



Snohomish County Council

Committee: COW
ECAF: 2022-1074
Ordinance: 22-061

Analyst: Nicole Gorle

Date: October 18, 2022

Consideration:

The Executive requests Council consider approving Ordinance 22-061, **creating the Health Department and Health Department Fund in Snohomish County Code.**

Background:

On June 8th Council approved a Notice to withdraw from the Snohomish Health District through Motion 22-248, and on August 24th approved a Common Interest and Non-Disclosure and Joint Defense Agreement with the Snohomish Health District through Motion 22-030. These actions set in motion the integration of the Health District into the County, which must take place by the end of the year.

Three Ordinances have been sent up for consideration by Council that are necessary for the integration of the Health District into the County.

- Ordinance 22-060 – Interlocal Agreement with the Health District, transferring its employees, operations, powers, duties, enforcement, and assets to the County.
- **Ordinance 22-061 – Creating the Health Department, fund, and other operational aspects of the new department.**
- Ordinance 22-062 – Repealing the establishment of a Health District in County Code, and changing references of the Health District, to Health Department throughout code.

Current Proposal:

Scope: Ordinance 22-061 would:

- Amend the Hearing Examiner’s code to include the Health Department and County Board of Health to their scope of duties and process as necessary;
- Amend the Executive’s functions in SCC 2.10.010 to include septic permits and public health regulations;
- Creates the Health Department in SCC 2.300, the County Board of Health, the Public Health Advisory Board, functions, etc.;
- Creates the Health Department Fund in SCC 4.127;
- Exempts contracts, grants, leases, purchases, agreements, and rights and obligations being transferred to the County as of December 31, 2022, from the purchasing code for the purpose of the transfer; and
- Addresses handling of nonconsensual claims against the Health District for actions prior to the end of the year, handling of nonconsensual claims in the new year, and handling of pending enforcement actions.

Duration: Section 13 takes effect 10 days after signature. All other sections take effect December 31, 2022.

Fiscal Implications:

The Executive has included just over \$28 million in the 2023 recommended budget and 176.37 FTE for the Health Department. The Health District, while being integrated into the County come January 1st, will be

adopting a 2023 budget. The District is not anticipated to adopt their budget until December, but has released a preliminary budget¹. Ongoing conversations are taking place between the Executive and Health District pertaining to their preliminary budget as it exceeds what was considered to be a health assumption of funding needed included in the 2023 County budget by roughly \$600k (and includes 13 new FTE).

	Health District Adopted Budgets			County Health Dept.
	2020 Adopted (pre Covid)	2021 Adopted	2022 Adopted	2023 Exec Rec
Revenue	\$16,754,005	\$15,982,387	\$31,533,994	\$28,094,228
Expenditure	\$16,754,005	\$15,982,387	\$31,533,994	\$28,094,228
FTE	105.25	111.6	142.05	176.37

* Please note, the Health Districts 2022 adopted budget includes \$10 million of COVID-19 related revenue and expenditures

Sectional Analysis Ordinance 22-061 - Creating Health Department/Fund

Section 1 through 7 – Amend the Hearing Examiners code giving them jurisdiction over the Board of Health Code as it relates to the Hearing Examiners existing duties in Snohomish County Code.

Adds a new section clarifying that decisions authorized after the Transfer Date, January 1, 2023, is governed by this chapter and decisions authorized prior to and pending as of the Transfer Date, are exempt from this chapter.

Section 8 and 9 – Amend the Boards and Commissions section of code to clarify that this section of code does not apply to the County Board of Health, and Public Health Advisory Board, except as it relates to compensation and reimbursement.

Section 10 – Amends the Executives Functions in code to include approval of contracts with landowners and developers required by or as a condition of a septic permit or public health regulation.

Section 11 – Amends Human Services code to clarify that the Health Department is separate from Human Services and the purpose stated in SCC 2.400.100 does not include the Health Departments portfolio of work.

Section 12 – Adds a new chapter to code, 2.300, creating the Health Department, the purpose of which is to preserve, promote, and improve public health. This section includes:

- Definitions – Provides a definitions section for specific words/references in the chapter.
- Authority and Function – To implement rules, regulations, policies, and procedures as authorized/prescribed by state law.
- Department Director – This individual will serve as the executive secretary and administrative officer to the Board of Health. This position will be nominated and appointed by the Executive, with advice and consent of the Council and will be an at will employee (exempt).

