

Description

Minutes for W-18-013, Day 1
Seattle Mobility Coalition
Transportation Impact Fee Plan Amendments DNS
Monday, June 10, 2019

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

Party Representatives:

Courtney Kaylor, Counsel for Appellant

Liza Anderson, Counsel for Department

Date

6/10/2019

Location

Large Hearing Room

<u>Time</u>	<u>Speak</u>	<u>Note</u>
9:03:50 AM		Hearing Examiner opens hearing and begins opening statement.
9:05:43 AM		Hearing Examiner concludes.
9:05:59 AM		Courtney Kaylor begins introductory statement for Appellant.
9:07:03 AM		Kaylor calls Morgan Shook as a witness and he is sworn in.
9:08:10 AM		Kaylor begins direct examination of Shook. Kaylor offers Shook's curriculum vitae and it is marked as Exhibit 1.
9:09:40 AM		Kaylor moves to admit Exhibit 1 and it is admitted.
9:11:03 AM		Parties are introduced. Courtney Kaylor, Counsel for Appellant, is present. Liza Anderson, Counsel for Department, is present.
9:11:30 AM		Kaylor continues direct examination of Shook.
9:12:13 AM		Kaylor offers City Council Ordinance draft and it is marked as Exhibit 2.
9:12:21 AM		Kaylor moves to admit Exhibit 2 and it is admitted.
9:14:23 AM		Kaylor offers Fehr & Peers Memorandum and e-mail from Rebecca Schwartzman to Ketil Freeman and they are marked as Exhibits 3 and 4.
9:21:17 AM		Kaylor moves to admit Exhibits 3 and 4 and they are admitted.
9:22:02 AM		Kaylor offers ECO Northwest analysis and it is marked as Exhibit 5.
9:26:12 AM		Kaylor moves to admit Exhibit 5 and it is admitted.
9:27:11 AM		Kaylor offers Impact Fee Workgroup Summary Report and it is marked as Exhibit 6.
9:28:09 AM		Kaylor moves to admit Exhibit 6 and it is admitted.
9:57:32 AM		Kaylor offers SEPA Environmental Checklist and Determination of Nonsignificance and they are marked as Exhibits 7 and 8.
9:59:42 AM		Kaylor concludes.
9:59:49 AM		Kaylor moves to admit Exhibits 7 and 8 and they are admitted.
10:00:13 AM		Anderson begins cross examination of Shook.
10:14:55 AM		Break. Back at 10:30.
10:30:09 AM		Back on the record.
10:30:11 AM		Anderson continues cross examination of Shook.
10:37:04 AM		Anderson concludes.
10:37:35 AM		Hearing Examiner asks questions of Shook.
10:44:16 AM		Hearing Examiner concludes.
10:44:23 AM		Kaylor begins redirect examination of Shook.
10:59:22 AM		Kaylor concludes.
10:59:29 AM		Kaylor calls Michael Swenson as a witness and he is sworn in.
11:00:23 AM		Kaylor offers Swenson's resume and it is marked as Exhibit 9.
11:02:10 AM		Kaylor moves to admit Exhibit 9 and it is admitted.
11:04:45 AM		Kaylor offers table of construction impacts for various projects and it is marked as Exhibit 10.
11:05:40 AM		Kaylor moves to admit Exhibit 10 and it is admitted.
11:13:55 AM		Kaylor offers a diagram showing street infrastructure and costs and it is marked as Exhibit 11.
11:15:48 AM		Kaylor moves to admit Exhibit 11 and it is admitted.

