

**Description**

W-17-006 - W-17-014  
Wallingford Community Council, et al.  
Mandatory Housing Affordability FEIS  
Hearing, Day 6  
Monday, July 23, 2018

Time: 9:00 a.m.  
Examiner: Ryan Vancil  
Assistant: Alayna Johnson

**Party Representatives:**

David Bricklin, Counsel for SCALE

Judith Bendich, Friends of Ravenna-Cowen

Toby Thaler, Fremont Neighborhood Council

Dale Johnson, Counsel for the City of Seattle

Jeff Weber, Counsel for the City of Seattle

Daniel Mitchell, Counsel for the City of Seattle

**Date**

7/23/2018

**Location**

Large Hearing Room

<u>Time</u>	<u>Speak</u>	<u>Note</u>
<a href="#">9:03:25 AM</a>		Back on the record for Week 2 of the hearing.
<a href="#">9:03:56 AM</a>		Thaler offers updated witness schedule.
<a href="#">9:08:50 AM</a>		Thaler concludes.
<a href="#">9:08:52 AM</a>		Johnson offers scheduling information for City witnesses.
<a href="#">9:10:13 AM</a>		Johnson concludes.
<a href="#">9:10:20 AM</a>		Bricklin brings up preliminary matters.
<a href="#">9:11:54 AM</a>		Bricklin concludes.
<a href="#">9:11:57 AM</a>		Bricklin calls Thaler as a witness.
<a href="#">9:12:15 AM</a>		Bricklin continues direct examination of Thaler. Thaler's testimony will continue after the next witness.
<a href="#">10:15:27 AM</a>		Break. Back at 10:30.
<a href="#">10:45:06 AM</a>		Back on the record.
<a href="#">10:45:11 AM</a>		Thaler calls Jeffrey Richardson as a witness and he is sworn in.
<a href="#">10:45:31 AM</a>		Thaler begins direct examination of Richardson.
<a href="#">10:47:18 AM</a>		Thaler offers resume of Jeffery Richardson and it is marked as Exhibit 115.
<a href="#">11:14:23 AM</a>		Thaler will submit a copy of a deposition exhibit by the end of the day today and it will be numbered when it is submitted.
<a href="#">11:19:36 AM</a>		Thaler concludes.
<a href="#">11:19:39 AM</a>		Hearing Examiner asks procedural question of Thaler.
<a href="#">11:20:00 AM</a>		Mitchell begins cross examination of Richardson.
<a href="#">11:34:12 AM</a>		Mitchell concludes.
<a href="#">11:34:15 AM</a>		Thaler begins redirect examination of Richardson.
<a href="#">11:41:37 AM</a>		Thaler concludes.
<a href="#">11:42:40 AM</a>		Thaler returns as a witness.
<a href="#">11:44:13 AM</a>		Bricklin continues direct examination of Thaler.
<a href="#">11:48:43 AM</a>		Johnson objects; speculation.
<a href="#">11:48:52 AM</a>		Sustained.
<a href="#">11:54:42 AM</a>		Johnson objects; speculation. Question rephrased.
<a href="#">12:06:05 PM</a>		Bricklin concludes.
<a href="#">12:07:07 PM</a>		Johnson requests to cross examine Thaler at a later time when he has completed all of his testimony.
<a href="#">12:10:33 PM</a>		Procedural dicussion.
<a href="#">12:10:48 PM</a>		Thaler moves to admit Exhibit 115 and it is admitted.
<a href="#">12:11:19 PM</a>		Break for lunch. Back at 1:30.
<a href="#">1:32:31 PM</a>		Back on the record.
<a href="#">1:32:34 PM</a>		Bendich asks procedural question regarding Exhibit 92.
<a href="#">1:34:28 PM</a>		Bendich calls Thomas Veith as a witness on behalf of SCALE and he is sworn in.
<a href="#">1:34:58 PM</a>		Bendich begins direct examination of Veith.
<a href="#">1:50:32 PM</a>		Bendich offers list of historic inventroy buildings in Wallingford and it is marked as Exhibit 117.
<a href="#">1:53:56 PM</a>		Bendich offers maps of portions of Wallingford and they are marked as Exhibit 118.

