

Description

W-17-006 - W-17-014
Wallingford Community Council, et al.
Mandatory Housing Affordability FEIS
Hearing, Day 13
Wednesday, August 22, 2018

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

Party Representatives:

Claudia Newman and Phillip Tavel, Counsel for SCALE

Judith Bendich, Friends of Ravenna-Cowen

Toby Thaler, Fremont Neighborhood Council

Tadas Kisielius, Counsel for the City of Seattle

Jeff Weber, Counsel for the City of Seattle

Date

8/22/2018

Location

Large Hearing Room

<u>Time</u>	<u>Speak</u>	<u>Note</u>
9:00:32 AM		Hearing Examiner opens Day 13 of the hearing.
9:00:49 AM		Phillip Tavel calls Jennifer Scarlett as a witness and she is sworn in.
9:01:17 AM		Tavel begins direct examination of Scarlett.
9:15:36 AM		Mitchell objects; issue was dismissed in prehearing motion decision.
9:16:54 AM		Tavel responds.
9:16:55 AM		Mitchell replies.
9:22:31 AM		Hearing Examiner responds. Overruled.
9:32:18 AM		Tavel offers Seattle's South Park book and it is marked as Exhibit 260.
10:11:14 AM		Tavel concludes.
10:11:14 AM		Weber begins cross examination of Scarlett.
10:11:31 AM		Weber concludes.
10:11:41 AM		Weber asks about exhibit numbers.
10:11:58 AM		Tavel moves to admit Exhibit 260 and it is admitted.
10:12:19 AM		Break. Back at 10:30.
10:29:37 AM		Back on the record.
10:29:44 AM		Newman mentions procedural issue.
10:30:28 AM		Kisielius responds.
10:32:14 AM		Bendich moves to exclude some individuals from the hearing room during cross examination of Katherine Wilson (direct examination took place 7/27, Day 10 of hearing).
10:34:08 AM		Kisielius responds.
10:35:18 AM		Bendich replies.
10:36:37 AM		Kisielius responds.
10:37:30 AM		Hearing Examiner asks question of Bendich.
10:40:19 AM		Hearing Examiner denies motion to exclude individuals.
10:40:21 AM		Bendich brings up another procedural matter.
10:43:25 AM		Bendich begins cross examination of Wilson.
10:47:05 AM		Kisielius objects; relevance.
10:47:47 AM		Bendich responds.
10:47:53 AM		Kisielius replies.
10:48:16 AM		Overruled.
11:02:05 AM		Kisielius objects; mischaracterizes testimony.
11:02:15 AM		Bendich rephrases.
11:27:25 AM		Bendich offers excerpt from the Uptown Urban Center Rezone Draft EIS and it is marked as Exhibit 261.
11:41:08 AM		Bendich moves to admit Exhibit 261.
11:41:14 AM		Exhibit 261 is admitted.
12:04:45 PM		Kisielius brings up procedural matter on schedule.
12:06:08 PM		Bendich continues.
12:21:29 PM		Kisielius objects; outside scope of direct.
12:23:26 PM		Bendich concludes.

