



Pike Place Market Preservation and Development Authority (PDA)

COUNCIL MEETING MINUTES – MARCH 2010

Thursday March 25th, 2010
4:00 p.m. to 6:00 p.m.
PDA Conference Room

Council Members: James Savitt, John Finke, Ann Magnano, Gloria Skouge, Patrick Kerr, David Ghoddousi, Matt Hanna, Gerry Kumata, Bruce Lorig

Staff Present: Carol Binder, Anita Neill, Amanda Goodsell, Ryan Hostetler, Sabina Proto, Teri Wheeler, Cecilia Hall, Kateesha Atterberry, Tamra Nisly, Zach Cook, David Dickenson

Others Present: Tom Nelson, Dan Moore, David Schaible

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

I. Administration

A. Adoption of Agenda

Carol requested to move Resolution 10-15 to item V B i so it would be discussed immediately following the NMTC presentation, there was no objection and the item was moved. The agenda was approved, as amended, by acclamation.

B. Review and Approval of Minutes of February 25th, 2010
The Minutes were approved by acclamation

II. Public Comment Including the Market Community

David Schaible asked Council to consider when voting Resolution 10-14B, the importance of allowing a grandfathered vendors the same family joint permitting rights that crafters were allowed.

III. Reports and Information Items

A. Council Chair Report

Jim reported that at Tuesdays Executive Director Hiring Committee (EDHC) meeting it was decided that Jensen Cooper would be hired as the consultant in hiring the next Executive Director. He explained that their experience and knowledge in the private and public sector and use of psychological testing gave them an advantage over the other candidates interviewed. The next EDHC meeting was scheduled for Tuesday March 30th; items for discussion would include review of the process with Jensen Cooper, planning of outreach efforts and public hearings and discussion of desired qualifications of candidates. Jim handed out a list of the desired qualifications and their ranking by Councilmembers.

B. Executive Directors Report / Questions from Councilmembers

Carol handed out the Executive Director report and noted the following; the parking automation went online last Tuesday, she noted that with the automation there would be several changes including the elimination of the parking department which would be absorbed by operations and

finance department. Additionally, the parking manager position would be eliminated and three attendant positions. There would be meetings with the union to inform them of these changes.

The Capital program and projects were beginning their bidding process for projects to be completed this year. Carol further described the process and advised the Council that they would begin to see the resolutions for this work coming through over the next few months.

Carol noted that while attending the Waterfront partnership committee meeting last week, the committee identified the Market as a strong partner in the changes that would occur with the tear down of the Viaduct in the area below the Market.

Matt asked if the reduction of staff was reflected in the budget. Carol responded that the budget accounted for less of a reduction than what was actual. She further explained the transitioning process and training of employees. Ann noted concern that there would no longer be a presence in the garage to welcome visitors. Carol noted that there would still be a presence but in a different capacity, they would be able to assist customers and not be confined to a booth.

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

Matt briefly explained that the capital project resolutions from Finance went to the consent agenda.

Jim noted that he would be selecting members of the nominating committee by the end of next week and Council should give any input for consideration by next Wednesday.

**IV. Presentation and Discussion of Key Issues: NMTC Presentation and Discussion
Tom Nelson**

Jim noted that today's presentation of the NMTC was an explanation of what the structure would look like should Council decide to move forward with the project.

Carol introduced Tom Nelson, legal representative from Kantor Taylor Nelson Boyd Evatt PC, who was present to give a presentation on the proposed New Market Tax Credit (NMTC) structure. Carol gave a brief update of where the PDA was in the process of possibly obtaining a NMTC. The purpose of obtaining these funds were for additional financing needed to complete much of the finish work that would enable business to benefit from the infrastructure upgrades and energy efficiencies provided. Many tenants did not have the means or ability to do this and the cost was not included as part of the original levy budget. Carol then reviewed the proposal of New Markets projects what the funds would be used for as distributed at the Finance meeting at in the full Council packet. Carol noted that the structure would be similar to the one on the Leland / Fairly building with a master lease of several of the buildings on the east side of Pike and with the large size of the loan, only a one day bridge loan would be used. There was some discussion and detailed explanation of how the structure was configured.

David Ghoddousi joined at 4:47 p.m.

There was a detailed discussion of the financing steps, the various risks involved, fees related to the transaction and the operating cash flow.

V. Resolutions and Other Action Items (Old and New Business)

A. Consent Agenda

The consent agenda passed unanimously.

B. Action Items

i. Finance

Action Item: Proposed Resolution **10-15:** Approving Developing a Federal New Markets Tax Credit Financing in Connection with Phase II of the Market Infrastructure Program and the Payment of Commitment Fees Related Thereto.

Carol noted that the resolution would be amended to include at the end of the sixth bullet the wording, ...'up to \$75,000' (of commitment fees).

Bruce Lorig moved and Gerry Kumata seconded.