¹ See Attachment 1 – Health District 2023 Preliminary Budget

- Health Officer – This individual will be responsible for duties outlined in RCW 70.05.070 and delegated by the Board of Health. This position will also be nominated and appointed by the Executive, with advice and consent of the Council. Additionally, they must meet the minimum qualifications for the position as outlined in RCW.
- Board of Health – The Board is nine (9) members, four (4) elected members including the Chair and Vice Chair of the County Council, one (1) consumer of public health, one (1) community stakeholder, one (1) tribal representative, and two (2) public health representatives.² Council is responsible for approving nominations to the Board, and while never tested, statute is written in a manner that indicates council ‘shall’ appoint the nominees made by the Board. Based on this, it appears that Council approval of Board nominees is an administrative function.

For the initial appointments of non-elected members, two will serve one-year terms and three will serve two-year terms. Thereafter, all terms will be two years and members can serve up to two full terms. Board members serve without compensation, except that they can be reimbursed for travel and other related expenses, similar to other boards and commissions.

Meetings will be monthly, the third Tuesday in January at 3:00 p.m. and the second Tuesday of each month the rest of the year. Meetings may be remote, or in person, and a majority of the board shall constitute a quorum. The board is responsible for performing duties as outlined in RCW 70.05.060.

- Public Health Advisory Board – This Board will be comprised of eighteen members (18) including the Health Officer and one (1) member of the Board of Health. All others will be selected in accordance with RCW 70.46.140. The Board of Health is responsible for recruiting and appointing members to this board. Members will serve staggered three-year terms and can be reappointed to additional terms.

Section 13 – Adds new chapter creating the Health Department Fund. This is a special revenue Fund that will be managed by the director of the Health Department.

Section 14 – Adds language stating that all consensual contracts, grants, leases, purchases, agreements, rights and obligations transferred to the County are exempt from the purchasing code for the purpose of the transfer.

Section 15 – Adds language stating all nonconsensual claims against the Health District caused before the transfer, but tendered to the County on or after December 31, 2022 will be administered as the County deems appropriate.

Section 16 – Addresses pending enforcement actions brought to the Health District as of December 31, 2022. They shall continue and transfer to the County, except as otherwise stated in the ILA.

Section 17 – Effective Date, Section 13 establishing the Health Department fund will be effective 10 days from final execution of the Ordinance. The rest of the Ordinance will be effective on December 31, 2022.

² Note: By in large, statute outlines the membership of the board and provides three categories for the non-elected members. It also states that if there is an odd number of non-elected individuals the odd member can be from any of the three categories. It appears that the policy decision was made on the Executive side for the odd number position to be an additional public health member.

2022 Budget: n/a

Future Budget Impact: Yes

Handling: Urgent – This ordinance needs to be adopted by, or before, Council adopts their 2023 budget since this Ordinance creates the Fund that the Health Departments budget will be going into when the 2023 budget is adopted.

Approved-as-to-form: Yes

Risk Management: n/a

Executive Recommendation: Approve

Attachment:

- Attachment #1 – Health District 2023 Preliminary Budget

Amendments:

- Amendment #1 – Technical Corrections

Request: For Council to consider taking action on October 26, 2022.

2023 Preliminary Budget



October 20, 2022



Today's Topics

- Review of the preliminary budget

2023 Budget Calendar

2023 Budget Calendar

Date	Meeting	Purpose
September 13, 2022	Budget Ad-Hoc	Meeting Follow-up and Process Overview
September 20, 2022	Budget Ad-Hoc	Starting Fund Balance and Prevention Services
September 27, 2022	Budget Ad-Hoc	Update Fund Balance and Environmental Health
October 4, 2022	Canceled	Canceled
October 11, 2022	County Council	Budget Presentation
October 11, 2022	Budget Ad-Hoc	Preliminary Budget Review
October 18, 2022	Budget Ad-Hoc	Review Final Balanced Budget
October 20, 2022	Program Policy	Update BOH
October 26, 2022	PHAC/Administration	Update PHAC/ BOH
October 27, 2022	Executive Committee	Update BOH
November 8, 2022	Board of Health	Public Hearing
December 13, 2022	Board of Health	Budget Adoption

Review Current Financials

Finance Update – Draft Budget

- 2023 Preliminary Budget
 - \$26,030,296
 - With 154.47 FTE
 - As of today, surplus of \$1,858,272
- 2023 Initiative Budget
 - \$28,688,024
 - With FTE 171.31
 - As of today, balanced budget position

