

**CITY OF BELLEVUE
ENVIRONMENTAL SERVICES COMMISSION
MEETING MINUTES**

Thursday
September 6, 2012
6:30 p.m.

Conference Room 1E-113
Bellevue City Hall
Bellevue, Washington

COMMISSIONERS PRESENT: Chair Helland; Commissioners Cowan, Mach Swenson, Wang, Weller

COMMISSIONERS ABSENT: Commissioners Morin

OTHERS PRESENT: Wes Jorgenson, Lucy Liu, Bob Brooks, Councilmember Stokes, Kit Paulsen, Brian Ward, Michael Paine, Susan Fife-Ferris

MINUTES TAKER: Laurie Hugdahl

1. CALL TO ORDER:

The meeting was called to order by Chair Helland at 6:30 p.m.

2. ORAL COMMUNICATIONS:

David Plummer, 14414 NE 14th Place, Bellevue, spoke regarding item 5-f, staff's recommendation on water rate structure revenue and stability study. He urged the ESC to reject the staff's suggestion to forward this to the Council. He stated that no publicity has been given to the results of this study, and he has been unable to obtain any of the data that the City gave to FCS for the study. Mr. Plummer stressed that this is a significant departure from the current rates. It is complicated and the citizens of Bellevue deserve to be exposed to the results of FCS's conclusions and the implications of the recommendation. The PowerPoint is not sufficient. He recommended using "It's Your City", information included in utility billing statements, or some other method for keeping the public informed and involved in this process.

3. APPROVAL OF AGENDA

Commissioner Wang suggested that item 5e shoreline master program be moved up in the agenda. Wes Jorgenson commented that it is critical that all items are covered tonight, but assured the Commission that he would try to pay close attention to the time. There was consensus to leave the agenda as it was.

Motion made by Commissioner Mach seconded by Commissioner Swenson to approve the agenda. Motion passed unanimously (6-0).

4. APPROVAL OF MINUTES

August 2, 2012 Regular Meeting Minutes

Motion made by Commissioner Swenson, seconded by Commissioner Weller to approve the minutes. Motion passed unanimously (6-0) as presented.

5. REPORTS AND SUMMARIES

a. ESC Calendar/Council Calendar

Mr. Jorgenson asked the Commission to consider if the January meeting should be held on January 3 or January 10. He will ask for their recommendation later.

b. Desk Packet Material (s)

Conservation & Outreach Events & Volunteer Opportunities

b. Solid Waste Contract Review – Lucy Liu, Susan Fife-Ferris

Lucy Liu stated that staff was seeking the Commission's recommendation on the draft service package for the 2014 Solid Waste Collection Contract. Susan Fife-Ferris reviewed the seven points of the service package recommendation as contained in the ESC packet, page 20.

Commissioner Wang noted that in the last meeting there were 18 additional "other recommended contract changes". He asked what had happened to those. Ms. Fife-Ferris noted that those are contract-related things that will be addressed with the legal department and are not necessarily service items. Commissioner Wang asked how he could make his comments about those items known. Chair Helland noted that would be appropriate tonight. Commissioner Wang said he had issues with numbers 16 and 18 which were brought up at the last meeting. He was not in support of "Requiring Participation in the Building Design Review" (number 18) because he believed it might unnecessarily add to the bid cost. Ms. Fife-Ferris noted that the current contractor already does this at no cost because it is important to them. Staff wants to include this in the new contract as a recognized item because it benefits the city as a whole to make sure that garbage, which is an essential service, is planned for in any buildings that go downtown. The additional cost is negligible, and this is a necessary service. Commissioner Wang disagreed that this would be a negligible cost. Councilmember Stokes reiterated that the items he was discussing are more administrative than service-related and discussed the difference between the two.

Chair Helland asked about the process. Ms. Fife-Ferris noted that the recommended new service package (items 1-7 on page 20 in the packet) are all proposed to be included as additional services in the new contract. These contract service provisions are scheduled to go to Council in November.

Commissioner Cowan noted that he had asked about bi-weekly pickup at the last meeting. He wondered if that would be included in the "Recommended New Service Package" proposal. Ms. Fife-Ferris stated that staff is incorporating the provision in the contract to allow for bi-weekly pickup if Bellevue customers want it and if it would save money. She noted that a micro can is being added which is equivalent to a bi-weekly pickup of a mini can. Commissioner Cowan asked about having bi-weekly pickup as a possible option in case it is desired at some point. Ms. Fife-Ferris affirmed that there is a provision to go to bi-weekly or every other week garbage pickup if the City chooses to do that in the future. Commissioner Cowan suggested listing that in the proposed New Service Package. Ms. Fife-Ferris stated that since it isn't planned for right now, it is just included in the contract as a potential item. Mr. Jorgenson commented that staff could identify that as an item which will be an option. Ms. Fife-Ferris commented that this could be added.

Chair Helland asked how expanded curbside waste recycling is moving forward. Ms. Fife-Ferris said that staff would look at what is feasible when the stakeholder review is done. For example, fluorescent lights are being picked up in some of the other jurisdictions. Staff needs to do research to determine how and if the curbside recycling could be expanded. She stated that one of the provisions that is always included in the contract is that if any of Bellevue's neighbors get any new recycling opportunities, then Bellevue gets it too automatically.

Commissioner Swenson recalled hearing something about trucks and fuel use in the 18 other points discussed at the previous meeting. He read an article about hybrid trucks and wondered if this is being considered. Ms. Fife-Ferris noted that this will be included. The industry is going to the natural gas trucks. In the contract, staff is proposing natural gas for the larger trucks and also hybrids for the smaller vehicles so that ultimately over time as vehicles are replaced they will all be hybrids or natural gas.

Ms. Fife-Ferris referred back to item 16 ("Eliminate Free Services to City Facilities") and noted that this is not an issue that is up for discussion. The City Attorney says that this must be done to come into compliance with a Supreme Court ruling.

Commissioner Wang asked if the 18 points would be included in the recommendation. Ms. Fife-Ferris said the 18 points would all be included unless there is an objection as a group. Chair Helland recommended taking the next month to draft a letter of recommendation which could include things like dissenting opinions or optional items.

Commissioner Weller said he would like more information about item 18 before he makes a recommendation. Mr. Jorgenson explained that an issue that has come up in downtown is that buildings sometimes aren't adequately designed to allow garbage pickup so what happens is residents wheel their garbage containers out to the sidewalk to be picked up, which blocks the sidewalk in the process. Item 18 says that staff wants service providers to be involved in the design review of the building, only as it relates to garbage service, in order to prevent this from happening.

Commissioner Mach referred to item 1 in the "Other changes to the contract being considered" and suggested identifying a reduction level the City wants to meet as opposed to specifying the type of vehicle. Regarding item 3, he thought that Bellevue already has small appliance/electronics collection. Ms. Fife-Ferris stated that this is already available, but it is managed differently. Right now customers put items out at the curb and regular trucks come by and call in the items, but sometimes things get missed. Staff is recommending a phone-in/appointment-type service so if you have something you want to set out at the curb you call and tell them. Then the vendor makes a route set up based on this information. This would alleviate a lot of issues.

Commissioner Mach referred to item 8 regarding service on private roads. He noted that some roads might be too small for this. Ms. Fife-Ferris stated that staff wants to make sure that the vendor has vehicles capable of picking up on all roads, including private roads. If the owners of the private road do not want the trucks down the road, the residents can continue to haul their garbage to the end of the road. If the owners of that private road do want this service, the City wants to make sure that the service is available. She noted that this service is provided to Mercer Island residents already. Commissioner Mach asked if an estimate has been calculated what the additional items will cost the City. Ms. Fife-Ferris said it has not, but staff has looked at what other cities pay and the services that are provided.

Commissioner Weller asked if any surveys have been done to see what the customers want. Ms. Fife-Ferris said that the City has not done a survey related to this other than the annual general service rating. She stated that staff does keep a log of all the comments, complaints, and other issues and gets a lot of feedback from commercial customers. Because it is very expensive to do a survey, staff has not been able to do that.

Commissioner Mach asked if this would be a low-bid process. Ms. Fife-Ferris replied that the plan is to do a Request for Bids, but there will be some equalization done by a consultant to make sure that vendors are compared accurately in order to take the lowest bid and to make sure all the vendors are qualified. Chair Helland also asked about the contract process. Ms. Fife-Ferris explained that the vendor would bid a contract based on their rate for the different service sectors, and each sector would then be compared. Also, optional items

may be included for vendors to bid on and the incremental cost of each item will also be factored in. Commissioner Cowan asked how the low bidder would be determined. Ms. Fife-Ferris stated that basically the net amount of the contract on an annual basis is what will be compared for the low bid.

Commissioner Swenson referred to the private street issue and suggested that staff consider the distance on a private street. Perhaps for any private street longer than a certain distance (such as 50 feet) the service option would need to be available. Ms. Fife-Ferris noted that something like that could be incorporated. She concluded with a request that the ESC work together as a group to make a recommendation.

d. Budget Proposal Wrap Up – Lucy Liu, Susan Fife-Ferris

Lucy Liu introduced this item and stated that as requested at the August 2 ESC meeting staff had provided additional information relating to the financial impacts to the proposed reductions in programs and staff resources and was requesting comments regarding those items.

