

Description

Wallingford Community Council, et al.
Mandatory Housing Affordability FEIS
Hearing, Day 15
Friday, August 24, 2018

Time: 9:00 a.m.
Examiner: Ryan Vancil
Assistant: Bonita Roznos

Party Representatives:

Claudia Newman and David Bricklin, 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

8/24/2018

Location

Large Hearing Room

<u>Time</u>	<u>Spea</u>	<u>Note</u>
9:01:13 AM		Hearing Examiner opens Day 15 of the hearing.
9:01:24 AM		Procedural items: Thaler asks questions. Bendich asks questions. Hearing Examiner asks questions about Exhibit 273 and Newman responds. Hearing Examiner stated Exhibit 273 would stay on list but will not be admitted at this time.
9:03:01 AM		Exhibit 264 is admitted.
9:11:00 AM		Newman asks clarifying questions on pending item Exhibit 273 and maintains objection to the Hearing Examiner's response.
9:15:57 AM		Bendich begins cross/direct examination of Wentlandt and offers Summary from Hearing Examiner Ex. No 50 p. 136, Urban Village Study Final Report as Exhibit 274.
9:18:40 AM		Kisielius objects; lack of foundation.
9:20:23 AM		Bendich responds.
9:21:42 AM		Kisielius responds.
9:21:57 AM		Overruled.
9:22:16 AM		Bendich continues cross/direct examination of Wentlandt.
9:26:39 AM		Hearing Examiner responds with directions regarding admission of Exhibit 274 and questions the relevance of the last three paragraphs.
9:27:49 AM		Bendick moves to admit Exhibit 274 with strike out of last three paragraphs.
9:27:57 AM		Exhibit 274 is admited with strike out of the last three paragraphs.
9:28:07 AM		Thaler continues cross examination of Wentlandt.
9:43:23 AM		Kisielius objects.
9:43:38 AM		Thaler withdraws question.
9:44:44 AM		Thaler continutes cross examination of Wentlandt.
9:49:02 AM		Kisielius objects. Relevance.
9:49:23 AM		Thaler responds.
9:50:24 AM		Kisielius responds.
9:50:46 AM		Hearing Examiner responds.
9:51:41 AM		Kisielius responds motions were dismissed in the notice of appeal.
9:52:30 AM		Thaler responds.
9:52:55 AM		Kisielius responds.
9:53:42 AM		Hearing Examiner responds.
9:54:22 AM		Thaler responds.
9:55:05 AM		Hearing Examiner responds.
9:57:33 AM		Kisielius responds.
9:58:42 AM		Hearing Examiner responds.
9:58:56 AM		Thaler objects and responds why.
10:00:20 AM		Kisielius responds and questions relevancy.
10:00:38 AM		Hearing Examiner responds.
10:01:08 AM		Thaler responds.
10:03:12 AM		Hearing Examiner responds.
10:04:04 AM		Kisielius responds.

10:04:47 AM	Thaler withdraws question.
10:05:17 AM	Thaler continues cross examination of Wentlandt.
10:11:48 AM	Kisielius objects. Relevance.
10:12:29 AM	Thaler responds.
10:12:47 AM	Thaler withdraws question.
10:13:20 AM	Break. Back at 10:30.
10:31:36 AM	Back on record.
10:31:44 AM	Kisielius asks to suspend examination of Wentlandt to call City's other witnesses. Thaler concurred.
10:32:12 AM	Weber calls Emily Alvarado as a witness and she is sworn in.
10:32:44 AM	Weber begins direct examination of Alvarado.
10:52:33 AM	Weber offers City of Seattle's Housing Policy as Exhibit 275.
10:57:16 AM	Weber offers Seattle's Office of Housing Annual Investment Report 2017 as Exhibit 276.
11:12:59 AM	Weber moves to admit Exhibts 275 and 276, and they are admitted.
11:17:35 AM	Thaler begins cross examination of Alvarado.
11:22:26 AM	Weber objects.
11:22:50 AM	Sustained.
11:24:38 AM	Thaler rephrases question.
11:25:42 AM	Weber objects. Questions are unrelaed to witnesses' testimony.
11:26:12 AM	Thaler responds.
11:28:43 AM	Weber objects. Relevancy.
11:28:58 AM	Sustained.
11:30:26 AM	Weber objects.Relevancy.
11:30:41 AM	Thaler withdraws question.
11:32:16 AM	Weber objects. Beyond scope of witnesses' testimony.
11:32:32 AM	Thaler responds.
11:33:29 AM	Sustained.
11:34:37 AM	Thaler concludes.
11:34:40 AM	Bendich begins cross examination of Alvarado.
11:35:55 AM	Bendich offers Seattle Office of Housing 2017 Investment Report Attachment 2 - Incentive Zoning and MHA as Exhibit 277
11:43:11 AM	Weber objects. Relevance.
11:43:22 AM	Hearing Examiner responds.
11:43:58 AM	Bendich responds and rephrases question.
11:49:28 AM	Bendich moves to admit Exhibit 277, and concludes cross examination of Alvarado.
11:49:36 AM	Exhibit 277 is admitted.
11:50:08 AM	Weber calls Rick Jacobus as a witness and he is sworn in.
11:50:51 AM	Weber begins direct examination of Rick Jacobus.
11:51:50 AM	Weber offers Rick Jacobus' resume as Exhibit 278.
11:55:19 AM	Weber moves to admit Exhibit 278 and it is admitted.
12:16:29 PM	Hearing Examiner asks procedural question regarding amount of time for testimony.
12:16:40 PM	Break. Back at 1:30.