Estimated Fund Balance

2023 Preliminary Budget - Estimated Ending Fund Balance at 12/31/2023 (as of 10/18/2022)

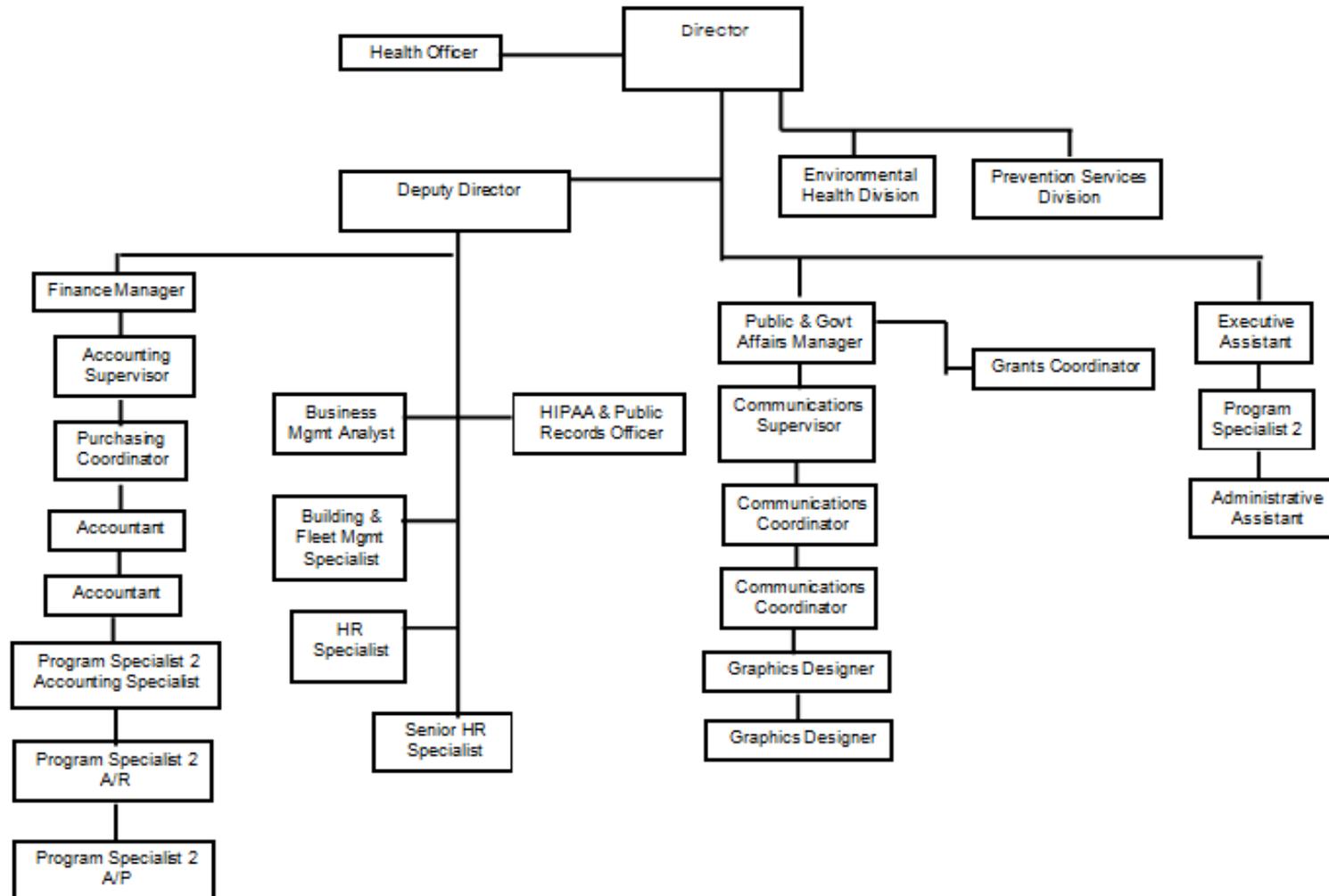
	Beginning Fund Balance 01/01/2022 ¹	Revenues ²	Expenditures ²	Estimated Beginning Fund Balance 01/01/2023 ¹	2023 Budgeted Revenues	2023 Budgeted Expenditures	Estimated Ending Fund Balance 12/31/2023
Administrative Services Division		4,402,058	(4,614,284)		4,210,438	(6,198,068)	
Prevention Services Division		22,196,567	(19,130,375)		17,798,174	(13,181,567)	
Environmental Health Division		6,459,770	(5,516,374)		6,679,412	(8,651,229)	
Total Agency	19,545,943	33,058,395	(29,261,033)	23,343,305	28,688,024	(28,030,864)	24,000,465
						657,160	

¹ Includes unreserved and reserved funds.

