

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Meeting

March 11, 2025
6:00 p.m.

Council Chambers
Bellevue, Washington

PRESENT: Mayor Robinson, Deputy Mayor Malakoutian and Councilmembers Hamilton, Lee¹, Nieuwenhuis and Stokes

ABSENT: Councilmember Zahn

1. Call to Order

The meeting was called to order at 6:02 p.m., with Mayor Robinson presiding.

2. Roll Call; Flag Salute

City Clerk Charmaine Arredondo called the roll and all Councilmembers except Councilmember Zahn were present. Councilmember Hamilton led the flag salute.

(a) Day of Nowruz Proclamation

Deputy Mayor Malakoutian read the proclamation recognizing March 20, 2025, as Day of Nowruz, a holiday that reflects on leaving behind the challenges of the past year while embracing hope for the future. He encouraged everyone to celebrate Nowruz by attending local events and exploring the diverse cultures that enrich the community.

Afshin Sepehri, Co-Founder and former President of the Alefba Group, a community based Iranian organization in Bellevue, and coordinator of the Nowruz event at City Hall on Saturday, March 22, thanked the Council for the proclamation. He said the holiday is more than a new year's celebration and embodies renewal, hope and unity. Observed for more than 3,000 years, Nowruz transcends national and religious boundaries and is celebrated by more than 200 million people around the globe. He invited the public to the Nowruz event at Bellevue City Hall on Saturday and encouraged everyone to participate in events at Seattle City Hall on Sunday, March 23. Mr. Sepehri said Nowruz reminds us to keep our commitment to peace, unity and prosperity.

3. Approval of Agenda

¹ Councilmember Lee participated remotely.

- Deputy Mayor Malakoutian moved to approve the agenda, and Councilmember Stokes seconded the motion.
- The motion carried by a vote of 6-0.

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. Persons 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.

- (a) John Carlson spoke in favor of the proposed ordinance that would provide a 30-day mandatory minimum jail sentence for repeat violators of shoplifting and car prowling. He recalled that in the 1990s, he was the co-author and leader of a ballot initiative that became America's first "three strikes, you're out" mandatory life term law for individuals convicted of three serious felonies (e.g., murder, rape, armed robbery). He said the measure was approved by 76 percent of the voters and violent crime decreased by 40 percent within two years of its passage. He said many crimes are committed by a small subset of individuals. He encouraged mandatory 30-day jail sentences for individuals with three convictions for shoplifting and car prowling.
- (b) Patrick Bannon, President and CEO, Bellevue Downtown Association (BDA), expressed strong support for the Grand Connection project on behalf of the Friends of the Grand Connection organization. He said the group's role is to serve as advocates and partners with the City to identify and secure funding for the project.
- (c) Pearl Leung, Senior Manager for Public Policy, Amazon, commended City staff and the consultant for completing the 30-percent design for the Grand Connection project. She said the project objectives include economic development, placemaking, multimodal transportation and public gathering spaces. The Grand Connection will be transformative for Bellevue and the I-405 crossing will provide a connection between City Hall Plaza and the Eastrail regional trail and Wilburton area. Ms. Leung encouraged the City to continue to move the project forward.
- (d) Joe Kunzler asked the Council to extend its exclusion policy to exclude individuals who violate the meeting rules for a minimum of one year. He said he learned earlier in the day that Alex Tsimmerman has been banned from Puget Sound Regional Council (PSRC) meetings for three years. He expressed concern regarding hate speech at public meetings. He thanked Councilmembers for their public service.
- (e) Scott Aldridge said he is a member of Liveable Kirkland, Eastside Urbanism and Washington State Legislative District 48 Democrats. Speaking as an individual, he expressed support for the Grand Connection and for any projects that build more housing.

- (f) Naren Briar thanked the Council for the proclamation celebrating the Day of Nowruz and for including all of the ethnic groups that celebrate the holiday in the proclamation.
 - (g) Alesha Shemwell, Director of the Bellevue Collection, expressed support for the proposed ordinance to reduce public disorder crimes. She said organized retail crime is the biggest challenge for retailers. She said many of the criminals are repeat offenders and they create a safety threat to employees and customers. She urged the Council to support the ordinance.
 - (h) Leslie Geller expressed support for Mr. Carlson's comments above.
- 5. Reports of Community Councils, Boards, and Commissions: None.
 - 6. Report of the City Manager: None.
 - 7. Executive Session
 - (a) Evaluate the Qualifications of Candidates for Appointment to Elective Office [RCW 42.30.110(1)(h)]

At 6:27 p.m., Mayor Robinson declared recess to Executive Session for approximately 45 minutes to discuss the qualifications of the Council candidates. She said the Council would continue the public meeting following that session.

