

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

Thursday  
January 6, 2011  
6:30 p.m.

Conference Room 1E-112  
Bellevue City Hall  
Bellevue, Washington

**COMMISSIONERS PRESENT:** Vice Chair Keith Swenson; Randy Cowan, Ticson Mach, David Mahon (arrived at 6:38 p.m.) Jim Roberts and Calvin Wang

**COMMISSIONERS ABSENT:** Chair Brad Helland

**OTHERS PRESENT:** Wes Jorgenson, Christina Brown, Laurie Devereaux, Tom Spille

**MINUTES TAKER:** Laurie Hugdahl

**1. CALL TO ORDER**

The meeting was called to order by Vice Chair Swenson at 6:32 p.m.

**2. ORAL COMMUNICATIONS - None**

**3. APPROVAL OF AGENDA**

**Motion made by Commissioner Wang, seconded by Commissioner Roberts, to approve the agenda. Motion passed unanimously (5-0).**

**4. APPROVAL OF MINUTES**

- December 2, 2010 Regular Meeting Minutes

Mr. Jorgenson referred to the second line of the fourth full paragraph on page 6 and noted that the duplicate *that* should be deleted.

Commissioner Wang referred to page 10 and recalled that he had commented on the emergency response policy on line 25 that needed to be deleted and staff agreed to delete the line. Mr. Jorgenson commented that they had attempted to capture all the comments from that meeting in the minutes, but there was a problem with the recording and they had to go strictly from notes. He added that there would be another opportunity for comments when the policies come back.

**Motion made by Commissioner Roberts, seconded by Commissioner Cowan, to approve the December 2, 2010 minutes as corrected. Motion passed unanimously (5-0).**

## 5. REPORTS & SUMMARIES

### a. ESC Calendar/Council Calendar

The calendar was included in the work plan discussion.

### b. Desk Packet Material (s)

Mr. Jorgenson reviewed the desk packet which included a modified calendar and draft Standard Operating Procedures for voting for officers.

### c. Well KEPT Program Update

Christina Brown, Park Ranger for City of Bellevue, discussed the Well KEPT Program (Kids' Environmental Project Training). The program began in 1987 and is managed by Bellevue Parks and Community Services Dept. This is often the first job for many youth aged 14-18. Goals of the program are education, job skills, and conservation training. The program provides youth training in ecological restoration, landscape maintenance, and natural resource management.

Environmental professionals are brought in once a week at workshops which cover a host of topics such as soil conservation, the importance of removing invasive species, and healthy stream habitat. This is coupled with real life skills such as resume writing, job interviewing skills, and financial management. In addition to this the staff encourages positive traits such as work ethic, cooperation, safe work practices, leadership and responsibility. (Commissioner Mahon arrived at 6:38 p.m.) Projects they have worked on include farm maintenance, nursery plant propagation, invasive species removal, pruning, and trail renovation. The program provides a valuable community service by improving Bellevue city parks, gaining job and life skills, having fun, and building lasting friendships.

Vice Chair Swenson asked how the students are selected. Ms. Brown replied that the only requirements they have are that they are Bellevue residents and enrolled in high school. They generally receive about 60 applicants who go through an interview process. Selection is gauged on their enthusiasm, interest in participating in the program, and their ability to commit to the program.

Commissioner Roberts asked if this is run under the Parks Department. Ms. Brown confirmed that it is. Commissioner Roberts was surprised that they hadn't heard about it earlier. Ms. Brown noted that it's difficult to get the attention of the media.

Wes Jorgenson asked about overlap between the Stream Team and the Well KEPT program. Laurie Devereaux discussed how the two programs cooperate and share resources.

Commissioner Cowan asked about the number of kids who participate each summer. Ms. Brown explained that there are two teams of ten each with two supervisors per team. She noted that they can always be recognized by their blue shirts.

d. Stream Team Update

Laurie Devereaux, Stream Team Program Administrator discussed the Stream Team. She explained that the team is composed of volunteers; she is the only staff person.