Commissioner Swenson expressed concern about the reduction in conservation programs. He remarked that in walking around his neighborhood he has noticed nine new houses worth over \$1 million each. Most of them were landscaped with the typical one inch of topsoil on top of the clay layer, but one of the houses has a very major rain garden in the front yard. Upon asking about it, Commissioner Swenson was told by the owner that he was required to do it by the City because he had a newer permit. Commissioner Swenson asked if new single-family or tear downs are now required to meet the same requirements as a subdivision. Mr. Jorgenson affirmed that single family is now reviewed against the thresholds established in the DOE manual, and it is not uncommon to see a rain garden at a single family house. Commissioner Swenson commented that the owner he referred to did the project reluctantly, but is now very proud of it. He spoke to importance of educating the public. Mr. Jorgenson noted that the City may see more of this type of development as a result of the permit requirement.

Commissioner Cowan spoke against the reduction in conservation programs, especially in schools. He expressed concern about the lack of education of youth about water conservation.

Commissioner Swenson commented that although the conservation goals have been long since met, the goals didn't really talk about cleaning up Puget Sound. LID will lead to that, but he doesn't believe the City can claim it's met all of the goals because the goals included cleaning up the streams and the major waterways. This situation is deplorable. It is largely caused by urban runoff and the City is a contributor to this. This comes back to the education process of the kids. Ms. Fife-Ferris clarified that the City is not getting rid of all the water conservation programs. The 6th grade "Powerful Choices" program will remain in

place. This program has one day focusing on water, water systems, and water conservation and one day focusing on land, resource management, recycling, and waste prevention.

Commissioner Cowan again expressed concern about going down this road at all. Commissioner Cowan asked how much it would cost an average customer to keep the conservation programs and the related FTEs. It was estimated that it would cost about 30 cents a month per household.

Councilmember Stokes discussed the difficulty of making these decisions. He commented that maybe what the ESC is saying is that it isn't necessary to save this money. Chair Helland noted it would be helpful to have some public input on this to determine what the public would want. Mr. Jorgenson explained that what staff had done was to determine what could be cut if necessary and what would have the least impact on the ratepayers. It is possible that the Council could agree with the ESC that cutting those programs could have long-term impacts. Chair Helland asked if there were other possible cuts that would perhaps be more acceptable. Mr. Jorgenson said that this could be reviewed in whatever level of detail the Commission desires. Chair Helland asked if other approaches to efficiencies had been considered. Mr. Jorgenson confirmed that with each budget cycle staff has considered where reductions could be made without significant risk of reducing service levels. What is being presented is staff's recommendation of areas that could be cut with the least impact to customers. He reiterated that the City has met the drinking water goals well in advance.

e. **Shoreline Master Program - Kit Paulsen, Brian Ward, and Michael Paine**

Ms. Paulsen stated that staff is seeking guidance on the Shoreline Master Plan (SMP) and the Restoration Plan drafts regarding comments to the Planning Commission. The Planning Commission has delayed their review of the SMP for two weeks, which gives the ESC a little more time to incorporate their comments. Staff then reviewed staff's proposed changes to the Planning Commission's draft regulations.

Regulations

(20.25E.010) B.2.d Shoreline Restoration Plan: Staff had concerns with the proposed language because it was vague as to whether this was the only guideline or if it was one of the guidelines that affect capital improvement planning. Staff recommends that this be revised to indicate that this is one (of many) guidance documents. She clarified that the Restoration Plan would be required for anyone doing restoration activities in the shoreline overlay district. Chair Helland asked what the regulatory requirement is. Ms. Paulsen stated that the regulation is that the City has a plan. Councilmember Stokes asked if there is one place where someone can come to get all the related regulations. Mr. Paine affirmed that there is.

Ordinary High Water Designations: Staff is recommending clarifying comments for the SMP. The high water designations are written to explain where the shoreline designations occur. Staff has realized that the Lake Washington high water level designation was actually a mistake due to translation issues with the Army Corps of Engineers' data. Staff is recommending that the shoreline jurisdiction on Lake Washington "shall be measured landward from elevation 18.6' (NAVD) on a horizontal plane . . ." For Phantom Lake, staff wanted to include a note that the elevation is frequently exceeded. Chair Helland asked if this would change how Utilities operations occur in those areas. Mr. Jorgenson did not think it would, but clarifying comments have been included.

Dimensional Requirements

Chart 20.25E.050.A: Staff is recommending maintaining current shoreline setbacks, rather than the proposed reduced setbacks. Ms. Paulsen asked the Commission's opinion on this. Chair Helland asked what cost the additional constraints would have. Mr. Jorgenson said the only real area of concern is the lakelines. Reducing the setbacks from 50 feet to 25 feet reduces the width of the area the City has available if utilities need to be located on the shore.

Commissioner Wang asked how the change came about. Mr. Paine explained that a resident complained that there was no justification for the 50-foot setback, which was established by the Critical Areas Best Available Science that was done in the 2006 update. Chair Helland commented that there is scientific basis for the 50-foot setback, but have not established the basis for the 25-foot setback. Mr. Paine offered no objections. Commissioner Wang noted that this would only really make a difference to Utilities on the Lakes Washington and Sammamish because of the lakelines. He did not think it would make a difference on Phantom Lake. Mr. Paine commented that the development on Phantom Lake is more impacted by wetland and flood plain regulations.

Commissioner Swenson asked about the number of non-conforming structures currently on Lake Washington. Mr. Paine commented that it is approximately 38%. Commissioner Swenson expressed concern that if the setback is reduced it will definitely have more of an impact on Utilities' ability to provide services. Mr. Jorgenson commented that what the language is really saying is that the City wants to preserve the area in case it needs to be used in the future to replace the lakeline. He was not sure it was fair to the homeowners just because Utilities wants to preserve it. Chair Helland asked if there is an ecological justification for the 25-foot setback.

Councilmember Stokes expressed concern about giving extra value to a certain group of landowners a significant increased value in their property when there is no legal compulsion to do so. As a councilmember he would like to hear an objective case made by Utilities about what is needed and a rationale and public purpose for the change in setback. Any cut being made would have to be shown to

not have a negative impact on the rest of the City. Ms. Paulsen stated that one of the issues Utilities would run into with the 25-foot setback is that Utilities' mitigation would be outrageously high in order to restore the functions and values in a very narrow area. Chair Helland requested more information of this sort. Those are the costs that need to be estimated. Mr. Jorgenson commented that staff would not be able to come up with cost estimates prior to the Planning Commission meeting. Mr. Paine reviewed current DOE regulations for setbacks compared to the 25' setback proposal. He expects that there would be a mitigation obligation if Utilities had to go into an area with 25' setback; there would be additional operational costs to working in a smaller area.

Ms. Paulsen summarized that the ESC wanted to make comment on this and bring in some of the additional cost for mitigation operations and some of the functions and values statement.

Commissioner Swenson spoke in favor of leaving the setback at 50 feet unless there is support environmentally that reducing it to 25 feet is appropriate. Chair Helland concurred. Commissioner Weller commented that he could see both sides of this issue.

General Requirements

20.25E.060, 3.c.ii Off-site Mitigation: Clarify that there will be one report required.

20.25E.060, 1.2 Public Access: Staff is recommending clarifying that on public lands a common threshold for permitting is 20% footprint expansion and also adding "where feasible" to allow public access. Chair Helland asked about the test for feasibility. Ms. Paulsen said there is a test for feasibility clarified elsewhere. Mr. Paine explained that the test for feasibility includes consideration for existing site conditions (topography, proposed location in relation to the ordinary high water mark, etc.); location of existing infrastructure; the function or objective of the proposed facility; the level of risk to a primary structure, public facility or public use structure; whether the cost of avoiding the disturbance of the shoreline area is disproportionate as compared with the environmental impact; and the ability of both permanent and temporary construction disturbance to be mitigated. Chair Helland asked to remove the word "threshold".

Staff also recommends adding verbiage stating that public access will comply with ADA "where feasible and where otherwise specifically required by law". Chair Helland commented that the verbiage was confusing. He wondered about the necessity of stating "where otherwise required by law" or even having the sentence at all since the City would obviously comply with the requirement. Staff stated that this would be confirmed to determine if it is necessary at all.

Commissioner Swenson referred back to the setback issue. He commented on the ESC's responsibility to represent the entire community. The folks along the lake are already getting a huge value from the lakelines. When the lakelines have to be replaced it will already be a huge cost to the ratepayers. He expressed concern about giving away 25 feet which could ultimately reduce the cost for the overall rate payers.

Specific Use Requirements

20.25E.070, 3.b.vi: "littoral" was clarified with a parenthetical explanation.

Definitions

20.25E.280: "Aquaculture" definitions were clarified.

Restoration Plan

The Planning Commission has recommended that the ESC review community recommendations for the Restoration Plan, especially issues affecting Utilities operations, but the intent of proposed actions should be maintained.

Councilmember Stokes clarified that the Planning Commission is responding to a small group of homeowners on Phantom Lake, not the whole group of stakeholders around Phantom Lake. Anything the City comes up with will need to be more inclusive than just the leadership of a small homeowners group.

