

EDMONDS CITY COUNCIL APPROVED MINUTES

August 26, 2008

Following a Special Meeting at 6:30 p.m. for an Executive Session regarding negotiation of purchase of real estate, the Edmonds City Council meeting was called to order at 7:00 p.m. by Mayor Haakenson in the Council Chambers, 250 5th Avenue North, Edmonds. The meeting was opened with the flag salute.

ELECTED OFFICIALS PRESENT

Gary Haakenson, Mayor
Michael Plunkett, Council President
Peggy Pritchard Olson, Councilmember
Steve Bernheim, Councilmember
D. J. Wilson, Councilmember
Dave Orvis, Councilmember
Ron Wambolt, Councilmember

STAFF PRESENT

Al Compaan, Police Chief
Duane Bowman, Development Services Director
Noel Miller, Public Works Director
Rob Chave, Planning Manager
Frances Chapin, Cultural Services Manager
Sandy Chase, City Clerk
Jana Spellman, Senior Executive Council Asst.
Jeannie Dines, Recorder

ELECTED OFFICIALS ABSENT

Deanna Dawson, Councilmember

1. APPROVAL OF AGENDA

Change to
Agenda

Mayor Haakenson requested the order of Agenda Items 4 and 5 be reversed.

COUNCILMEMBER WAMBOLT MOVED, SECONDED BY COUNCILMEMBER OLSON, TO APPROVE THE AGENDA AS AMENDED. MOTION CARRIED UNANIMOUSLY.

2. CONSENT AGENDA ITEMS

Councilmember Orvis requested Item G be removed from the Consent Agenda.

COUNCILMEMBER WAMBOLT MOVED, SECONDED BY COUNCILMEMBER OLSON, TO APPROVE THE CONSENT AGENDA. MOTION CARRIED UNANIMOUSLY. The agenda items approved are as follows:

Roll Call

A. ROLL CALL

Approve
08/18/08
Minutes

B. APPROVAL OF CITY COUNCIL MEETING MINUTES OF AUGUST 18, 2008.

Approve
Claim Checks

C. APPROVAL OF CLAIM CHECKS #106364 THROUGH #106460 FOR AUGUST 21, 2008 IN THE AMOUNT OF \$232,560.86. APPROVAL OF PAYROLL DIRECT DEPOSITS AND CHECKS #47065 THROUGH #47165 FOR THE PERIOD AUGUST 1, 2008 THROUGH AUGUST 15, 2008 IN THE AMOUNT OF \$754,327.58.

Claims for
Damages

D. ACKNOWLEDGE RECEIPT OF CLAIMS FOR DAMAGES FROM ROSS S. ADAMS (\$1,822.32), AND ALICE COLLEEN BROWN (AMOUNT UNDETERMINED).

Liquor
Control Board

E. APPROVAL OF LIST OF BUSINESSES APPLYING FOR RENEWAL OF THEIR LIQUOR LICENSES WITH THE WASHINGTON STATE LIQUOR CONTROL BOARD, AUGUST 2008.

SR 99
International
District

F. **AUTHORIZATION FOR MAYOR TO SIGN CONTRACT WITH ARTIST FOR THE SR 99 INTERNATIONAL DISTRICT ENHANCEMENTS PROJECT.**

Findings of
Fact – Arbor
Court at
23800–23824
Edmonds
Way

ITEM G: **APPROVAL OF FINDINGS OF FACT RELATED TO THE 7/29/08 AND 8/05/08 CLOSED RECORD REVIEW: APPEAL OF THE HEARING EXAMINER DECISION TO DENY THE REQUEST TO SUBDIVIDE ARBOR COURT, A 1.27 ACRE PARCEL DEVELOPED WITH 35 TOWNHOMES, INTO 35 FEE-SIMPLE TOWNHOUSE PARCELS. THE SITE IS LOCATED AT 23800 – 23824 EDMONDS WAY. (FILE NOS. P-08-16 AND APL-08-4)**

Councilmember Orvis commented usually if he disagreed with a decision made by a majority of the Council, he would simply pull the item and vote against it. In this instance, he encouraged the Council to add to the Findings of Fact. He expressed concern with the potential for the City to be liable if an accident occurred on one of the driveways. The City was typically protected from liability unless the cause was deliberate. He cited examples where a city was held liable for a deliberate act such as the City of Ocean Shores where the City was sued because a building did not meet the setback requirements and since they had deliberately ignored the situation, the building was required to be moved. A similar case in Seattle occurred when the fire codes for a building for the homeless were ignored and the City incurred a great deal of liability following a subsequent fire.