There were three restoration projects this year with 59 volunteers doing 123 hours of work and 372 plants installed. The three projects were Earth Day/Arbor Day at Lewis Creek, a salmon incubation project at Kelsey Creek, and an Eagle Scout project. Monitoring for fish was done by 146 volunteer salmon watchers accomplishing 374 hours of work. 725 site visits were made by volunteers to the streams and volunteers talked to 211 citizens. Peamouth Patrol happens in the spring. Macroinvertebrate sampling is done in August to determine water quality.

Education and outreach is a huge part of the Stream Team. Last year they worked with nearly 4,000 people that attended classrooms, presentations or a variety of events. There were 82 different classes and events. These included Bellevue Breakfast Noon Rotary, Master Naturalists, and elementary school science fairs. Outreach is accomplished through effective communication, which is based on solid research and knowing your audience; education; and trying to get people to adopt behaviors that prevent pollution. The City collaborates with neighboring cities in order to share the expense of research and outreach to get message out further (i.e. – bus ads). Puget Sound Starts Here is the regional effort for all of Puget Sound. Commissioner Roberts asked if Metro does bus ads as a public service. Ms. Devereaux explained that they do not because they contract their bus advertising out to Titan. Titan, however, has given the City some great deals.

The Kelsey Creek outreach campaign used King Conservation District grant money and targeted all single-family and multifamily residents within the Kelsey Creek watershed. The 2005 Residential Surface Water Quality Surveys was a phone survey between Bellevue, Redmond, and Shoreline that focused on behaviors, barriers, and motivators. Key findings were that a lot of people didn't know where stormwater goes. People wanted to know that their actions make a difference. Barriers were largely lack of convenience and insufficient knowledge. The 2008 Focus Group also included Bellevue, Redmond and Shoreline, but also added Kirkland. With the group they tested words, messages, slogans, and images. Key findings were that the pesticide facts were really compelling. The *Our Stream Starts Here* tagline works. They also found that they need to be careful with terminology so that people understand. Other surveys and data by Bellevue and others are also used such as Snohomish County pet waste information, Bellevue's car washing data and census data.

Part of the planning for the project included choosing measurable objectives. Their objectives were to reach every residence within the Kelsey Creek Watershed with pollution prevention messages; promote behavior changes that apply to the majority; and achieve at least a 5% return of pledge cards. The pledge cards increase behavior changes and allow us to measure responses. 500 (5%) were returned which is a significant number for a direct mail project even with good incentives like a free car wash, free bag of compost, pet waste bag dispenser, and a chocolate fish. Commissioner Roberts commented that 5% returned seemed like a low number. Ms. Devereaux agreed that it seemed low, but noted that marketers actually consider this a very good response.

Commissioner Roberts asked if citizens could go to the website and take the same pledge. Ms. Devereaux replied that they could not take the pledge on the website, but she did provide a website with a lot more detail on all the information on the brochure because in focus groups they found that some people looked at it and wanted to go online to find more information. What they found was that no one went to the website. Next time she will just provide a generic website and not a new one for every watershed.

She entered this campaign and all the details about it for the Public Relations Society of America's Totem Award which is for excellence in communication. They have either received a Certificate of Excellence or the actual Totem Award, but they won't know until early February. Because of the success of the program they will apply the Watershed Outreach Campaign to Coal Creek then to other basins as long as money and time allow. The leftover money from the grant was used to purchase more incentive items so those will be ready for the Coal Creek project. Some other cities have already talked to Ms. Devereaux about repeating the 2005 survey to measure if there has actually been a change in the community about what people believe and understand and what their current behaviors are. They have also had another city express interest in joining the group, which will reduce costs. The regional efforts will also continue.

Commissioner Roberts asked if people eat the Peamouth. Ms. Devereaux said that they are not a great sport fish, but kids like to fish for them off docks. They live 11 to 14 years and produce a huge amount of biomass in Kelsey Creek and the lake when their eggs hatch. She believes they are a big part of the ecosystem out there. She noted that their juveniles are migrating to the lake at about the same time the salmon are making their way out toward saltwater. She thinks this probably helps to take pressure from predators off some of the salmon.

