

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Meeting

May 12, 2026
6:00 p.m.

Council Chambers
Bellevue, Washington

PRESENT: Mayor Malakoutian, Deputy Mayor Hamilton and Councilmembers Bhargava, Briar, Nieuwenhuis, Robinson and Sumadiwirya

ABSENT: None.

1. Call to Order

The meeting was called to order at 6:05 p.m., with Mayor Malakoutian presiding.

2. Roll Call; Flag Salute

City Clerk Charmaine Arredondo called the roll and all Councilmembers were present¹. Councilmember Robinson led the flag salute.

(a) Asian American, Native Hawaiian and Pacific Islander Heritage Month Proclamation

Councilmember Sumadiwirya read the proclamation recognizing May 2026 as Asian American, Native Hawaiian and Pacific Islander Heritage Month in Bellevue. She encouraged everyone to learn about and celebrate the leadership, resilience and cultural heritage of the AANHPI community, both past and present.

Boliver Choi, a member of the Bellevue Diversity Advisory Network (BDAN), thanked the Council for the proclamation. He commented on the contributions of the AANHPI community and their assistance to fellow immigrants. He noted the upcoming community health and resource fair on June 24 at the North Bellevue Community Center.

Conrad Lee, former Bellevue mayor, commented on the value of diversity in the community. He thanked the Council for the proclamation.

(b) National Public Works Week Proclamation

Councilmember Briar read the proclamation recognizing May 17-23, 2026, as National Public Works Week in Bellevue and encouraged everyone to appreciate the important contributions of public works professionals providing essential services.

¹ Councilmember Briar arrived immediately following roll call.

Lucy Liu, Director, Utilities Department, and Mark Poch, Deputy Director, Transportation Department, thanked the Council for the proclamation and commented on the work of public works staff.

(c) National Police Week Proclamation

Councilmember Nieuwenhuis read the proclamation recognizing May 10-16, 2026, as National Police Week in Bellevue. He encouraged everyone to honor the service and sacrifice of law enforcement officers and their role in ensuring a safer, more resilient community.

Captain Benjamin Jones thanked the Council and the community for their support of the Bellevue Police Department. He recalled the service of Jordan Jackson and Thomas Wray who died in the line of duty and said a group of Bellevue police officers will participate in the Police Unity Tour, a 250-mile bike ride in the Washington, D.C., area to honor fallen officers.

(d) Older Americans Month Proclamation

Councilmember Bhargava read the proclamation recognizing May 2026 as Older Americans Month in Bellevue and encouraged everyone to recognize the resilience, wisdom and contributions of older adults and to celebrate aging as a valued and dynamic stage of life.

Shilpa Mehta, a member of the Bellevue Network on Aging, thanked the Council for the proclamation. She commented on the importance of prevention, wellness and personal responsibility as we age. She encouraged older adults to participate in activities at the North Bellevue Community/Senior Center and the broader community including the performing arts, social engagement and lifelong learning.

3. Approval of Agenda

→ Deputy Mayor Hamilton moved to approve the agenda, and Councilmember Nieuwenhuis seconded the motion.

→ The motion carried by a vote of 7-0.

4. Oral Communications

City Clerk Arredondo said the total time for oral communications is for a period not to exceed 30 minutes and topics must relate to City of Bellevue government. Individuals speaking to items on the agenda will be called first and if time remains, others will be called. The presiding officer is authorized to give preference to individuals who have not spoken to the Council within the past 60 days or who are speaking to items that will come before the Council in the upcoming 60 days. Each speaker is allowed up to three minutes to speak and a maximum of three speakers are allowed to speak to any one side of a particular topic. In compliance with Washington state campaign laws regarding the use of public facilities, no speaker may support or oppose a ballot measure or candidate.

- (a) Nadine He, representing Democratic Socialists of America (DSA), urged the Council to reject Ordinance No. 6917 which she said is a troublesome restriction on political speech critical of elected officials.
- (b) Tony Andrews, a Bellevue resident, expressed opposition to Ordinance No. 6917 as a threat to the First Amendment, a cornerstone of our democracy. He expressed concern that any group of three or more people in a residential area could be treated as criminals.
- (c) David Ellenhorn, a Bellevue resident, thanked the Council for considering the adoption of Ordinance No. 6917, which will prevent the intimidation of people in their homes. Noting that he is an active member of the Jewish community, Mr. Ellenhorn said people have a right to feel safe in their own homes.
- (d) Joseph Ostheller, a member of the Seattle Against War organization, said he works in Bellevue. He expressed concern regarding the potential impact of Ordinance No. 6917 on the exercise of free speech to protest public officials.
- (e) Laura Bachman, representing the owners of Overlake Farm, expressed support for the legislative rezone of a portion of the Overlake property, consistent with the Future Land Use Map approved in the 2024 Comprehensive Plan. She encouraged City staff to study the Planned Unit Development (PUD) code amendments that will enable larger properties to consolidate development, with modest height increases, to ensure the preservation of trees and open space.
- (f) Carla Capponi expressed concern regarding the number of campaign yard signs throughout her neighborhood and the community despite a Bellevue ordinance stating that the signs are to be removed following elections.