In this case, there is a disagreement over what constituted a street and whether the driveways needed to have sidewalks and curb cuts and if they met street width standards. His concern was there was evidence that the driveways were streets, yet there were no sidewalks or curbs and they did not meet the street width standards, yet there was almost nothing in the record regarding why that interpretation of the code was correct. He concluded the record gave the impression that the City was “looking the other way.” He anticipated in a future lawsuit a judge could find upon reviewing the record that the driveways were clearly streets and should have been required to meet street standards, that it was deliberate and that the City was liable for an accident. He urged the Council to direct the City Attorney to include reasons in the Findings of Fact why the driveways were not streets and did not need to meet the street standards. This would provide a record and absolve taxpayers of future liability.

Councilmember Wambolt asked Councilmember Orvis if he had consulted with City Attorney Scott Snyder. Councilmember Orvis answered he had not. Development Services Director Duane Bowman advised the Findings of Fact were drafted by Mr. Snyder.

Councilmember Bernheim agreed with Councilmember Orvis and would vote against the Findings of Fact.

Council President Plunkett asked whether this item could be delayed a week to allow Councilmember Orvis to confer with Mr. Snyder. Mr. Bowman answered the City was required to process a preliminary plat within 90 days; this was likely over that time limit now due to the appeal. He did not anticipate the applicant would raise a challenge if the item was continued to next week. Council President Plunkett agreed with delaying this a week to allow Councilmember Orvis to confer with Mr. Snyder.

It was the consensus of the Council to delay action on this item until the September 2 Council meeting.

Corporal
Damian Smith
Swearing-in
Ceremony

4. **SWEARING-IN CEREMONY FOR CORPORAL DAMIAN SMITH**

Police Chief Al Compaan commented on the importance of publicly acknowledging and celebrating promotional opportunities within the Police Department. He introduced the Department’s newest Corporal of Police, Damian Smith. He described Corporal Smith’s background including enlisting in the Air Force in 1995, spending six years on active duty and upon discharge in 2000, enlisted in the Washington Air National Guard as a Reservist. He was hired as an entry level police officer by the City in

2002 and has spent his career on patrol. Corporal Smith broadened his experience by becoming a Field Training Officer, Firearms Armer, Dive Team Member and start-up member of the Marine 6 Team Marine Unit. He has received three commendations to date including Officer of the Year in 2005. In February 2008 he participated in an all-day civil service assessment center for the position of Corporal.

Chief Compaan swore in Corporal Smith and his mother Joanne pinned on his badge.

Corporal Smith thanked the City for the opportunity to be sworn in at a formal setting, commenting it was meaningful to the members of the Police Department to have the steps in their career recognized. He introduced his parents Harold and Joanne, his wife Michelle and daughter Rilán, thanking them for their support. He looked forward to leading by example and mentoring others.

3. AUDIENCE COMMENTS

Events of 9/11

George Everett, Edmonds, encouraged the City to adopt a resolution calling for an investigation into the events of 9/11. He outlined reasons to doubt the official story. The public was told two hijacked airplanes slammed into the Twin Towers of the World Trade Center and burst into flames and the resultant fires weakened the structures and caused their collapse. However, no other steel framed high rise anywhere in the world has ever been brought down by fire, making it unbelievable that three would come down in one place on one day. Even more improbable was that all three came down at freefall speed, typical of a controlled demolition. He noted the top of the south tower, falling through tons of steel and concrete in the center of the building, would not fall at freefall speed, yet it did - a physical impossibility without extraordinary outside help. For these reasons, he and thousands of others including a growing number of professionals doubted the official story and wanted to know the truth which could only be revealed by an independent, objective and thorough investigation. He encouraged citizens to join the list of well-known people who supported the quest for truth at PatriotsQuestion911.com and/or sign a petition at AE911.org and Firefightersfor911truth.org. He advised further information regarding 9/11 was available on Seattle's Community Access Network, Comcast Channel 77 on Thursdays at 11:00 a.m.