Commissioner Roberts said he had noticed turtles in Lake Washington. He asked if any of them come up the streams. Ms. Devereaux said that they do and that they also sometimes come down streams when people release their turtles or they escape. She commented that they are easily seen on Mercer Slough on a sunny day.

Commissioner Wang asked if the storm drain markers have been done on all the drains. Ms. Devereaux said they have done about 13,000 of approximately 20,000 and are working to complete them all. She added that they are working this year with the Bellevue Noon Rotary to mark a bunch of their private drains. Commissioner Wang commented that this is a good project.

Commissioner Wang asked about the terminology sewer and storm drain. He noted that in the “old days” they used the terms *sanitary sewer* and *storm sewer*. Ms. Devereaux agreed that they need to educate the general public.

Commissioner Cowan asked if they are involved in any permitting issues as far as future development and the impacts on the streams. Ms. Devereaux stated that they are not, but they have offered classes for streamside land owners to teach them about being good stewards of the stream. She has also worked to develop the Critical Areas Handbook which is a tool that property owners can use if they are doing any development in critical areas.

e. Solid Waste Contract Annual Performance Review

Tom Spille, Solid Waste Program Administrator stated every year they do a performance review of the contract which includes a survey of all customers and a contract compliance audit. The contract is with Allied Waste and runs from June 2004 through June 2014. The City has extended it the full three years from the original seven-year contract. The review period for the annual review is June 2009 through June 2010. The results show that the customer satisfaction is generally high and the contractor is in compliance with all but one relatively minor item in the contract.

Contract Performance Survey conducted in September 2010 contains two customer surveys: single family and multi-family /commercial. The same questions are asked from year to year so that they can compare and have a trend. There is an established satisfaction rating that the contractor needs to achieve to be in compliance. The 2010 overall satisfaction for residential is 97% which is quite unheard of. Satisfaction rating in 2010 is highest rating ever. There are six questions regarding: knowledge of customer service, telephone courtesy, responsiveness to phone inquiries, quality of work by collection crew, response time for a requested cart, and response time after a missed collection. The 2010 overall satisfaction level for commercial was 93% which is relatively unchanged over the last five years.

Vice Chair Swenson asked what happened from 2007 to 2008 to explain the jump in scores. Mr. Spille explained that during that time Allied’s management changed and the current staff is an improvement over some of the previous staff. Also, there was change in consultants that did the survey. One group did the survey from 2005 to 2007; another group did 2008 to 2010. The methods and questions were the same, but the results are quite different.

He pointed out that numbers on the commercial survey went down slightly from 2009 to 2010, but all the numbers are within the margin of error. Statistically speaking, the numbers for satisfaction could actually be higher. Mr. Jorgenson commented that the numbers are still relatively high. Mr. Spille concurred and noted that this was just a curious thing.

The Contract Compliance Audit reviewed compliance with 37 contractually required procedures. The audit included on-site visits, interviews, and review of records. One issue was identified and will be corrected by Feb 1, 2011.

Commissioner Roberts asked what the issue was. Mr. Spille explained that it involved customer service monitoring. The requirement is that the contractor must have a city-approved customer service monitoring program. What they learned is that the contractor's secret shopper program is inadequate and not approved by City. In response to this Allied must correct the deficiency by Feb 1, 2011 or face a penalty of \$250 per day until standards are met for 10 consecutive business days. Allied is currently working to correct the issue. Commissioner Roberts asked why this came up this year. Staff from Allied commented that previously they had a solid waste contract in Seattle and did an interchange with that customer service group doing secret shops between the two. When they lost the contract that fell apart.

Mr. Spille summarized that they continue to have very high customer service satisfaction. There is near complete compliance with contract provisions with one issue to be resolved by February 1, 2011.

Vice Chair Swenson asked if the yard waste goes to Cedar Grove. Mr. Spille said that it did. Vice Chair Swenson asked which facility it goes to. Mr. Spille replied that it goes to both facilities. Commissioner Cowan asked where landscape contractors yard waste goes. Mr. Spille explained that they take it independently to the Cedar Grove site. Some transfer stations also take yard waste.

