



Pike Place Market Preservation and Development Authority (PDA)

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**COUNCIL MEETING MINUTES – MARCH 2009**

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Thursday, March 26<sup>th</sup>, 2009  
4:00 p.m. to 6:00 p.m.  
PDA Conference Room

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

**Staff Present:** Carol Binder, Anita Neill, John Turnbull, Bill Stalder, Tamra Nisly, James Haydu, Sabina Proto, Matt Holland, Joe Parr, Scott Davies, Cecilia Hall, David Dickenson, Brittney Farrow

**Others Present:** Dana Warren, Marlys Erickson, Mark Barbieri, Barbara Elza, Angela Shen, Anders Miller, Paul Verano, Ken Johnsen, Ellen von Wandruszka

The meeting was called to order at 4:02 p.m. by Jackson Schmidt, Chair.

**I. Administration**

- A. Adoption of Agenda  
Carol requested Proposed Resolution 09-11 be added to the agenda under the Finance portion.

Ann joined at 4:03 p.m.

The agenda, as amended, was approved by acclamation.

- B. Review and Approval of Minutes of February 26<sup>th</sup>, 2009  
Jim noted for the record that there were some items on last month's special meetings minutes that he would like to address at another time.

The Minutes were approved by acclamation

**II. Comments of the Market Community**

- A. Pike Place Market Merchants Association  
B. Constituency  
C. Daystall Tenants Association  
D. United Farmers Coalition  
E. Market Area Merchants Association  
F. Pike Market Performers Guild  
G. Other Public Comment

### III. Consent Agenda

Jackson Schmidt moved and David Ghoddousi seconded.

The consent agenda passed unanimously.

Ann asked what the result was regarding the sale of flower baskets by farmers in the off season. Carol responded that they would be allowed to sell dried flowers in modest baskets during the offseason.

### IV. Staff and Committee Reports

#### A. OPSCOM Action Items

Patrick reviewed proposed resolutions 09-22 and 09-26, as discussed and passed in the OPSCOM committee meeting.

**Action Item:** Proposed Resolution **09-22:** Authorization for Non-Exclusive Trademark Licensing Agreement with Savor Seattle Food Tours.

Patrick Kerr moved and Bruce Burger seconded.

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

Against:

Abstain:

Proposed Resolution 09-22 passed unanimously.

**Action Item:** Proposed Resolution **09-26:** Authorization for Continuation of Discussions between the PDA, the City of Seattle and Cascade Neighborhood Council about Forming Pike Place Market Express – Branded Satellite Farmers Markets for summer 2009.

Patrick Kerr moved and Ann Magnano seconded.

Jim questioned if the Satellite Markets would negatively affect the pedestrian traffic at the Market. James responded that this was evaluated and taken into consideration when selecting the dates and times. James said many farmers were interested in another sales opportunity and this would be on days that Pike Place does not have a strong street market. He felt it would attract downtown residents and workers to come to Pike Place at other times as these satellites would have limited hours. There was some discussion of the concerns on how this would affect the farmers here in the Market and was it necessary to have a two year agreement. James explained that it was necessary in order to get a good representation of whether or not the Satellite markets were a success. Additionally James noted that the Market did not want to miss out on this opportunity and would lose out to other farmers markets if action was not taken now.

Bruce L. became very upset and expressed his disapproval of the Satellite markets. He noted that this was the first outreach to Council and James was conducting research and drawing up contracts without Council approval, he felt this was an unacceptable process. Ann noted that this had been mentioned numerous times in prior committee meetings and felt it was a good opportunity for the Market that should have been done years ago. Carol additionally noted that searching for other farmer opportunities outside the Market has been a part of the strategic plan for several years.

There was a lengthy discussion about the committee review process and that not all of the information was getting to all Council members. It was decided that James would continue with his investigation and negotiations and bring forward additional information at next months full Council meeting. James noted for the record that he did not operate on the level that was implicated by Bruce Lorig and was offended by Mr. Lorig's comments. There has been a significant amount of documentation and discussion regarding the satellite markets, all business was done with the knowledge and consent of Council members.

Jim recommended the following amendment to the proposed resolution, delete ...Marketing Department as part of the Pike Place Market Preservation & Development Authority (PDA)...and replace with ...PDA Staff... Additionally Tuesday's and Thursday's would be changed to Tuesday and Thursday. Ann noted that she felt there were too many amendments to proposed resolutions to the point where it had become annoying and exuberant. The amendment was accepted by Patrick and Ann, who moved and seconded the proposed resolution.

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

Against: Bruce Lorig

Abstain:

Proposed Resolution 09-26, as amended, passed.

B. STRAP Discussion

Bruce Burger briefly reviewed and gave an update on topics that were discussed in last months meeting. He noted that the next steps were to address the changing downtown demographic, review market research and the food / farming issues.

Jackson noted that an opportunity for the Market might be to get into contact with the condo building across the street that offers personal shoppers for their tenants.

Bruce B. suggested that each Council member ask one shopper in the Market what would cause them to shop and spend more in the Market, then at the beginning of the next Council meeting each member would share their information.

C. Finance Action Items

Jim reviewed proposed resolution 09-01 and 02. He noted and reviewed the modifications made to each proposed resolution which he felt provided clarifications for the process and use of each reserve fund. Additionally he noted that both proposed resolutions should be changed to March instead of January and [TRUE] needed to be deleted from 09-02.

**Action Item:** Proposed Resolution **09-01:** Minimum Operating Reserve (MOR) Policy.

Jim Savitt moved and Ann Magnano seconded.

