



Pike Place Market Preservation and Development Authority (PDA)

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**COUNCIL MEETING MINUTES – JANUARY 2010**

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Thursday January 28<sup>th</sup>, 2010  
4:00 p.m. to 6:00 p.m.  
PDA Conference Room

**Council Members:** James Savitt, Ann Magnano, Gloria Skouge, Patrick Kerr, Jackson Schmidt, Bruce Burger, David Ghoddousi, Matt Hanna, Gerry Kumata

**Staff Present:** Carol Binder, Anita Neill, John Turnbull, Teri Wheeler, Cecilia Hall, Kateesha Atterberry, Ryan Hostetler, Scott Davies, Erica Bates, John Macklin, Brittney Farrow, Joe Paar, Sabina Proto

**Others Present:** Marlys Erickson, Tom Graham, Sharon Mukai, Matt Lynch, Matthew House, David Ott, Johnny Hahn

The meeting was called to order at 4:00 p.m. by James Savitt, Chair.

**I. Administration**

**A. Adoption of Agenda**

Jim noted that John Finke was not able to attend today's meeting and agenda item number IVb, compost issue, would be postponed until next month.

The agenda was approved, as amended, by acclamation.

**B. Review and Approval of Minutes of December 17<sup>th</sup>, 2009**

Bruce Burger had three corrections to the minutes,

1. Item III, Preschool Update. ...If the Preschool is unable to generate the funds and move forward with their renovations they would remain in their temporary space on the third floor

Downunder...Bruce noted that no decision had been made and should be reworded to say ...may wish to remain in their temporary space...

2. Item 4b2, Analysis of Possible Underutilized Spaces (STRAP) The committee would continue to research the viability.... committee should be replaced with staff.

3. The OPSCOM report was included in the minutes under the STRAP report. (The note taker put the report in sequential order of discussion not heading)

The Minutes were approved, as amended, by acclamation.

**II. Public Comment Including the Market Community**

Johnny Hahn noted that he was opposed to several of the daystall rule proposals made by crafters regarding busker performers, particularly the performance spot on the Desimone Bridge. He continued to read a letter, detailing his objections. A copy of the letter was submitted to the minutes for the record.

Tom Graham noted that he was in agreement with Johnny's objections adding that crafters had a variety of selling locations whereas the buskers performance spots were limited. Additionally, Tom thanked the Council and staff for approval of the 2010 budget. He also reported that he had done some research in regards to the conflict of interest issue of Council members voting on commercial tenant leasing issues.

These issues were brought up during the budget hearing process and questioned if it was a conflict of interest for Council members who were also commercial tenants, to vote on the tenant rent freeze. Tom noted that, in his opinion, according to an interpretation of the PDA Rules Council members voting was acceptable because they were a member of the class and there was not personal benefit.

### III. Reports and Information Items

#### A. Executive Director Report / Questions from Councilmembers

Carol gave the Executive Directors report; she noted that she and John Finke have been in contact with US Bank and preliminary information had been submitted. The word was getting out to possible CDE investors. She also noted that there would probably need to be more than one CDE due to the size of the project.

Steve Nelson, Operations Manager for the PDA, had a heart attack a few weeks ago. He fortunately received immediate attention and a full recovery was expected.

Market research was moving forward; questions were being discussed and formulated with the aid of a market research consultant.

James was out of the office this week attending a produce managers conference in Florida and visiting Reading Terminal Market to learn about their new farm store for possible ideas for the PDA's farm program.

The Daystall rules were under its review process. Carol noted that the review was part of the Hildt Agreement and was conducted annually. Proposed changes were due to the PDA by Thursday February 18<sup>th</sup> there would be a public hearing on recommended changes at the March OPSCOM meeting with a final review and vote at the full Council meeting on March 25<sup>th</sup>. Two issues that were of concern were the requested changes from crafters regarding the buskers performances on the Desimond Bridge and the request to pass a grandfathered crafters permit to his son.

The move out of residential tenants in the Sanitary market have already begun and going smoothly. The official 90 day notice to vacate will be March 1<sup>st</sup> with a move date of June 1.

