



Pike Place Market Preservation and Development Authority (PDA)

COUNCIL MEETING MINUTES- JULY 2009

Thursday, July 30, 2009
4:00 p.m. to 6:00 p.m.
PDA Conference Room

Council Members: James (Jim) Savitt, John Finke, Ann Magnano, Gloria Skouge, Patrick Kerr, Jackson Schmidt, Theresa Alexander, Bruce Burger, David Ghoddousi, Matt Hanna, Gerry Kumata

Staff Present: Carol Binder, Anita Neill, John Turnbull, Joe Paar, Bill Stalder, Jeff Jarvis, Tyler Jamison James Haydu, Tamra Nisly, Brittney Farrow, Matt Holland, Teri Wheeler, David Dickenson, Cecilia Hall, Noa O'Hare, Steve Nelson

Others Present: Ken Johnsen, Ellen von Wandruszka, Al West, Teagan McDonald, Nancy Hutto, Greg Papciak, Paul Dunn, Dale Wittner, Tom Graham, Chapol Xiong, Sy Ly, Blialeelor, Carol (ask Teri) Cheu Chang, Mai Cha, Ia Lao, Siac Thuo, Kayeng Cha (Seng Cha), Ma Thao (Christine Cho), Yova Hef, Chao Moua, Neng Cha, Seea Young, Pa Thae

The meeting was called to order at 4:02 p.m. by James (Jim) Savitt, Chair.

I. Administration

- A. Adoption of Agenda
The agenda was approved by acclamation
- B. Review and Approval of Minutes of June 25th, 2009
The Minutes were approved by acclamation

II. Public Comment Including the Market Community

Jim noted that due to the limited time on the agenda for public comment, and the number of people wishing to speak, time would be limited to 90 seconds per speaker. If time runs out and more people wanted to speak the Council would hold a separate meeting for public comment. Jim also noted to keep order in the meeting; people would need to wait to be recognized by the Chair for their turn to speak.

Greg Papciak a tenant of the Leland apartment building noted that he felt it was unjust to raise the rent. The apartment building was greatly impacted and inconvenienced by the renovations and felt that the Leland tenants should be excluded from the annual rent increase.

Nancy Hutto of the Market Farmers Coalition handed out a letter out to Council and a copy of the letter sent by the Farm Program to the farmers noticing them that the PDA would no longer be providing a composting service to the Farmers and they would now have to pack out their compost daily. She felt that the farmers were being treated unjustly and should have been given the opportunity to give their input to the decision.

Tom Graham of the Constituency announced the election results, the selection of Francis and Company passed as the Auditor for the PDA, members at large Ben Kirshner and Lisa Couchman, Dale Kennedy

was re-elected as secretary, Patrick Kerr beat out Steven Sprenger for the position of PDA Council by a vote of 62 to 61.

Dale Wittner handed out a notice that he distributed to fellow Leland residents. He noted that it felt unjust to Leland residents to raise their rent when they were being imposed serious hardships as a result of the renovations.

Jim noted that the seriousness of these matters was recognized by the Council and it would be further addressed in the next OPSCOM meeting. There would be time allotted for further public comment and if time ran out a special public meeting would be scheduled.

Al West noted his concern with the rent raise in the Leland, the sharing of the elevator with the public. He had more to say on the issue and would be sending a letter to the Council address each issue in depth.

III. Presentation and Discussion of Key Issues: The Council's Agenda

A. Introduction from Chair

Jim briefed Council on key changes he made to the template of the full Council agenda. He thanked Jackson for his four years of loyal service as Council Chair and presented him with a token of appreciation from Council and staff. Jackson thanked Council and staff for their support in his four years of service.

B. Key Issues for 2009-10

Jim noted that he intended to do his best to ensure that Council stayed focused on the key issues for the upcoming year. He handed out and reviewed the tentative list of items to be discussed in the upcoming months. The timing would be determined as things progressed.