The meeting resumed at 7:19 p.m.

- 8. Council Business and New Initiatives
 - (a) Discussion of City Council Candidates and Selection Process

Mayor Robinson said there is an open seat on the Council as of March 28 following the resignation of Councilmember Zahn, who was appointed to the state legislature. The Council appointment is temporary and the position will be up for election this November. Ms. Robinson said there were more than 20 applicants to fill the pending vacancy, and the Council narrowed that pool to five individuals for interviews.

- Deputy Mayor Malakoutian moved to direct staff to invite the following candidates to interview during the regular Council meeting on March 18: Jaskaran Singh Sarao, Claire Sumadiwiryra, Diala Ezzeddine, Eric Drever, and Vishal Bhargava. Councilmember Stokes seconded the motion.
- The motion carried by a vote of 6-0.

Mayor Robinson thanked everyone who applied.

City Clerk Arredondo said the format for the interviews will be to allow three minutes for each candidate to make an introductory statement and three minutes per question to respond to four questions.

9. Consent Calendar

- Deputy Mayor Malakoutian moved to approve the Consent Calendar, and Councilmember Stokes seconded the motion.
- The motion to approve the Consent Calendar carried by a vote of 6-0, and the following items were approved:
 - (a) Council Minutes
Minutes of February 25, 2025 Regular Meeting
 - (b) Motion to award Bid No. 24117 for the NPDES On-Call Sediment Removal and Cleaning Services contract to Olson Brothers Pro-Vac, as the lowest responsive and responsible bidder, for a term of five (5) years, in a contract amount not to exceed \$2,000,000, plus all applicable taxes.
 - (c) Ordinance No. 6840 authorizing execution of a Grant Agreement with the Washington State Military Department to accept up to \$579,642.50 in grant funding for Digitizing Paper Permit Records; amending the 2025-2026 budget of the Operating Grants, Donations, and Special Reserve Fund to increase appropriation in the amount of \$579,642.50; authorizing expenditure of said grant funds; providing for severability; and establishing an effective date.
 - (d) Resolution No. 10484 authorizing the execution of the ESRI Small Municipal and County Government Enterprise Agreement (SGEA), with Environmental Systems Research, Inc. (ESRI) for required licensing and support of Geographic Information Systems (GIS) software and related services in a not to exceed amount of \$350,100 plus all applicable taxes.
 - (e) Resolution No. 10485 authorizing execution of an agreement with Always Active Services LLC, to construct accessibility improvements to the Robinswood House in the amount of \$520,000 plus all applicable taxes.
 - (f) Resolution No. 10486 authorizing the execution of a Professional Services Agreement with David Evans and Associates, Inc. in the amount of \$1,201,595.34, plus all applicable taxes, to complete the engineering design and environmental documentation and prepare the construction contract documents for the Eastrail - Mountains to Sound Greenway Regional Trails Connection project (CIP Plan Nos. PW-W/B-56 and P-AD-105).
 - (g) Resolution No. 10487 authorizing the execution of a General Services contract with Canber Landscape for landscape maintenance services at 28 sites throughout

the city managed by the Natural Resources division in an amount not to exceed \$1,391,921, plus all applicable taxes, including an option to renew for one additional term of two years in an amount not to exceed \$1,391,921, plus all applicable taxes and increases, for a total contract up to an amount not to exceed \$2,783,842, plus all applicable taxes and increases.

10. Public Hearings: None.

11. Study Session

(a) Update on Grand Connection Crossing over I-405 and Associated Projects

City Manager Diane Carlson introduced discussion regarding the Grand Connection I-405 crossing and completion of the 30-percent design.

Jesse Canedo, Assistant Director, Community Development Department, said staff is requesting Council direction to prepare contracts for the next phase of the Grand Connection crossing aligned with the proposed budget and scope.

Anthony Gill, Grand Connection Manager, said one of the primary areas of focus this year is audience development and public programming. A grant program will launch later this month to support small- and medium-sized programs and activations (e.g., farmers market, live music, festivals). Grants will range from \$2,500 to \$10,000 on a first come, first served basis. He said the program will also support activations and programs in other mixed use areas across Bellevue.

Mr. Canedo said the City has contracted with an artist to develop a public art plan for the I-405 crossing. He said there is ongoing work to analyze future development opportunities for the Metro site and the Lincoln Center site.