The Seattle Housing Authority would like to transfer its interest in the Heritage House to Providence Senior and Community Services. Providence has been running it as low income housing/assisted living for seniors and would continue to do so. SHA was asking the PDA to waive its first right of refusal to the property. Matt Hanna noted for full disclosure that Providence was a client of his. He also asked Carol if Providence was interested in keeping the same existing relationship with the PDA. There was some discussion about what action the PDA should take and several Council members noted that the right of refusal should not be given away without some benefit. It was decided that further discussion outside of the meeting would be necessary in order to come to a decision on how to proceed.

The preschool has not yet secured any additional outside funding for its renovation. The playground plans continued to move forward as planned on the hillclimb. Carol noted that she is working to develop some plans to help keep the Preschool in the Market if their plan and funding does not develop as envisioned.

#### B. Council Chair Report

Jim gave the Council chair report; the Council winter retreat has been set for Friday March 12<sup>th</sup>. The primary subject for discussion would be the future vision of the Market with a focus on the West side as it changed with the Viaduct.

February's full Council focus for discussion would be on the farm program. Jim noted that he wanted participation and input from Council as well as from PDA staff and farmers.

Regarding the conflict of interest issue that was raised earlier by Tom Graham in public comment, Jim noted that it was up to Council members to determine if he/she had a conflict of interest before voting. Councilmembers had a right to challenge the Councilmembers decision to participate and

would be ruled upon by majority vote. The proper process was followed correctly in the instance mentioned by Tom.

Matt mentioned that an article had been distributed to Council members prior to the meeting. It addressed the expiration of the urban renewal plan. He felt that this article held information that could help address and explain possible areas of opportunity that may arise once the urban renewal agreement expired and that this information would tie in with the winter retreat topic.

Prior to closed session, Patrick Kerr asked Matthew House (union representative) what the results were from the union meeting earlier in the afternoon. Matthew responded that the majority voted yes, in favor of a strike.

- C. Report on Union Negotiations and Issues
  - i. Closed Session (RCW 42.30.140 (4)(b))  
The meeting went into closed session at 4:41 p.m.
  - ii. Open Session  
The meeting went into open session at 5:30 p.m.

D. Reports from Committee Chairs (re Non-Action Items)

**IV. Resolutions and Other Action Items (Old and New Business)**

Matt noted that the Finance department reviewed the PDA Purchasing Policies and Procedures, Small Works Contracts Roster and Bidding Process. After a detail explanation by staff and discussion with the committee, the committee concurred that they were satisfied with staff and the current policies and procedures that were in place.

Carol additionally noted that during the Finance committee meeting there was some discussion about a resolution and how our capital projects were tracked. Matt additionally noted that the current spreadsheet does not satisfy the ability to track financially what has / had been spent on capital projects. He requested that the year end spreadsheet showed a snapshot of the entire year of projects, what had been closed out, which ones were not yet completed, and which ones would be carried over into the next year.

- A. Consent Agenda  
Gerry Kumata moved and Bruce Burger seconded, the consent agenda passed by acclamation.
- B. Compost Issue  
This item was postponed until next month.
- C. **Action Item:** Proposed Resolution **10-01:** Authorization for Contract Authority – SRG Partnership, Inc. – Architectural Services.  
Carol reviewed the resolution on behalf of Bruce L. She noted that the resolution was for additions and changes that had been made to the original designs due to unforeseen construction conditions and/or PMPDA requests.

David Ghoddousi moved and Bruce Burger seconded.

For: James Savitt, Ann Magnano, Gloria Skouge, Patrick Kerr, Jackson Schmidt, Bruce Burger, David Ghoddousi, Matt Hanna, Gerry Kumata

Against:

Abstain:

Proposed resolution 10.01 passes unanimously.

D. Other New Business  
None

Additional Public Comment  
None

**V. Concerns of Council Members**

Ann noted that the newly poured concrete stairs on the hillclimb looked great. She also asked why there were toilets lying around the construction site. Joe responded that they were torn out of the public restrooms that were being renovated. He continued to explain in detail the extent of the renovation to the restrooms.

Joe noted that the target completion date for the Hillclimb stairs was June 18<sup>th</sup>.

Matt asked who wrote the daystall rules. Carol responded that they were written by the PDA but change requests are accepted and reviewed annually. Carol further reviewed the process in detail.

**VI. Adjournment**

The meeting was adjourned at 5:44 p.m. by James Savitt, Chair.

Meeting minutes submitted by:  
Anita Neill, Executive Assistant