

January 18, 2022

RE: Concern regarding the recent appointment of Urban Forestry Commission Position #8 (Development Representative or Non-city Utility Representative)

Dear Mayor Harrell and Seattle City Councilmembers,

By this letter, the Urban Forestry Commission (UFC) expresses its concern over the unusual process by which Position #8 (Development Representative) was recently appointed. The UFC believes the process lent credence to unsubstantiated claims against an incumbent commissioner and fell short of transparency and inclusivity norms established by the UFC in its efforts to improve equity, diversity, and inclusion in commission processes.

**The UFC requests the following:**

- The conclusions of any investigations into the claims made against David Moehring at the May 11, 2023, Land Use Committee meeting, or an explanation as to why no investigations were conducted; and
- A detailed narrative on how recruiting and selecting an alternate appointee to Position #8 was transparent, equitable, and inclusive.

**The UFC thanks David Moehring for Outstanding Service**

Before the UFC details its concern, it first recognizes and thanks David Moehring for his outstanding service on the commission and to the City of Seattle.

David was appointed to Position #8 in February 2021. He was well qualified and suited to the role of Development Representative. He is a registered architect with thirty years' experience in the planning, design, and construction field, including projects developed under Leadership in Energy and Environmental Design (LEED). David has also for years been an advocate in Seattle for tree retention in urban planning, frequently reviewing design proposals and proposing alternatives that would preserve both the square footage of the project and retain more trees.

David's strong expertise in land use planning, development, and tree protection enabled him to hit the ground running and he never slowed down. Much of the UFC's successes in 2022 are owed to David. His accomplishments during his 13-month tenure included:

- [Presenting to the commission](#) on strengths, weaknesses, and opportunities for urban planning with both density and canopy as goals.
- Leading development of the commission's [recommendations for tracking tree removal and replacement on public and private land](#).
- Providing key support in the analysis of the City's updated tree protection ordinance and participating in numerous small group working sessions and discussions.
- [Reviewing and providing early recommendations on the City 2023 budget](#).

- Leading the commission through a process to explore and prioritize tasks for its 2022 work plan.

The UFC had full confidence in David's commitment to both people and trees and supported his reappointment to the commission. The UFC encourages David to remain engaged with the UFC as a member of the public.

**UFC Concern No. 1: The City's decision to withdraw Moehring's reappointment without explanation lent credence to unsubstantiated allegations against a commissioner.**

The UFC is not pleased by the City's response to the allegations made against David Moehring and its subsequent decision to withdraw his reappointment.

As detailed above, David Moehring is well qualified for the position. He continually demonstrated his expertise in development and land use planning through his work on the commission. He was always thoughtful and considerate with fellow commissioners [and community members during public comment periods](#).

The allegations against Moehring – that Moehring was not qualified for the position, did not represent the development community, and was anti-development – were made without evidence. To the UFC's knowledge, no investigation into the claims occurred. The claims were serious enough that they posed a risk to Moehring's reputation among his colleagues, both professionally and on the commission. Withdrawing his reappointment without comment lends credence to the unsubstantiated allegations. This is unsatisfactory. The UFC calls on the City for an explanation.

The concern we have is that this sets the precedence for any other Commissioner to not be reappointed based on unsubstantiated claims, without the chance to defend their position.

**UFC Concern No. 2: The City's alternate selection process forwent UFC transparency and inclusivity norms including public notice, application, and interview procedures**

Even beyond issues specific to a given commissioner, the UFC has established norms for recruitment and proposing candidates to the Council and Mayor, which include:

- Public posting for the position and an inclusive recruitment process;
- An application process; and
- Candidate interviews with City Staff and commission representatives.

The UFC recognizes that volunteer commission service is inherently inequitable, tending to favor participation by individuals with spare time and income. A more inclusive recruitment process is one small way we can inch toward more equitable systems. The UFC asks the City to share a

detailed narrative on how it advertised, recruited, and selected the recent appointee for Position #8, and how those actions support government transparency, equity, diversity, and inclusion.

Thank you for your response to our requests. As always, the commission is happy to meet to discuss any of the concerns expressed above.

Sincerely,

### **An incomplete timeline of Events**

- May 11, 2022: David Moehring's reappointment considered by the Seattle City Council Land Use Committee. During public comment, Rob McVicar of Sound Building provided public comment opposing Moehring's reappointment, on the basis that Moehring was not qualified for the position, did not represent the development community, and was anti-development. Also in public comment, Moehring refuted the claims and invited the Council to investigate his qualifications and actions. Chair Strauss decided to withhold Moehring's reappointment pending such an investigation. (See recording of [Land Use Committee 5/11/22](#); Rob McVicar's comment at 3:16; David Moehring's first rebuttal at 6:52; further discussion of David Moehring's reappointment at 1:25:50)
- June 9, 2022: In his personal capacity, UFC Co-chair Joshua Morris wrote to Chair Strauss and members of the Land Use Committee, in solidarity with David Moehring and urged they resolve his reappointment as soon as possible. Councilmembers did not reply.
- Aug. 31, 2022: In his personal capacity, UFC Co-chair Joshua Morris followed up on his previous email to Chair Strauss and members of the Land Use Committee, continuing to urge that they resolve David Moehring's reappointment as soon as possible. Again, Councilmembers did not reply.
- Dec. 9, 2022: David Moehring received notification via a phone call from the Mayor's office that the Mayor has reconsidered and withdrawn Moehring's reappointment to the UFC. No explanation was offered beyond that it was the City's prerogative to make this choice.

Dec. 14, 2022: In his personal capacity, UFC Position #5 Stuart Niven wrote to Mayor Harrel and Chair Strauss strongly recommending that David Moehring be reinstated to the UFC. Mayor Harrel and Chair Strauss did not reply.

Jan. 9, 2023 Public records request initiated for any communication in the Mayor's office regarding the appointment of Position #8 to Seattle's Urban Forestry Commission between May 2022 to present.

Jan. 11, 2023: David Baker's appointment to UFC Position #8 discussed at Seattle City Council's Land Use Committee agenda. David Baker was unable to attend. Committee members voted to move the appointment forward to full council. The UFC was not notified in advance of David Baker's appointment. It played no role in the recruitment and selection process.

Jan. 17, 2023: David Baker's appointment to UFC Position #8 confirmed at full council.