<a href="#">1:56:04 PM</a>	Bendich offers a copy of Exhibit 118 with the urban village outlined and it is marked as Exhibit 119.
<a href="#">1:57:46 PM</a>	Bendich moves to admit Exhibits 117, 118, and 119 and they are admitted.
<a href="#">1:58:02 PM</a>	Exhibit 116 submitted by Thaler, referenced before the break, is admitted.
<a href="#">1:58:25 PM</a>	Bendich continues direct examination of Veith.
<a href="#">2:06:27 PM</a>	Bendich offers Landmarked Buildings in the Wallingford Urban Village and it is marked as Exhibit 120.
<a href="#">2:20:45 PM</a>	Bendich moves to admit Exhibit 120 and it is admitted.
<a href="#">2:35:57 PM</a>	Bendich concludes.
<a href="#">2:35:58 PM</a>	Johnson begins cross examination of Veith.
<a href="#">2:45:56 PM</a>	Johnson concludes.
<a href="#">2:45:58 PM</a>	Bendich begins cross examination of Veith.
<a href="#">2:52:16 PM</a>	Bendich concludes.
<a href="#">2:52:19 PM</a>	Hearing Examiner asks questions of Veith.
<a href="#">2:54:29 PM</a>	Hearing Examiner concludes.
<a href="#">2:55:27 PM</a>	Thaler calls Dara Ayres as a witness.
<a href="#">2:56:07 PM</a>	Ayres is sworn in.
<a href="#">2:56:33 PM</a>	Thaler begins direct examination of Ayres.
<a href="#">3:31:11 PM</a>	Thaler will submit another exhibit by end of day to be marked then.
<a href="#">3:35:53 PM</a>	Break. Back at 3:50.
<a href="#">3:51:41 PM</a>	Back on the record.
<a href="#">3:51:44 PM</a>	Thaler continues direct examination of Ayres.
<a href="#">3:53:22 PM</a>	Thaler will submit SUN's exhibit 12 and it will be marked when submitted.
<a href="#">4:02:25 PM</a>	Thaler concludes.
<a href="#">4:02:28 PM</a>	Bricklin begins direct examination of Ayres.
<a href="#">4:09:08 PM</a>	Bricklin concludes.
<a href="#">4:09:12 PM</a>	Hearing Examiner asks Thaler about the pending exhibits.
<a href="#">4:10:30 PM</a>	Thaler offers notes used by Dara Ayres and they are marked as Exhibit 121.
<a href="#">4:10:46 PM</a>	The other two exhibits will be Exhibits 122 and 123 when they are submitted. 122 will be the table.
<a href="#">4:11:22 PM</a>	Johnson asks procedural question about witness notes.
<a href="#">4:16:21 PM</a>	Thaler asks that numbers 13 and 14 from the notes be redacted.
<a href="#">4:20:46 PM</a>	Short break to make sure recording didn't stop when clock stopped. Back on the record. Sections 13 and 14 are stricken from Exhibit 121.
<a href="#">4:22:13 PM</a>	Bricklin provides Thaler's testimony notes to opposing counsel and offers them as an exhibit. They are marked as Exhibit 124.
<a href="#">4:23:04 PM</a>	Weber begins cross examination of Ayres.
<a href="#">4:30:43 PM</a>	Weber concludes.
<a href="#">4:30:51 PM</a>	Thaler begins redirect examination of Ayres.
<a href="#">4:31:17 PM</a>	Thaler concludes.

<a href="#">4:31:34 PM</a>	Thaler calls Maria Batayola as a witness and she is sworn in. Thaler begins direct examination of Batayola.
<a href="#">4:57:08 PM</a>	Thaler offers SDCI Project Plan for HALA MHA EIS Racial Equity Analysis Team and it is marked as Exhibit 125.
<a href="#">5:01:34 PM</a>	Hearing Examiner asks Thaler about exhibits.
<a href="#">5:02:20 PM</a>	Thaler offers HALA MHA EIS Racial Equity Analysis team meeting minutes from 6/8/2017 and they are marked as Exhibit 126.
<a href="#">5:03:15 PM</a>	Thaler moves to admit Exhibits 125 and 126 and they are admitted. Exhibits 121, 122, 123, and 124 will be dealt with tomorrow.
<a href="#">5:04:53 PM</a>	Hearing Examiner closes Day 6 of hearing.