



# Minutes of the Arlington City Council Workshop

Council Chambers  
110 East 3rd Street  
Monday, September 12, 2022

**Councilmembers Present:** Heather Logan, Debora Nelson, Jan Schuette, Michele Blythe, Yvonne Gallardo-Van Ornam, and Marilyn Oertle, via Zoom.

**Council Members Absent:** Don Vanney, excused.

**Staff Present:** Mayor Barb Tolbert, Paul Ellis, Jim Kelly, Deputy Fire Chief Dave Kraski, Chief Jonathan Ventura, City Attorney Steve Peiffle, Tony Orr, and Julie Petersen.

**Also Known to be Present:** None.

Mayor Barb Tolbert called the meeting to order at 7:00 pm, and the Pledge of Allegiance and roll call followed.

## **APPROVAL OF THE AGENDA**

Mayor Pro Tem Jan Schuette moved to approve the agenda as presented. Councilmember Marilyn Oertle seconded the motion, which passed with a unanimous vote.

## **INTRODUCTION OF SPECIAL GUESTS AND PRESENTATIONS**

None.

## **WORKSHOP ITEMS – NO FINAL ACTION WAS TAKEN**

### **Opioid Litigation Settlement**

City Attorney Steve Peiffle updated the Council on the Opioid Litigation Settlement. He announced that this would be the second proposed opioid litigation settlement for Council to consider. The Council previously approved a settlement reached between numerous cities and county governments and three opioid distributors. The current settlement proposal is to join in a \$518 million settlement entered into by the Washington State Attorney General's office, which has entered into a proposed settlement with the same three distributors of opioids. The settlement requires participation of 90% of local governments with a population in excess of 10,000 persons.

To join in the settlement, the Mayor would need authorization to sign the proposed settlement participation form, the Allocation Agreement, and a One Washington Memorandum of Understanding (MOU) Between Washington Municipalities. The settlement distributes roughly half of the net proceeds from settlement (about \$215 million) to the State and the other half to local governments that participate. Under the Allocation Agreement, the City would receive 0.2620524080% of the \$215 million for local governments (approximately \$563,000 before payment of attorney's fees).

In general, those monies would be pooled and used regionally to address local impacts of the opioid crisis. Discussion followed with Mr. Peiffle and Mr. Ellis answering Council questions.

**Contract Amendment No. 1 for Construction Management (CM) services with KBA, Inc. for the Smokey Point Blvd Overlay Project**

Public Works Director Jim Kelly stated that city staff applied for and received a grant from the Puget Sound Regional Council (FHWA program) in 2018 for the pavement preservation of Smokey Point Blvd. Preservation extents are from the south Arlington City limits north to 174<sup>th</sup> Ave. Work included replacement of non-compliant ADA ramps and upgrading ADA pedestrian crossing facilities at the 168<sup>th</sup> intersection. Grant funding was received in the amount of \$726,000.00. The project was publicly bid and constructed in 2021 by Cadman Materials, Inc. Because there was federal money on the project, KBA was contracted for construction management. Due to extreme project delays, the total CM cost has been exceeded, and KBA is requesting additional funds in the amount of \$14,567.00. Discussion followed with Mr. Kelly answering Council questions.

**Adoption of 2021 Snohomish County Comprehensive Solid and Hazardous Waste Management Plan**

Public Works Director Jim Kelly stated that the 2021 Snohomish County Comprehensive Solid and Hazardous Waste Management Plan follows the RCW 70A.205.040, which requires each county within the state to prepare a coordinated, comprehensive solid waste management plan (SWMP). The statute also encourages joint solid waste planning between and among adjoining cities and counties. Alternatively, a city may prepare a SWMP independent of the county plan; providing the city's SWMP meet all of the planning requirements described in RCW 70.95.090.

For the past 12 months Arlington and other cities have worked with Snohomish County on the development of the Snohomish County 2021 SWMP, a copy of this final plan is being presented to you at the Council Workshop. This Snohomish County 2021 SWMP plan meets all of the requirements in RCW 70A and will continue to serve the best interests of the Arlington community with the management of solid waste, organic compostable waste, and recyclable materials. Discussion followed with Mr. Kelly answering Council questions.

**Police Quarterly Report**

Police Chief Jonathan Ventura shared the Quarterly Police Report. Discussion followed regarding the drag strip cruising on September 9, 2022 on Olympic Avenue with Chief Ventura answering Council questions.

**North County Regional Fire Authority (NCRFA) Quarterly Report**

NCRFA Deputy Fire Chief Dave Kraski shared details from the Quarterly North County Regional Fire Authority Report. Discussion followed with Deputy Chief Kraski answering Council questions.

**ADMINISTRATOR AND STAFF REPORTS**

City Administrator Paul Ellis announced that the October 1, 2022 City Council Budget Retreat will be held in the Council Chambers from 8 am to 3 pm.

**MAYOR'S REPORT**

None.

**COMMENTS FROM COUNCILMEMBERS/COUNCILMEMBER REPORTS**

None.

**PUBLIC COMMENT**

None.

**REVIEW OF CONSENT AGENDA ITEMS FOR NEXT MEETING**

Councilmembers discussed and agreed to put the Adoption of 2021 Snohomish County Comprehensive Solid and Hazardous Waste Management Plan on the consent agenda for the September 19, 2022 Council meeting

**EXECUTIVE SESSION**

City Attorney Steve Peiffle announced the need for an Executive Session to review consideration of real estate lease or purchase or price [RCW 42.30.110(1)(b)-(c)]. Mr. Peiffle stated that the meeting would resume at 8:45 p.m. Mayor Tolbert recessed the workshop at 8:31, and the workshop reconvened at 8:45 p.m.

**ADJOURNMENT**

With no further business to come before the Council, the meeting was adjourned at 8:45 p.m.

  
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Barbara Tolbert, Mayor