

December 14, 2018

**VIA E-FILING**

Barbara Dykes Ehrlichman  
Deputy Hearing Examiner  
Office of the Hearing Examiner  
700 Fifth Avenue, Suite 4000  
Seattle, WA 98104

Re: Hearing Examiner File No. W-18-009

Dear Examiner Dykes Ehrlichman:

As documented in the Examiner's November 9, 2018, Prehearing Order, the City intended to complete its response to Appellant's public records request by December 14, 2018. The Examiner's Order directs the City to notify the Examiner if the City fails to produce all responsive documents by that date and to identify a subsequent date by which it intends to complete its response. As explained in further detail, below, the City has partially responded to the Appellant's public records request, but will not be able to complete its disclosure of documents in response to the request by December 14, 2018, due to the extensive amount of documents that are responsive to the Appellant's broad request.

Appellant broadly requests, among other things, "[a]ll City emails from Aug 2016 thru today regarding ADU's, QACC's prior Appeal of the DS, the HE Decision in that appeal, EIS preparation, goals of the EIS, the public process, all impacts of the proposal, and directions to consultants." Both the Office of Planning and Development and Council Central Staff have been preparing responses to the Appellant's public records request, even though the request was directed to only OPCD.

By the close of business on December 14, 2018, both of the departments responding to the request will make over 9,000 responsive documents available for disclosure to Appellant. The City has approximately 5,000 documents that remain to be reviewed to determine whether they are responsive to the request and are not otherwise exempt from disclosure. We anticipate that the City will complete its response and produce any remaining responsive documents no later than January 4, 2018. Additionally, the City will produce any remaining responsive

documents as they are available in incremental installments on December 28, 2018 and January 4, 2019.

To the extent it would be helpful to the Examiner, the City is amenable to an additional prehearing conference to discuss its efforts to respond to Appellant's request.

Sincerely,

VAN NESS FELDMAN LLP



Tadas A. Kisielius  
Clara Park  
Attorneys for Seattle City Council

TAK/ack

cc: Martin Henry Kaplan (via email)  
Jeffrey M. Eustis (via email)