25-foot Tall Commercial Garage/Warehouse in Residential Neighborhood

B.B. McGinley, Edmonds, expressed concern with the construction of a 2,880 square foot, 25-foot tall commercial garage and warehouse on their neighbor's property that blocked the views of several nearby homes and completely changed the character of the immediate neighborhood. She questioned why the structure was not limited to the 15-foot height limit for an accessory structure, asserting that because its use was subordinate and incidental to the use of the home, it fit the description of an accessory building and was not an attached garage. She viewed the breezeway connecting the house and garage as an attempt to remove the garage from the definition of an accessory building. She anticipated the seven homes whose views were affected by the structure would likely experience property value losses. She noted the City cites the case of *Chelan Co. v. Nykreim* as the reason a public hearing could not be held, a case that is based entirely on a 21 days appeal window expiration. She relayed Development Service Director Duane Bowman's explanation that there was no appeal in the granting of the building permit because the interpretation of the building code did not require neighbors be notified and also because the 21 days appeal window had long expired. She questioned how the 21 day appeal process applied when they had no prior knowledge of the permit application and approval. As a result, they had been denied due process and their rights had been violated. The City's only consolation to them was that they would use this as a "poster-child" to modify the building code. She encouraged citizens living next door to a proposed building or land use change to do their own due diligence and not allow the City to violate the building code by interpretation.

PCC Garbage Enclosure Concern

Roger Hertrich, Edmonds, referred to the concern he expressed last week regarding the PCC garbage enclosure located 30 inches from the sidewalk on 9th Avenue, advising he now agreed with staff's interpretation that the wall around the garbage was a fence. However, if this was considered a fence, a

PCC Site /
Elevations

permit was required in accordance to Chapter 17.30.010. He questioned whether a permit had been issued for the fence, noting a fence located 10-feet from the right-of-way and over 3 feet in height required review and must be based on the original grade. Next, he distributed a 1980 version of the contour lines for Albertsons, which he asserted represented the original grade. He also distributed elevations of the water tank, noting reference to grade in those drawings was to the existing grade, not the original grade in the Albertsons drawings. He concluded there may be a problem with how the elevation was determined, commenting it appeared PCC used the existing grade, yet the code required the original grade be used. He questioned whether the additional salary provided to Mayor Haakenson was producing results, asserting that staff decisions were getting worse.

25-foot Tall
Garage/
Warehouse in
Residential
Neighborhood

Councilmember Wilson asked for staff to respond to Ms. McGinley’s comments. Mr. Bowman assured the structure was not a commercial garage; Ms. McGinley believes the property owner will turn the structure into a commercial garage. There was no business license application and the building was reviewed as a residential garage, not a commercial garage

Councilmember Wilson asked if Ms. McGinley was correct that the height of an accessory building was limited to 15 feet in height. Mr. Bowman answered a detached accessory building could only be 15 feet in height; this structure was attached to the house. He relayed that the property owner eventually planned to demolish the house and construct a new house.

Fence Permit

Councilmember Wilson inquired about the permit requirement for a fence. Mr. Bowman cautioned the Council about getting into a debate about a permit, referring to a court case *Mission Springs v. Spokane* which exposed the Council to potential liability when they went outside their purview. In general, he advised a fence permit needed to be approved as part of a development when it was within 10 feet of the right-of-way and over 3 feet to prevent sight distance problems. The fence was reviewed by the Architectural Design Board and approved as part of the tenant improvements.

Global
Warming
Presentation

5. **PRESENTATION BY UNIVERSITY OF WASHINGTON PROFESSOR DENNIS HARTMANN ON GLOBAL WARMING AND HOW IT AFFECTS EDMONDS.**

Professor Dennis Hartmann, University of Washington, provided recent results on global warming. He described average temperatures and precipitation in Seattle, Washington and global averages, noting the variability in temperatures and precipitation in the State. He displayed a graph of annual variations in temperatures and precipitation, highlighting maximum and minimum temperatures during 1940 and 2000. He displayed a graph illustrating the maximum and minimum temperatures for each 12 months of the year which reveal the minima occurred in the 1950s and the maxima were closer to 2000. He displayed a graph of the temporary mean temporal history of temperatures 1880 to 2000, recognizing recent temperature increases.

Professor Hartmann explained much of the warming occurred in high latitudes. Seattle experienced a 8/10th of a degree anomaly in the last five year period (2001-2005) based on the period 1950-1980. These increases were also reflected at sea level and a slight decline in the northern hemisphere snow cover. He concluded the scientific statement was that global warming had been detected. He provided photographs of ice retreat in Glacier Bay, Alaska, in 1940 and 2004, record melting of Artic sea ice in 2007, and outbreaks of the Pine Beetle in Canada as anecdotal evidence of global warming. He relayed it was known that surface temperatures around the world were increasing more rapidly during the past 30 years which was thought to be related to the increase in carbon dioxide in the atmosphere.