² Forecast based on 2022 Actuals January to August, 2022 Budget Amd 2 (as of 9/27/22) September - December

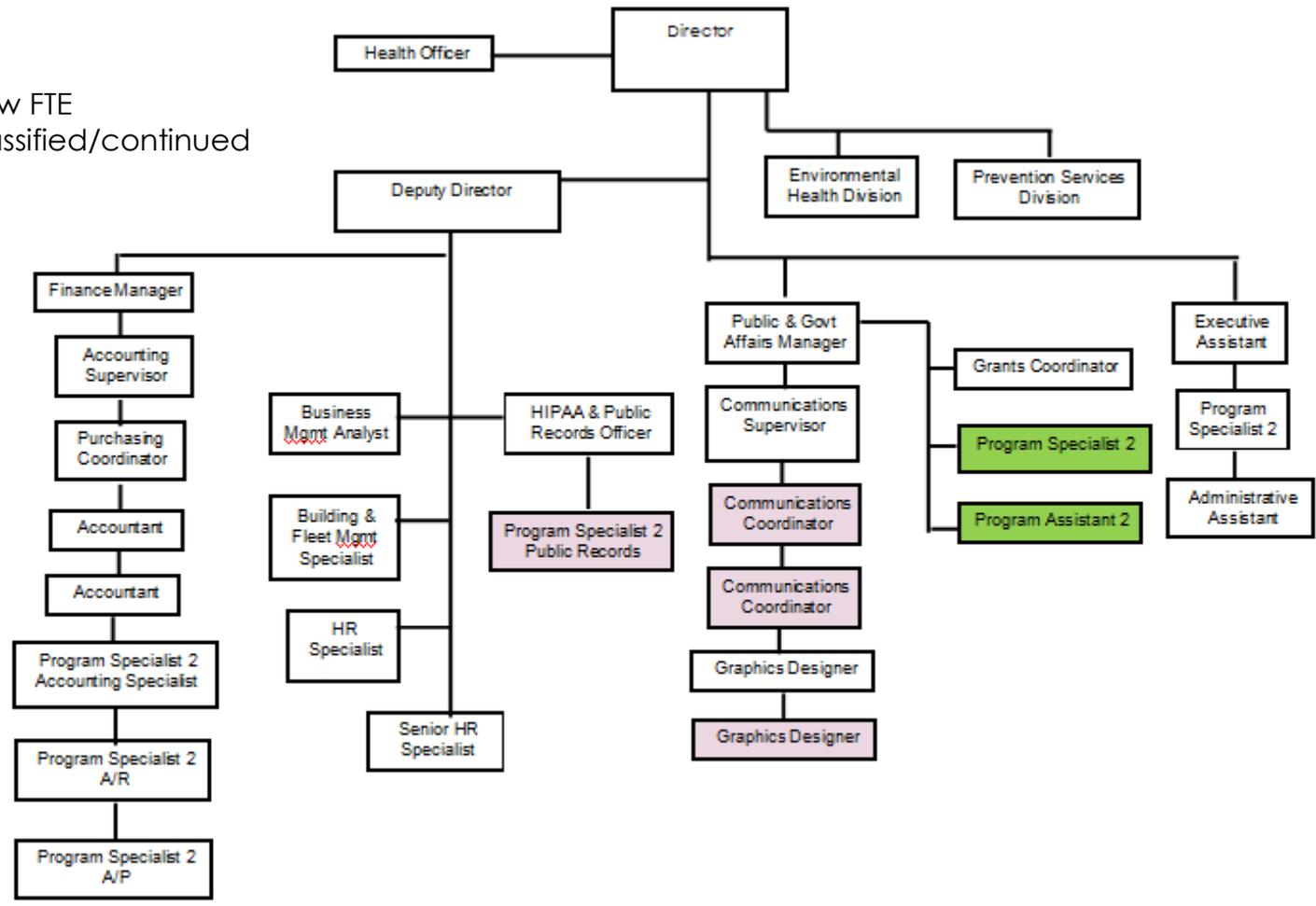
Administration

Administration - Current



Administration Proposals

Green = New FTE
 Pink = Reclassified/continued



Administration Proposals

- Public Records – ARPA funding
 - 1.0 FTE, \$65,000
- Communications team
 - Extend 3.0 FTE past June 2023, \$75,000 overall savings in general fund with elimination of Policy Analyst position
- Call Center
 - 2.0 FTE, \$165,000
 - Software, \$20,000