1:30:52 PM	Back on the record, and Weber continues direct examination of Jacobus.
1:41:58 PM	Weber concludes.
1:42:08 PM	Newman begins cross examination of Jacobus.
1:47:26 PM	Newman concludes.
1:47:37 PM	Thaler offers a document on the website to be enter as an exhibit and then withdraws request.
1:48:31 PM	Newman responds.
1:50:02 PM	Weber responds.
1:50:49 PM	Kisielius responds.
1:51:49 PM	Hearing Examiner responds.
1:52:50 PM	Kisielius asks a technical question about the document and Thaler responds it is located on the City Clerk's Page: Policy Opitons for Refining Seattle's Incentive Program.
1:53:51 PM	Hearing Examiner asks about timing of rebuttal.
1:54:27 PM	Newman responds.
1:55:25 PM	Thaler continues cross examination of Jacobus.
1:56:27 PM	Thaler concludes.
1:56:36 PM	Weber concludes.
1:56:55 PM	Thaler reassumes cross/direct examination of Wentlandt.
2:06:51 PM	Kisielius offers location of documents in the EIS.
2:08:25 PM	Kisielius objects.
2:08:30 PM	Thaler rephrases question.
2:15:42 PM	Thaler offers Statement of Intent for Mandatory Inclusionary Housing and Commercial Linkage Fee document as Exhibit 279.
2:16:19 PM	Thaler offers a Coalition of Housing Solutions letter from Jack McCullough to CM Rob Johnson as Exhibit 280.
2:17:30 PM	Kisielius objects. Relevance.
2:18:43 PM	Thaler responds.
2:18:57 PM	Hearing Examiner responds.
2:19:41 PM	Thaler states he converts to impeachment.
2:20:48 PM	Hearing Examiner responds regarding rebuttal evidence and impeachment.
2:21:43 PM	Exhibit 280 is denied.
2:22:20 PM	Thaler continues cross/direct examination of Wentlandt.
2:25:46 PM	Kisielius objects. Relevance.
2:26:06 PM	Thaler responds.
2:26:47 PM	Overruled.
2:58:41 PM	Thaler concludes cross/direct examination of Wentlandt.
2:58:47 PM	Hearing Examiner asks questions of Wentlandt.
3:07:19 PM	Thaler moves to admit Exhibit 279 and it is admitted.
3:07:53 PM	Thaler moves to admit letter from CM Lisa Hierbold to Sam Assefa, Director of PCD, as Exhibit 281 and it was admitted.
3:08:27 PM	Kisielius begins redirect of Wentlandt.
3:10:47 PM	Newman objects.

3:10:57 PM	Kisielius responds.
3:13:03 PM	Newman objects.
3:13:10 PM	Kisielius clarifys statement. Newman objects.
3:13:33 PM	Overruled.
3:17:01 PM	Newman objects.
3:17:07 PM	Sustained.
3:17:23 PM	Hearing Examiner responds.
3:23:03 PM	Kisielius concludes.
3:23:16 PM	Break. Back at 3:40.
3:40:37 PM	Back on the record.
3:40:43 PM	Weber calls Kevin Ramsey as a witness and begins direct examination.
3:42:27 PM	Weber offers Kevin Ramsey's resume as Exhibit 282.
3:44:12 PM	Weber moves to admit Exhibit 282 and it is admitted.
4:55:44 PM	Weber request to end direct examination for today.
4:55:52 PM	Hearing Examiner asks procedural questions about witnesses and hearing schedule. Weber responded.Kisielius responded.
4:58:55 PM	Hearing Examiner asks proedural questions about closing schedule and closes Day 15 of the Hearing.