He provided a graph of the CO₂ concentration in the atmosphere 1700 to present which revealed an approximately 40% increase since the industrial revolution and current increase of approximately ½% per year. He explained research using ice bubbles in ice cores from Antarctica to determine CO₂ provides a

650,000 year record of methane and CO₂. He concluded it was known that CO₂ had increased since the industrial revolution as a result of fossil fuel burning.

Professor Hartmann noted the next question was attribution, whether the warming of the global surface temperature associated with humans produced an increase in greenhouse gases. He displayed a physical model that takes into account the energy budget of the earth that includes not only greenhouse gases but also human induced aerosols. He provided images from space, identifying forest fires in Oregon, soot from fires, areas of increased solar absorption, and areas of increased solar reflectivity from human-induced aerosols. He displayed a graph illustrating the natural variability in the global mean temperature versus what is produced by humans, evidence that allows scientists to conclude the warming observed in the last 30 years is principally associated with the human effect. He relayed science's virtual certainty that warming during the past 30 years was not a natural variability but was caused by human alterations particularly greenhouse gases in the atmosphere, primarily CO₂ produced by fossil fuel burning.

The next step for science was to predict how the climate would change in the future, which was complicated because, 1) it was difficult to predict what humans would do in terms of fossil fuels and how much CO₂ would be released and 2) the models were uncertain and incomplete. He provided various scenarios showing the global mean temperature over the last 100 years and the next 100 years; worst case was 3.5 °C (7 °F) warming by the end of the century. He concluded over the next 20 years warming and sea level rise were significant and reasonably certain but not catastrophic. By the end of the century warming was much larger and more uncertain if nothing was done to reduce the release of greenhouse gases. Beyond the end of the century, temperatures would continue to increase, resulting in the Greenland ice sheet beginning to melt and a dramatic rise in sea level rise.

Councilmember Wilson questioned at what point warming would become catastrophic. Professor Hartmann replied CO₂ released into the atmosphere remained a long time. By the time significant affects were evident, it would be too late because the CO₂ would continue to increase, the climate would continue to warm and CO₂ would remain in the atmosphere for centuries. He concluded corrective measures were necessary in advance of catastrophic levels.

Professor Hartmann relayed projections for 2050 including a ½ °F per decade temperature increase, a 30% decline in winter snow pack, a 6 inch rise in the sea level, and the same average precipitation with more rain in the winter and less in the summer, noting there were also affects on stream temperatures, ocean acidity, and native versus invasive species. He relayed actions to combat include conserving energy, increasing efficiency, and pursuing safe, renewable domestic energy sources.

He reviewed current electricity, oil and natural gas production and consumption; sources of U.S. oil, fossil fuel and natural gas proven reserves and rate of use. He relayed that many scientists believe oil production was at its maximum at the present time and that global oil production would decrease gradually and more rapidly in the future while demand continued to increase.

He concluded climate change in Washington was relatively modest and manageable; by the time the most serious impacts were apparent, it would be too late to stop them. He displayed a graph illustrating fossil fuel emissions and atmospheric CO₂. He displayed a graph of primary energy consumption per capita for the US, China and the world, advising global demand was expected to grow 60% from 2006 - 2030, thus the need for new sources of energy or conservation. He reviewed a graph of per capita CO₂ emissions for the US, Sweden, Taiwan, China, and India 1950-2000.

He urged the public to consider practicing resource conservation; support development of clean, renewable and domestic energy sources; and make a personal decision about whether or not humans

should drastically alter the global climate. He concluded this was a difficult, long term problem but there were short term solutions that were in the nation's interest to pursue.

Councilmember Bernheim thanked Professor Hartmann for his presentation of the factual details. He asked him to comment on the importance of individuals making small decisions in their lives versus larger entities that may contribute substantially more to global warming. Professor Hartmann cited the importance of building codes, energy efficiency in homes, the efficiency of electrical appliances, etc. He commented there was some corporate interest in energy conservation, advising he met recently with Wal-Mart executives, an important way of bringing energy efficiency to the average citizen. He commented on his own efforts including riding a bicycle to work and updating the windows in his home from metal to vinyl, noting there were many personal choices individuals could make to save energy and money.

Councilmember Wambolt expressed his appreciation for the tone of Professor Hartmann's presentation. He anticipated this would be a doomsday presentation and although Professor Hartmann pointed out a number of things to be concerned about, his presentation was at the right level.