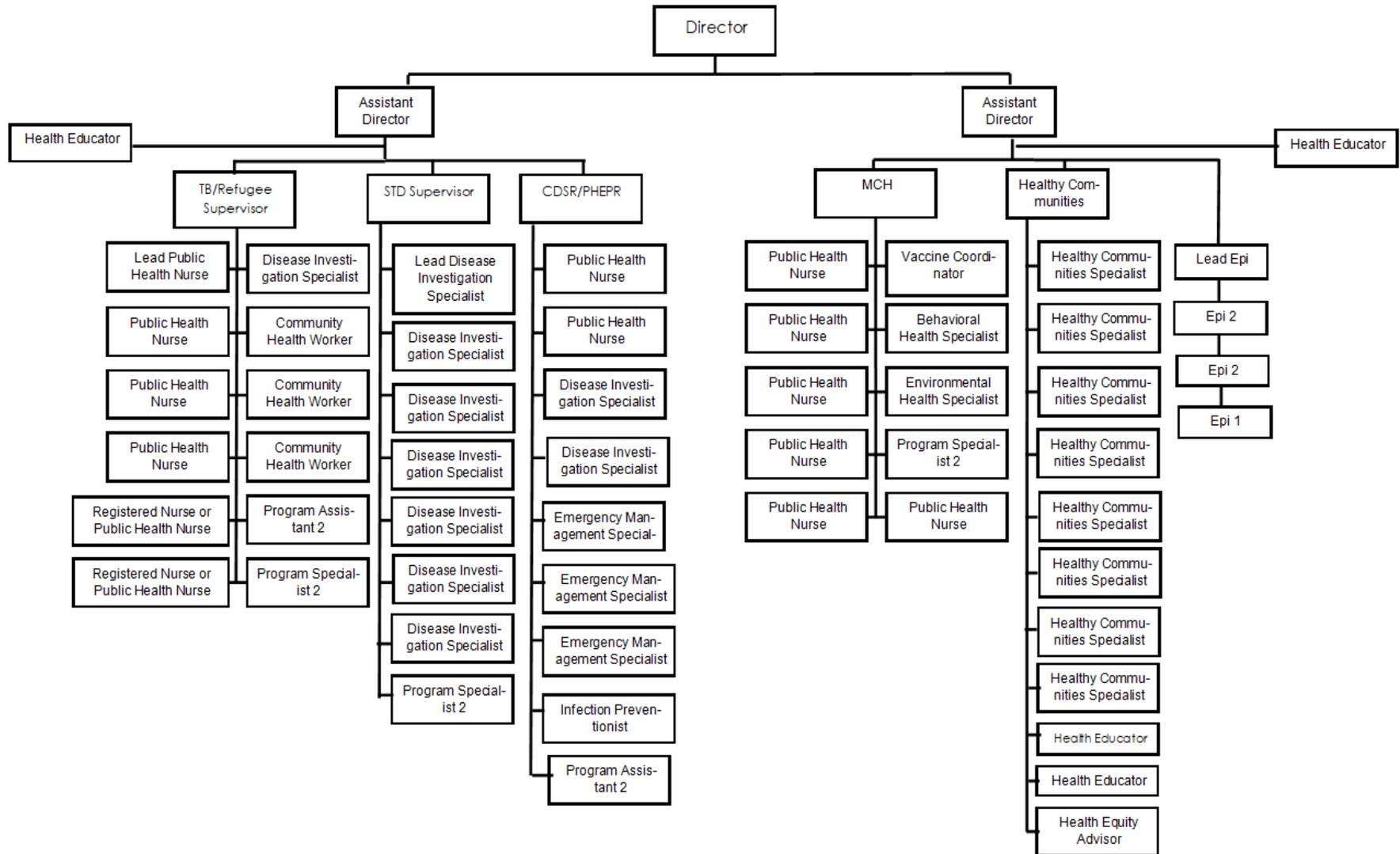
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