Commissioner Roberts commented that he had expected that the trucks would have been painted blue by now. Staff from Allied commented that they will be completely converted this year. Allied bought 19 CNG (Compressed Natural Gas) vehicles in 2010 and will be adding an additional 23 to the fleet next year. Almost half of the fleet will be CNG vehicles. Mr. Spille commended Allied for this action as it was not required by the City. Another thing they are doing to reduce noise in downtown Bellevue is using plastic dumpsters.

Commissioner Roberts asked if Allied still goes around to the parks as a public service. Allied Waste representatives replied that they do. Commissioner Roberts expressed appreciation for this.

f. Work Plan Discussion

Mr. Jorgenson reviewed the proposed work plan. He stated that the Commission is invited to let staff know if there are items they want to know more about as staff is willing to modify this.

Commissioner Wang referred to recent public comments regarding Phantom Lake and requested that staff give a presentation on this issue. Mr. Jorgenson explained that the legal department is involved in determining the public/private responsibility issue right now. He discussed some difficulties associated with the development around this lake.

Commissioner Roberts added that this is a private lake and the community has kept it private. They are one of the two communities we have that still have septic tanks. Commissioner Wang commented that he heard that over the last couple years some additional work was done in the area that had an effect on the lake. Mr. Jorgenson explained that the City did do a project between Phantom Lake and Larsen Lake back in the 80's or 90's. The contention that was raised at a previous ESC meeting by one of the individuals was that that project has adversely impacted Phantom Lake. He does not think that is an issue that this commission can resolve because it is more of a legal question. He also thinks it is predominately a desire by private entities to have the City take on responsibility for parts of their system. The City's contention is that there are no easements; it is a private facility.

Commissioner Wang asked if the City has any responsibility for taking care of the outlet of the stream. Commissioner Roberts stated that they do not if it is on private property. Mr. Jorgenson concurred. He added that approximately 20% of Bellevue's streams are public and approximately 80% of the system is private. If the City was responsible for those situations we would have a huge liability for not just Phantom Lake but a whole lot of streams. Commissioner Roberts explained that over the years the City has invited them to form a private LID to do things like that and they have refused.

Vice Chair Swenson asked if someone could change a stream from private to public like they can do with streets. Mr. Jorgenson replied that the City would have to determine if there was a public benefit that would make them want to take on the responsibility for an open stream. Commissioner Roberts stated that he looked at a house there in 1979 and the lake was already dark brown and looked like it was dead at that time. Mr. Jorgenson added that it is a peat lake. He restated that the issues the residents have raised are not issues that the Commission can address. Legal is looking at all of the issues they have raised.

Commissioner Mach pointed out that this item is not going to go away and it might be a good idea to put together some information for the benefit of the Commission even if there is nothing they can do about it. Mr. Jorgenson said that

staff is putting together something for the Council and can try to make sure that the Commission receives this as well as some additional background information in their desk packets. Commissioner Wang thought that a presentation would be more helpful than receiving a memo. Mr. Jorgenson expressed concern about the Commission's role in this and about opening this up again. Commissioner Wang suggested that the legal staff might be able to provide some background information to the ESC. Even though the Commission may not officially be involved in this situation, but the information could help the Commission deal with other similar situations.

Commissioner Wang brought up the issue of Sunset Creek. Mr. Jorgenson commented that one of the drivers for what they're doing there is flood control. He discussed situations where they have gone in to address problems that fall within the broader goals of the utility such as flood control or environmental purposes. Commissioner Wang asked how this related to Phantom Lake. Commissioner Roberts emphasized that they have had a heavy rainy season which is the reason the Phantom Lake residents are having difficulties with their yards. He commented that during the dry season their yard will dry out again. The lake goes up and down and their outlet is what controls how high it can go. If they don't clean it out then it's going to go higher. Commissioner Wang noted that this sounds like a maintenance problem. Mr. Jorgenson commented that the discharge could be called a flood control facility, however the type of flooding that is occurring at Phantom Lake would not rate very high on the City's priority list. He stated that if there is a facility that's private and the flooding is exacerbated because it's not being maintained, the City does not think they should step in and address it. If in fact they were maintaining the facility, but there were structural flooding problems, the City might take a more active role. Right now there is clearly maintenance that needs to be done on their culvert.