11:31:31 AM	Kaylor offers Seattle Pedestrian Master Plan and it is marked as Exhibit 12.
11:32:17 AM	Kaylor offers map from the Pedestrian Master Plan progress report and it is marked as Exhibit 13.
11:41:22 AM	Kaylor offers Seattle Bicycle Master Plan and it is marked as Exhibit 14.
11:41:42 AM	Kaylor moves to admit Exhibits 12 and 13 and they are admitted.
11:45:43 AM	Kaylor moves to admit Exhibit 14 and it is admitted.
11:46:08 AM	Kaylor offers Seattle Freight Master Plan and it is marked as Exhibit 15.
11:47:40 AM	Kaylor moves to admit Exhibit 15 and it is admitted.
11:57:22 AM	Kaylor offers portion of the FEIS for the Seattle Comprehensive Plan Update and it is marked as Exhibit 16.
11:59:50 AM	Kaylor offers SEPA DNS for the Bicycle Master Plan and the SEPA Checklist and they are marked as Exhibits 17 and 18.
12:00:09 PM	Break for lunch. Back at 1:30.
1:33:25 PM	Back on the record.
1:33:31 PM	Kaylor continues direct examination of Swenson.
1:34:54 PM	Kaylor offers DNS and SEPA checklist for the Freight Master Plan and they are marked together as Exhibit 19.
1:35:46 PM	Kaylor offers DNS and SEPA checklist for the Pedestrian Master Plan and they are marked as Exhibit 20.
1:36:13 PM	Kaylor offers DNS and SEPA checklist for the Transit Master Plan and they are marked as Exhibit 21.
1:37:08 PM	Kaylor concludes.
1:37:12 PM	Kaylor moves to admit Exhibits 16-21 and they are admitted.
1:37:31 PM	Anderson begins cross examination of Swenson.
1:41:04 PM	Kaylor objects; calls for legal conclusion. Sustained.
1:47:27 PM	Anderson concludes.
1:47:32 PM	Kaylor begins redirect examination of Swenson.
1:50:03 PM	Kaylor concludes.
1:50:17 PM	Kaylor calls George Steirer as a witness and he is sworn in.
1:50:35 PM	Kaylor offers Steirer's resume and it is marked as Exhibit 22.
2:00:46 PM	Kaylor concludes.
2:00:50 PM	Anderson begins cross examination of Steirer.
2:10:56 PM	Kaylor objects; asked and answered.
2:11:03 PM	Anderson responds.
2:11:08 PM	Overruled.
2:15:59 PM	Anderson concludes.
2:16:03 PM	Kaylor begins redirect examination of Steirer.
2:19:17 PM	Kaylor moves to admit Exhibit 22 and it is admitted.
2:19:23 PM	Kaylor concludes.
2:19:36 PM	Anderson calls Ketil Freeman as a witness.
2:19:52 PM	Freeman is sworn in.
2:20:02 PM	Anderson begins direct examination of Freeman.
2:21:49 PM	Anderson offers Freeman's resume and it is marked as Exhibit 23.

2:21:56 PM	Anderson moves to admit Exhibit 23 and it is admitted.
2:44:31 PM	Anderson offers excerpt from Pedestrian Master Plan and it is marked as Exhibit 24.
2:59:17 PM	Break. Back at 3:15.
3:16:53 PM	Back on the record.
3:16:56 PM	Anderson continues direct examination of Freeman.
3:30:35 PM	Anderson concludes.
3:30:38 PM	Kaylor begins cross examination of Freeman.
3:58:40 PM	Kaylor concludes.
3:58:43 PM	Anderson begins redirect examination of Freeman.
4:02:09 PM	Anderson concludes.
4:02:14 PM	Anderson calls Kendra Breiland as a witness and she is sworn in.
4:03:22 PM	Anderson offers Breiland's resume and it is marked as Exhibit 25.
4:33:00 PM	Anderson concludes.
4:33:15 PM	Kaylor begins cross examination of Breiland.
4:45:22 PM	Kaylor offers e-mail from Brennan Staley to Michael Groh and others from July 2017 and it is marked as Exhibit 26.
4:57:12 PM	Kaylor moves to admit Exhibit 26.
4:57:22 PM	Anderson moves to admit Exhibits 24 and 25.
4:57:32 PM	Exhibits 24, 25, and 26 are admitted.
4:57:49 PM	Kaylor concludes.
4:58:08 PM	Anderson begins redirect examination of Breiland.
5:01:19 PM	Redirect examination of Breiland will continue on Day 2.
5:03:34 PM	Hearing Examiner closes Day 1 of the hearing.