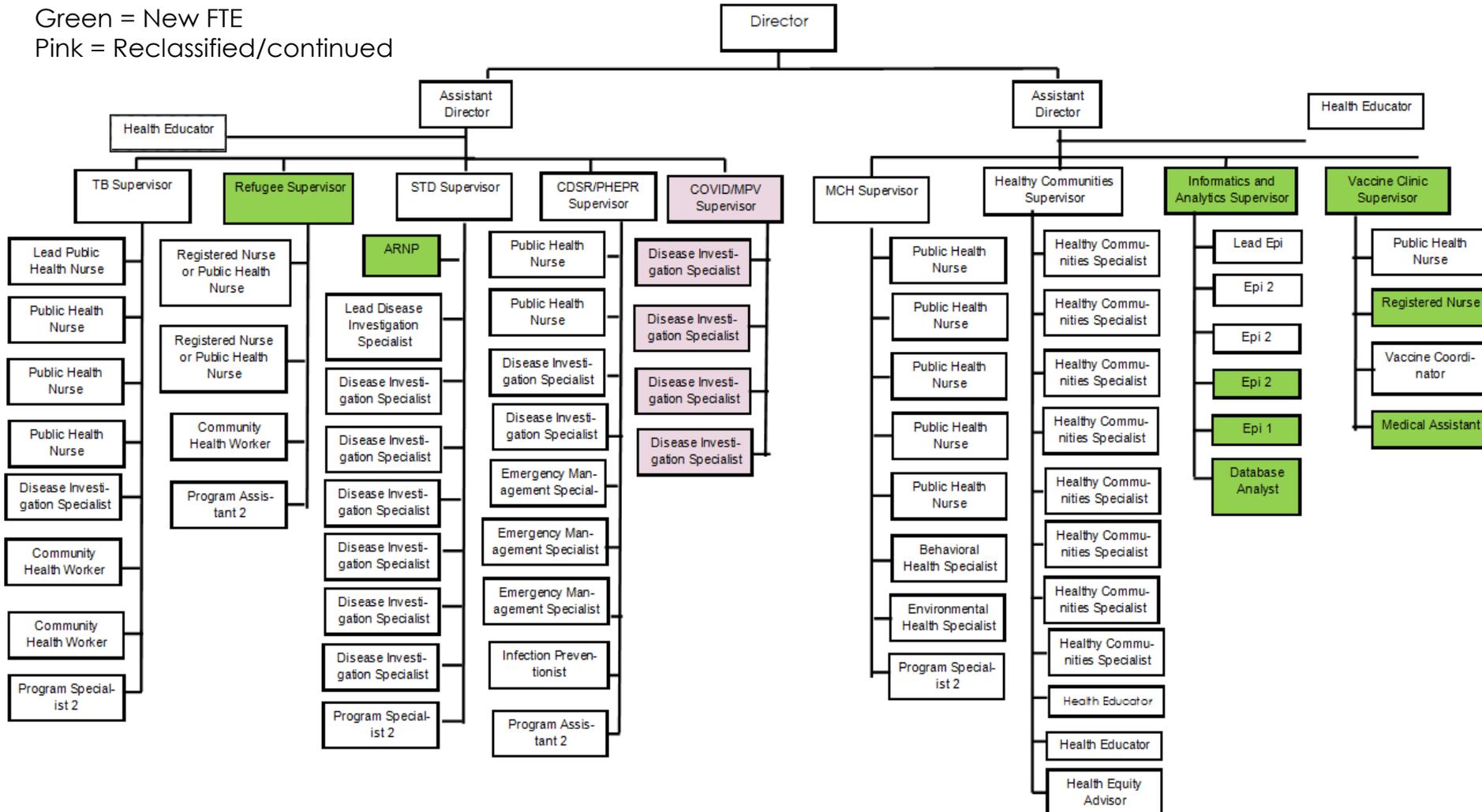
Prevention Services