As Ms. Capponi began to comment on free speech rights, Mayor Malakoutian reminded her that the Council had already heard three commenters regarding that topic. He warned her that she would be escorted from the meeting if she continued to ignore his request that she stop speaking. Mayor Malakoutian issued second and third warnings, which were ignored, and asked Ms. Capponi to be escorted away from the speaker's table. Ms. Capponi was allowed to remain in the meeting room.

- (g) Ian Morrison, McCullough Hill, spoke on behalf of Overlake Farms and expressed support for City staff's recommendation regarding the PUD amendment. He said this is the culmination of many years of work by the Council and staff to implement policies in the most recent Comprehensive Plan update in 2024.
- (h) John Meyer spoke in favor of Ordinance No. 6917, noting that he has witnessed groups of individuals who have gathered multiple times around an elected official's home. While he has attended political protests, at those events there were official announcements asking people to de-escalate situations and to be respectful of others. He said groups protesting outside individuals' homes in Bellevue have included people in masks and

others who have set fire to flags and vandalized officials' homes in the middle of the night.

- (i) Pamela Johnston expressed concern about increasing density and taller building heights in all areas of the community. She encouraged the City to better educate the public regarding land use amendments and their potential impacts, and to preserve the wedding cake development pattern of the downtown.
- (j) Al Dietemann expressed concern regarding King County's sewer rates, including fixed charges, which are passed on to Bellevue customers. He encouraged King County to explore alternative technologies and to enhance the transparency of their rates.
- (k) Barbara Hughes expressed concern regarding the proposed development at Overlake Farms with a higher density and taller building heights than previously planned. She said the development is inconsistent with the Bridle Trails neighborhood and expressed concern about environmental and traffic impacts.

5. Reports of Community Councils, Boards, and Commissions: None.

6. Report of the City Manager: None.

7. Council Business and New Initiatives: None.

8. Consent Calendar

→ Deputy Mayor Hamilton moved to approve the Consent Calendar, and Councilmember Nieuwenhuis seconded the motion.

→ The motion to approve the Consent Calendar carried by a vote of 7-0, and the following items were approved:

- (a) Council Minutes
Minutes of April 28, 2026 Regular Meeting
- (b) Motion to award Bid No. 26022 for the Water Main Replacements 2026 Phase 2 & PRV project to Kar-Vel Construction, as the lowest responsible and responsive bidder, in an amount of \$4,615,958.25, plus all applicable taxes (CIP Plan Nos. W-16 & W-67).
- (c) Ordinance No. 6916 relating to zoning within mixed-use areas within the City; Amending the land use designations for five parcels located within mixed-use areas within the City for consistency with revisions to the City's Comprehensive Plan and the Housing Opportunities in Mixed-Use Areas (HOMA) Land Use Code Amendments; providing for severability; and establishing an effective date.

- (d) Resolution No. 10631 authorizing execution of a five-year General Services contract in an amount not to exceed \$513,759.15, plus all applicable taxes, with Guardian Security Systems Inc. for 24/7 fire and security alarm monitoring, annual testing, system maintenance, partial and/or full replacement of system components as needed at all Parks & Community Services facilities.
- (e) Resolution No. 10632 authorizing execution of a contract amendment to the agreement with ARC Architects for architectural and engineering services of the new Park Operations Facility in the amount of \$228,672, plus all applicable taxes.
- (f) Resolution No. 10633 authorizing the conveyance of a utilities easement and a temporary construction easement located at King County Tax Parcel Number 932360TR-C on Highland Drive to Bellevue School District for underground water, sewer, and storm drainage connections to the adjacent property with King County Tax Parcel Number 222405-9024.

9. Public Hearing: None.

10. Study Session Items

- (a) Briefing on King County Wastewater Treatment Division 2027 Sewer Rate and Capacity Charge Proposal and 20-Year Forecast

City Manager Diane Carlson introduced the briefing regarding the King County Wastewater Treatment Division's 2027 sewer rates and capacity charge proposal, as well as their 20-year rate forecast.

