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BEFORE THE HEARING EXAMINER
FOR THE CITY OF SEATTLE

In the Matter of the Appeals of)	Hearing Examiner Consolidated File:
)	W-17-006 through
WALLINGFORD COMMUNITY)	W-17-014
COUNCIL, ET AL.)	
)	APPELLANT MORGAN COMMUNITY
)	ASSOCIATION
)	W-17-007)
Of Adequacy of FEIS Issued by the)	PRELIMINARY WITNESS AND EXHIBIT LIST
Director, Office of Planning and)	
Community Development)	
)	

TO: Respondent City of Seattle and to its Seattle Office of Planning and Community Development (hereafter referred to as OPCD) and its Attorneys, and to all Appellants' attorneys and Authorized Representatives listed on the certificate of Service attached hereto:

Pursuant to the Second Prehearing Order, Appellant Morgan Community Association submits its Preliminary Witness and Exhibit List. These lists are indeed preliminary. As of the preparation date of this Preliminary Witness and Exhibit List, the Respondent provided (on March 22, 2018 and March 28, 2018) tens of thousands of pages of documents in zip files, some of which are germane to Appellants' discovery requests, but Appellant's Authorized Representative has not had adequate time to fully review them. Nor has the Respondent answered the interrogatory requests from other Appellants in this appeal. Accordingly, the Appellant does not know whether any of the individuals listed below will actually be called to testify as witnesses at the hearing or whether any of the exhibits listed below will actually be necessary at the hearing. Additionally, since the Respondent has not answered the Appellants' interrogatories, it is impossible to know whether there will be additional witnesses or exhibits for the hearing, including, but not limited to, City of Seattle employees and contractors, and City of Seattle

1 documents and contractors' documents. And, after receipt of responses to written interrogatories
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3 and all the documents requested, the Appellant may schedule depositions based on the
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5 information received. Accordingly, given the truncated time to hearing, the Appellant's
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7 witnesses and exhibit list may not be available until the cut-off date for the final witness list and
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9 final exhibit list. If information from the Respondent becomes promptly available and if the
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11 information provided can be quickly digested (as opposed to tens of thousands of documents at
12
13 one time), then Appellant will supplement this Preliminary Witness and Document list as such
14
15 information becomes available.

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17 Additionally, the Appellant reserves the right (a) to call any witness identified by any
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19 party, (b) to use any of the documents identified by any other party, (c) to call substitute
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21 witnesses if any identified witness becomes unavailable, (d) to call rebuttal witnesses, (e) to call
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23 additional witnesses as allowed by Seattle Hearing Examiner Rules, and. (f) to supplement this
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25 preliminary witness and document list as new or more information becomes available.

26
27 Time period for each witness's testimony per Hearing Examiner's Order. The
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29 approximate time periods for each witness's direct testimony (in parentheses at the end of each
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31 witness summary) does not include time to authenticate documents, argument about the
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33 admissibility of documents if the Respondent will not stipulate to admission of the document(s),
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35 nor time for cross examination and re-direct testimony.

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APPELLANT MORGAN COMMUNITY ASSOCIATION'S PRELIMINARY WITNESS LIST

Preliminary Expert Witness List:

1. Gary Dawson. 8619 Fauntleroy Way SW, Seattle, WA. Mr. Dawson is a resident of the
Fauntleroy neighborhood and has been a four term member of the Washington State Ferry
Advisory Committee as a Fauntleroy representative. He will testify regarding Ferry scheduling,
regional ferry issues as well as Fauntleroy specific issues. (Estimated time: 60 minutes).

1 2. Alon Bassok, PhD, Delridge, West Seattle, WA. Dr. Bassok is an Urban Planner with a focus
2
3 on Real Estate and sustainable transportation. He will testify regarding the veracity of the FEIS
4
5 Transportation models and assumptions including evaluation metrics. (Estimated time: 60
6
7 minutes).

8
9 3. Sharon E. Sutton, PhD, FAIA, New York, NY. Dr. Sutton is a professor of architecture with a
10
11 focus on advancing just and inclusive communities. She will testify regarding the flaws of the
12
13 displacement analysis and the resulting high/low neighborhood assumptions.