Prevention Services - Current



Prevention Services Proposals

Green = New FTE
 Pink = Reclassified/continued



Prevention Services Proposals

- Analytics and Informatics program
 - 4 new FTE, \$416,752
- Vaccine Clinic
 - 3 new FTE, \$394,626
- STD Clinic
 - 0.5 new FTE, \$129,629
- Refugee Health
 - 1 new FTE, \$112,273
- COVID/MPV – ARPA funding
 - 5.75 FTE, \$400,000

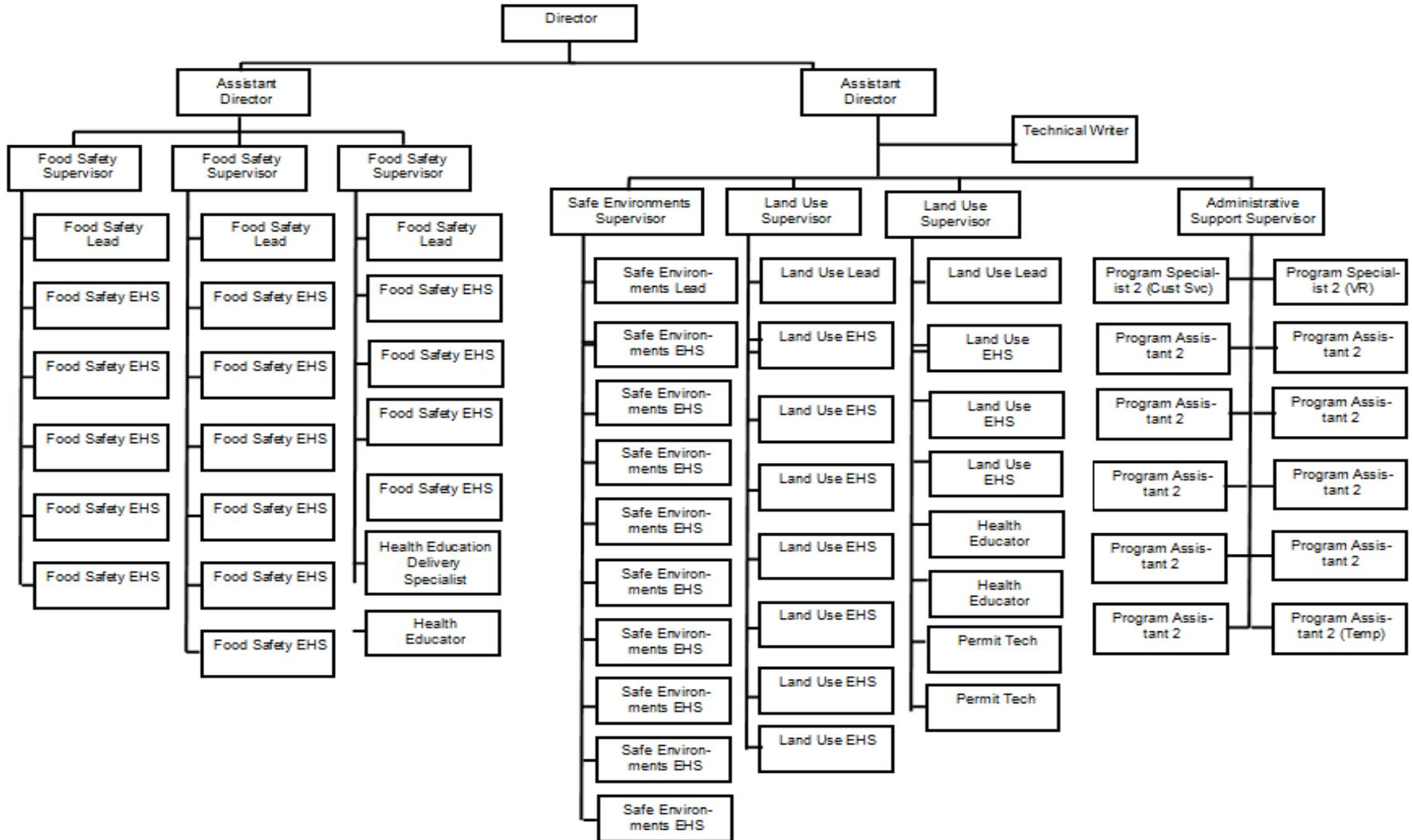
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Environmental Health

