

Seattle Waterfront LID Assessment Hearing

Seattle LID Public Comment Hearing

April 9, 2020



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TELEPHONIC
SEATTLE WATERFRONT
LID ASSESSMENT HEARING
BEFORE
HEARING EXAMINER RYAN VANCIL
RECORDED APRIL 9, 2020

TRANSCRIBED BY: Anita W. Self, RPR, CCR 3032

A P P E A R A N C E S

HEARING EXAMINER:

RYAN VANCIL

FOR THE CITY:

GABRIELLE E. THOMPSON
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OBJECTORS:

RUTH DANNER (CWF-0092)
JANE FINCH (CWF-0215)

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1 APRIL 9, 2020

2 P R O C E E D I N G S :

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4 HEARING OFFICER VANCIL: I'll call to
5 order this April 10th, 2020, continuance of the
6 Seattle Waterfront LID hearing.

7 Today, objections will continue to be
8 heard from Hearing Examiner Case Nos. CWF-0092 for
9 Ms. Danner, scheduled from 9:15 to 9:30 a.m., and then
10 at 9:30 a.m., we'll hear from CWF-0215, Ms. Finch, and
11 she's scheduled from 9:30 to 10:15 a.m.

12 Before we get started, we're starting with
13 Ms. Danner, this is obviously a little bit of an
14 unusual process for us because we're not in person, so
15 I just want to make sure, if you have any questions
16 about procedure or how we're proceeding, that I get
17 those answered.

18 And we'll check with Ms. -- and I'll get
19 Ms. Finch when we get to your portion of the hearing,
20 but I want to talk to Ms. Danner, hear any questions
21 or concerns you have, Ms. Danner, at this time.

22 MS. DANNER: Yes. I just want to make
23 sure that the information that I submitted originally
24 in writing and my attachments are already on file.
25 And I don't need to repeat all that today; is that

1 right?

2 HEARING EXAMINER VANCIL: That -- yes,
3 everything in your -- in your written objection, I
4 have a copy of here if you need me to reference
5 anything as part of your statement, and that's already
6 admitted to the record. And today is your opportunity
7 simply to provide testimony, witnesses or exhibits to
8 support anything else you have with the objection.
9 And I'm happy to hear that when you're ready.

10 MS. DANNER: Great. Thanks. Then I can
11 go ahead and begin?

12 HEARING EXAMINER VANCIL: Yes, please.
13 Actually, I should swear you in.

14 MS. DANNER: Oh.

15

16 RUTH DANNER, witness herein, having been
17 first duly sworn on oath,
18 was examined and testified
19 as follows:

20

21 HEARING EXAMINER VANCIL: Thank you.

22 MS. DANNER: Okay.

23 So my husband, George, and I have owned a
24 condo at 1415 Second Avenue since 2013, and George and
25 I are both retired and rely on pensions and carefully

1 constructed retirement savings for our support.

2 The current pandemic is the ultimate proof
3 that man plans and God laughs. The City has made
4 significant investments of time working closely with
5 the promoters of its waterfront plan. They've met in
6 closed-door meetings to come up with a means for
7 compelling a reasonably small number of us to pay
8 \$160 million for this project.

9 The true recipients of unquestionable
10 special benefit in this matter are the real estate
11 speculators who have driven property values to
12 ridiculously high levels, driving rents ever higher,
13 and making Seattle more unaffordable than ever.

14 I am concerned that Seattle's great
15 construction boom is over, and with it goes Seattle's
16 budget. We cannot afford to have LID funds forcibly
17 extracted primarily for the benefit of serving a
18 cruise and tourism industry whose future is uncertain.

19 We cannot afford corporate welfare to prop
20 up a construction boom that has long been showing
21 cracks in its foundation. We cannot -- we need to
22 conserve resources if we hope to weather the economic
23 storm that is on its way.

24 From the beginning, I objected to the use
25 of LID process for this project. LIDS exist as a

1 mechanism for local property owners to submit
2 themselves to infrastructural improvements in excess
3 of what the larger municipality is willing or able to
4 cover. No city park has ever been funded with LID
5 funds for the benefit of all at the forced expense of
6 a limited few.

7 Our assessment is built on the premise
8 that the waterfront park will add special benefits to
9 us as nearby property owners. Looking at the
10 renderings on the website earlier this week, it was
11 clear that they do not accurately reflect what is
12 already underway. So whatever the assessor used to
13 determine special benefits was a concept which cannot
14 be accurately valued. Any special benefit would be
15 equally speculative.

