

Description

Minutes for W-18-013, Day 2
Seattle Mobility Coalition
Transportation Impact Fee Plan Amendments DNS
Wednesday, June 12, 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

6/12/2019

Location

Large Hearing Room

<u>Time</u>	<u>Speak</u>	<u>Note</u>
9:00:29 AM		Hearing Examiner opens Day 2 of the hearing.
9:00:38 AM		Anderson continues redirect examination of Breiland.
9:11:33 AM		Anderson concludes.
9:11:48 AM		Anderson calls Andrew Bjorn as a witness and he is sworn in.
9:12:06 AM		Anderson begins direct examination of Bjorn.
9:12:53 AM		Anderson offers Bjorn's resume and it is marked as Exhibit 27.
9:22:42 AM		Anderson offers article from the Journal of Planning Education and Research and it is marked as Exhibit 28.
9:30:25 AM		Anderson offers Burge and Ihanfeldt article on impact fees and it is marked as Exhibit 29.
9:37:52 AM		Anderson offers article titled "Impact Fees and Housing Affordability" and it is marked as Exhibit 30.
9:40:58 AM		Anderson moves to admit Exhibits 28-30. Exhibits 27-30 are admitted.
10:04:41 AM		Anderson offers City of Seattle Transportation Capital Funding Review Draft and it is marked as Exhibit 31.
10:13:22 AM		Anderson moves to admit Exhibit 31 and it is admitted.
10:15:16 AM		Anderson concludes.
10:15:19 AM		Break. Back at 10:30.
10:30:45 AM		Back on the record.
10:30:53 AM		Kaylor begins cross examination of Bjorn.
10:33:52 AM		Anderson objects; asked and answered.
10:51:48 AM		Kaylor concludes.
10:51:50 AM		Hearing Examiner asks questions of Bjorn.
11:01:01 AM		Anderson offers memorandum written by Bjorn and it is marked as Exhibit 32.
11:01:15 AM		Hearing Examiner concludes.
11:03:01 AM		Anderson begins redirect examination of Bjorn.
11:07:19 AM		Kaylor objects; withdrawn.
11:08:46 AM		Kaylor objects; beyond the scope of cross.
11:09:53 AM		Sustained.
11:09:56 AM		Anderson concludes.
11:10:08 AM		Anderson calls Mark Mazzola as a witness and he is sworn in.
11:10:41 AM		Anderson begins direct examination of Mazzola.
11:11:25 AM		Anderson offers Mazzola's resume and it is marked as Exhibit 33.
11:14:44 AM		Anderson moves to admit Exhibit 33 and it is admitted.
11:14:56 AM		Anderson moves to admit Exhibit 32 and it is admitted.
11:16:36 AM		Anderson offers SEPA checklist template in the WAC and it is marked as Exhibit 34.
11:31:27 AM		Anderson offers table showing status of transportation impact fee-eligible projects and it is marked as Exhibit 35.
11:37:03 AM		Hearing Examiner asks question of Mazzola. Brief break to address recording equipment issue.
11:52:07 AM		Back on the record.
12:00:40 PM		Anderson concludes.

12:18:09 PM	Hearing Examiner clarifies recording issue.
12:19:36 PM	Hearing Examiner concludes. Kaylor begins cross examination of Mazzola.
12:25:29 PM	Kaylor concludes.
12:25:29 PM	Hearing Examiner asks about rebuttal witnesses. Kaylor responds.
12:25:29 PM	Break for lunch. Back at 1:45.
1:46:26 PM	Back on the record.
1:46:54 PM	Anderson resubmits SEPA checklist template with pages that were missing and moves to replace Exhibit 34.
1:48:09 PM	Anderson moves to admit Exhibits 34 and 35 and they are admitted.
1:54:39 PM	Anderson concludes.
1:54:52 PM	Kaylor calls Shook as a rebuttal witness.
1:55:37 PM	Kaylor begins direct examination of Shook.
2:17:08 PM	Kaylor offers charts and tables regarding development feasibility with transportation impact fees and it is marked as Exhibit 36.
2:18:00 PM	Anderson objects; foundation of exhibit.
2:18:13 PM	Kaylor asks Shook to describe its origin.
2:19:52 PM	Hearing Examiner asks what the purpose of the rebuttal exhibit is. Kaylor responds.
2:23:20 PM	Anderson responds.
2:24:06 PM	Kaylor responds. Parties discuss.
2:28:29 PM	Hearing Examiner responds to objection.
2:28:59 PM	Hearing Examiner will allow the exhibit for limited purpose to be discussed on June 18th so the City has time to prepare response.
2:29:37 PM	Kaylor concludes.
2:29:42 PM	Anderson begins cross examination of Shook.
2:48:03 PM	Kaylor objects; mischaracterizes testimony.
2:53:24 PM	Kaylor objects; beyond the scope of rebuttal testimony.
2:53:32 PM	Anderson responds.
2:54:14 PM	Kaylor responds.
2:54:31 PM	Overruled.
2:56:22 PM	Anderson concludes.
2:56:25 PM	Kaylor begins redirect examination of Shook.
2:57:55 PM	Kaylor concludes.
2:58:11 PM	Hearing Examiner asks counsel to identify testimony rebutted by Exhibit 36 by the end of day Friday.
3:02:14 PM	Shook will testify regarding Exhibit 36 at 9 a.m. on June 18th.
3:02:21 PM	Kaylor calls Steirer as a rebuttal witness.
3:02:30 PM	Kaylor begins direct examination of Steirer.
3:08:04 PM	Kaylor concludes.
3:08:06 PM	No cross examination.
3:08:30 PM	Anderson asks about closing arguments.
3:09:34 PM	Hearing Examiner will set schedule for closing briefs. Closing briefs will be due July 19th and responses due July 26th.

3:12:43 PM	Hearing Examiner closes Day 2 of the hearing.
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