For Councilmember Wilson, Professor Hartmann explained although it was anticipated precipitation would remain approximately constant in this area, significant changes in precipitation were projected in other parts of the world.

Councilmember Wilson asked where the most extreme climate changes were likely to occur. Professor Hartman answered the Arctic was warming faster than anywhere else. Councilmember Wilson relayed he heard several years ago that the Arctic, southeast Alaska and the Puget Sound area were experiencing the greatest levels of climate change and asked if there was reason to believe that global warming in the Seattle/Puget Sound region would be significantly more than other areas. Professor Hartmann stated warming in Seattle would be slightly greater than the tropics but would be reasonably close to global averages.

Councilmember Wilson commented his understanding was that the average change was less important than the extremes. Professor Hartmann answered the things that would be noticed earliest were extremes never observed before such as heavier rainfall during winter storms with more flooding. Councilmember Wilson asked whether that volatility had been observed in the Puget Sound region. Professor Hartmann answered it was difficult to assign statistical significance to extreme events because they were so rare. For example it was unknown whether an event like Katrina was more probable due to global warming.

Ord# 3696
Non-
Conforming
Regulations

6. **REVIEW AND PROPOSED ADOPTION OF ORDINANCE AMENDING ECDC CHAPTER 17.40 RELATED TO NON-CONFORMING REGULATIONS.**

Development Services Director Duane Bowman recalled the Council held a public hearing on August 18 on the Planning Board's recommendation and directed the City Attorney to prepare the necessary ordinance incorporating revisions requested during Council discussion. He noted the revisions to the ordinance began in August 2006.

COUNCILMEMBER WAMBOLT MOVED, SECONDED BY COUNCILMEMBER ORVIS, FOR APPROVAL OF ORDINANCE NO. 3696.

COUNCILMEMBER WILSON MOVED, SECONDED BY COUNCILMEMBER ORVIS, TO AMEND PARAGRAPH C ON PAGE 4 OF THE ORDINANCE, BY REPLACING "CITY-APPROVED HISTORIC SURVEY" WITH "COUNCIL-APPROVED HISTORIC SURVEY."

Councilmember Wilson advised his intent was to ensure any Historic Survey was approved by the City Council and was not left open to interpretation.

AMENDMENT CARRIED UNANIMOUSLY.

THE MAIN MOTION CARRIED UNANIMOUSLY. The ordinance approved is as follows:

ORDINANCE NO. 3696 OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE COMMUNITY DEVELOPMENT CODE BY THE REPEAL AND REENACTMENT OF CHAPTER 17.40 NONCONFORMING USES, BUILDINGS, SIGNS AND LOTS, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE

Snohomish
County Health
District

7. FUNDING REQUEST FOR SNOHOMISH COUNTY HEALTH DISTRICT.

Councilmember Orvis, Council representative on the Snohomish Health District (SHD) Board, relayed the District's \$150,000 funding request from the City. He referred to the 1994 City budget which illustrated the City used to directly fund the Health District in the amount of \$232,000 per year in addition to the City's share of the bonds on the Rucker building, which is the Public Health building in Everett.

He explained the SHD was currently facing a \$4.4 million deficit. In an effort to describe how this had occurred, he explained pre 1995 the SHD's discretionary funds were shared on a per-head basis between the county and cities (with the exception of TB which was funded exclusively by the county). In 1995 the State assumed the cities' responsibility for funding SHD using revenues from motor vehicle excise tax (MVET). In 1999 the passage of I-695 eliminated MVET but the State continued to pay the cities' share of SHD with MVET backfill. In 2000 the SHD sought more funding from the county and were directed to spend down their \$5 million reserve. During 2000-2008 the SHD stretched out their reserve by aggressively seeking grants while discretionary revenue increased at less than 1% annually. Now, the situation in 2009 is that the reserve is gone and the SHD needs funding assistance. He reviewed a comparison of how SHD discretionary funds have grown only an average of 0.9% annually.

He reviewed the result of applying the pre-1995 funding scenario (funded on a per head basis) to 2009:

SHD's discretionary need	~ \$10 million
Subtract TB control	- \$1.5 million
Subtract LCDF (State funding)	- \$ 794,686
Revenue to split	\$7,678,849
Snohomish County population	686,300
2009 need	\$11.19/person
1995 need	\$ 7.48/person
Need for revenue only increased at 3% annual growth	

Councilmember Orvis pointed out the county was currently providing \$1,528,530 which for the 318,685 population equated to \$4.80/person. The cities (via the State) were providing \$2,258,207 which for the 367,615 population equated to \$6.14/person; the SHD needs \$11.19/person.