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

Against:

Abstained: John Finke

Proposed resolution **10-15** passed.

ii. C R

Action Item: Proposed Resolution **10-06:** Authorization for Contract Authority – SRG Partnership, Inc. – Architectural Services.

Bruce Lorig moved and Gerry Kumata seconded.

Carol reviewed the resolution noting that it was a new SRG contract to cover envelope and other structural work to the Stewart House. There was some discussion on the work to be completed and the breakdown of its cost components.

For: James Savitt, John Finke, Ann Magnano, Gloria Skouge, David Ghoddousi, Matt Hanna, Gerry Kumata, Bruce Lorig

Against: Patrick Kerr

Abstain:

Proposed resolution **10-06** passed.

iii. OPSCOM

Action Item: Proposed Resolution **10-03:** Authorization for Exclusive Trademark Licensing Agreement with Starbucks Coffee Company.

Ann Magnano moved and John Finke seconded.

John reviewed the resolution and noted that at the OPSCOM meeting the proposed resolution was reviewed for a second time after Council had a chance to review the contract. Dan Moore, Starbucks representative was present at the meeting to answer questions. There was some review and discussion of the contract including the cost of registering the Trademark in foreign countries. Carol noted that the PDA would retain ownership of the trademark during and after the contract agreement. Ann noted that she felt this was a good opportunity for positive exposure for the Market.

For: James Savitt, John Finke, Ann Magnano, Gloria Skouge, Patrick Kerr, David Ghoddousi, Matt Hanna, Gerry Kumata, Bruce Lorig

Against:

Abstain:

Proposed resolution **10-03** passed unanimously.

Action Item: Proposed Resolution **10-14A:** Adoption of Daystall Rules and Regulations.

Carol explained that the OPSCOM committee requested that David Schauble's rules change request be voted on separately from the rest of the rule changes. Proposed resolution 14A addressed all the daystall rule change requests and recommendations by PDA staff and 14B was to vote on David Schaible's rule change request.

Ann Magnano moved and John Finke seconded.

For: James Savitt, John Finke, Ann Magnano, Gloria Skouge, Patrick Kerr, David Ghoddousi, Matt Hanna, Gerry Kumata, Bruce Lorig

Against:
Abstain:

Proposed resolution **10-14A** passed unanimously.

Action Item: Proposed Resolution **10-14B:** Adoption of Daystall Rules and Regulations.

Ann Magnano moved and John Finke seconded.

John F gave one point of clarification that when David Schauble's son took over his dad's business his seniority status would change by averaging his and his son's seniority.

For: James Savitt, John Finke, Ann Magnano, Gloria Skouge, Patrick Kerr, David Ghoddousi, Matt Hanna, Gerry Kumata, Bruce Lorig

Against:
Abstain:

Proposed resolution **10-14B** passed unanimously.

iv. Executive

Action Item: Proposed Resolution **10-16:** The Pike Place Market Affirmation of Support for the Removal of the Alaskan Way Viaduct and Development of a Waterfront for All.

Jim noted that this resolution was created as a result of a decision made at the full Council winter retreat on March 12th.

Ann Magnano moved and Gerry Kumata seconded.

For: James Savitt, John Finke, Ann Magnano, Gloria Skouge, Patrick Kerr, Matt Hanna, Gerry Kumata, Bruce Lorig

Against:
Abstain: David Ghoddousi

Proposed resolution **10-16** passed.

v. PDAC

Action Item: Proposed Resolution **10-18:** Approval of Collective Bargaining Agreement for Maintenance, Security, Facilities, Parking and Residential Bargaining Units.

Carol reported that the PDA's union bargaining representatives had completed their negotiations with Union representatives last January, the workers voted to approve and now a contract had been drafted upon and signed by the union. The PDA Council approves the contract between the PDA and Teamster Local 117 for the PDA Maintenance, Security, Facilities, Parking and Residential Manager bargaining units, for a term of three years, from October 1, 2008 to September 30, 2011, as ratified by the represented PDA staff and directs the Executive Director to execute the contract on behalf of the PDA. Carol noted that the resolution was to give final Council approval to the union contract.

Gerry Kumata moved and David Ghoddousi seconded.

For: James Savitt, John Finke, Ann Magnano, Gloria Skouge, Patrick Kerr, David Ghoddousi, Matt Hanna, Gerry Kumata, Bruce Lorig

Against:
Abstain:

Proposed resolution **10-18** passed unanimously.

C. Other New Business

VI. Concerns of Council Members

Gloria noted that during Daffodil day she was approached by several people that inquired about the satellite market at City Plaza and how much they appreciated the market down there.

Bruce L. requested an update on the market research. Carol responded that questions had been formulated and a rough draft was created and sent to committee members, Carol would resend to Bruce L. She further noted that research would begin with a phone survey then possibly a focus group and merchant outreach.

VII. Adjournment

The meeting was adjourned at 5:57 p.m. by James Savitt, Chair.

Meeting minutes submitted by:
Anita Neill, Executive Assistant