Chair Helland asked why the ESC is addressing this again when they already provided written comments that this doesn't belong in the Shoreline Restoration Plan. Ms. Paulsen acknowledged that the ESC provided that to the Planning Commission, but the Planning Commission sent it back again. She commented that if the Planning Commission is going to include something, staff wants to comment on what is included in order to make it more palatable. Ms. Paulsen explained that the SMP Restoration Plan is a required element of the SMP, but it is a non-regulatory blueprint and actions are not mandated to be completed. It gives people some ideas of what could be done that would meet the intent of the mitigation. The goal is to improve the "rehabilitation" of shoreline functions not mitigated through regulations (not necessarily forested, pre-european conditions). She stated that if the Restoration Plan elements are not implemented there is risk that in future SMP updates, regulations will need to be increased. Chair Helland requested a copy of the letter that the ESC sent previously about some of these things.

The following items are areas where staff had recommendations:

PL-4: Staff believed that the proposal language had a number of phrases that either caused confusion or raised expectations that couldn't be met. The Council has already adopted detention and water quality policies in 2009 that established

new stormwater requirements for runoff and water quality for all new and redevelopment of property. In addition, the comment about “no more waters will be directed to Phantom Lake” wasn’t clear as to whether this meant no water or whether there wouldn’t be a greater volume of water that currently runs off. Staff assumes that it meant “no greater volume” and feels that the Council-adopted requirements will do that over time as new development goes through. Regarding having existing development participate in mitigating high water and pollution is problematic because the City has no authority to require everyone to retrofit their property. Staff plans to implement the policies and regulations so that new development will meet the standards which will reduce the stormwater runoff and improve water quality to Phantom Lake. Staff also has the ability to provide education and technical assistance for voluntary installation of additional retention, where feasible, on existing property.

Commissioner Mach commented that if something like this isn’t provided for all the lakes, it should not be included. Councilmember Stokes commented that the proposed language is very positive and recommended that the Planning Commission apply this to all lakes, rather than just Phantom Lake. There was consensus to remove “Phantom Lake” and replace it with “all lakes”.

PL-5 - Phantom Creek in Weowna Park: This was challenging because the Parks Department already did a restoration project through this whole region. Staff does not think that the project was fully understood. Staff is recommending concurrence with the Parks and Community Services Board that we continue to monitor and adjust as necessary to meet the intent of the project.

Chair Helland commented that the cost of the project should be included in the rationale. Councilmember Stokes concurred and thought that the ongoing monitoring should also be included. He noted that the statement “increasing capacity where necessary” would imply that it would take more effort and more cost. Commissioner Mach asked about including this for all the outlets into lakes, and not just Phantom Creek in Weowna Park. Ms. Paulsen noted that this is specifically through the park. Commissioner Mach questioned why the City would focus only on this creek. Chair Helland explained that this is not a comprehensive list of projects; it is more like a menu of possible restoration projects. Chair Helland recommended adding language describing future opportunities for Coal Creek as well. Mr. Paine clarified that the objective of this plan is to deal with the 200-foot strip along the lakes that are in the jurisdiction of the Shoreline Master Program. This includes three lakes and the tail end of Mercer Slough. Coal Creek doesn’t count except where it is on the shoreline. The idea of this is to improve the habitat, not necessarily the water quality because that is a much more global issue. This is a very restrictive approach and is dictated to some degree by what DOE requires. There was consensus to include language in the rationale about the million dollar project and the fact that there is ongoing monitoring.

PL-6 - Eastgate as it affects Phantom Lake Basin: Ms. Paulsen explained that Ponds A, B, and C were developed to the full codes and standards in place at the time. The citizen document states that the illicit discharge of pollutants is coming from the old landfill, but monitoring data that staff has reviewed does not show the leaching impacts to either Pond A or to Phantom Inlet Creek. She reviewed details of this data (contained in ESC packet on page 31-32). There was consensus for staff to include all of the rationale and to show their work in order to be completely transparent. Commissioner Wang stressed the importance of including the rationale for the Planning Commission. Commissioner Cowan asked about consideration being given to the development of the park. Ms. Paulsen explained that the Park's staff is working very closely with Ecology on this and is very aware of the issues associated with it. The park will be held to the current stormwater standards for the development. Councilmember Stokes added that the landfill will need to be completely leveled and capped off. Commissioner Cowan recommended community involvement with Phantom Lake as the development proceeds.

Ms. Paulsen continued to explain that the City has the ability to modify Pond A, to seek to improve its function and to see what can be done to improve conditions. However, Pond B is a privately-owned facility and part of a high security area. Staff does not believe that the retrofit of a private stormwater facility in this kind of a setting would be a viable project for any entity wishing to do shoreline restoration. Chair Helland asked if there is any indication that detention volume is exceeded beyond design specifications in Pond A. Ms. Paulsen explained that Pond A was modified from a one-cell pond to a three-cell pond in two projects but maintained the 1980's required detention volume. Mr. Jorgenson explained that there is additional on-site detention for upstream properties that drain to Pond A.

Mr. Paine commented that the Planning Commission is concerned about the impact of the park development on this pond and asked if the Planning Commission is interested in expanding the pond for that purpose. Ms. Paulsen said that the park is just initiating their stormwater review, but they realize that they need to meet the forested, pre-development conditions and are looking at different options for doing that. Chair Helland recommended specifically pointing that out in the materials. There was a recommendation for the park to inform the Phantom Lake community about what will be done as far as runoff control.

Commissioner Wang asked why the words "heavy metals" are necessary when "pollutants" is all encompassing. Ms. Paulsen explained why this verbiage was used. There was consensus to strike "heavy metals".

Commissioner Mach asked why the City even needs to "evaluate opportunities to expand detention volume and enhance water quality treatment provided by Pond A." Ms. Paulsen explained that the City has the capability to do these things if it elects to do so. Chair Helland asked if the airfield park redevelopment would

trigger the need to look at this among other options. Ms. Paulsen replied that it would, but it wouldn't necessarily look at retrofitting existing impervious outside of the Park development. Chair Helland stated that the message should be clear to the Planning Commission that by doing the redevelopment the stormwater flow to Pond A will be reduced.

PL-7 - Phantom Lake Outlet Channel: Ms. Paulsen explained that setting the established high point of the lake is challenging. The City agrees that the outlet channel is important, but it has a fundamental difference of opinion as to how that should occur. Brian Ward gave a detailed PowerPoint explanation of the hydraulics of the system and the lake levels. He stated that the shape and friction of the channel itself is governing the flow rate during low flows and lower lake levels. He explained that the weir is actually downstream of the high point of the channel, and the weir has minimal to low effects on low flows. He summarized that the hydraulic control for the outlet channel shifts depending on the lake level. At higher flows, the culvert becomes the limiting factor that governs how much water can leave. To modify the rate at which water leaves the lake, the entire outlet, its size, shape and slope would have to be modified. If anything is done to change the rate at which water is leaving the lake, one would also have to consider the effect that it would have downstream. There was also discussion about the purpose of the weir.

Ms. Paulsen stated that the City has the capability of modifying the weir operations; however, it is very important to make sure the potential impacts of the changes are well understood and that community agrees to the. Councilmember Stokes commented on the importance of including all the shoreline property owners and all other stakeholders (as opposed to just the Phantom Lake Homeowners Association).

Recommended edits: *The City agrees to participate in facilitate efforts with Phantom Lake shoreline property owners to evaluate options for modifying weir operations.*

PL-8 - Beavers: Utilities and Parks staff do not agree with removing all the beavers and do not think it would be possible to get permits to do so. What is being recommended is consistent with how beavers are handled throughout the city.

Recommended edits: *The City will monitor and remove beavers/beaver dams on or within public easements at the Phantom Lake Outlet Channel in accordance with Standard Operating Procedure (Beaver Intervention) and as directed by the Emergency Response policy and Storm Code 24.06.040 definitions.*

PL-9 – Abandoned Aerator:

Recommended edits: *The City will consider removing the abandoned aerator located in middle of lake as funding and permitting allow.*

Ms. Paulsen added that some people question whether there would be more damage to the bottom of the lake taking it out versus letting it sink. The cost of removing the aerator is between \$50,000 and \$65,000. Councilmember Stokes asked about the Phantom Lake homeowners' rationale for wanting the aerator out. Ms. Paulsen was not sure, but noted action needed to be taken at some point as the floats were deteriorating. Staff stated that the City spends \$3,000-\$4,000 annually for inspection; Chair Helland stated that this could be avoided if the aerator is removed.

PL-10 - Monitoring:

Recommended edits: *In order to monitor the ecological health of Phantom Lake and evaluate community water quality objectives, the City will monitor phosphorous, water clarity, and chlorophyll a in the epilimnion (warmer surface levels).*

Ms. Paulsen explained that the request refers to a comprehensive monitoring program. The City is not sure what would be done with the data. Currently, the City monitors for water clarity, phosphorous, and chlorophyll a. The City has done ten years of phytoplankton and zooplankton monitoring, but there is no target that the City is supposed to meet for this data. In 1996, the Phantom Lake Watershed Committee agreed on water quality goals including water quality, phosphorous, and chlorophyll a because those measurements provide an indication for aesthetics and the productivity of the lake. She stated that the water clarity has been improving since the early 90's and the City has met the goal. The phosphorous and the chlorophyll a are more variable and the goals are not always met.

Chair Helland asked what happens if you overlay the average lake depth and the phosphorous. Ms. Paulsen replied that this was based on the epilimnion, upper warm lake layer, so it doesn't make a difference, neither does rainfall. Chair Helland asked how long the City agreed to monitor the lake in 1996. Ms. Paulsen replied that the agreement did not indicate a timeframe and it did not contain any triggers for management actions. Chair Helland asked about the cost of the monitoring. Mr. Marcum replied that it costs \$10,000-15,000/year for these three. The plankton monitoring was more expensive.