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17 Preliminary Fact Witness List:

18
19 1. Cindi Barker. Ms. Barker resides in the Morgan Junction neighborhood. With others, Ms.
20
21 Barker authored the Morgan Junction Urban Village Neighborhood Plan, and has continued to
22
23 serve as a Board member of the Morgan Community Association (MoCA) since that time. Ms.
24
25 Barker will provide an overview of the original community process and involvement. (Estimated
14 time: 60 minutes).

15 2. Eldon Olson. Mr. Olson resides in the Morgan Junction neighborhood and has served on the
16
17 Board of the Morgan Community Association for ten years. He will give an overview of the
18 Morgan Junction displacement metrics. (Estimated time: 45 minutes).

19 3. Victoria Nelson. Ms. Nelson is a Fauntleroy resident and member of the West Seattle
20
21 Transportation Coalition. She will provide an overview of the Fauntleroy Ferry traffic impacts on
22
23 West Seattle, including a discussion of the available roadway network into and out of West
24
25 Seattle and City-wide traffic flow data. (Estimated time: 60 minutes)

1 4. Chas Redmond. Mr. Redmond is a Morgan Junction resident and a member of the West
2
3 Seattle Transportation Coalition. He will provide an overview of the vehicular corridor
4
5 conditions of the West Seattle peninsula. (Estimated time: 45 minutes).

6
7 5. Tamsen Spengler. Ms. Spengler is a Morgan Junction resident and worked for years as a Grant
8
9 and Contracts Specialist for the City of Seattle's Human Services, Aging and Disability
10
11 Department. She will provide a broad overview of this Department including its Age Friendly
12
13 Communities goals of ensuring that all older adults experience stable health and can age in place,
14
15 and MHA impacts. (Estimated time: 60 minutes).

16
17 6. Jack Miller. Mr. Miller is a Morgan Junction Resident and is the owner of the Husky Deli, a
18
19 popular West Seattle Junction business for over 85 years. He will provide an overview of the
20
21 past and present West Seattle Junction business and development climate. (Estimated time: 60
22
23 minutes).

24
25 7. Once complete discovery is received from the Respondent, there may be other expert and lay
14 witnesses; additionally, other possible lay witnesses have not yet been identified but may include
15 displaced business owners and residents of the Morgan Junction Urban Village proposed up-zone
16 area, and other witnesses that are relevant to our appeal issues.

17
18 APPELLANT MORGAN COMMUNITY ASSOCIATION'S PRELIMINARY EXHIBIT LIST

19 1. Respondent's Answers to Appellant Morgan Community Association's First Interrogatories
20 and Request for Production directed to the City of Seattle.

21 2. MHA Final EIS, comments/letters to the Draft EIS and other underlying documents,
22 including but not limited to:

23 http://www.seattle.gov/Documents/Departments/HALA/Policy/MHA_FEIS/Compiled_MHA_F

1 [EIS_2017.pdf](#);

2
3 [http://www.seattle.gov/dpd/LUIB/AttachmentProjectID8686Compiled MHA FEIS Appendices](http://www.seattle.gov/dpd/LUIB/AttachmentProjectID8686Compiled_MHA_FEIS_Appendices)
4
5 [_2017.pdf](#).

6
7 3. 2035 Comprehensive Plan and City Council, proposed amendments thereto, and amendments
8
9 adopted by the City Council.

10
11 4. City of Seattle maps showing proposed up-zone and zoning to the Morgan Junction Urban
12
13 Village.

14
15 5. Morgan Junction Neighborhood Plan.

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17 6. Morgan Junction Design Guidelines.

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19 7. Letter dated April 17, 2014 from Morgan Community Association to Aly Pennucci regarding
20
21 Morgan Community Association comments on City's Pedestrian Overlay proposal.

22
23 8. Letter dated January 21, 2017 from Morgan Community Association to HALA Team Jesseca
24
25 Brand, Brennon Staley, Nick Welch and Geoff Wentlandt regarding Review of MHA Proposal
14 for the Morgan Junction Urban Village.

