



Pike Place Market Preservation and Development Authority (PDA)

CAPITAL RENOVATION COMMITTEE
Meeting Minutes

Monday November 9th, 2009
4:30 p.m. to 6:00 p.m.
PDA Conference Room

Committee Members Present: Bruce Lorig, Bruce Burger, David Ghoddousi, Patrick Kerr, Joshua Anderson, Jan Oscherwitz,

Other Council Members Present: Gloria Skouge

Staff Present: Carol Binder, Anita Neill, John Turnbull, Joe Paar, Cecilia Hall

Others Present: Ken Johnsen, Marlys Erickson, Amy Watson, Kevin Lee, Paul Dunn

The meeting was called to order at 4:30 p.m. by Bruce Lorig.

I. Administration

A. Approval of Agenda.

John T. had two walk on proposed resolutions to add to the agenda. They were added after item V, non-levy project update.

The agenda was approved, as amended, by acclamation.

B. Approval of October 12th, 2009 Minutes

The minutes were approved by acclamation.

C. Announcements and Community Comments

II. Window Update

After submitting the window design application and responding to repeated requests from the Market Historic Commission for additional information, the project team had concluded that they would never succeed in providing the commission enough information, as some members just did not like the proposal. As a result the PDA has decided it would be in the best interest of the Market to hold off on the west façade window replacement until a later phase of the project. The windows were not part of this phase of the Turner contract but a stand alone project so holding off on it would not affect the contract with them. Bruce B questioned if there were any drawback or added costs to holding off on the project. Carol responded that there was none. Patrick strongly felt, and stated his opinion that the PDA should push for MHC to make a decision on the windows and if it was rejected, to begin the appeals process. He did not want to suffer through another cold and wet winter with leaky windows. Carol noted that the PDA was doing it's best to build a relationship with the MHC and did not want to create any waves by pushing the subject. Bruce L. asked what the retribution, if any would be if the commission was forced in making a decision versus holding off. Carol responded that this would cost a lot of time and attorney fees and possibly hurt the relationship the PDA had with MHC and we do have to work with them going forward. There was a long discussion about what may happen if the issue was forced with MHC, the current process and how it is being applied and what our options are with the renovation project.

Patrick made a motion that the PDA push the application forward to MHC to make a decision on the window replacement and pursue an appeal if it was rejected, David Ghoddousi seconded, the committee voted,

For: Patrick Kerr, David Ghoddousi
Against: Bruce Burger, Bruce Lorig
Abstain:

The motion failed.

III. **EMF Update**

A. Background and where we are now

Carol gave a background about the electrical vault and the preschool playground and the issue surrounding the electrical magnetic field. A Consultants report was completed and it was found that the EMF levels could be controlled directly above the vault to very low levels but there was an issue with possible minor leakage out the sides. The PDA had investigated several options early on for alternative playground locations, but this one adjacent to the indoor space was the only location that could be licensed by the State. The problem was that emissions could not be tested until after the vault had been built and functional. The Preschool concluded that it was going to wait until the vault was built so they could test the EMF's then come to a conclusion if they felt the playground was safe enough and they could use it.

Jan quested what were the preschools options if the new playground had high levels of EMF and the preschool deemed it unsafe for their children. Carol responded that if the problem was the level being too high due to the leakage around the edges, we could look at additional mitigation such as planters and or fencing could be used to block these areas off. If the entire playground didn't work the preschool would need to decided stay or relocate. The possibilities in the Market had been exhausted and none met the size or licensing requirements of the preschool. Ken noted that with all the research that was conducted, no reports were found that had documentations or set safety guidelines to follow. The PDA took the most responsible steps with the information they had in designing the vault, paying particular attention to the shielding, to make the playground as safe as possible. Ken additionally noted that the topic was very much up for debate and some consultants had expressed that the PDA had gone to extreme measures to make the playground safe. There was further discussion about the steps and research that the PDA did to ensure the safety of the playground and if there was anything further that could be done. Bruce B. questioned what would happen if in 10 years a child developed leukemia and sued the PDA. Ken responded that the PDA was acting as responsible as possible with the knowledge available at the time of the installation of the vault.