Chair Helland expressed concern about spending this amount on this private lake and not others. He asked how long the City was expected to continue monitoring the lake and for what purpose. Chair Helland commented that this is exactly why

Phantom Lake needs an LID. There was consensus that this is a concern and should be included as part of the facilitated discussion.

PL-11 - Community Concerns Statement:

Recommended Edits: *The City agrees to engage with Phantom Lake shoreline property owners in a facilitated conversation to develop recommendations to the City Council for mutually agreed upon modifications to operational procedures or for proposed policy changes.*

Ms. Paulsen stated that staff agrees that there is a real need to address these concerns. Staff recommends engaging with the Phantom Lake shoreline property owners in a facilitated conversation to include some of these issues. The Commission was in support of the recommendations and would like the rationale included as well as a broader statement about shoreline and channel property owners, Utilities and Parks staff, and other stakeholders.

Chair Helland asked what DOE would approve for the high water level mark. Mr. Paine stated that the City does not know, but it is relevant for only a narrow number of issues that both the City and Ecology would care about.

Ms. Paulsen noted that staff would need comments from the ESC for the Planning Commission by September 18. She offered to work with Chair Helland to develop another letter prior to that date.

Motion made by Commissioner Wang, seconded by Commissioner Weller, to concur with the proposed comments and changes and to have Chair Helland work with staff to draft a letter with his signature to get to the Planning Commission by September 18. Motion passed unanimously (6-0).

Councilmember Stokes commended staff for their very diligent, straightforward and illuminating work on this which will help to move things forward.

f. Water Rate Structure & Revenue Stability - Lucy Liu and Bob Brooks

Councilmember Stokes indicated he had to leave at 9:30, but noted that there will be a lot of public input opportunities through the normal course of events on this matter.

Ms. Liu explained that staff was seeking any additional recommendations from the ESC. She reviewed the rate structure objectives, summary of recommendations, and customer impacts. Chair Helland asked about the timeline for this. Ms. Liu explained that staff plans to incorporate the recommended rate structure with the budget. She reiterated that the objectives used when looking at the rate structure redesign included generating stable revenue; mitigating impacts

to customers; funding system reinvestment; providing affordable “core water service; promoting water conservation, and facilitating administrative efficiency.

Mr. Brooks summarized the single family residential rate recommendations and compared the existing to the revised structure. Chair Helland commented on the long “tail” on the graph. He asked about setting design criteria to set where increases are desired and then working backwards to design the blocks. Mr. Brooks referred back to the seven objectives and noted that Chair Helland’s suggestion would meet the objectives of promoting water conservation and mitigating impacts to customers. However, those are lower ranked objectives than revenue stability. In order to make the revenue stable, the fixed charge must be increased. Mr. Jorgenson added that restructuring of the curve could start pushing people down to lower volumes, which reduces demand and revenue. Commissioner Wang commented that as the rate of usage changes, staff will need to reexamine the structure. Mr. Brooks concurred. Chair Helland recommended tweaking the numbers so there is not such a dip in the 4th block. There was discussion about varieties of ways to modify the rate structures.

Mr. Brooks summarized that staff is recommending that the Commission create another letter to Council indicating their approval or disapproval of the overall approach with the understanding that it is subject to change with the layering on of the rate increases. He explained that multi-family and non-residential would be consolidated into one rate which is a seasonal rate as opposed to a tiered rate.

Commissioner Swenson asked how the near-record dry spell is affecting water consumption. Mr. Brooks informed him that through August usage was 1% above 2011 summer usage. Commissioner Swenson expressed surprise and commented that he has observed very few yards being watered.

Chair Helland requested another copy of the FCS PowerPoint presentation.

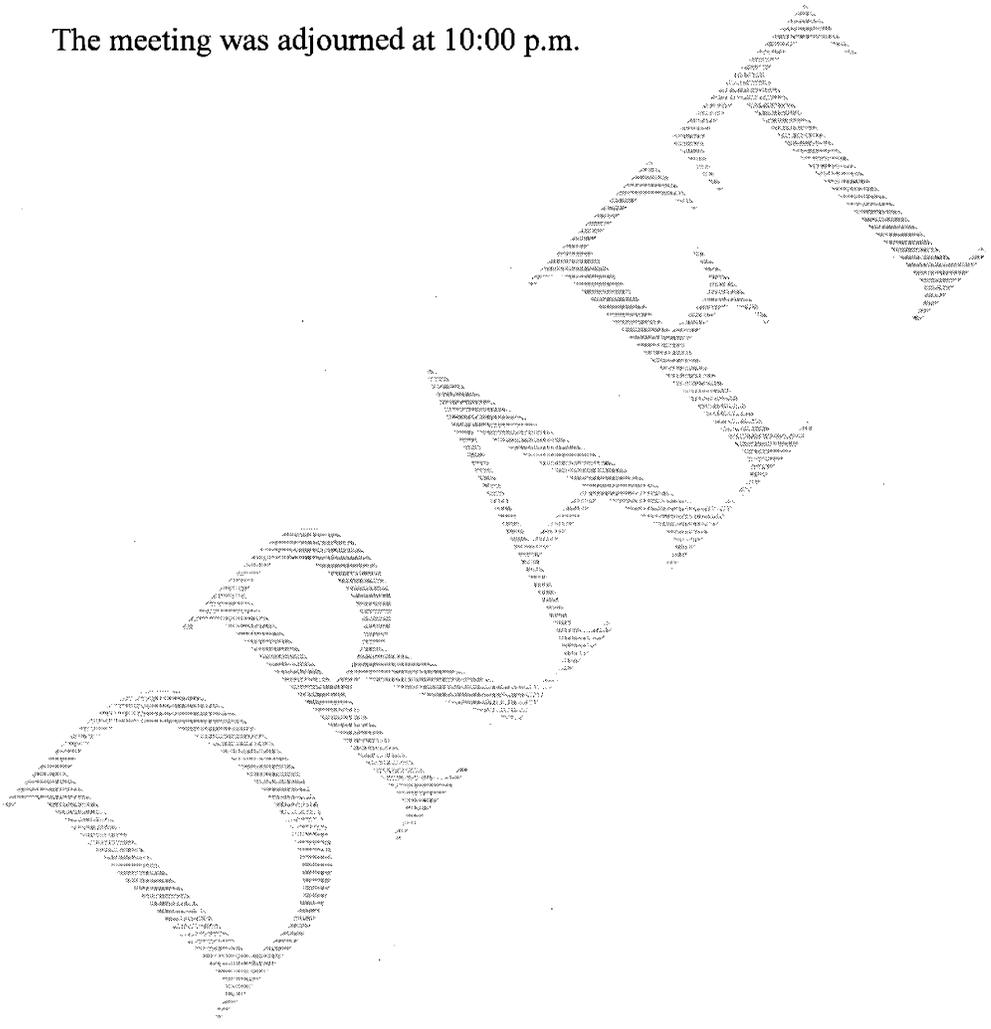
Commissioner Mach noted that primary objective is revenue stability. He expressed concern that the new rate structure does not give an incentive for families that have a lot of members in one household; in fact, it penalizes them. Mr. Brooks commented on the difficulties of obtaining and verifying this information. Mr. Jorgenson acknowledged that the cost would be higher for a larger family, but commented that the usage would also be higher.

Commissioner Wang recommended that the ESC’s approval is subject to an initial three-year review with subsequent two-year reviews.

Motion made by Commissioner Swenson, seconded by Commissioner Weller, that the Environmental Services Commission make a recommendation for approval of the rate structure with a two-year review following an initial three-year review. Motion passed unanimously (6-0).

6. **NEW BUSINESS - None**
7. **DIRECTOR'S OFFICE REPORT - None**
8. **CONTINUED ORAL COMMUNICATIONS - None**
9. **EXECUTIVE SESSION - None**
10. **ADJOURNMENT**

The meeting was adjourned at 10:00 p.m.