Councilmember Orvis provided an analogy of the Health District (HD) by comparing a firefighter to the fire inspection. The firefighter put fires out, rescues people and save lives; the fire inspector stops fires before they happen and saves lives (but less glamorously). The SHD is a lot like the fire inspector. For example when someone has a heart attack they call the paramedics; the SHD wants citizens not to need the paramedics by funding preventative programs such as smoking cessation, health education and partners in child care, First Steps and clinical services. The SHD wants people never to have to see a doctor (other than checkups) by providing restaurant inspections to keep food safe, septic inspections to

keep water safe, immunizations, and communicable disease control. He explained the SHD was also like the firefighter; SHD personnel risk exposure to harmful elements they are protecting the public from via disease control including TB, Pandemic Influenza and West-Nile virus; toxic cleanup including improper garbage disposal, meth lab cleanup and septic clean up/ and disaster programs. He emphasized the SHD was serving Edmonds citizens, displaying an aerial map of the Lynnwood/Edmonds area and identifying the location of the Lynnwood clinic.

Councilmember Orvis reviewed the following information:

Program	Services Provided	Predominate funding	Cuts?
Environmental Health	Inspection of water, food, septic tanks and monitors toxic waste	Fees	Will escape most cuts because can raise \$900,000 in fees
Communicable Disease	TB control, STD control, disease outbreak monitoring (such as Pandemic Influenza)	Discretionary funds	Vulnerable to cuts because of little grant matching (except PHEPR)
Community Health	First Steps, vaccines, child health, tobacco cessation, injury prevention, health education	Grants matched by discretionary funds	Requires cuts of \$2-3 to save one dollar

He listed numerous SHD environmental health, communicable disease and community health programs that were venerable to cuts, emphasizing the importance of all the programs to the public health and that cuts would have a negative impact on public health.

He reviewed cuts proposed by the SHD Health Officer that would save \$1.6 million and minimize the impact on public health, pointing out the elimination of some programs also would result in \$800,000 in lost grants:

- Environmental Health: increase fees, cut 1 FTE to support small public water systems and eliminate West-Nile Virus program (1 FTE)
- Communicable Disease: Cut 3 FTE from TB control (from 14 FTE to 11 FTE) and eliminate the STD Clinic (2 FTE)
- Community Health: Eliminate First Steps (11.8 FTE) and Parent Child Health (1 FTE), 40% cut in vaccine preventable diseases (6 FTE), and tobacco prevention (0.6 FTE)

He referred to a recent newspaper article regarding a confirmed TB case at Alderwood Mall. He displayed a graph of the death rate for infectious diseases from 1900-2000 that illustrated a decrease in the rate, largely due to health districts which via prevention save lives. He emphasized the importance of the immunization program.

He referred to a recent newspaper article regarding a Whooping Cough outbreak in Island County, pointing out it was less expensive to immunize than to treat the disease. He pointed out the potential economic impact of a major disease outbreak.

Councilmember Orvis reviewed three potential funding scenarios, expressing support for full funding with fees:

- Full funding: County and cities increase contribution to \$11.19/person, county add \$6.39/person (\$2,036,397) and cities add \$5.05/person (\$1,856,456). Impact on Edmonds: \$204,838 (population 40,760). Funding source: New cable TV taxes
- Full funding (with fees): SHD increases fees raising \$890,000 (\$1.30/person), county adds \$5.09/person or \$1,622,107, cities add \$3.75/person or \$1,378,556. Impact to Edmonds: \$152,850 (population 40,760). Funding source: New cable TV taxes

- Most Funding: SHD increases fees raising \$890,000 and cuts \$1 million (\$2.75/person), county adds \$3.64 per head or \$1,160,013, and cities add \$2.30/person or \$845,514. Impact on Edmonds: \$93,748. Funding source: New cable TV taxes

Councilmember Orvis concluded public health performance was measured by life expectancy and years of life lost. He emphasized the need for everyone to be a part of funding public health.