IV. **Renovation Update**

A. Phase IA Close Out Report

Joe reminded the committee that Phase IA included the shoring and earthwork demolition to Hillclimb. Most of the contingency had been used up for this portion of Phase I but it was nearing completion and in light of all the possible problems that could have and did arise, the team did a great job of keeping the costs under control.

B. Phase IB Update

Phase IB included the electrical and mechanical portion including the vault. The majority of the electrical work had been completed inside tenant spaces. In a few weeks, work would begin on the construction of the shaft of the elevator. Work to the rooftop of the Fairley was over half way complete. There were a couple of design issues with the duct work in the 3rd level Downunder that were being sorted out with MHC. Construction for the fluid cooler was scheduled to begin after Thanksgiving.

C. Phase II Design Update

After the constructability review meeting about 2 weeks ago it was concluded that the majority of level I commercial tenants would need to be moved out during construction. Preparations were

being made for the temporary relocation or closure of these tenants. The drawings were scheduled to be finalized by March and we would have much more information at that time.

V. Non-Levy Project Update

John T. did not have anything new to report on non-levy projects and instead used the time to hand out and review proposed resolution 09-59 and 09-60.

Action Item: Proposed Resolution **09-59:** Proposed Relocation Plan for the Pike Place Bakery. The renovations have resulted in a permanent displacement of the production space of the Pike Place Bakery. Under the Seattle Relocation Ordinance and Federal Uniform Relocation Act the Market was required to provide comparable replacement of their facility including moving expenses and repair or replacement of equipment as necessary. The PDA has worked with the tenant in coming up with a relocation plan and have found a replacement location in Renton as well as negotiated reimbursement of expenses. The committee all recalled the need for this relocation and the costs were within our original estimates.

David Ghoddousi moved and Bruce Burger seconded.

For: Bruce Burger, Bruce Lorig, David Ghoddousi
Against: Patrick Kerr
Abstain:

Proposed resolution **09-59** passed.

Action Item: Proposed Resolution **09-60:** Contract for Relocation Services for Phase 2. Phase II of the renovations would require repairs on the roof deck and exterior walls of the Sanitary Market apartments. This work would require that all 21 apartments be vacated due to lack of access, utilities and safety concerns. The PDA would need to relocate these tenants as outlined by the Seattle Relocation Ordinances and federal rules concerning subsidized housing tenants. To assist the PDA with this cumbersome task the services of a professional consultant was required. A Request for Qualifications was sent out this fall, candidates were reviewed and interviewed and the contractor of Amadon Consulting for Relocation Services was selected. These services are estimated to begin on December 1st and continue for the next seven months.

There was some discussion about the funding of the relocation and was there enough allocated in the budget. Carol responded that after the experience of moving tenants in Phase I of the renovations it was realized that this may be an area that could be under budget. She also noted that this amount was only an estimate and the final figure was unknown. There was a long discussion about this and a long discussion about the revenues that would be lost in rents, and how it was represented in the budget.

Bruce Burger moved and Bruce Lorig seconded.

For: Bruce Burger, Bruce Lorig, David Ghoddousi, Patrick Kerr
Against:
Abstain:

Proposed resolution **09-60** passed unanimously.

It was agreed that proposed resolutions **09-59** and **09-60** would not be put on the consent agenda.

VI. Concerns of Committee Members

Patrick was concerned that the newly installed pipes would be taken down if MHC did not approve the duct work. John T and Joe responded that it was only a small portion of the duct work design that was in question and the pipes were approved.

VII. Public Comment

Kevin Lee of the Preschool Board noted that he agreed with the PDA on the wait and see approach regarding the EMF testing until after the vault was installed and the emissions could be tested. He noted

that he was concerned as to what other options the Preschool had if the results were not satisfactory, other than leaving the Market, and would like to discuss with the Council possible contingency plans. Carol responded that the Preschool could revisit some of the other venues which were originally not acceptable spaces to the Preschool due to size and licensing constraints. If the preschool would like to reconsider those spaces or found another suitable location in the Market, it was open for discussion. Kevin replied that revisiting the old space could be a possibility as well as waivers if there was no alternate solution.

VIII. Adjournment

The meeting was adjourned at 5:55 p.m. by Bruce Lorig, Chair.

Meeting minutes submitted by:
Anita Neill, Executive Assistant