

Exhibit No. _____
Docket No. TR-100127
Witness: Andrew Neiditz, City Manager

**BEFORE THE WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION**

WASHINGTON STATE DEPARTMENT
OF TRANSPORTATION,

Petitioner,

CENTRAL PUGET SOUND REGIONAL
TRANSPORTATION AUTHORITY; and
CITY OF LAKEWOOD,

Respondents.

Docket No. TR-100127, TR-100128, and TR -
100129 (*Consolidated*)

WRITTEN DIRECT TESTIMONY OF

Andrew Neiditz

**City Manager
City of Lakewood**

May 3, 2010

1 ANDREW NEIDITZ, City Manager, testifies as follows:

2 I submit this testimony in opposition to the petitions of the Washington State
3 Department of Transportation in the above-referenced dockets.

4 **Q. Please state your name and business address.**

5 **A.** My name is Andrew Neiditz, and my business address is 6000 Main Street SW,
6 Lakewood, WA 98499. My business email address is aneiditz@cityoflakewood.us.

7 **Q. Who is your employer?**

8 **A.** The City of Lakewood.

9 **Q. Describe your position with the City of Lakewood including your duties and**
10 **responsibilities.**

11 **A.** The City Manager functions much like the CEO of the City Organization, responsible
12 for the day to day operation of the City. I am the final authority on staffing and budget matters.
13 In a city the size of Lakewood, my job is truly that of Manager with most of the hands-on work
14 delegated to subordinates.

15 **Q. How does your background and experience qualify you to hold this position?**

16 **A.** I have over 25 years of executive level experience in local government and have served
17 as Lakewood's City Manager since March 2005. My prior experience with local government at
18 the executive level includes serving as City Administrator for the City of Sumner, Deputy City
19 Manager for the City of Lakewood, Executive Director of Public Safety and Deputy County
20 Executive for Pierce County. I am a Credentialed City Manager through the International City
21 Managers Association. My bachelor's degree is from Stockton State College and I have a
22 Masters Degree in Public Administration from the University of Oregon as well as completing
23 the Senior Executive Program in State/Local Government at the Kennedy School of
24 Government at Harvard University.

25 As part of my responsibilities with the City of Lakewood I am active within the
26 community and my profession, including the Tacoma-Pierce County Economic Development
27

1 Board, Rotary Club and as the West Coast Regional Vice-President for the International City
2 Management Association.

3 **Q. Are you familiar with the "Point Defiance Bypass" project?**

4 **A.** Yes.

5 **Q. What is the "Point Defiance Bypass" project?**

6 **A.** An attempt to separate or peel off passenger service from the Pt. Defiance tunnel
7 through South Tacoma, Lakewood and DuPont and then rejoin the original route at Nisqually.

8 **Q. Who is primarily responsible for this project in the City of Lakewood?**

9 **A.** M. David Bugher, Assistant City Manager of Development. I believe that Mr. Bugher
10 serves as the Chief Environmental Officer for the City of Lakewood. Our City Engineer and
11 staff would also be involved in terms of the crossings but Mr. Bugher is more the overall
12 project lead.

13 **Q. What do those responsibilities entail?**

14 **A.** For Mr. Bugher, oversight of the environmental review process. He is the
15 Environmental Officer for the City of Lakewood. His responsibilities include evaluating the
16 environmental impacts of the project on the City of Lakewood.

17 **Q. How did you become aware of the project?**

18 **A.** In 2007 we received a letter from WSDOT requesting that the COL support and accept
19 a categorical exclusion, or short cut process, rather than requiring a complete Environmental
20 Impact Assessment. The City, through M. David Bugher, Assistant City Manager of
21 Development, advised WSDOT that we were objecting to the "short cut process".

22 **Q. As you understand it, what has your role been with regard to this project?**

23 **A.** Requesting a meeting with the Secretary of WSDOT to discuss the lack of response to
24 our objection as well as monitoring the status of this project through City staff.

25 **Q. What are your observations of the coordination between WSDOT and City staff as
26 relates to this project?**

1 A. City of Lakewood staff have been willing to work with WSDOT staff but have never
2 agreed to the adequacy of the Environmental Impact Assessment review. We have never said
3 that their review was adequate – never. They just kept saying “the feds say it’s okay”.

4 **Q. How would you describe your attempts to work with and discuss various aspects of**
5 **this project with WSDOT?**

6 A. The City of Lakewood met with the Secretary of WSDOT in September, 2008, and we
7 were promised improved communication and coordination. We were also assured that safety
8 would be a top priority. There really have not been any tangible results since that meeting.
9 Our feeling is that we get promises with no follow through. It is my understanding that
10 WSDOT did not respond to our objections because they had a Federal Agency examine and
11 approve WSDOT’s review.

12 **Q. How would you describe the impact on the community due to WSDOT’s**
13 **relationship with the City and this project?**

14 A. The public outreach was negligible. A complete Environmental Impact Assessment
15 would have given the community an opportunity to be made aware of the project, to get
16 involved and to provide input about the potential impact upon their community. The current
17 process deprived the community of those opportunities. The amount of public outreach and
18 education provided by WSDOT has been completely inadequate.


19 Despite our correspondence that the City of Lakewood has objections WSDOT has
20 proceeded with this project as though Lakewood supports it. WSDOT did not provide effective
21 public outreach and education and did not work with the City of Lakewood to notify the
22 community and get community input. Now that the public is understandably upset by the
23 project WSDOT never prepared them for they suggest that Lakewood has changed its position
24 on the project, which could not be more inaccurate.

1 Q. Does this conclude your testimony?

2 A. Yes it does.

3 I declare under penalty of perjury under the laws of the State of Washington that the
4 foregoing is true and correct to the best of my knowledge.

5 DATED this 3rd day of May, 2010 at Lakewood, Washington.

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8 ANDREW NEIDITZ, City Manager
9 City of Lakewood
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