Lucy Liu, Director, Utilities Department, said the cost of wastewater treatment at King County's Renton facility is the largest bill for the Utilities Department and the costs are passed on to customers. She noted that Deputy Mayor Hamilton represents the Sound Cities Association (SCA) on the Regional Water Quality Committee, Councilmember Nieuwenhuis serves on the SCA public issues committee and Councilmember Robinson serves on the SCA Board.

Ms. Liu said Bellevue staff recommends that the Council consider supporting a regional letter drafted by the SCA to the King County Council regarding the proposed sewer rates. She said the SCA public issues committee would vote on the letter during its May 13 meeting.

Kamuron Gurol, Director, King County Wastewater Treatment Division, noted that two Bellevue staff serve as chairs of two sub-committees of the Metropolitan Water Pollution Abatement Advisory Committee (MWPAAC). He provided an update regarding the Coal Creek sewer upgrade project to replace two miles of sewer pipeline. The tunneling work is set to begin this summer and the project is designed to earn Salmon-Safe certification.

Mr. Gurol presented the King County Executive's proposed 2027 sewer rates, 10-year rate forecast and 20-year projected rates. The rate increases proposed for 2027, 2028, 2029 and 2030 are 12.75 percent annually. The 2031 and 2032 rate increases are 11.50 percent annually and the

2033, 2034 and 2035 rate increases are 8 percent annually. The annual projected rate increases decrease for the 10-year period of 2037 to 2046. Mr. Gurol attributed the rate increases to regulatory compliance, high-risk asset management projects and completion of the Combined Sewer Overflow (CSO) Consent Decree projects. He said deferred investment in aging assets increases the risk of catastrophic failures.

Mr. Gurol said the Wastewater Treatment Division continues to explore and implement a number of cost containment efforts and to pursue federal funding. He said the King County Council has endorsed staff's recommendation for an independent third-party review of the Wastewater Treatment Division's operations.

Mr. Gurol provided an update regarding the long-range Regional Wastewater Services Plan adopted in 1999. King County is currently working to update the plan for the next 30 years.

Mayor Malakoutian thanked staff for the presentation.

Deputy Mayor Hamilton said the Regional Water Quality Committee (RWQC) provides a valuable opportunity for cities to help guide the rate-setting process and promote needed adjustments to the regulatory strategy. He said SCA cities represent more than one million people in the region. He expressed support for joining the regional letter proposed by SCA. He encouraged a continued focus on affordability metrics and finance and rate structure issues.

Mr. Gurol confirmed that the Wastewater Treatment Division is concerned about affordability as well and he concurred with the suggestion to develop better metrics.

Responding to Mr. Hamilton, Mr. Gurol provided additional details regarding the CSO system in Seattle, which was initially less expensive to build and provides certain benefits.

Councilmember Nieuwenhuis noted the statement on slide 9 of the presentation indicating that alternative scenarios that shift infrastructure project timing were considered. Mr. Gurol opined that CSO work should have been addressed earlier. He said it is always less expensive to complete projects now than in the future. He said current regulatory requirements are constraining asset management investments.

Mr. Nieuwenhuis asked how the Wastewater Treatment Division identifies operational efficiencies and cost-saving opportunities and ensures they are incorporated into the agency's annual rate setting and long-term forecasting. Mr. Gurol noted the agency's efforts to address capital and operational issues and said he could follow up with more information.

Councilmember Nieuwenhuis expressed support for the proposed SCA regional letter.

Councilmember Sumadiwirya thanked staff for the detailed presentation. She expressed concern regarding steadily increasing utility costs for water, wastewater and electricity services. She said this especially puts pressure on older adults and small businesses. Responding to Ms. Sumadiwirya, Mr. Gurol said there has been considerable discussion among staff regarding ways to help the Wastewater Treatment Division operate more efficiently.

Responding to Councilmember Sumadiwirya, Ms. Liu said approximately 1,000 households participate in the City's discount program for senior and disabled customers. Additional customers participate in other utility discount programs.

Councilmember Robinson acknowledged the significant impact on ratepayers for essential work to maintain infrastructure and services. She expressed support for the proposed regional letter. She said she appreciated that some of her suggestions are reflected in the letter, including a request for help from regional, state and federal partners.