2012 Environmental Services Commission Calendar

September 12						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

October 12						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

November 12						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

December 12						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

January 13						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

February 13						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

October

- 4** Budget - Review Preliminary Budget Notebooks (Bob)
- Solid Waste Contract Recommendation (Lucy)
- Wastewater System Plan Recap Policies & Evaluation Criteria (Pam)

November

- 1** Budget & Rate Recommendation (Lucy)
- Budget Public Hearing (Bob)
- Introduction - Bob Mulvey - Utilities Deputy Director (Nav)
- Wastewater System Plan Findings & Recommendations (Pam)

December

- 6** Asset Management & Failures & Claims (Bill O&M)
- CIP Accomplishments (Scott/Regan)
- Solid Waste Contract - Annual Performance Review (Susan)
- Wastewater System Plan - Deliver Draft (Pam)

January

- 3** 2013 Workplan (Bob/Wes)
- IDDE Overview (Mike G)
- Wastewater System Plan - Open House Prior to ESC - Public Comments - Discuss Draft Plan (Pam)

March 13						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April 13						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May 13						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June 13						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July 13						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August 13						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Pending – ESC:

Status Reports on the following issue will be made when there are significant development:

Updated 9/19/2012

2012 Tentative Council Calendar

September 12						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

October 12						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

November 12						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

December 12						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

January 13						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

February 13						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

October

- 15** Consent: Motion to Award
AC Main Replacement
2012 Phase 2 (Wes)
- Consent: Motion to award
Newport Booster Pump
Station (Wes)
- Consent: Resolution to award
Prof Svc Agrmt to Kenned-
y/Jenks Consult for Eng
Svc During Const of Newp-
ort Booster (Wes)
- Consent: Resolution to award
Prof Svc Agrmt to SDA for
Comm mtr replacement
Design - Wes)
- Winter Weather Prep(Tony/
Joe)

November

- 13** Study Session Solid Waste
Contract (Lucy/Susan)
- 19** Consent: Resolution to Award
Prof Svcs agree to MSA for
Pikes Peak 4.5 mg Res
(Wes)

March 13						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

April 13						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May 13						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June 13						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July 13						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August 13						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Key:

Agenda item description – **Consent:** Waste Reduction & Recycling Grant

Assistant Director's Name or designated staff that will

be available to attend Mayor's meeting

Staff Name – material content expert

2012 Pending Council

Rate Ordinance – (Lucy) Dec./TBD

Rate Relief Program Ordinance – (Lucy) Dec./TBD

Rate Structure Ordinance – (Lucy) Dec./TBD

2013 Pending Council

Sewer Comp Plan – (Wes) 1st Qtr 2013

Updated 9/19/2012



MEMORANDUM

Action

Discussion

Information

Date: October 4, 2012

To: Environmental Services Commission

From: Susan Fife-Ferris, Manager
Lucy Liu, Assistant Director, Resource Management and Customer Service

Subject: Request for Recommendation – 2014 Solid Waste Collection Contract Proposed Service Package

Action Requested at this Time

Staff is requesting the Commission's recommendation for the proposed service package and other contractual provisions for the 2014 Solid Waste Collection Contract to the City Council.

Background

Staff discussed with the Commission the proposed service package and other contractual provisions for the 2014 Solid Waste Collection Contract at its last two meetings on August 2 and September 6.

The following items discussed at the last meeting raised issues for staff to address:

Proposed Service Package Item

- **Option to Provide Every-other-week Garbage Collection in the Future** – A question was raised about whether an option to provide every-other-week collection in the future could be included in the service package recommendation.
 - Staff Response – The proposed contract already includes an option to go to every-other-week garbage collection in the future if there is sufficient customer interest, it is financially feasible for customers, and Health Department approval can be obtained. In the meantime, a Micro-can, a 10-gallon container that is the equivalent of ½ the current Mini-can, is proposed to be provided as an option to single-family customers.

Proposed Contractual Provision Items

- **Contractual Provisions** – It was asked if the 18 proposed contractual provision changes highlighted at the August 2 meeting could be included in the Commission's recommendation to the City Council.
 - Staff Response – Yes, the Commission could make a recommendation on these provisions if desired. Staff wishes to remind the Commission that Item #16 of these provisions (Remove Free Garbage Service to City Facilities) is necessary to meet legal requirements.

- Contractual Item #1 Low Emission Vehicles – It was asked if an identified carbon emission reduction level instead of types of vehicles could be included in the proposed contract.
 - Staff Response – Staff reviewed this recommendation with the help of the solid waste collection consultant, and determined that the City would not have the ability or resources to confirm if emission reduction levels are being met. Consistent with industry practice, requiring low emissions vehicles, such as hybrids and those powered by compressed natural gas, is the most straight-forward way for the City to require the contractor to reduce their carbon footprint. The proposed contract will require Evergreen Fleet Certification, which will ensure that only the most environmentally-friendly vehicles are operating on City streets. Staff understands that most vendors will be able to meet this requirement.

- Contractual Item #8 Require Service on All Private Roads – Two questions were raised regarding this provision as follows:
 - Whether some roads may be too small for collection to occur on them.
 - Whether a minimum distance could be required before service is provided on private roads.

 - Staff Response – The goal with this provision is to ensure that the contractor has sufficient vehicles to service all roads in the City, regardless of whether they are public or private. Such collection vehicles are currently used in neighboring jurisdictions with similar roads. Staff wants to ensure that our customers are provided, at minimum, the same level of service compared to neighboring customers. Additionally, the current contract provides curbside service on private roads at the customer's option. Staff wishes to ensure that these customers continue to enjoy the same level of service.

- Contractual Item #18 Require Contractor to Participate in the City's Building Design Review Process – A concern was raised that this provision would unnecessarily increase the bid cost.
 - Staff Response – Staff feels this is an important provision to keep in the proposed contract. The amount of time that the contractor spends reviewing plans is negligible to determine adequacy of space for storage and access for solid waste collection. The related incremental bid cost is minimal. Staff researched this topic by discussions with the current contractor, the City's current solid waste collection consultant, and staff involved with the management of solid waste at other jurisdictions, and feels that the need to ensure adequate space and access for this essential service far outweighs any additional cost.

The proposed service package to be included in the next solid waste collection contract will build on the service package contained in the current contract, as outlined in the August 2 memorandum to the Commission titled Solid Waste Collection Contract – Briefing on Contract Service Package & Process. A summary of the proposed service package and other contractual provision changes are included on Attachment A.

Staff is requesting the Commission's recommendation on the proposed service package and other contractual provision changes to the City Council before November 13, when staff will be presenting these items to Council.

Attachment A

Summary of Proposed Service Package Changes

1. Multifamily and Commercial Organics Recycling (embedded in rate) – Multifamily and commercial curbside collection of organics recycling, with the rate embedded in overall garbage rate.
2. Quarterly or Monthly Single-family Bulky Waste Pickup – Regular single-family bulky waste pickup.
3. In-City Contractor-provided Service Center – In-City contractor-provided service center that includes an expanded drop-off recycling, retail, and seven days a week in-person and telephone customer service, which is located in Bellevue.
4. Additional Recyclables Collected at the Curb – Expanded curbside recycling to include items such as fluorescent tubes and compact fluorescent light bulbs.
5. Extend Small Appliance and Small Electronics Recycling to Multifamily Complexes – Extension of curbside collection of small appliance and small electronics to multifamily customers.
6. On-line Account Management – Provide customers the ability to manage their accounts and pay their bills on-line.
7. Require Inclement Weather Drop Site for Garbage – Inclement weather drop site for garbage during extended winter storm periods.

Summary of Other Proposed Contractual Provision Changes

1. Low Emissions Trucks – Require all low emissions vehicles, such as hybrids and those powered by compressed natural gas.
2. Tiered Recycling Incentive – Change the contractor's commercial recycling incentive mechanism to a tiered structure based on the total recycling/organics container capacity on-site at a commercial customer's property relative to the garbage container capacity to encourage the contractor to place containers such that commercial customers have at least as much capacity for recycling on-site as they do for garbage.
3. Change Small Appliance and Electronics Recycling to On-Call Service – Change small appliance and electronics recycling to on-call service.
4. Provide Unlimited Commercial Recycling – Provide unlimited commercial recycling, aligning the commercial recycling program with the single-family and multifamily recycling programs whose customers already enjoy unlimited recycling.
5. Reduce Miscellaneous Fees – Place a cap on miscellaneous fees at a reasonable level so that City residents and businesses are not paying more than their unincorporated neighbors.
6. Eliminate All Distance Charges – Eliminate distance fees completely and make sure all costs of

disposal are wrapped into the base garbage fee, creating savings for commercial customers.

7. Eliminate Rental Fees – Eliminate all rental fees except those on temporary containers.
8. Require Service on All Private Roads – Require that the contractor be able to provide curbside collection to all customers located on private roads.
9. Require Friday Missed Collections to be Collected on Saturday – Require Friday missed collections to be collected on Saturday.
10. Clearly Label Size of All Containers – Clearly label size of all containers so customers can compare the container size with that listed on their bill.
11. Require All Containers in Bellevue have Bellevue-specific Labels – Require all containers in Bellevue to have Bellevue-specific labels to prevent customer confusion.
12. Require Plastic Dumpsters Where Allowed By The Fire Marshal – Require plastic dumpsters where allowed by the fire marshal to reduce collection noise.
13. Require Leaky Container Stickers – Require leaky container stickers that provide contact information to report a leak and get the container replaced.
14. Eliminate Compost Credit – Eliminate single-family customers' compost credit since there is no mechanism to determine if customers are actually composting on-site.
15. Sunken Cans No Longer Collected – Eliminate collection of sunken cans, and move these twenty single-family customers to above-ground containers for collections.
16. Remove Free Garbage Service to City Facilities – Eliminate free garbage service to City facilities due to recent court cases that have held that similar types of expenses are General Fund expenses.
17. Change Contract Term to Seven Years Plus a Seven Year Extension (or Combination of Years Cumulative to Seven) – Change the proposed contract term to seven years plus a seven year extension (or combination of years cumulative to seven) to align the proposed contract with that timeframe of the current King County Interlocal Agreement to take advantage of opportunities that might open up over the next fourteen years.
18. Require Contractor to Participate in the City's Building Design Review Process – Require contractor to review submitted development plans to determine adequacy of space and access for solid waste collection.



- Action
- Discussion
- Information

DATE: September 27, 2012

TO: Environmental Services Commission

FROM: Lucy Liu, Assistant Director - Resource Management & Customer Service
Bob Brooks, Fiscal Manager

SUBJECT: Review of Preliminary 2013-2014 Utilities Budget and Rates

Action Required

No action by the Commission is required at this time. This is an informational briefing.