Mayor Haakenson thanked Snohomish County Medical Director Dr. Gary Goldbaum for attending tonight's meeting. Mayor Haakenson relayed that after yesterday's public hearing on the Snohomish County Executive's plan for cities to contribute \$3.64/per resident, Snohomish County Councilmember Cooper, who did not support cities paying this amount, was working on a plan for Snohomish County to provide funding and develop a long term plan for funding. Next he referred to Councilmember Orvis' proposal to use new cable TV taxes to fund the Health District, advising staff had already used cable TV taxes to help balance the budget for 2009-2010. If those funds were used for the SHD, other cuts would need to be made to the City's budget.

Council President Plunkett questioned whether Edmonds would be subsidizing other cities if Edmonds chose to provide the funding and other cities did not. Councilmember Orvis answered yes, advising he was seeking leadership from the City on this issue. He acknowledged the funding proposal was voluntary this year and he hoped to be able to legally obligate cities next year. He offered to continue to monitor the situation with Snohomish County Councilmember Cooper.

For Council President Plunkett, Dr. Goldbaum advised the SHD was moving ahead with plans for a budget reduction in the 2009 budget of \$4.4 million by increasing fees as Councilmember Orvis described which would generate approximately \$800,000-\$900,000, leaving a budget deficit of \$3.6 million. The SHD has instituted a hiring freeze; nine positions are currently vacant. Preliminary estimates are that up to 90 of the existing 262 staff members would need to be laid off. They are moving ahead with plans to begin the reductions in two phases: in September 2008 the first 35 positions to be cut will be announced and take affect in November, and a second set of cuts will be announced in November and take affect in January. He noted the budget was typically not built this early; they were beginning the process based on what they know regarding the \$4.4 million shortfall in 2009.

Councilmember Wambolt commented on his experience at the Lynnwood clinic obtaining immunizations for trips, commenting those fees had increased significantly but may still be too low. He recalled when he went to China, the cost for vaccinations was \$500. He questioned whether the clinic was serving many people who paid nothing. Dr. Goldbaum advised a fraction of the cost of travel immunizations was labor; the bulk was the cost of the immunizations themselves. He advised the travel clinic was quite small, did not generate a great deal of revenue and was fully self-supported. He advised sliding fees applied to people seeking Whooping Cough, Measles, and polio vaccines; the cost of the vaccines were subsidized by the State but the labor costs were not.

Councilmember Wambolt asked how much of a problem illegal immigrants were. Dr. Goldbaum explained people were not screened on the basis of legal status in the US. Anyone in the US was breathing the same air, drinking the same water, potentially sharing the same food; therefore, the public's health was protected by the SHD ensuring that everyone, legal or illegal, remained healthy. Councilmember Wambolt clarified he was not inferring illegal immigrants should not be treated but that they may be one of the reasons the SHD's expenses were increasing. Mr. Goldbaum responded only a fraction of their clients were foreign-born, the majority were US-born.

Councilmember Wambolt asked the rationale for the discretionary need of \$10 million. Councilmember Orvis responded the HD currently receives \$6.4 million and has a \$4.4 million deficit.

Councilmember Wilson asked if State law mandates the county fund the HD. Dr. Goldbaum stated the counties were responsible for public health funding. Councilmember Wilson noted if the cities provided funding to the SHD, they would be subsidizing Snohomish County and their responsibility to fund the HD. Dr. Goldbaum pointed out the State law that established that responsibility was based on a different structure; counties' financial bases were shrinking as unincorporated areas were annexed. The current challenge was to identify an equitable statewide funding source which was the original intent of MVET. He noted this was not happening in just Snohomish County but in all 39 counties across Washington State. He concluded in a sense the cities would be subsidizing the county but the citizens in cities were actually not contributing at the same rate as citizens in unincorporated areas. Councilmember Orvis asked for a reference to a specific RCW, recalling the county was required to provide funding for TB.

Councilmember Wilson relayed that Snohomish County General Fund budget was \$700 million and their deficit was \$9 million or 1.2%, significantly less than the City's budget which is forecast to have an 8.5% deficit. He suggested the percentage difference between the county and the city's deficit be emphasized to the Snohomish County Council. He was in favor of funding the HD if it fit within the City's priorities.

Council President Plunkett asked Councilmember Orvis to research whether State law required the county fund the HD or only TB. Dr. Goldbaum commented it was his understating TB was called out but that public health was the county's responsibility. He reminded that diseases did not respect cities' boundaries; the challenge over the next year in view of this public health crisis was to identify a long term, equitable statewide solution. To accomplish this, he anticipated action at the State legislature would be required and recommended cities actively support that effort.

