

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

BEFORE THE HEARING EXAMINER OF THE CITY OF MERCER ISLAND

In Re The Appeal of:

BARCELO HOMES, INC.,

Petitioner,

v.

CITY OF MERCER ISLAND,

Respondent.

No. APL21-002

(Ref. No. CE20-0057)

CITY OF MERCER ISLAND’S FILE
PRODUCED UNDER HEARING
EXAMINER RULE 224

The City of Mercer Island submits the following exhibits in the above-referenced matter, currently set for hearing on April 8, 2021:

Exhibit No.	Description	Date
1	Complaint to City of Illegal Dumping at 7216 93 rd by F. Sipiora	10/6/2020
2	Complaint to City of Illegal Dumping at 7216 93 rd by D. Sandstrom	10/6/2020
3	Site Visit Photos	10/7/2020
4	Site Visit Photos (Including Stop Work Order)	10/7/2020
5	Complaint Work Continuing	10/11/2020
6	Email Attaching Video of Continued Dumping in Violation of Stop Work Order	10/12/2020
7	Video of Continued Dumping	
8	Log of Conversation Between D. Cole and N. Maksimchuki	10/13/2020

Exhibit No.	Description	Date
9	Site Visit Photos (Including Second Stop Work Order)	10/19/2020
10	Site Visit Video Narrated by D. Henderson	10/19/2020
11	Complaint of Continued Work in Violation of Second Stop Work Order	1/27/2021
12	Email to N. and B. Maksimchuk Regarding Continued Work in Violation of Second Stop Work Order	1/27/2021
13	Site Visit Photos	1/28/2021
14	Close Up of Barcelo Trailer	
15	Notice of Violation	2/8/2021
16	Notice of Appeal	2/23/2021
17	Notice of Violation and Civil Penalties, CE19-0007, 9104 SE 50th Street	3/4/2019
18	Notice of Violation and Order to Correct, CE19-0023, 9104 SE 50th Street	4/2/2019
19	Notice of Violation of Stop Work Order, CE20-0017, 4719 90th Ave SE	4/16/2020
20	King County Property Assessor Record	
21	Premium Homes of Mercer Island SoS Records	
22	Barcelo Online Roster	
23	Barcelo Homes SoS Records	
24	Barcelo Annual Report	
25	Agenda Code Compliance Discussion with Barcelo Homes	2/22/2019
26	Declaration of Public Notice	

The City reserves the right to seek admission of rebuttal exhibits after review of the Appellants' exhibits. The City further reserves the right to utilize documents identified by Appellants, and to rely on and elicit testimony concerning any provision of the Revised Code of Washington, Washington Administrative Code, or Mercer Island City Code.

DATED this 25th day of March, 2021.

MADRONA LAW GROUP, PLLC

By: /s/ Eileen M. Keiffer
Eileen M. Keiffer, WSBA No. 51598

Attorneys for the City of Mercer Island

1 **DECLARATION OF SERVICE**

2 I, Tori Harris, declare and state:

3 1. I am a citizen of the State of Washington, over the age of eighteen years, not a party
4 to this action, and competent to be a witness herein.

5 2. On the 25th day of March, 2021, I served a true copy of the foregoing City of
6 Mercer Island’s File Produced Under Hearing Examiner Rule 224 on the following counsel
7 of record using the method of service indicated below:

8 Dianne K. Conway, WSBA No. 28542 9 Gordon Thomas Honeywell LLP 10 1201 Pacific Avenue, Suite 2100 Tacoma, WA 98402 11 Counsel for Petitioner	<input type="checkbox"/> First Class, U.S. Mail, Postage Prepaid <input type="checkbox"/> Legal Messenger <input type="checkbox"/> Overnight Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail: dconway@gth-law.com <input type="checkbox"/> EService pursuant to LGR
--	---

12 I declare under penalty of perjury under the laws of the State of Washington that the
13 foregoing is true and correct.

14 DATED this 25th day of March, 2021, at Seattle, Washington.

15 **MADRONA LAW GROUP, PLLC**

16 *Tori Harris*

17
18 Tori Harris