

Description

W-17-006 - W-17-014
Wallingford Community Council, et al.
Mandatory Housing Affordability FEIS
Hearing, Day 18
Tuesday, September 4, 2018

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

Party Representatives:

Claudia Newman, 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

9/4/2018

Location

Large Hearing Room

<u>Time</u>	<u>Speake</u>	<u>Note</u>
9:00:35 AM		Hearing Examiner opens Day 18 of the hearing.
9:00:53 AM		Newman submits the corrected cover page for Exhibit 245.
9:01:50 AM		Kisielius calls Kevin Gifford as a witness and he is sworn in.
9:02:10 AM		Kisielius begins direct examination of Gifford.
9:04:22 AM		Kisielius offers Gifford's resume and it is marked as Exhibit 305.
9:04:48 AM		Kisielius moves to admit Exhibit 305.
10:14:47 AM		Break. Back at 10:30.
10:33:54 AM		Back on the record.
10:34:03 AM		Kisielius continues direct examination of Gifford.
10:38:19 AM		Newman objects; misrepresentation of testimony.
10:38:30 AM		Kisielius responds.
10:38:54 AM		Kisielius rephrases.
11:38:48 AM		Kisielius concludes.
11:38:55 AM		Hearing Examiner asks questions of Gifford.
11:50:06 AM		Hearing Examiner concludes.
11:50:12 AM		Newman begins cross examination of Gifford.
12:10:03 PM		Kisielius objects; calls for legal conclusion.
12:10:17 PM		Newman responds.
12:10:51 PM		Newman rephrases.
12:11:52 PM		Break for lunch. Back at 1:30.
1:30:20 PM		Back on the record.
1:30:26 PM		Newman continues cross examination of Gifford.
2:13:33 PM		Newman offers DEIS for the U District Urban Design Alternatives and it is marked as Exhibit 306.
2:16:12 PM		Kisielius objects.
2:16:21 PM		Newman responds.
2:16:50 PM		Kisielius replies.
2:17:19 PM		Overruled.
2:24:59 PM		Newman moves to admit Exhibit 306 and it is admitted.
2:25:16 PM		Newman offers land use and aesthetics chapters of the uptown draft EIS and they are marked as Exhibit 307.
2:37:57 PM		Newman moves to admit Exhibit 307.
2:38:17 PM		Kisielius objects to the relevance of section 3.2.
2:38:19 PM		Newman asks Gifford quesitons about that section.
2:40:49 PM		Kisielius objects to section 3.2 being admitted.
2:41:23 PM		Newman responds.
2:41:39 PM		Overruled.
2:41:57 PM		Exhibit 307 is admitted.
2:45:31 PM		Kisielius objects.
2:45:45 PM		Newman responds.
2:45:55 PM		Overruled.
3:00:43 PM		Kisielius objects.
3:01:00 PM		Newman responds.

3:05:08 PM	Sustained. Newman rephrases.
3:12:46 PM	Kisielius objects.
3:13:24 PM	Newman responds.
3:15:26 PM	Hearing Examiner responds to objection.
3:21:12 PM	Newman concludes.
3:21:32 PM	Break. Back at 3:40.
3:40:41 PM	Back on the record.
3:40:51 PM	Thaler begins cross examination of Gifford.
4:00:14 PM	Kisielius objects; beyond scope of witness's expertise.
4:00:25 PM	Thaler withdraws question.
4:02:54 PM	Kisielius objects; asked and answered.
4:03:01 PM	Thaler responds.
4:03:15 PM	Thaler rephrases the question.
4:13:13 PM	Kisielius objects.
4:13:19 PM	Thaler withdraws question.
4:20:08 PM	Kisielius objects; outside scope. Thaler withdraws question.
4:20:37 PM	Kisielius objects; Thaler withdraws.
4:20:43 PM	Thaler concludes.
4:20:46 PM	Kisielius begins redirect examination of Gifford.
4:59:28 PM	Kisielius concludes.
5:00:14 PM	Procedural/scheduling discussion.
5:04:17 PM	Hearing Examiner closes Day 18 of the hearing.