Responding to Ms. Robinson, Mr. Gurol commented on federal funding to the state. He said King County currently has a Water Infrastructure Finance and Innovation Act (WIFIA) master loan agreement with the U.S. Environmental Protection Agency (EPA) that provides low interest rates. He noted, however, that those program rates have increased over the past year or so. Mr. Gurol said there is also a EPA program to develop the appropriate formula to assess infrastructure needs.

In further response to Ms. Robinson, Mr. Gurol said so-called flushable wipes are not actually flushable and cause problems for the wastewater system. He said customers also should not flush chemicals and prescription drugs.

Councilmember Bhargava said he shares his colleagues' concerns regarding increasing utility rates and the impact on overall affordability. He encouraged advance notice to the community regarding future rate increases. He expressed support for the regional SCA letter. He requested periodic updates regarding cost-reduction efforts.

Councilmember Briar thanked staff for the presentation. She asked about the Wastewater Treatment Division's efforts to improve longer term capital needs and financial planning beyond the 20-year horizon to improve rate predictability. Mr. Gurol said staff continues to conduct an inventory of assets and recently deployed a software management system to assist in that effort.

Mayor Malakoutian said ratepayers need a clear explanation of how the Wastewater Treatment Division got to this point, what is being done to avoid repeating the need for significant rate increases, and the cost savings still possible going forward.

Continuing the presentation, Ms. Liu commented on the City's efforts to address affordability through utility relief programs, program enhancements and rate design.

At 8:06 p.m., Mayor Malakoutian declared a break. The meeting resumed at 8:22 p.m.

- (b) Council Initiation of High Density Residential and Planned Unit Development (PUD) Land Use Code Amendment and Associated Rezones

City Manager Carlson introduced discussion regarding the development of a Land Use Code Amendment (LUCA) to address high density residential and Planned Unit Developments (PUDs) and related legislative rezones.

Nick Whipple, Code and Policy Director, Development Services Department, said the proposed LUCA process is anticipated to extend over approximately one year. The LUCA addresses high-density residential development, PUDs and legislative rezones. A new high density residential district was established in the Comprehensive Plan to implement the Future Land Use Map. PUD amendments add flexibility for larger sites and support affordable housing and the preservation of trees and open space. Legislative rezones apply to the new high density residential district. Mr. Whipple noted that the proposed Overlake Farms rezone aligns with the Future Land Use Map.

Shawn Edghill, Senior Planner, said the purpose of the high density residential designation is to provide for residential development at a scale and density similar to lowrise mixed-use development. The LUCA is intended to implement development standards regarding building height, setbacks and floor area ratio (FAR). A PUD is a flexible site planning tool that enables the clustering of development and efficient land use to support environmental preservation and diverse housing types.

The purpose of legislative rezones is to align zoning with the Future Land Use Map designations and to implement the new high density residential district. The high density residential district is limited to portions of the Crossroads and Factoria areas. Mr. Edghill noted a proposed rezone to low density residential for a portion of the Overlake Farms site in the Bridle Trails neighborhood along 150th Avenue NE. The rezone will be coordinated with PUD changes to support tree and open space retention.

Mr. Edghill said the LUCA process will follow Process IV requirements, which require public notice of the application and public hearing. He noted plans for meetings with residents, neighborhood associations and the development community as well as information to be provided online, in City newsletters and a fact sheet and through the Notice of Rezone.

Mr. Edghill said staff is seeking direction to initiate work on the high density residential and PUD LUCA and associated legislative rezones.

Responding to Councilmember Bhargava, Mr. Whipple said the Comprehensive Plan update was supported by a robust Environmental Impact Statement (EIS) analysis of density increases reflected in the Future Land Use Map.

Responding to Councilmember Briar, Mr. Whipple said the designated high density residential areas are well served by transit.

Councilmember Robinson said she is excited about the potential development at Overlake Farms. She expressed support for the tradeoff of allowing higher density to preserve trees and open space.

Councilmember Sumadiwirya expressed support for moving forward with the LUCA process. She commented on the importance of working with the neighborhood and small businesses

regarding the code revisions. Responding to Ms. Sumadiwirya, Mr. Whipple said the building design should be compatible with the surrounding neighborhood.

Councilmember Nieuwenhuis expressed support for moving forward to initiate the LUCA process through the Planning Commission. He urged them to keep in mind what has made Bellevue special and a very livable city. He encouraged staff to engage with the Bridle Trails Community Club as soon as possible.

Deputy Mayor Hamilton said the LUCA and rezone effort will help achieve housing production goals and deliver the vision of the Comprehensive Plan. He encouraged staff to make the best use of PUD regulations to support tree retention, open space and affordable housing. He suggested the evaluation of incentives for taller buildings, potentially up to 65 feet on sites of 10 acres or more where there is a clear benefit provided.