Background

Over the past several months, staff has reviewed with the Commission key elements of the preliminary 2013-2014 Utilities budget, including:

- Budget One process
- Early Outlook forecast
- Existing and new CIP
- Financial policies
- Budget proposals and related utility rate increases

In addition, Commissioners will receive copies of the 2013-2014 Proposed Budget (the "ESC Budget Notebook") under separate cover on or about September 28. The notebook provides a high-level overview of Utilities' activities and summarizes the proposed budget and rate projections by fund, as utility rates are developed for each Utility.

On October 4, staff will provide an overview of the notebook, outlining the purpose and content for each section, and review the proposed budget and rates and the resulting customer impacts. The objective of this review is to ensure that the Commission has the necessary information to review the Utilities proposed budget and rates for 2013-2014.

Next Steps

- On November 1, the Commission will hold a public hearing on the Utilities proposed 2013-2014 budget and rates.
- Following the public hearing, staff will be seeking the Commission's recommendation on the Utilities 2013-2014 proposed budget and rates.

If you have questions, please do not hesitate to call us at (425) 452-4445.

Action
 Discussion
 Information

September 25, 2012

To: Environmental Services Commission
From:  Pam Maloney, Water Resources Planning Manager
Subject: Wastewater System Plan Update
Recap of Policies and Planning Criteria

Action Required at this Time

Staff will present recommended wastewater system policy changes and the planning criteria that will be used for system analysis in support of the Wastewater System Plan. No formal action by the Commission is required at this time, although we do encourage your questions and input for consideration as we develop the draft Wastewater System Plan.

Background

Bellevue's Comprehensive Wastewater Plan was adopted by Council in 2002. An update to the Plan, now known as the 'Wastewater System Plan', was initiated in 2008 but then tabled in 2009 for higher priority work, and then further delayed due to staff illness. We are now working aggressively to complete a draft plan by the end of the year.

Major elements of this Wastewater System Plan update include:

- Review of wastewater utility general policies;
- Review of system planning criteria;
- Revised service area population forecasts;
- Capacity evaluation of the parts of the wastewater system that were assumed from Coal Creek Utility District (the District had never conducted such an evaluation);
- Re-evaluation of system capacity in downtown Bellevue;
- Updated capital investment recommendations for a 20-year planning horizon; and
- Updated descriptions of wastewater system operational practices.

Proposed changes to Wastewater Policies and wastewater system planning criteria were reviewed with the ESC before the project was set aside. Since so much time has passed, proposed policy changes and planning criteria are re-capped below.

Policies

A draft copy of Wastewater System Policies, excluding financial policies, is attached. Staff-recommended changes to the existing policies are clearly identified within the document. These are unchanged from what was presented in 2008 with two exceptions:

- Addition of a new policy for "Regional, State and Federal Policy Involvement". The new policy is modeled after a similar Storm and Surface Water System Policy, and furthers alignment of the three utility system plans.
- Addition of a discussion paragraph for the "Inflow and Infiltration" policy based on a staff input.

Legal has reviewed the changes. Review by other departments is underway now.

These substantive policy changes from the 2002 Plan are recommended:

- Emergency Preparedness Policy – Revised policy to make the language consistent with similar Water Comprehensive Plan Policy.
- Ownership of Side Sewers Policy – Revised policy to clarify that private property owners are responsible for the portion of their side sewer on private property. The changes clarify that the Utility is not responsible for side sewers within easements granted to the City for public sewer mains, including lake line easements.
- Inflow and Infiltration Monitoring and Reduction Policy - Crafted a more concise policy statement. Original policy language was moved to the discussion section. Text added to discussion to clarify responsibility for removal of illegal system connections.
- Septic Systems Policy – Deleted a portion of the “Existing Septic Systems” paragraph that recommended a septic system management program to assist homeowners with the upkeep of their septic systems. Such a program falls outside the scope of utility services that the City provides.
- Service Extension Policy – Revised to make consistent with similar Water Comprehensive Plan Policy.
- Addition of a new policy for “Regional, State and Federal Policy Involvement”. The new policy is modeled after a similar Storm and Surface Water System Policy, and furthers alignment of the three utility system plans.

Planning Criteria

Planning criteria provide the basis for detailed computer model analysis of the wastewater system. The computer model uses the planning criteria to forecast future peak flows. The results influence Plan recommendations, which will be presented later this year. The criteria are based on actual winter water use and population/census data from the Planning and Community Development Department.

Staff will discuss how the criterion was developed and how each is used. Changes from 2002 criteria will be highlighted, and a comparison with neighboring jurisdictions will be discussed. Attached tables summarize the proposed criteria.

Attachments:

- 1) Chapter 2, Wastewater System Policies, with proposed changes
- 2) Tables with Population and Flow information used for system evaluation

CHAPTER 2

Wastewater Utility Policies

Bellevue's City Comprehensive Plan, last updated and adopted in [REDACTED], establishes a broad framework of goals to guide subsequent policy decision making. The Utilities Element of the plan is consistent with that framework, and highlights in particular the city's goals of protecting the natural environment, pursuing a strong and diverse local economy, and providing needed community services and facilities. To that end, the major goals of the Utilities Element are:

1. To promote and encourage the development and maintenance of all utilities at the appropriate levels of service to accommodate the City of Bellevue's projected growth.
2. To promote and encourage the provision of reliable utility service in a way that balances the public's concern about safety and health impacts of utility infrastructures, consumers' interest in paying no more than a fair and reasonable price for the utility's product, Bellevue's natural environment and the impacts that utility infrastructures may have on it, and the community's desire that utility projects be aesthetically compatible with surrounding land uses.
3. To process permits and approvals for utility facilities in a fair and timely manner and in accord with development regulations which encourage predictability.
4. To encourage new technology that improves utility services and reliability while balancing health and safety, economic, aesthetics, and environmental factors.

Policies specific to all city-managed utilities, including ~~sewer~~wastewater, water, storm drainage, and solid waste management, are also defined within the Utilities Element, and are not restated here. Those specific policies led to development of wastewater system policies that govern various facets of wastewater utility operations that comprise this chapter. The four broad policy categories, accompanied by a brief description of each is provided below. The first three policy categories are grouped together and identified in this chapter as General Policies. These policies are specific to Bellevue's Wastewater Utility. The Financial Policies category comprises the other major policy group. The financial policies apply to all three Bellevue waterworks utilities (water, wastewater and storm drainage), and are reviewed and revised as necessary biannually as part of the City's budget process.

Customer Service. These policies define the level of service provided to utility customers, public and private ownership, and responsibility for wastewater system components.

Service Area. Service area policies concern Bellevue's existing and ultimate service area boundaries and conditions for service extension within those boundaries.

Water Quality. These policies explain the obligations of King County, the Bellevue Wastewater Utility and the customer regarding water quality issues related to the sewer system.

Financial. This category summarizes the Utility Department's general financial policies including those governing rate setting, development charges, capital improvement financing, and reserves.

WASTEWATER UTILITY POLICIES BACKGROUND

These wastewater utility policies were initially developed in 1993 by a policy committee comprised of department management, staff, and a representative of the former Eastgate Sewer District. The committee investigated current city and industry practice, financial impacts and liability, and utility customer expectations. Other long-standing operational policies and financial policies were reviewed by utility management. A discussion of pertinent policy issues was included in the 1994 Bellevue Comprehensive Sewer Plan. The general policies were reviewed and updated by the Utilities Department management prior to publication of all subsequent comprehensive wastewater plan updates. The policies (excluding the financial policies) were reviewed and approved by the Environmental Services Commission on December 2, 1999. The financial policies were last reviewed and approved by the Environmental Services Commission on [REDACTED]. The financial policies are reviewed, updated and approved as part of each bi-annual budget. This chapter contains the current wastewater utility policies. These policies are subject to possible revision.

GENERAL POLICIES

Customer Service Policies

Emergency Preparedness

The utility will prepare and update an emergency plan as a part of its operations program. The plan will ensure that adequate emergency provisions are in place to provide for an organized response to the most likely kinds of emergencies that may endanger the health and safety of the general public, the environment, or the operation of the Sewer Wastewater Utility system. The plan will also address issues related to preparation, mitigation and long term system recovery to ensure the orderly and full restoration of the sewer system after an emergency.

Comment [CoB1]: Revised policy to make it consistent with the similar Water Comprehensive Plan policy.

Discussion:

A key Utility responsibility is to respond to the needs of all wastewater utility customers and the general public during times of crisis. The continued functioning of the sewer system during a disaster and restoration of service following a disaster ~~is~~ are essential.

The emergency response plan ~~will~~ focuses on preparedness for major disasters, such as an earthquake or flood, and on system response and recovery. It is not intended to address minor isolated system interruptions such as those caused by isolated main failures, blockages, and power outages. Standard operating procedures have been established to address these minor interruptions.

The emergency response plan ~~will~~ complies with applicable RCW and WAC requirements. There are no King County contractual requirements for an emergency preparedness plan. The plan defines the Utility's role in Bellevue's city-wide Emergency Operations Plan.

Reconstruction of damaged infrastructure should be to current codes and standards, and should be consistent with current Comprehensive Wastewater Plan Policies, to protect current and future customers, assure consistency with the City's long range plans, and ensure access to federal funds for reconstruction, where available.