C. Conduct of Council Meetings

Jim had three points in how he intended to improve the conduct of the Council meetings. One was to be vigilant about setting and following the agenda so all items would be addressed. Second, was for committee chairs to review and approve the agenda before circulation. Third was to run meetings efficiently by keeping the focus on the issue(s) at hand and keeping structure and order as outlined by Roberts rules.

IV. Department Report and Assessment: The Capital Renovation Project

A. Staff Presentation and Report

I. Project Status

a. Work Accomplished to Date

Joe gave the following report on the project status; 75% of the excavation and shoring work was complete, Phase IA would be completed in early September, a large milestone was achieved in July with the installation of the bypass for a major City sewer line at the south side of the Hillclimb site. The work was within six days of the original construction schedule which was a result of several unforeseen site problems encountered during the drilling and excavation. These included undocumented concrete footings, drilling obstructions, old sewer lines and masonry sewer lines previously believed to be removed. The unforeseen condition costs are likely to use up the entire contingency for the Phase IA work with a possibility that more funds would be needed.

The Seattle City Council, under certain conditions, gave its final approval of the easement allowing the new fluid coolers for the central plant to be located at the northwest corner of the Parking Garage on the PCI North property.

A new temporary crosswalk had been installed on Western Avenue in front of Market Cellar. This would provide a safer crossing and would remain until February 2010.

b. Issues / Problems Encountered See above

2. Project Look Ahead
 - a. Current or Anticipated Issues / Problems / Concerns

Phase IB work was expected to begin in late August and completion at the end of May 2010. There was anticipation for some unforeseen conditions as walls and other concealed areas were opened up. Joe reviewed the scope of work to be included in Phase IB that excluded the expected replacement of the West Façade windows for the Leland and Fairley which was waiting approval by the Historic Commission.
 - b. Scope, Substance and Timing of Phase IB work

Final pricing of the Phase IB work was concluded in July with final bids received from subcontractors coming in as expected. Project budget and costs were tracked within the spreadsheet included in the Monthly Progress Report. The potential savings that were expected due to the conditions to inflation were not seen due to the unforeseen added expense of the elevator, tenant impacts and relocation.
 - c. Anticipated Scope, Substance and Timing of Remaining Phases

Detailed planning had begun for Phase II renovations and beyond. It was anticipated that the scope for the remainder of the project would remain as planned in the levy legislation. Design work had begun and construction was anticipated to begin late summer or early fall of 2010.
 3. Bidding and Budget

Carol reviewed and explained the GC/CM mechanism of contracting which was an alternative public works contracting method for complex multi year and multi phase projects. Last summer, through a competitive bid process, Turner was selected as the general contractor and was responsible for the subcontracting and bid process of projects as designs became finalized. Carol continued to explain the bid process in detail.

The budget was set in March upon completion of the design detail cost estimates. Carol reviewed and explained the budgeted project as included in the MPR. This report would be updated as changes were made to the scope of the contract or changes to the contracted amounts. Carol explained the invoice process, and the update to the spreadsheet.
 4. Preschool and Non-Levy Projects

John Turnbull gave a comprehensive PowerPoint presentation which gave an overview of the Phase I renovations, other (non-levy) renovation projects, Phase II and the Atrium, and updates on the Corner / Sanitary buildings.
- B. Council Questions and Discussion
- John Finke requested John Turnbull to send Council a link to the PowerPoint presentation.
- Bruce B questioned the significance of being six days behind and if Council should be concerned. Joe noted that there had been no impacts that were not already accounted for and it would not significantly impact the project.
- There was some discussion about tenant impacts once construction moved into the DownUnder and what plans had been made to keep tenants informed.
- Theresa noted that the public should be given the opportunity to give input to some of the non-levy projects. There was some discussion about the non-levy projects and how to proceed. John Finke noted that Council has only approved staff to explore ideas and gather information for these projects at this time. Jim requested that this item be put on the agenda for the next Capital Renovation meeting.
- Jim asked Council if they were comfortable with the current budget report and if they had any changes they need to request them of staff. Bruce B. confused by some of the headings and would touch base with Carol.