15
16 9. Electronic Communication from Deb Barker dated March 26, 2017 subject 'Morgan
17 Community Association Jan. 23 letter and invitation to April 19 MOCA meeting.'

18
19 10. Electronic Communication from Sam Assefa dated March 27, 2017 subject 'Morgan
20 Community Association Jan. 23 letter and invitation to April 19 MOCA meeting.'

21
22 11. Comprehensive Plan Amendment Application from Morgan Community Association dated
23 May 13, 2017.

24
25 12. Letter dated May 31, 2017 from Morgan Community Association Board to Mayor Ed Murray
and Seattle City Council, RE: Morgan Junction Calls for City to Engage in Neighborhood
Planning to Resolve MHA Conflicts.

13. Letter dated August 7, 2017 from Morgan Community Association regarding DEIS
comments including but not limited to Fauntleroy Ferry Traffic concerns.
14. West Seattle Blog article published on July 26, 2017, titled “7 Morgan Junction parcels listed
together for \$5.6 million, banking on HALA upzoning.”
15. Washington State Ferry statistics report for 2016 and 2017
http://www.wsdot.wa.gov/ferries/traffic_stats/annualpdf/2017.pdf
16. City of Seattle Department of Transportation Transit Master Plan
<http://www.seattle.gov/Documents/Departments/SDOT/TransitProgram/TMPSupplmtALL2-16FINAL.pdf>
17. City of Seattle Department of Transportation reports contained in
[http://www.seattle.gov/Documents/Departments/SDOT/About/DocumentLibrary/Reports/2017Traffic Report.pdf](http://www.seattle.gov/Documents/Departments/SDOT/About/DocumentLibrary/Reports/2017TrafficReport.pdf) including but not limited to Traffic Flow Map from 2016.
18. Existing photographs published by the West Seattle Blog and those to be taken of ferry
traffic in West Seattle.
19. Existing photographs of West Seattle Bridge traffic conditions - AM peak, published by the
West Seattle Blog.
20. Existing photographs of West Seattle Bridge traffic conditions – PM peak, published by the
West Seattle Blog.
21. Resume of Gary Dawson
22. Resume of Alon Bassok
23. Resume of Sharon E. Sutton
- Dated: April 2, 2018
- By: _____
Deborah Barker

1 Authorized Representative for Appellant Morgan Community Association

2
3 CERTIFICATE OF SERVICE

4
5 The undersigned certifies under penalty of perjury under the laws of the State of
6
7 Washington that this Preliminary Witness and Exhibit list was served on all the parties' attorneys
8
9 of record or on their authorized representatives of record at the email addresses listed below:

10
11 Beacon Hill Council mira.latoszek@gmail.com; Coalition for Affordability [newman@bnd-](mailto:newman@bnd-law.com)
12
13 law.com; Fremont NC toby@louplop.net; Friends of North Rainier masteinhoff@gmail.com;
14
15 PCD_MHAEIS MHAEIS@seattle.gov; Daniel B Mitchell Daniel.Mitchell@seattle.gov;
16
17 Geoffrey Wentlandt Geoffrey.Wentlandt@seattle.gov; Jeff S Weber Jeff.Weber@seattle.gov;
18
19 Tadas Kiselius tak@vnf.com; Cara Tomlinson cat@vnf.com; Amanda Kleiss ack@vnf.com;
20
21 Dale Johnson dnj@vnf.com; Clara Park cpark@vnf.com; SUN booksgalore22@gmail.com;
22
23 Wallingford CC lee@lraaen.com; West Seattle Junction rkoehler@cool-studio.net; West Seattle
24
25 Junction admin@wsjuno.org.; Friends of Ravenna-Cowan <http://jebendich@comcast.net>;

15 This document has been filed by E-file with the Seattle Hearing Examiner's Office, Ryan
16 Vancil, Deputy Hearing Examiner.

17
18 Dated: April 2, 2018 at Seattle, Washington.

19
20 By: _____
21 Deborah Barker, Declarant
22