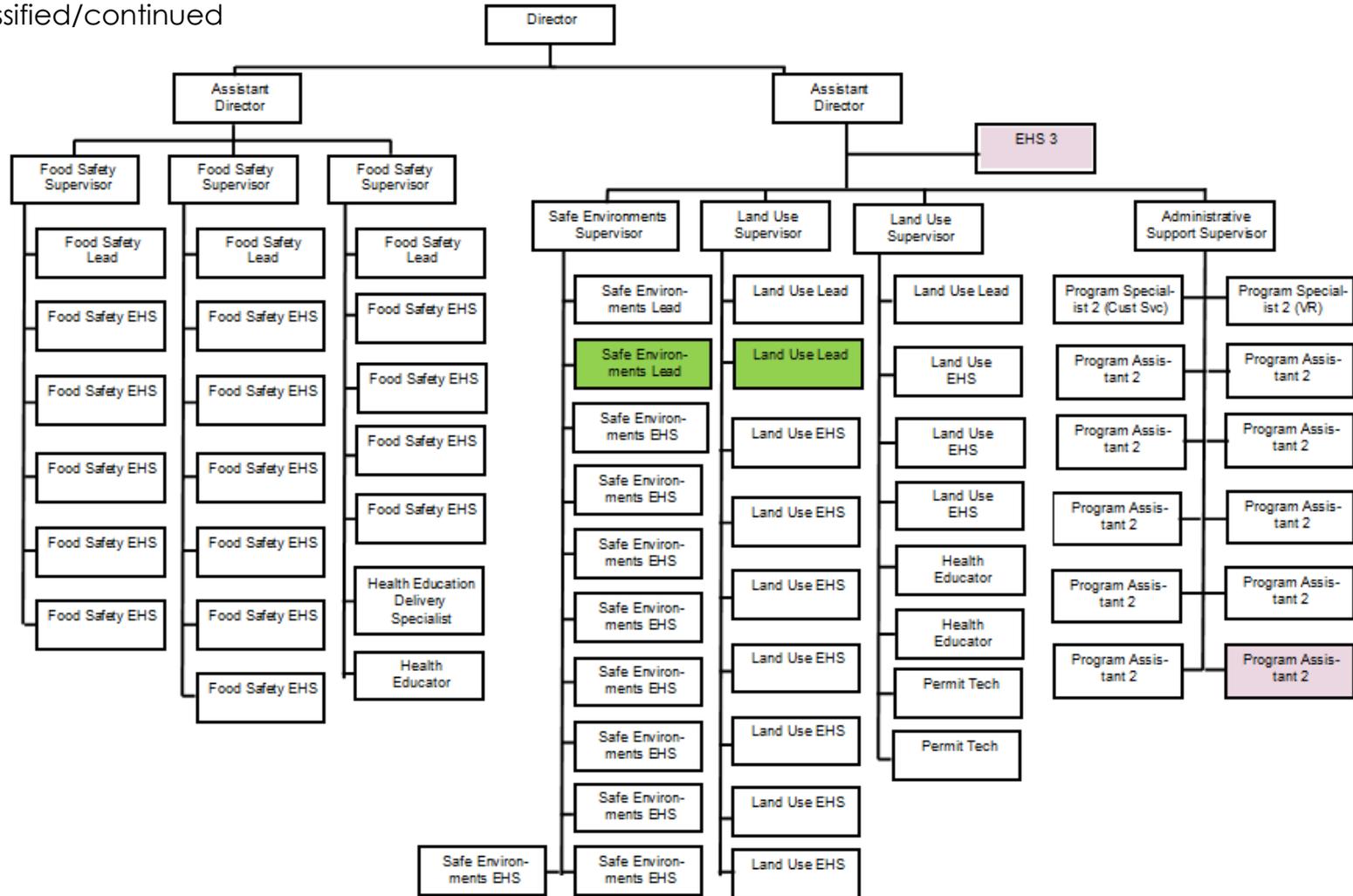
Environmental Health - Current



Environmental Health Proposals

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Pink = Reclassified/continued



Environmental Health Proposals

- EHS III Land Use
 - 1.0 FTE , \$101,000
- EHS III Safe Environments
 - 1.0 FTE, \$101,000
- Reclassify Technical Writer position to an EHS III and make permanent
 - No significant impact
- Hire previously approved contract temp position as a permanent PA II staff member
 - No significant impact
- Increase all fees by 2% to cover 2022 COLA
 - ~\$96,500, but only \$79,500 included in budget proposal to be conservative

Environmental Health Proposals

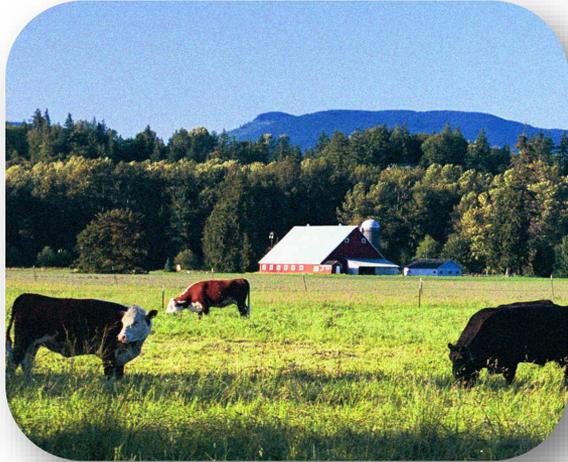
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Next Steps

Discussion

- Committee briefings
 - Program Policy 10/20
 - PHAC 10/26
 - Administration 10/26
 - Executive 10/27
- First reading at BOH November 8, 2022
- If no changes, will not see through the November committees
- Second reading at BOH December 13, 2022



Questions?

PUBLIC HEALTH
always working for a safer & healthier
SNOHOMISH COUNTY