12:23:42 PM	Break for lunch. Back at 1:45.
1:45:08 PM	Back on the record.
1:45:14 PM	Hearing Examiner asks questions of Wilson.
2:11:17 PM	Hearing Examiner concludes.
2:11:21 PM	Bendich asks if she can ask one more question based on Hearing Examiner's questions.
2:12:36 PM	Hearing Examiner allows it.
2:12:38 PM	Bendich asks question.
2:13:48 PM	Bendich concludes.
2:13:51 PM	Kisielius begins redirect examination of Wilson.
2:17:53 PM	Bendich objects; Kisielius responds. Bendich withdraws objection.
2:25:51 PM	Bendich objects; leading.
2:26:01 PM	Kisielius responds.
2:26:07 PM	Sustained.
2:29:47 PM	Bendich objects; leading.
2:29:51 PM	Kisielius responds.
2:29:56 PM	Overruled.
2:41:38 PM	Kisielius concludes.
2:42:13 PM	Kisielius calls Paula Johnson as a witness.
2:42:33 PM	Johnson is sworn in.
2:42:46 PM	Kisielius begins direct examination of Johnson.
2:45:17 PM	Kisielius offers Paula Johnson's resume and it is marked as Exhibit 262.
2:46:51 PM	Kisielius moves to admit Exhibit 262 and it is admitted.
2:49:21 PM	Newman objects; repetitive testimony.
2:49:41 PM	Kisielius responds.
2:50:00 PM	Overruled.
2:51:11 PM	Bendich objects; foundation.
2:51:21 PM	Kisielius responds.
2:51:33 PM	Bendich replies.
2:51:58 PM	Sustained.
2:53:03 PM	Bendich objects; foundation.
2:53:12 PM	Kisielius responds.
2:53:16 PM	Overruled.
2:58:06 PM	Bendich objects; foundation. Newman seconds objection.
2:58:34 PM	Kisielius responds.
2:59:05 PM	Hearing Examiner responds. Overruled.
3:01:53 PM	Hearing Examiner asks procedural question about time.
3:02:11 PM	Kisielius continues.
3:05:23 PM	Kisielius offers excerpt from the Final EIS for the Uptown Urban Center Rezone and it is marked as Exhibit 263.
3:11:40 PM	Newman objects; speculative.
3:11:49 PM	Hearing Examiner responds.
3:12:09 PM	Kisielius responds.

3:12:15 PM	Newman replies.
3:13:05 PM	Hearing Examiner asks for clarification.
3:13:47 PM	Overruled.
3:17:31 PM	Bendich objects; repetitive.
3:17:57 PM	Overruled.
3:20:28 PM	Kisielius concludes.
3:20:34 PM	Break. Back at 3:35.
3:35:45 PM	Back on the record.
3:35:53 PM	Kisielius moves to admit Exhibits 262 and 263 and they are admitted.
3:36:27 PM	Bendich begins cross examination of Johnson.
3:51:46 PM	Bendich moves to strike testimony regarding zoning.
3:53:35 PM	Motion is denied.
3:58:37 PM	Bendich concludes.
3:58:41 PM	Newman begins cross examination of Johnson.
4:06:16 PM	Objection; asked and answered. Sustained.
4:13:11 PM	Newman concludes.
4:13:21 PM	Hearing Examiner asks questions of Johnson.
4:24:34 PM	Hearing Examiner concludes.
4:24:40 PM	Kisielius begins redirect examination of Johnson.
4:28:18 PM	Newman objects; beyond the scope of cross. Kisielius responds.
4:28:52 PM	Newman withdraws objection.
4:33:47 PM	Kisielius concludes.
4:33:51 PM	Hearing Examiner asks Johnson to provide the location of information that wasn't found during testimony.
4:36:10 PM	Newman asks procedural question.
4:36:49 PM	Kisielius responds.
4:39:22 PM	Procedural discussion.
4:44:45 PM	Kisielius calls Geoff Wentlandt as a witness and he is sworn in.
4:45:02 PM	Kisielius begins direct examination of Wentlandt.
4:50:24 PM	Kisielius offers City of Seattle Resolution 31546 and it is marked as Exhibit 264.
4:52:17 PM	Kisielius offers Final Advisory Committee Recommendations and it is marked as Exhibit 265.
4:55:04 PM	Kisielius offers Housing Seattle: A Roadmap to an Affordable and Livable City and it is marked as Exhibit 266.
4:56:44 PM	Kisielius offers the legislative summary for Resolution 31622 and it is marked as Exhibit 267.
4:59:09 PM	Kisielius offers the legislative summary for Resolution 31612 and it is marked as Exhibit 268.
5:02:29 PM	Hearing Examiner closes Day 13 of the hearing.