Mayor Haakenson observed the HD's revenue shortfall was due to the loss of MVET and the backfill revenue. Cities were in the same position as the loss of MVET and backfill had the same affect on their finances.

8. COUNCIL REPORTS ON OUTSIDE COMMITTEE/BOARD MEETINGS

Downtown
Parking
Committee

Council President Plunkett reported the Downtown Parking Committee was informed there was now a full staff of parking enforcement officers. In June, before staffing was complete, 57 parking tickets were issued; since an additional officer was added, 143 parking tickets were issued in July. He explained the objective of parking tickets was to rotate vehicles so that visitors and shoppers could conveniently park downtown. He relayed the Parking Committee's thanks to the Council and Mayor for their support of parking enforcement. Mayor Haakenson commented when parking enforcement increased, he received numerous complaints.

Port
Commission

Councilmember Wambolt reported at the August 11 Port meeting there was a presentation by the Edmonds Seal Sitters who patrol the beach from Caspers to the dog beach to care for seals in distress. He suggested they provide a presentation to the Council. In addition, the Port passed a resolution giving the Executive Director authority to issue Public Works contracts without bids in emergencies and to spend up to \$1500 for sponsorship of the Governor's Economic and Workforce Development conference. At the August 25 meeting the Commission was provided a quarterly budget report that indicated their net income was higher than budgeted. They were also informed Sound Transit was delaying renting a parking area from the Port from September 1, 2008 to January 1, 2009. He anticipated this would also tie up the Skippers property longer.

Councilmember Wambolt relayed a report from Commissioner Burkhart that the Woodway Town Council was questioning the benefit of Woodway residents being part of the Port and why they were paying property taxes to the Port. Councilmember Wambolt advised Woodway could not withdraw from

the Port unless approved by the State. He anticipated if Woodway were able to withdraw, Edmonds residents' property taxes for the Port would increase.

Community
Technology

Councilmember Olson reported she attended a Community Technology Advisory Committee meeting; they plan to provide a report to the Council next week.

Lake
Ballinger

Councilmember Wilson reported the Lake Ballinger Forum met today. A scope of work for a consultant has been developed and a staff committee identified and recommended a consultant to move the five cities and Snohomish County forward. Because Edmonds is the lead agency, Council approval of the Interlocal Agreement is to be scheduled on the Consent Agenda on September 16.

9. MAYOR'S COMMENTS

Shredding
Event

Mayor Haakenson reported last Saturday City Clerk Sandy Chase, her staff and the Police Department hosted a very successful shredding event at Top Foods; participation between 9:00 - 12:00 p.m. increased from 200 cars last year to 600 cars this year. He commended Ms. Chase for organizing the event.

2009/2010
Budget and
Potential
Revenue
Sources

Mayor Haakenson advised on August 18 the Council held a mini-retreat that included discussion regarding the budget process. As promised at that meeting, staff will present new revenue sources and fee increases at the September 2 meeting. Potential revenue sources to be discussed, that the Council could enact themselves without a vote of the people, include the following: Increasing the utility tax on City-operated utilities to 7%, increasing the cable TV utility tax to 6%, increasing all Development Service Department fees, an increase in the business license fee, parking enforcement revenue, Transportation Benefit District, EMS transport user fees, and B&O tax. Staff will also present to the Council potential revenue sources that would require a public vote including a utility tax increase on non-City operated utilities, a general property tax levy lid lift, gambling and the Fire Authority.

10. COUNCIL COMMENTS

Graffiti

Councilmember Wambolt stated there appeared to be a great deal of graffiti downtown. He reminded that citizens were responsible for removing graffiti in a timely manner. He suggested any questions be directed to Public Works, Development Services or the Police Department. Mayor Haakenson reported on Saturday night the police caught the graffiti artists responsible for much of the graffiti.

"Running of
the Balls"

Edmonds
Green Festival

Councilmember Wilson encouraged citizens to support local events including the upcoming Running of the Balls, a SnoKing Youth Club event, on September 6 & 7 and the first ever Edmonds Green Festival on September 13 & 14. He commented a number of local businesses had changed ownership or closed in the past six months and there had been talk among proprietors and at the Chamber about leaving Edmonds. There have also been a number of great new retailers open in Edmonds. He urged Edmonds citizens to support local businesses as dollars spent locally helped the community at large.

Hot Autumn
Nites Car
Show

Mayor Haakenson also provided a reminder about the car show on September 6 & 7.

11. ADJOURN

With no further business, the Council meeting was adjourned at 9:07 p.m.