Mr. Canedo recalled that the engineering work for the Grand Connection crossing launched in late 2023. He said the project is on schedule.

Mr. Gill said the 30 percent design work for the crossing began in March 2024. Staff presented the findings from the public engagement process to the Council on July 2, 2024 and an additional update was presented on October 22, 2024.

Maher Welaye, Assistant Director, Transportation Department said the 30 percent design is based on community input regarding options and amenities. He said there were three open house meetings and more than 27 community meetings that provided input regarding the design and scope. He commented on issues addressed during refinement of the design including immediate versus future features, redevelopment of City-owned property, feedback from the community, constructability and cost, and user modeling. He said staff recommends a project in the \$150-200 million budget range. Benefits to the public include: 1) safe, usable crossing, 2) strong value to cost ratio, 3) memorable but doable, and 4) allows additional amenities to be built over time with public and private development.

Mr. Welaye described adjustments to the project scope regarding the crossing width, landscaping and weather protection, gathering space, stairs/elevators and City Hall Plaza. The width of the crossing over I-405 will be 30-40 feet.

Mr. Welaye commented on the alignment between the themes that surfaced through community outreach including connectivity, safety, access to destinations and simpler design with shorter construction period. The project will separate bikes and pedestrians.

Mr. Welaye said staff is ready to move to the next phase. They evaluated a number of delivery methods with the assistance of a consultant and chose the general contractor/construction manager (GC/CM) contracting method.

Mr. Gill said the design is fully funded. Construction and right-of-way costs are not funded and will require new revenues. He said a fully funded plan is a key element for State project approvals. Staff is reviewing a broad range of funding mechanisms including tax increment financing, sales tax, banked property tax capacity, partnerships, and individual and corporate philanthropy. Mr. Gill said an operations and maintenance funding plan is also in development.

Updates will be provided to the Council late spring/early summer (conceptual project finance plan) and this fall (launch final design and engineering). Mr. Gill requested Council direction to move forward with preparing contracts for the next phase of the Grand Connection Crossing aligned with the proposed budget and scope.

Mayor Robinson thanked staff for the presentation.

Councilmember Hamilton said the Grand Connection Crossing will be a vital asset for Bellevue, providing a safe, environmentally friendly option for residents, workers and visitors to cross over I-405 between the Downtown and Wilburton areas. He thanked staff for their work with the community. He thanked Friends of the Grand Connection for their advocacy and support. He expressed support for moving forward.

→ Councilmember Hamilton moved to direct staff to procure a consultant to assist with the City's application to the State for approval of the GC/CM (general contractor/construction manager) contracting approach. Councilmember Stokes seconded the motion.

Deputy Mayor Malakoutian expressed support for the project and agreed that it will be a critical piece of the infrastructure. He thanked everyone involved with the project. Responding to Mr. Malakoutian, Mr. Canedo said staff's outside advisors are analyzing the correct funding mix (i.e., city, state, federal and private funding) based on the refined project scope and current financial environment. He said discussions are continuing with the state regarding a potential partnership and federal funding is unknown.

For follow-up, Mr. Malakoutian requested information regarding the risk sharing between project partners and the performance metrics.

Councilmember Stokes expressed enthusiasm for the project. He recalled visiting Denver, which had developed a similar feature. He thanked everyone for their great work, including staff and the community.

Councilmember Lee said there has been an interest in connecting the two sides of I-405 for a long time. He is pleased to see the project moving forward to this point. He thanked everyone for their support and input. He said the Grand Connection is critical to the success of the Wilburton area redevelopment.

Responding to Mr. Lee, Mr. Welaye said reducing the project cost from \$400 million to \$150-200 million involved removing more expensive project features. Mr. Welaye said the canopies depicted in drawings have been removed from the project scope. However, the project will be built to accommodate that as a future enhancement.

Responding to Mr. Lee, Mr. Canedo noted that the work on the crossing design was concurrent with the Wilburton planning process. Mr. Gill said a consultant is conducting an analysis of the economic benefit of the Grand Connection project.

Councilmember Lee commended staff on their work.

Councilmember Nieuwenhuis thanked everyone for their work and expressed support for moving the project forward. Responding to Mr. Nieuwenhuis, Mr. Gill said the total amount available for grants is currently budgeted at \$150,000. He said the application process will open within the next several weeks.

Mr. Nieuwenhuis asked whether the Arts Commission would be involved in developing the public art plan. Mr. Canedo said the consultants will engage with the commission to discuss the overall plan and get feedback from the community. Mr. Nieuwenhuis expressed enthusiasm for moving forward and appreciation for the community involvement and support.