16 In my professional experience, as a senior
17 accountant for a \$15 billion real estate portfolio, I
18 agree with Anthony Gibbons' letter of May 2nd, 2018,
19 when he wrote "The estimated value lift applied by
20 Valbridge is less than four percent, which is within
21 the margin of error for any appraisal and, thus, by
22 definition, speculation."

23 The LID is not local or intended to
24 provide special benefits. It is an economic
25 development plan to upgrade a regional, national and

1 international destination conceived to benefit real
2 estate developers and the cruise and tourism industry
3 with the bill sent to upland property owners.

4 If it continues despite the red flags on
5 the horizon, it will be an economic stimulus package
6 paid for by us. The City will -- will take LID funds
7 from us today and then use the adopted logic of the
8 Valbridge report to raise our property values, thus
9 increasing future property taxes, effectively charging
10 us twice and perpetually into the future. This is not
11 a special benefit. This is us fully funding someone
12 else's big idea for someone else's financial gain.

13 The LID improvements do not add anything
14 significant to the Central Waterfront. They
15 already -- we already have a promenade, viewpoints,
16 and connecting streets and bridges. The \$30 million
17 shark tank to be added to the Seattle Aquarium is an
18 embarrassment to the City that prides itself on its
19 Green New Deal. The cost to heat and then cool water
20 for tropical species that do not belong here make
21 maintenance for this addition a lifetime commitment
22 and expense. How can we justify spending this kind of
23 money to create and maintain a false environment for
24 fish who are involuntary extracted from their natural
25 environment. This is not a special benefit.

1 If the cruise ship does recover, the LID
2 improvements do nothing to provide housing for tourism
3 workers who will have to be imported over
4 super-commuter distances, widening the gap here
5 between the top 10 percent and everyone else.

6 Hungry people are angry people. This is
7 not a special benefit. The LID improvements will do
8 nothing to improve housing for individuals who are
9 experiencing homelessness, with or without substance
10 abuse. Crime is running rampant in our streets, and
11 children are pressed into service as beggars or worse.
12 I am already afraid to go to the grocery store alone.

13 Seattle cannot solve their tandem housing
14 and drug problems as it is. Expanding the area that
15 must be patrolled will make the problem worse. There
16 can be no special benefit in this plan if we do not
17 address these problems first.

18 Our property will suffer from a special
19 loss in value during construction and afterward,
20 particularly if workforce housing is not made
21 affordable and available within a reasonable distance.

22 And, finally, we object to this entire
23 hearing being held when it does not qualify under the
24 governor's Proclamation 20-28 for work agent -- for
25 work agencies can and cannot do during an emergency

1 suspension or the Open Meetings Act.

2 I want to listen to the testimony of those
3 who will defend the LID assessment roll and project.
4 I want to hear the cross-examination, and believe it
5 is my right to participate in cross-examination if
6 there are questions that have not yet been asked.

7 It is unreasonable to expect that over 400
8 appellants observing stay-at-home orders will be able
9 to coordinate cross-examination as directed. And of
10 those 400, some are healthcare workers, first
11 responders, parents of school-age children who must
12 also continue to work at home. This process asks them
13 to choose between defending their rights and
14 responding to the emergency appropriately. This is
15 not a special benefit.

16 In our comments today, my husband and I
17 have not raised specific objections to the value at
18 which our property has been assessed or its
19 relationship to other properties. I made a career of
20 analyzing and comparing complex financial data. In
21 good faith, I attempted to research other properties,
22 but found the online tool available to be entirely
23 impossible. I do not trust that the assessments were
24 equitable and fairly done, leaving some property
25 owners to pay much higher effective rates than others.

1 I do not believe that assessments
2 proportionally reflect today's values, and I most
3 certainly do not expect current assessments to reflect
4 what properties will be worth later this year when the
5 recession settles in, when developers and bankers pull
6 out, when unfinished construction in progress is
7 shuttered, when foreign developers pull up their tent
8 stakes and leave us all holding the bag.

9 While we have not raised specific
10 objections to the valuation of our property relative
11 to others, if this LID is found to be legal and moves
12 forward, we ask that the valuation methodology be
13 carefully reevaluated, and that we not be assessed a
14 disproportionate share of this extravaganza.

