetings. For budgeting purposes, estimated annual expenses require prior approval of the Board.
 - 19.3.7. Washington Fire Commissioners Association meetings, seminars and conferences. For budgeting purposes, estimated annual expenses require prior approval of the Board.
 - 19.3.8. Days or portions of days spent in preparation for District related meetings.
 - 19.3.9. Each day of attendance at seminars and conferences. For budgeting purposes, estimated annual expenses require prior approval of the Board.
 - 19.3.10. Days or portions of days spent in travel in order to attend a Board sanctioned activity when such travel cannot be made on the day of the activity for safety reasons, with prior Board approval.

19.3.11. Other District related services as approved by the Board, with prior Board approval.

20.0 Travel

- 20.1. The Commissioners may attend any and all meetings of the King County Fire Commissioners or the Washington State Fire Commissioners Associations and/or committees thereof, and may perform administrative services on behalf of the District with prior approval of the Board.
- 20.2. The Board Secretary will assist in processing requests for travel/training by processing registrations, the *Travel Advance* form and booking travel and lodging.
- 20.3. Any tickets, vouchers, gift certificates or similar materials in an amount exceeding \$25 that are or could be perceived as gratuity or monetary benefit while traveling or conducting business on behalf of Woodinville Fire & Rescue shall become and remain the property of Woodinville Fire & Rescue. Any such items shall be reported to the Fire Chief immediately. Door prizes, raffles and drawings are exempt from this policy.
- 20.4. Commissioners will follow the procedure in District Policy No. 2206, Travel Authorization and Expenses for travel approval and reimbursement.

21.0 Personal Liability Protection

- 21.1. Commissioners shall be included as named insureds on all applicable District insurance policies. In the event a Commissioner shall be individually named as a defendant in any litigation arising out of the performance by the Commissioner of District business and the District's insurance carrier shall deny coverage and refuse to provide defense to the action, the District shall provide the Commissioner with separate legal counsel and indemnification subject to the following conditions:
 - 21.1.1. The cause of the action must have arisen as a result of the action or non-action of the Commissioner while acting within the scope and authority of the office of Commissioner.
 - 21.1.2. The cause of action must not have arisen as a result of intentional, willful or criminal conduct of the Commissioner.
- 21.2 **Requests for Defense and Liability Coverage**
 - 21.2.1. The following procedure shall be used to determine if the District shall provide the defense and liability coverage for a Commissioner under a District policy.
 - 21.2.1.1. The matter shall be referred to the District's attorney for investigation and review.

- 21.2.1.2. The District's attorney shall fully investigate the facts and circumstances of the litigation and the actions of the defendant Commissioner.
- 21.2.1.3. The District's attorney shall report to the Board of Commissioners, in writing, the results of the investigation and research. A copy of the report shall be furnished to each Commissioner under the attorney/client communication privilege.
- 21.2.1.4. The Board of Commissioners shall make the final determination based on the report and investigation of the attorney.