Ownership of Side Sewers

The utility assumes ownership and responsibility for the structural integrity of all sewers, mainlines, and side sewers within public rights-of-way and for sewer mains within public easements. Private property owners continue to be responsible for the construction, maintenance and repair of that portion of the side sewer located on private property and any side sewer appurtenances, such as check valves. Private property owners also are responsible for any maintenance or repair associated with the use or misuse of utility-owned side sewers and mains.

Discussion:

The policy is consistent with the common customer perception that they own only that portion of the side sewer on their property, and it clarifies the customer responsibility for maintenance associated with system misuse (i.e. blockages).

The policy is consistent with the city's right-of-way use ordinance, which effectively prohibits privately owned facilities within public rights-of-way. It is also consistent with the franchise agreements the city has for areas within the service area that are outside Bellevue's corporate limits, in unincorporated King County, and the Points communities. The policy helps to assure that any work done in the right-of-way conforms to the standards of the local jurisdictions (for example, all work done within King County road right-of-way must be performed in accordance with the current King County Road Standards)

Comment [CoB2]: Revised policy to clarify that private property owners are responsible for the portion of their side sewer on private property. The changes clarify that the Utility is not responsible for side sewers within easements granted to the City for public sewer mains, including the lake line easements.

Initial attempts to clear side sewer blockages remains the property owner's responsibility. The utility will become involved only if cleaning/clearing attempts by the property owner's contractor fail, suggesting that the problem may be located within public areas. If the required repair is the result of a blockage, damage from trees on private property, or any other problem associated with the use of the line, the property owner will be responsible for costs associated with repair. Within the public right-of-way or easements, costs for repairs associated with structural integrity, such as cracking or collapse, are generally a result of poor original construction, other construction within the right-of-way, or root intrusion from trees in the right-of-way or easement, and are the responsibility of the utility.

Utility ownership of side sewers within rights-of-way and public easements increases utility control over the integrity of the collection system. This is beneficial for regional infiltration and inflow reduction programs, since a significant proportion of infiltration has been shown to occur in side sewers. While cleanouts at the property line would be useful for access, it is not cost effective to require their installation on existing side sewers, and the small percent of area which has yet to develop does not justify adding a new requirement to include cleanouts.

Service Reliability and Infrastructure Investment

The Utility shall invest resources as necessary to construct, maintain and renew sewer system infrastructure and equipment such that Utility customers are provided consistent, reliable service.

Discussion:

The utility shall provide sufficient maintenance and use appropriate operation practices to maintain or enhance the existing level of sewer service. Where operation and maintenance procedures are not sufficient or cost effective, capital projects shall be scheduled and funded to replace or rehabilitate sewer facilities.

The utility recognizes that over the long-term system renewal and replacement rather than increased maintenance response provides:

- More reliable customer service.
- Increased protection of the environment.
- Reduced likelihood of property damage and disruption to the community.

Consequently, the utility is committed to maintaining a strong capital investment plan that stresses continued high quality system performance. An example is the on-going sewer rehabilitation program. The utility should attempt to maximize the useful life of facilities and infrastructure by actively monitoring for problems, staying up-to-date on industry studies and research in this area, and by developing criteria for system replacement and renewal.

Comment [CoB3]:
The second half of this last sentence was deleted because it is an engineering standards issue which is more appropriately addressed in the engineering standards.

Wherever possible, the utility shall anticipate system interruptions and shall design and operate the system to minimize the impact of such interruptions to individual customers, the community, and the environment. For that reason:

- Emergency power capability ~~should be~~ is provided at all pump stations.
- To the extent practicable, equipment redundancy ~~shall be~~ is provided (i.e., provide facilities to pump maximum flow rates, even with one pump out of service).

Inflow and Infiltration Monitoring and Reduction

The Utility should reduce or eliminate Inflow and Infiltration (I & I) where it is a cost effective means of resolving a capacity problem within the City's sewer system.

Discussion:

The Sewer/Wastewater Utility will investigate areas where it suspects that Inflow and Infiltration (I & I) may be contributing to a capacity problem within Bellevue's sewer system. It will monitor these areas to quantify I & I. Where high I & I is found to occur, the Utility will attempt to identify the sources so that removal or reduction of I & I can be evaluated as a cost effective means of addressing the capacity problem in Bellevue's sewer system. The Utility will also work in cooperation with regional efforts to quantify and reduce I & I, if cost effective, with the goal of reducing demand on regional transmission and treatment facilities.

Discussion:

~~In most cases where I & I is a significant problem, the primary contributor is infiltration sources such as ground water entering through leaky pipes and manholes. Infiltration sources are typically very difficult to identify and eliminate. However, inflow sources such as direct connections of storm or surface water drainage systems to the City's sewer system are generally easy to identify and are strictly prohibited by City Code. Therefore inflow sources must be eliminated whenever these connections are identified. The owner of a storm or surface water drainage system illegally connected to the City's sewer system is responsible for the elimination of that connection.~~

The city's primary concern with I & I is related to the ability of Bellevue's sewer system to convey those flows. If sufficient system capacity is available, the cost of I & I reduction is generally difficult to justify at the local level. The Utility also recognizes that regional transmission and treatment facilities are impacted by local system I & I flows. The Utility will therefore cooperate with regional efforts to determine if I & I reduction is a cost effective means of reducing the increasing demand on regional facilities.

Service Area Policies

Redevelopment Thresholds for Payment of Connection Charges

Comment [CoB4]: Crafted a more concise policy statement. The original policy language was moved to the discussion section and is now the first paragraph of the discussion.

Comment [rt5]: Paragraph added to clarify that this policy is not in conflict with City Code requirements that all storm and surface water connections to the City's sewer system must be eliminated.

The Utility shall collect allocated costs for system improvements ~~to~~ from benefited properties if such property undergoes a substantial remodel or more significant improvement, or if an improvement creates a significant impact to downstream system capacity. For this policy, properties which undergo cumulative improvements from the time the charge is established which meet either condition are included. Authority to require payment, even in the case where no sewer permit or developer extension is required, ~~should be~~ is included in the sewer code.

Discussion:

The cost of system improvements constructed or planned by the city are allocated to benefited properties proportionately, to recoup all engineering and construction costs. "Fair share" fees are determined based on area and permitted density of development (zoning), since these parameters determine the sewer capacity that could be required by any property. The assessment is therefore based on the **capacity available** to a property, rather than the **actual capacity used** or required by development on the property.

Minor tenant improvements generally do not require substantial additional sewer capacity, and so do not trigger payment of the fees. However, development or substantial remodel at a site implies some use of the additional sewer capacity available to a site, and shall require full payment. Collection of a partial fee based on the proportion of available capacity actually used generally would not be appropriate since the utility would likely never recoup full cost, and the balance would be supported by the general rate base.

Land Use Code (LUC) 20.50.044 defines "Remodeling, Substantial" as construction which increases the floor area of an existing building or structure by at least 20 percent. It is a threshold that triggers many significant land use, street, and other utility requirements. Small improvements taken together can create a significant impact on capacity, hence the cumulative recommendation of the policy.

Properties are liable for full payment of all connection fees, regardless of whether they were initially developed, under-developed, or subsequently rezoned, since the charges are based on the sewer capacity that is or will be available to the property. Fees for any specific system improvement will only be collected once, regardless of the number of times the property redevelops. Direct facility charges are separate from, and in addition to capital recovery charges, latecomer agreements and other charges defined in the sewer code.

Septic Systems

New Septic Systems - In addition to King County requirements, the Utility should require connection to the City sewer system where practical. Where it is not practical, septic systems should be allowed provided there are no negative health or environmental impacts and if the owner agrees to connect to the City system when it becomes available.

~~Existing Septic Systems - Existing septic systems should be allowed to remain in service, provided that there are no health or environmental impacts. A management program should exist that will help homeowners insure that their septic systems are functioning properly.~~

Comment [CoB6]:

The deleted text recommended a program that falls outside the scope of utility services that the City provides.

Discussion:

The King County Health Department regulates the use of septic systems in King County, including Bellevue. Minimum design standards for septic systems are established by the state. The county may impose more stringent requirements at its discretion. The county requires new development to connect to public sewers if the development is within the urban growth area. The county also requires existing development that is within 200 feet of a public sewer to connect when repair or modification to the on-site septic system becomes necessary.

The county interest in regulating systems is to protect human health. In addition to health risks, failing septic systems can have an adverse effect on ground water quality in the form of phosphorus and nitrogen build-up.

Both state and county regulations imply the preference of a municipally owned collection system over privately owned septic systems. However, the regulations make no attempt, other than the 200-foot requirement, to establish economic parity between the two options. Further, the regulations do not consider the likelihood of a municipally-owned collection system being installed at some future date. This policy addresses these issues and allows homeowners and the city to work cooperatively to determine which system can best serve the homeowner and/or the surrounding neighborhood, as well as the timing of proposed system extensions.

The county regulates existing systems by responding to known or reported cases of improperly functioning or failing systems. Generally these systems are only identified by odor or visual evidence of surface sewage. Failing systems must connect to a collection system when practical, install a new system or rehabilitate the existing system to county standards. The two most likely causes of failing septic systems are improper use and failure to pump out sludge build-up at regular intervals. Proper use and regular pumping of septic systems are the most cost effective ways of protecting the ground water resource. This maintenance also prevents costly repairs or replacement of the septic systems by homeowners.