Jim requested that the budget report accurately reflects constant dollars and takes the current rate of inflation into consideration. There was a lengthy discussion about, and explanation from Carol on how the budget was created with inflation taken into consideration.

Bruce B requested an update on the windows application to the Market Housing Commission. Carol reported that the MHC did not like the design change or materials to be used and questioned if it was necessary for the windows to be replaced at all. PDA Staff continued to work with MHC in answering their questions, supplying additional consultant reports and would be giving another presentation to MHC on August 26th.

V. Reports and Information Items

A. Executive Director Report / Questions from Councilmembers

James S. noted that the purpose of the reports and information items was to discuss any questions Council may have about the materials in the packet and to keep up with important issues. Council would be responsible for reading the information distributed to them in the packets and not to repeat the information distributed.

Carol reported that with the recent heat wave, some tenants were closing early and there have been welfare checks on tenants, especially the elderly. The Senior Center has invited tenants an escape from the heat in their air conditioned space. The Fruit Festival was held last Sunday, Carol passed around photos that were taken. She noted that with the closure of Pike street trying to think of ways to activate any blank or dead spaces on the street by hiring street performers. The second rummage hall located in the 1st and Pine building opens next Saturday.

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

None

C. 2009-10 Committee Appointments

James distributed and hand out listing the new committee appointments.

D. Concerns of Councilmembers

Theresa and Patrick noted that they would prefer to have the concerns of Councilmembers remain at the end of the agenda. The majority of the Council agreed and it was moved to the end of the agenda.

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

A. Consent Agenda

Gerry Kumata moved the consent agenda and Ann Magnano seconded.
The consent agenda passes unanimously.

B. **Action Item:** Proposed Resolution **09-47:** Amendment to the Adoption of the 2009 PDA Operating and Capital Projects Budgets. Theresa Alexander moved John Finke seconded.

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

Against:

Abstain:

Proposed resolution **09-47** passes unanimously.

C. **Action Item:** Proposed Resolution **09-50:** Authorization for Authority – GC/CM Construction Contract with Turner Special Projects for the work in the Pike Place Market Hillclimb Area as part of the Phase I Levy Project.

Jim noted that resolution **09-50** came from a special meeting held by the Capital Renovation committee and was not included in the Council packet. Carol distributed the proposed resolution that included changes that were a result of that meeting. She continued to review the proposed

resolution pointing out that the changes were not unanticipated change orders to the existing contract with Turner but planned amendments, as Turner had already competitively bid the entire project as the GC/CM.

John Finke seconded and Gerry Kumata seconded.

For: James Savitt, John Finke, Ann Magnano, Gloria Skouge, Jackson Schmidt, Theresa Alexander, Bruce Burger David Ghoddousi, Matt Hanna, Gerry Kumata

Against:

Abstain: Patrick Kerr

Proposed resolution **09-50** passed.

Theresa requested that the source of funds be identified on all budget spreadsheets. Council agreed and Jim requested all spreadsheets to identify the source of funds, levy, non-levy, NMTC or other, etc.

VII. Concerns of Council Members

Patrick questioned if the letter addressed to the farmers regarding the compost issue was in effect even if it had not been approved or passed by Council. Jim responded that the letter would remain in effect unless Council made a motion, and passed the motion, that the letter be rescinded. Patrick made a motion to rescind the letter.

Patrick Kerr moved David Ghoddousi seconded.

John Finke noted that it he felt it would be confusing and send a mixed message if the letter was rescinded at this point.

There was some discussion about prolonging the decision to rescinding the letter.

For: James Savitt, Gloria Skouge, Patrick Kerr, Theresa Alexander, Bruce Burger, David Ghoddousi

Against: Jackson Schmidt, Ann Magnano, Gerry Kumata, John Finke, Matt Hanna

Abstained:

The motion passed.

David Ghoddousi and Ann Magnano left at 6:05 p.m.

Theresa noted concern of the harshness that was directed toward the Market community during public comment.

VIII. Adjournment

The meeting was adjourned at 6:07 p.m. by James Savitt, Chair.

Meeting minutes submitted by:
Anita Neill, Executive Assistant