- Deputy Mayor Hamilton moved to direct staff to initiate work on the High Density Residential and PUD LUCA and to direct the Planning Commission to review and process the LUCA. Councilmember Briar seconded the motion.
- The motion carried by a vote of 7-0.

11. Land Use Reports: None.

12. Other Ordinances, Resolutions and Motions

- (a) Ordinance No. 6917 defining criminal conduct; adopting a new section 10.06.130 of the Bellevue City Code related to targeted residential protest; and setting an effective date.

City Manager Carlson introduced discussion regarding proposed Ordinance No. 6917 defining criminal conduct of targeted residential protest. She said the proposed ordinance responds to multiple protests targeting individuals at their residences. The ordinance does not prohibit protests or broadly infringe on First Amendment rights. It is a narrow proposal intended to balance the rights of protesters with the rights of individuals to enjoy privacy and peace in their homes.

Trisna Tanus, City Attorney, said the First Amendment, fundamental to our democracy and values, protects the rights of individuals to peacefully communicate and express their opinions. Individuals also have the right to enjoy privacy and tranquility in their homes according to the U.S. Supreme Court in *Frisby v. Schultz*. Ms. Tanus said a ban on targeted protest is considered narrow and lawful when it eliminates no more than the offensive speech focused on a captive home audience. The ordinance does not ban all residential protest and there are a number of similar ordinances nationwide.

Ms. Tanus highlighted the relevant terms defined in the city code, including a “group” defined as four or more people. The conduct is designated as a gross misdemeanor.

Councilmember Robinson expressed support for the ordinance and noted her staunch support of free speech rights. She holds regular office hours and tries to be available to the public for input. However, she opined that serving in a public office should not mean that you have to suffer fear and intimidation. She noted she has been targeted at her home, which also is not fair to her neighbors. She expressed concern that people will not run for office if they worry about being subjected to this behavior.

Responding to Councilmember Bhargava, Ms. Tanus said the ordinance is designed to be narrow to comply with the U.S. Supreme Court decision. She said the City cannot ban general protests in residential areas.

Mayor Malakoutian instructed Ms. Capponi in the audience to stop disturbing the meeting or she would be escorted from the Council Chamber.

Councilmember Sumadiwirya said this is a difficult topic for her because she strongly values the right to protest, a freedom she did not have in her previous country. She said when she was first elected to the Council, she received a phone call on her personal number and one of her children answered the phone, which caused concern. She said our homes should be a safe place. She encouraged everyone to build bridges through respectful communication.

Councilmember Briar said she does not support violence, intimidation or harassment directed at any individual or family, and she understands the importance of protecting personal privacy. She said she has been subjected to people following her, calling her and standing outside her home. However, she opposes the ordinance because she feels it is too broad in nature and may risk infringing on basic rights.

Councilmember Nieuwenhuis thanked Ms. Tanus for the information provided to the Council before and during this meeting. Mr. Nieuwenhuis expressed concern regarding the interpretation of the term “offensive language” and asked how police officers will be able to enforce the ordinance and determine whether an individual is being targeted. Ms. Tanus said if the ordinance is adopted, staff will develop policies and procedures to train officers and implement the ordinance. Mr. Nieuwenhuis expressed support for the ordinance. He noted that he too has been a target of protest in his home, which can be scary for him and his family and prevents them from leaving their home. He said he strongly supports free speech. However, it should not turn into personal harassment.

Deputy Mayor Hamilton thanked staff for their work consistent with the U.S. Supreme Court. He said no one should be subjected to coordinated intimidation and the disruption of residential privacy. He said the ordinance implements a basic standard that should be considered common sense and common courtesy. He expressed support for the ordinance.

Mayor Malakoutian said he appreciated his colleagues’ comments. He said this is a sensitive issue and the ordinance strikes a reasonable balance between protecting free speech and protecting residents from targeted harassment.

→ Deputy Mayor Hamilton moved to adopt Ordinance No. 6917, and Councilmember Nieuwenhuis seconded the motion.

→ The motion carried by a vote of 6-1, with Councilmember Briar dissenting.

13. Written Reports

(a) Intergovernmental Affairs Monthly Update as of April 30, 2026

14. Unfinished Business: None.

15. New Business: None.

16. Executive Session: None.

17. Adjournment

At 9:21 p.m., Mayor Malakoutian declared the meeting adjourned.

Charmaine Arredondo, CMC
City Clerk

/kaw