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

Against:

Abstain:

Proposed Resolution 09-01, as amended, passed unanimously.

**Action Item:** Proposed Resolution **09-02:** Capital Repair and Replacement Fund (CRRF) Policy and Contribution.

Jim Savitt moved and David Ghoddousi seconded.

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

Against:

Abstain:

Proposed Resolution 09-02, as amended, passed unanimously.

**Action Item:** Proposed Resolution **09-11:** Allocation of 2008 Year End Balance.

Jim reviewed proposed resolution 09-11. He noted that this resolution was brought forward from February's meeting but was not placed as an action item at the full Council meeting. He recommended that the month on the resolution be changed to March.

Jim Savitt moved and Ann Magnano seconded.

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

Against:

Abstain:

Proposed Resolution 09-11, as amended, passed unanimously.

Jim noted that other items from the Finance committee included the \$10K purchase process that would be brought forward in a resolution for next months meeting.

D. Capital Renovation Update

Bruce L. spoke briefly about the cost of tenant relocation associated with the renovations and the budget updates that were made.

(i) Tenant Impacts

John T. gave a PowerPoint presentation that explained in detail the sequence and detail of the renovations and tenant impacts. He noted that the presentation was available for viewing online at the renovations webpage.

**Action Item:** Proposed Resolution **09-20:** Authorization for Contract Authority – Duct Cleaning in Leland and Fairley Buildings.

Bruce L briefly reviewed the resolution. Patrick questioned if any of the duct would be replaced. Joe responded that was being evaluated and if needed would be replaced.

Bruce Lorig moved and David Ghoddousi seconded.

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

Against:

Abstain:

Proposed Resolution 09-22 passed unanimously.

**Action Item:** Proposed Resolution **09-23:** Authorization for Authority – GC / CM Construction Contract with Turner Special Projects for the Shoring and Demolition work in the Pike Place Market Hillclimb Area as Part of Phase I of the Levy Projects.

Carol handed out the completed General Contractor / Construction Manager, GCCM, guarantee contract to replace the blank table in the contract emailed out to Council members, Ken briefly explained the numbers. Some Council members noted that they did not receive the contract that was emailed to them earlier in the week. Ken briefly described the changes that were requested and made to the Turner contract and their reasoning. It was decided that a special PDAC meeting was necessary to give all Council members an opportunity to review the contract and ask questions before voting on the proposed resolution. It was decided that Council would meet on Monday March 30<sup>th</sup> at 4 p.m. in the PDA Conference room.

Proposed Resolution 09-23 was withdrawn until it could be reviewed and discussed in detail.

**Action Item:** Proposed Resolution **09-24:** Commitment of Certain New Market Tax Credit Funds to the Pike Place Market Preschool and Child Care Center.

Bruce L briefly reviewed the proposed resolution.

Bruce Lorig moved and Gerry Kumata seconded.

There was some discussion regarding the wording of the proposed resolution. It was unclear to some Council members that \$450,000 would come from the NMTC for the permanent renovation, and \$400,000 from levy funds for their temporary relocation cost. It was decided that the resolution would be amended by adding...be it further resolved that the amount of relocation expenses for the preschool would not exceed \$450,000, with the recognition that further modifications may be made in the summer when there would be additional information on the Foundation's success of applying for the NMTC and raising the additional funds.

Bruce Lorig moved and Gerry Kumata seconded the amendment.

John T. noted that he had been unable to reduce costs to the Childcare temporary relocation as previously mentioned in last month's full Council meeting. There was a lengthy discussion regarding the funding for the Childcare and if the Foundation was unable to raise the remaining funds where would the Childcare get the funds. At this time Marlys and Mark B. spoke about how they would go about raising the funds and their success in the past in prior projects. One option was to apply for NMTC with the assistance of the PDA and Marlys appealed to Council for their support. If funding was not obtained with the NMTC a bridge loan from the PDA may be necessary.

Council was in support of the NMTC application as long as they had plenty of time to review the documents. Carol assured Council that this process would be much lengthier than the last one.

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

Proposed Resolution 09-24, as amended, passed.

**Action Item:** Proposed Resolution **09-25:** Authorization for Change Order to Turner reconstruction Contract for Construction Services Related to the Temporary Relocation of the Pike Place Market Preschool and Child Care Relocation.

Bruce Lorig moved and Bruce Burger seconded.

It was decided that the amount in this proposed resolution would be changed to \$450,000 to reflect the change made in proposed resolution in 09-24. Additionally in the Therefore be it resolved, ...Pike...would be removed.

John T briefly reviewed the proposed resolution.

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

Proposed Resolution 09-25, as amended, passed.

**(ii) Budget Update - Monthly Progress Report**

The budget was briefly discussed by Bruce L under the Capital Renovation update. Carol additionally noted that the prior budget was from the schematic phase and has now progressed to the a further detail phase of design, and some suggestions by Bruce B were taken into account.

**(iii) Market Foundation NMTC Application**

See action item 09-24 discussion.

**V. Public Comment**

Ellen von Wandruszka expressed her thanks to the Council for their assistance with the Preschool renovations.

**VI. Concerns of Committee Members**

Jim questioned when the discussion of non levy PDA projects would appear on the agenda. John T noted a proposal was being worked on and would possibly be brought forward to the next Capital Renovation meeting.

There was some discussion regarding the priority of agenda items, how some were pushed back and how poor the current structure and process was.

**VII. Adjournment**

The meeting was adjourned at 6:19 p.m. by Jackson Schmidt, chair.

Meeting minutes submitted by:  
Anita Neill, Executive Assistant