~~To minimize the likelihood of septic system failures, the utility works cooperatively with the county and septic owners to provide a low cost septic system management program. The program provides education on the proper use and maintenance of septic systems and should notify owners when septic tank pumping is advised.~~

Comment [CoB7]:

The program referenced in the last paragraph of the discussion has been discontinued. Therefore the paragraph was deleted.

Service Extension

Sewer system service extension by Bellevue will be considered, provided the area to be served is within the Bellevue's existing sewer service area and the extension of service is consistent with adopted annexation policies. Service extension by Bellevue may be considered under such conditions only if the Bellevue's costs are recovered and sufficient financial resource is available.

Discussion:

In 1979, Bellevue reached agreement with Renton and Issaquah, identifying sphere of influence limits. These limits established ultimate annexation boundaries. Since that time, a portion of this sphere of influence line has been eliminated by the incorporation of the City of Newcastle. Because it is most efficient and economical for the City to provide services to city residents, the ultimate sewer service area coincides with the sphere of influence boundary.

This policy is consistent with the Utilities Element of the City Comprehensive Plan, which states that the City ~~should be the service provider within the city limits recover all costs related to the extension of services (Policy UT-8). This policy (the previous UT-8) also recognizes the requirements of the Growth Management Act.~~

Property owners are responsible for extending sewer service to their property. The city may extend the system to assure orderly system development, in which case, benefited property owners would be responsible for an equitable share of extension costs. Sewer system extensions must be constructed to current city standards.

Bellevue Initiated Assumption of Sewer Districts

Bellevue will seek to assume the operation of a sewer district when the City Council determines that the assumption is in the best interest of the City and the assumption is consistent with the City's Comprehensive Plan, and will do so as permitted by state law.

Discussion:

It is Bellevue's policy, as stated in the City's Comprehensive Plan, to own and operate all publicly owned utility systems within the city limits unless circumstances otherwise dictate.

Water Quality Policies

Comment [CoB8]: Added language to the last sentence of the policy statement to make it consistent with the same policy in the Water Comprehensive plan.

Comment [CoB9]: The City's Comprehensive Plan has been updated and the previous Policy UT-8 cited here has been removed. However, the current UT-8 policy is applicable and is now cited here.

Effluent Pretreatment Requirements

All non-domestic utility customers should be required to implement Best Management Practices (BMPs) to ensure effluent meets established standards.

Discussion:

Requirements for biological, chemical or mechanical pretreatment devices or other on-site system improvements ~~should be~~ are related to the quality and quantity of the effluent produced rather than some threshold amount of redevelopment occurring on a site. Any proposed tenant or site improvement creates an opportunity for review of potential effluent quality impacts. Where detrimental impacts exist, the utility should impose requirements which will result in effluent quality that meets established local, county, state, and federal standards. The utility recognizes that BMPs mean requiring implementation of the Most Practical Technology; that is, the most appropriate technology for any given circumstance.

Existing customers who are not proposing system improvements are still obliged to practice BMPs. A proactive approach involving education and training in the use of biotechnology or other technologies should be used wherever such technology is likely to preclude damage to Bellevue's collection and pumping systems. Enforcement actions by the utility should be authorized by the city sewer code and taken whenever a violation is discovered if compliance is not otherwise obtained.

To date the program has focused on non-domestic users, since Metro standards don't apply to residential customers. Generally, for fats oils and grease (FOG) problems, this has meant food handling and automotive types of businesses. If there is potential for a significant benefit to be realized by implementing pretreatment in high density residential locations, a pilot program could be developed to measure the effectiveness of such measures.

Industrial Discharge Monitoring

Bellevue will continue to rely on King County to regulate and enforce industrial discharges. Bellevue's focus will be to protect the local system components. Consequently, Bellevue should retain Code authority as necessary to protect the integrity of the local sewer system.

Discussion:

The City is responsible for the construction, maintenance and operation of all local sewerage facilities and for all costs incident to the collection and delivery of sewage to King County. Bellevue is obligated by contract with King County to deliver all sewage and industrial waste collected by the City, and King County is obligated to accept the sewage delivered for treatment and disposal subject to such reasonable rules and regulations as may be adopted by the King County Council. Those rules are contained in King County Code Title 28. Because King County is the permitted discharger of treated wastewater into state and federal waters, it is the only agency authorized to enforce federal and state standards for industrial users (all non-domestic). Ordinance 11034 specifically excludes participant local

agencies who collect domestic and industrial waste and convey such waste to King County, from the discharge requirements, thus limiting the City's liability for discharge in violation of regulations.

As owner of the collection system which delivers waste to King County, Bellevue should actively monitor the impact of regulated sewage on the local system and should be authorized to take enforcement action when necessary. Program activities currently might include continuing the polar/non-polar FOG monitoring program, reviewing summary reports of King County monitored discharge, and periodically inspecting sewer mains which receive industrial effluent.

Bellevue should continue to rely on King County as principal enforcer of state and federal standards. King County ~~should be~~ is made aware of any suspected discharge violations. Where violations have occurred that are detrimental to the local system, Bellevue ~~should~~ notifies King County to take appropriate enforcement action. Bellevue should take any necessary steps to protect the integrity of the local system and must have the code authority to do so.

Regional Policies

Regional, State, and Federal Policy Involvement

The Utilities Department shall seek to:

- **Accomplish the City's environmental goals to promote a healthy environment, public safety and a strong economy, essential to maintaining the city's and region's quality of life;**
- **Ensure reasonable and prudent fiscal policies on behalf of ratepayers;**
- **Ensure regional, state and federal requirements are fiscally prudent and achievable; and**
- **Maintain local control and flexibility in policy/program implementation.**

The Utilities Department's role is to develop proposed guiding principles/interests for Council approval. Pursuant to Council direction, the Utilities Department role in monitoring, influencing, developing and implementing regional, state, and federal wastewater requirements, policies and programs may include:

- **Influencing legislation through lobbying and written/verbal testimony;**
- **Participating in rule-making;**
- **Reviewing technical documents;**
- **Serving on regional forums and coalitions, advisory committees and work groups; and**
- **Providing technical and staff support for Council members serving on regional, state, or federal wastewater committees.**

Discussion:

The Utilities Department has participated in the development and implementation of regional, state, and federal wastewater requirements, policies and programs for a number of reasons:

- The City has a direct interest in helping shape regional, state and federal wastewater mandates because they affect utility costs, can result in rigid programs that preclude more creative or effective local ones, or can result in requirements that are impossible to meet.
- The City has been looked to as a significant stakeholder with regard to the updating and revision of regional and state wastewater requirements and therefore has had an opportunity to serve as a technical resource and participant in shaping requirements, policy and programs to benefit the City.
- The City benefits from learning about the experiences and technical expertise of others.

The Utilities Department's role in developing regional, state, and federal requirements, policies and programs varies from influencing legislation, rules, and policy to sharing technical information and participating in technical peer review groups, advisory panels, and joint studies. Through its involvement, the Utilities Department seeks to achieve the City's goals while keeping down costs to utility rate payers and maintaining local control and flexibility.

Table 1: Planning Criteria Summary and Comparison

Planning Criteria	Bellevue 2002	Bellevue 2010	Redmond 2009	Issaquah 2002	Kirkland 2012	Coal Creek 2012 (draft numbers from comp plan update)
Average Daily Flow per Resident (gpcd)	70	65	58 & 69	47 & 68	103	73
Residents per Single Family House	2.8	2.7	2.53	2.66	2.3	2.6
Average Daily Flow per Single Family House (gpd)	196	176	175	125 & 180	237	188
Residents per Multi-family Unit	1.8	2	2.07	1.73	1.94	1.7
Average Daily Flow per Multi-family Unit (gpd)	126	130	120	82 & 117	200	128
Square Feet per Employee	250	285 & 375*	---	---	---	---
Average Daily Flow per Employee (gpcd)	20	25	---	---	8 - 20	---
Peak Daily Flow / Average Daily Flow	2.5 - 4.0	2.0	---	---	2.0	2.6
Peak Inflow & Infiltration Flow Rate (gpad)	1100	1100, observed	1100, observed	1100	observed	1100

Notes: * 285 SF/Employee is for downtown; 375 SF/employee is for all other areas.

Table 2: Downtown (DNTN) Bellevue Planning Criteria

Zoning District	Description / Encouraged Uses*	Population Equivalent per Acre 2002	Population Equivalent per Acre 2009
DNTN-MU(A)**	Multiple Use District / retail, office, residential	260	280
DNTN-MU	Multiple Use District / retail, office, residential	325	365
DNTN-O-1	Office District (most intensive) / office	400	400
DNTN-O-2	Office District (intensive) / office	275	280
DNTN-OB(A)**	Old Bellevue District / retail, residential, office	260	280
DNTN-OB	Old Bellevue District / retail, residential, office	365	365
DNTN-OLB	Office & Limited Business District / office, retail	200	200
DNTN-R	Residential District / residential	365	365

Notes: * all downtown zoning districts allow office, retail and residential uses but some districts encourage certain uses.

** subdistrict A is located along the perimeter of downtown and imposes additional limits to development densities

Definitions

- gpcd - gallons per capita (person) per day
- gpd - gallons per day
- gpad - gallons per acre per day