Vice Chair Swenson referred to the work program and expressed concern about the Storm and Surface Water Comprehensive Plan. He stated that he is very apprehensive about the City's vulnerability regarding the Storm Comprehensive Plan. His concerns specifically involve the issue of policy planning. He commented on the variety of ways the language is handled between different elements. He stated that Bellevue, and especially the Utilities department, is extremely well operated, but this makes it all the more vulnerable from his perspective. He raised the question, "Why has it taken since 1994 until now to get revised policies?" He has many questions that he would like to raise about the plan and asked if there might be an opportunity to meet with staff prior to the next meeting so as to use the Commission time most efficiently. Mr. Jorgenson thought that this was an excellent idea. Vice Chair Swenson indicated that he would contact staff to arrange an appointment.

There was some discussion about giving those commissioners who are interested in a tour of Phantom Lake after legal has concluded their work. Commissioner

Roberts and Wang expressed interest in this in order to get a broader background of Phantom Lake especially as it occurs to other areas.

There was some discussion about the Newport Shores issue and other stormwater issues related to developments. Mr. Jorgenson discussed the role of the planning department in development issues. Vice Chair Swenson stated that the City's policies need to be succinct and well-stated in this regard.

Commissioner Mach commented that for the long-term education of the Commission it would be useful to have more information about the issues surrounding Phantom Lake. Mr. Jorgenson asked how many commissioners had gone through the stormwater history education. Only Commissioner Roberts had been through this. Mr. Jorgenson indicated that perhaps they could educate the Commission on the broader aspects of stormwater rather than focusing only on Phantom Lake. Commissioner Roberts stressed that eight years ago the ESC was telling the City's Utilities Department that they didn't think stormwater was adequately funded.

Commissioner Wang asked if the Stream Team and the Well KEPT programs' budgets were affected by cuts. Mr. Jorgenson stated that they were not. Staff has determined that the value of the programs far exceeds the costs that we put into it. There was discussion about the importance of getting people to value stormwater.

Commissioner Roberts requested that staff let them know which notebook to bring to meetings. Mr. Jorgenson stated that the Stream Team budget was not cut, but did not know about the Well Kept Program because it is in the Park's Department's budget. He noted that for the next meeting they should bring the Storm and Surface Water Comprehensive Plan notebook.

Mr. Jorgenson referred to Chair Swenson's request that the Solid Waste Contract Program Design Issues be brought to the Commission in May so he could be part of the discussion. Mr. Jorgenson explained that they would not be able to do that because it is well before they are ready to start having those conversations. The other reason is that the people that really need to be here for the discussions are the new commissioners because that is the group that will be carrying on the discussion. Mr. Jorgenson emphasized that the work plan is subject to modifications, but the one thing that probably will not change is the CIP tour. There were no further comments on the work plan.

#### Election Process:

Staff presented draft Standard Operating Procedures. Commissioner Roberts thought they looked good.

**Motion made by Commissioner Roberts, seconded by Commissioner Wang, to adopt the Standard Operating Procedures. Motion passed unanimously (6-0).**

Vice Chair Swenson asked about circumstances that would precipitate executive sessions. Mr. Jorgenson stated that the executive sessions are limited to very isolated circumstances. They could have to do with issues such as entering into an agreement that has to do with money or potential lawsuit issues. He stated that executive sessions with the ESC are extremely limited.

**6. NEW BUSINESS - None**

**7. DIRECTOR'S OFFICE REPORT**

Covered above in work plan discussion.

**8. CONTINUED ORAL COMMUNICATIONS - None**

**9. EXECUTIVE SESSION - None**

**10. ADJOURNMENT**

**Motion made by Commissioner Roberts, seconded by Commissioner Cowan, to adjourn the meeting at 8:00 p.m. Motion carried unanimously (6-0).**