Mayor Robinson said the development of the Downtown Park was a similar process with a lot of community leaders involved in supporting and advocating for the project. She asked about the cost of providing the original weatherization features. She encouraged including Meydenbauer Center in the conversation regarding City Hall Plaza. Ms. Robinson suggested reaching out to the consular offices in Bellevue to partner in community programming.

Ms. Robinson said a lot of people ask why the City is not privatizing the entire project. Mr. Canedo commented on the complexity of building over an interstate highway over public and private property. Mr. Welaye said they are working with the Washington State Department of Transportation (WSDOT) to secure a free air space lease. However, if this was a private project, the owner would have to pay for using the space over the freeway. Mr. Welaye said it is an appropriate public works project.

→ The motion carried by a vote of 6-0.

At 8:09 p.m., Mayor Robinson declared a break. The meeting resumed at 8:17 p.m.

(b) Reducing Public Disorder Crimes in Bellevue

City Manager Carlson introduced staff's update regarding public disorder crimes. She recalled that last fall, Councilmember Nieuwenhuis initiated a review to evaluate mandatory minimum sentencing for repeat offenders. Ms. Carlson said overall crime in Bellevue is down compared to last year.

City Attorney Trisna Tanus said staff is seeking Council feedback and direction on whether to advance an ordinance imposing mandatory minimum sentences for repeat offenders of public disorder crimes. She recalled that during the October 29, 2024 Council meeting, the Council established a goal to reduce public disorder crime. The Council directed staff to conduct the necessary research and analysis related to repeat offenses and to bring back options and recommendations for consideration.

Ms. Tanus said key issues included defining public disorder crimes, determining who is committing these crimes and exploring enforcement tools. The most frequently reported crimes are shoplifting and vehicle prowling (theft from motor vehicles). Additional public disorder crimes are theft of motor vehicle, damage to private property, theft from mail and all other third degree theft.

Courtney Popp, Assistant City Attorney, said prosecutors filed charges in 88 percent of referred cases in 2024 and 94 percent of charges are resolved with a favorable outcome (i.e., guilty finding). She said an analysis of crimes over the past two years determined that eight percent of the offenders had two or more prior offenses. Under the Bellevue Police Department's PIE (Prevention, Intervention, Enforcement) philosophy, mandatory minimum sentencing is one of the tools to be considered.

Ms. Popp commented on jail costs and the indirect costs while in custody when offenders are unable to work, take care of their family or meet other obligations. Jail costs range from \$144-207 per day, plus fees for booking, medical and other services. Ms. Popp said the typical jail sentence for theft and motor vehicle prowling offenses is 18-32 days. She said adopting a mandatory minimum sentence demonstrates a jurisdiction's strong stance against offenders. She said Bellevue has a number of probation and treatment options and the community court will open this summer. The community court works to identify and address the underlying challenges of non-violent offenders that may contribute to repeated criminal activity. It involves a collaboration between the criminal justice system, mental health services, substance use treatment, human services, housing, employment and education.

Ms. Tanus said mandatory minimum sentencing would be a new tool for Bellevue and must be adopted by ordinance. She noted it provides the potential for deterring offenders and repeat offenders from committing public disorder crimes in Bellevue. The proposed ordinance applies to shoplifting and vehicle prowling, and a repeat offender is an adult over 18 years of age with two or more convictions of the same public disorder crime in Washington over the past two years. The mandatory minimum sentence is 30 days and exceptions could be provided for participation in community court or other diversion programs.

Ms. Tanus requested Council direction about whether to advance an ordinance imposing mandatory minimum sentencing for repeat offenders of public disorder crimes.

Councilmember Nieuwenhuis thanked staff for their work. He thanked community members for their emails and calls regarding this issue and he thanked the Washington Retail Association for providing input. He said the Bellevue Police Officers Guild and the business community support the proposal. He said he has witnessed shoplifting a number of times. He said business owners have expressed concern regarding increasing shoplifting and the personal safety of employees and customers. He suggested that tracking repeat offenders could help as a deterrent against repeated public disorder crimes.

Mr. Nieuwenhuis thanked Chief of Police Wendell Shirley for the successful Stop the Lift campaign over the holidays to address shoplifting. Mr. Nieuwenhuis said that of 161 people arrested at Factoria Mall and Bellevue Square Mall, 58 individuals were repeat offenders.

Councilmember Nieuwenhuis said it is important to further Bellevue's reputation as a city that will not tolerate crime. He expressed support for the community court and other diversion options where appropriate.