15 So we wish to join in and incorporate by
16 reference other objections made by other property
17 owners in this matter, including, but not limited to
18 the objections to the assessment methodology and
19 values.

20 And that's it. Thank you for your
21 consideration. And if you have anything else for me,
22 I'll yield the rest of my time.

23 HEARING EXAMINER VANCIL: Thank you very
24 much, Ms. Danner.

25 City questions?

1 MS. THOMPSON: No questions from the City.

2 HEARING EXAMINER VANCIL: Ms. Danner,
3 thank you for your presentation. I understand the
4 points that you've made. They came through very
5 clearly. And Galen, please mute your mic.

6 MR. EDLUND-CHO: I'm sorry. We're in the
7 hearing right now.

8 HEARING EXAMINER VANCIL: Well, we'll wait
9 until he's finished, and I'll finish with the comments
10 (inaudible).

11 Mr. Edlund-Cho? Mr. Edlund-Cho?

12 MR. EDLUND-CHO: Yes.

13 HEARING EXAMINER VANCIL: Mute you're mic
14 when you're talking on the phone.

15 MR. EDLUND-CHO: Oh, I'm sorry.

16 HEARING EXAMINER VANCIL: Ms. Danner,
17 thank you. I appreciate your comments. I understand
18 what you've conveyed. All of this has been recorded.
19 It is part of the record, in addition to any copies of
20 your objection and anything else.

21 Is there anything else you need from us
22 today as part of the hearing process?

23 MS. DANNER: That is all. Thank you very
24 much for your time.

25 HEARING EXAMINER VANCIL: We'll turn to

1 Ms. Finch at this time. And Ms. Finch, I'm going to
2 pause for just a moment and I'll return.

3 All right. Ms. Finch, please take
4 yourself off mute so I can hear you.

5 MR. EDLUND-CHO: Ms. Finch, you've been
6 unmuted.

7 MS. FINCH: Okay. Thank you.

8 HEARING EXAMINER VANCIL: Good morning,
9 Ms. Finch. I'll swear you in now.

10

11 JANE FINCH, witness herein, having been
12 first duly sworn on oath,
13 was examined and testified
14 as follows:

15

16 HEARING EXAMINER VANCIL: Please proceed.

17 Ask before you proceed, do you have any questions
18 about how to proceed, about this procedure, and how
19 it's working in this forum?

20 MS. FINCH: Well, actually, I wanted to
21 apologize for taking up your time, because I -- I came
22 prepared with the letter that I submitted originally
23 by both email and hand-delivery to the City Clerk.

24 HEARING EXAMINER VANCIL: Okay.

25 MS. FINCH: And I -- so the points that I

1 would want to make are already included in this
2 letter. And so I apologize. I should have prepared
3 other testimony, I guess, given Ms. Danner's testimony
4 this morning. But her remarks cover everything that I
5 submitted already.

6 And given -- and then on top of that,
7 given the Coronavirus situation, it just really is --
8 makes it difficult and frustrating for those of us who
9 are trying to find our -- our way with the City over
10 this matter because, for most of us, many of us, we
11 just feel that this is an unfair, unprecedented
12 situation.

13 So I apologize for taking up your time.

14 HEARING EXAMINER VANCIL: Ms. Finch,
15 there's no need to apologize. This was an open forum
16 for the objectors to present anything that they need
17 to.

18 I do understand what you're saying,
19 though, is that you didn't have anything separate
20 prepared from what was already submitted with your
21 objection, and it isn't necessary to delve into that
22 unless you have other points.

23 So I appreciate you summarizing and saying
24 that your objection stands for your statement in
25 addition to anything you added today.

1 MS. FINCH: Yes. Thank you very much.

2 HEARING EXAMINER VANCIL: Thank you for
3 your time.

4 With that, the hearing for the time being
5 is recessed, and we will reconvene at a later date.
6 Right now, daily -- our schedule changes daily, and
7 we'll let you know what the next time is that we're
8 up. I believe we're still on schedule for April 13th
9 to hear from additional objectors. Thank you.

10 (Hearing concluded.)

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C E R T I F I C A T E

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STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I, ANITA W. SELF, a Certified Shorthand Reporter in and for the State of Washington, do hereby certify that the foregoing transcript is true and accurate to the best of my knowledge, skill and ability.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 21st day of April 2020.

Anita W. Self

ANITA W. SELF, RPR, CCR #3032