Mayor Robinson said she appreciated everything Mr. Nieuwenhuis said and agreed with a lot of it. She said her goal is to prevent and decrease public disorder crimes to allow police officers to focus on other things. She said Bellevue has a good probation program with a low recidivism rate. She expressed support for probation and the community court model. She expressed support for the concept of mandatory minimum sentencing. However, she said the community court will not be operating until July or later.

Mayor Robinson suggested revisiting this proposal in six months after the community court is underway. She suggested requesting additional data from other cities as well.

Councilmember Lee expressed concern regarding the increase in shoplifting and the difficulty in catching the offenders in certain cases. He commended Bellevue's low recidivism rate in the probation program. He expressed support for moving forward with the ordinance.

Councilmember Stokes said he appreciated the thorough review. He said he understood the concept and how it could have a benefit. He acknowledged the issue of repeat offenders. He noted that overall crime is decreasing. He expressed an interest in mandatory minimum sentences and suggested additional research. He concurred with Mayor Robinson's suggestion to bring the issue back in six months.

Deputy Mayor Malakoutian thanked staff for the presentation. He thanked Councilmember Nieuwenhuis for initiating this proposal as well as all of the people who have emailed him about the proposed ordinance. Mr. Malakoutian suggested a focus on preventing crime where possible. He asked whether an offender is allowed to use the community court more than once.

Ms. Tanus said eligibility to participate in community court, probation or another diversion program must be approved by the court and the prosecutor. The judge has considerable discretion in sentencing.

Deputy Mayor Malakoutian asked whether the adoption of the ordinance would have the unintended consequence of straining court resources and increasing case backlogs. Ms. Tanus said mandatory minimum sentencing is a difficult issue in a complicated social justice and criminal justice environment. The purpose is to enhance deterrence. However, it will be difficult to quantify the effectiveness of the ordinance because it is only one of many tools and factors. Ms. Tanus said there would likely be increased jail costs with the implementation of the ordinance. Ms. Popp said she did not anticipate that the ordinance would have a significant impact on the court's workload.

Councilmember Hamilton thanked everyone for their work and thorough analysis. He thanked Councilmember Nieuwenhuis for raising this issue. Mr. Hamilton said he wants to ensure that the City Attorney's Office has the tools it needs to effectively address public safety. He said he would like staff to let the Council know whenever staff concludes that another tool or other support is needed. He commended the high conviction rates.

Mr. Hamilton expressed concern that implementing a mandatory minimum sentence would be viewed as a lack of confidence in staff. He expressed concern that the ordinance undermines judges' authority and questioned whether it is needed. He said the three third-time defendants convicted and sentenced in December received sentences of 20 or more days in jail, which is consistent with the proposed ordinance. Councilmember Hamilton said he would like to preserve the exercise of professional judgement by staff. He expressed support for continuing with the City's current approach.

Responding to Mr. Hamilton, Ms. Popp said organized retail theft is a felony and is not covered by the ordinance. In further response, Ms. Popp said the intent of community court is to address a range of issues and challenges experienced by offenders and to help break the cycle of committing crimes.

Following additional brief questions of clarification, Councilmember Hamilton said prosecutorial discretion is critically important to maintain. He said the prosecutors are using their discretion effectively and the proposed ordinance would reflect a vote of no confidence in them. He said the ordinance seeks to fix a problem that does not exist. He expressed concern that the ordinance would disrupt the current integrated approach to public safety combining the efforts of police officers, prosecutors, probation officers and judges. He said he would not support the ordinance.

Councilmember Nieuwenhuis said he did not see the proposed ordinance as reflecting a lack of confidence in prosecutors and he said no one else has said that.

Councilmember Hamilton noted that the prosecutors are not requesting the tool provided by the ordinance.

- Councilmember Nieuwenhuis moved to direct staff to return in six months with more data, including from other cities (Everett, Marysville), and more information on the community court before considering whether to pursue a mandatory minimum sentence ordinance. Deputy Mayor Malakoutian seconded the motion.

Councilmember Lee expressed an interest in more information in the future, including the opinions of prosecutors and others.

- The motion carried by a vote of 6-0.

12. Land Use: None.

13. Other Ordinances, Resolutions, and Motions: None.

14. Written Reports

(a) Overview of Visit Bellevue's 2024 Destination Development Plan

15. Unfinished Business: None.

16. New Business: None.

17. Adjournment

At 9:20 p.m., Mayor Robinson declared the meeting adjourned.

Charmaine Arredondo, CMC
City Clerk

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