



# PDA Council Meeting Minutes

**Thursday, April 24<sup>th</sup>, 2014**  
**4:00 p.m. to 6:00 p.m.**  
**Elliott Bay Room**

**Committee Members Present:** Matt Hanna, Jim Savitt, Bruce Burger, Patrick Kerr, Ann Magnano, David Ghoddousi, Patrice Barrentine, Jackson Schmidt, Gloria Skouge, Betty Halfon

**Staff Present:** Ben Franz-Knight, John Turnbull, Tamra Nisly, Steve Nelson, Kelly Lindsay, David Dickinson, Lillian Hochstein, Zack Cook, Matt Holland, Melissa Balding, Dianna Goodsell

**Others Present:** Marshall Foster, David Miller, Grace Leong, Howard Aller, Haley Land, Michael Schaible, Joan Paulson, Bob Messina, Justine Kim, Carrie Holmes, Brian Lloyd, Kathi Allen, Bo Zhang, Zack Ambrose, Sharon Mukai, Pearl Varon

The meeting was called to order at 4:04 p.m. by Matt Hanna, PDA Council Chair.

## **I. Administration**

- A. Approval of the Agenda  
The agenda, as amended, was approved by Acclamation
- B. Approval of the March 27<sup>th</sup>, 2014 Meeting Minutes.  
The minutes were approved by Acclamation

## **II. Announcements and Community Comments**

Kathi Allen, Market Craftsperson read a letter aloud to the PDA Council and public regarding dangerous activities around the Market Daystall area. She provided background on a recent safety incident the Market and added that the incident was not only a Market issue but also a City Issue. She suggested in assigning a security officer at the North end of the Arcade at all times to assist with patrolling the area. She lastly stated that for the security of the Daysatll Community and Market, she would like to see what the PDA can further do in regards to safety.

*Jim Savitt entered in at 4:06p.m.*

Pearl Varon from Sweeties Candies commented on the condition of the North restrooms near Pike Place Market Chinese Cuisine. She noted that the North women's restrooms were in poor condition: she added that there are non- working hand dryers in that restroom. She also commented on an issue regarding the double doors near North restrooms. She reported that there have been problems with locking and unlocking the double doors.

Michael Schaible commented on the traffic going out of the North End of the Market along Western Avenue. He made a suggestion which included the separation of traffic into two divided streets.

Joan Paulson commented on the proposed design for PC1N. She stated that the proposed PC1N design still resembles Bellevue Square. She briefly commented on the 2020 funding plan for the Central Waterfront.

Haley Land commented on the El Gringo Imports-Schaible Appeal. He noted that David Schaible had asked to have a partnership in 1995, which at the time, there was no rule established when the request was made. He stated that it did make sense to perform a calculation based on the original request made by David Schaible, which would keep their seniority at #4.

Sharon Mukai commented on the Schaible Appeal. She noted her concerns regarding the Daystall rules in place and making exceptions for specific vendors which could set precedent for other Daystallers in the future.

Howard Aller commented on the Schaible Appeal and noted that rules are made to be changed and we need to keep that in mind for the future.

Matt Hanna asked Ben Franz-Knight to follow-up on the concerns and comments raised under public comment.

### III. Reports and Information Items

#### A. Council Chair Report

Matt Hanna presented the PDA Council Chair report for the month of April 2014. He thanked all participants involved regarding the Schaible Appeal. He reported on the status of the tunnel machine, “Bertha” and the recent delays. He noted that the Bertha delays could affect funding and negotiations with the City. He further added that next month there would be an update from the Market Foundation on their fundraising efforts for the Pike Place Market Waterfront Entrance project. He lastly reported that there will soon be several vacancies on the PDA Council.

#### B. Executive Director’s Report

Ben Franz-Knight presented a brief Executive Director’s Report for the month of April 2014. He stated that there was a written Executive Directors Report which was included in the monthly PDA Council packet. He reported that the Arcade Light’s event would be held tomorrow in the Market and that there would be an increase in the early bird parking rates starting in May. He further added that the rate change in the early bird parking was due to the season rate change and the increased early bird parking usage in the garage. He lastly provided an overview of this month’s Market Programs Committee presentation on Farm Aggregation.

Jackson Schmidt and Betty Halfon inquired about the early bird parking rate changes and inquired about looking at possible parking subsidies or rate alternatives for Market employees, vendors and the public, respectively.

Matt Hanna noted the urgency regarding the early bird parking rate matter. He asked for Ben’s recommendation regarding the parking rate increase and how it would affect the PDA Employees, Market Vendors and the Public.

#### C. Committee Chair Report

None

#### D. Other Reports

None

#### IV. Key Issues and Presentations

- A. Ad-Hoc Committee Recommendation to the PDA Council regarding Schaible Appeal  
 Bruce Burger, Ad Hoc Committee Chair for the Schaible Appeal presented the recommendation to Council from the Committee. A copy of the letter to PDA Council regarding the Ad-Hoc Committee Hearing and Decision on the Schaible Appeal was included with the meeting minute's record. In the letter from the Ad-Hoc Committee, it states the following: On March 27, 2014 at 3:30 p.m. the Ad-Hoc Appeals Committee of the Pike Place Market Preservation and Development Authority conducted a public hearing on the appeal by Jody, Peter and Michael Schaible (Appellant) of the Market Master and Executive Director finding on the seniority change upon dissolution of their grandfathered vendor family joint permit. Following the hearing, the Ad-Hoc committee reviewed all the evidence and testimony summarized below and by a vote of 4-0-2 recommends changing the seniority calculation based on creating the family joint permit in 1995 when it was originally requested, vs. in 2010 when the PDA Council formally voted to approve the addition of family members to grandfathered vendor permits. The Committee recommended by a vote of 4-0-2 to support the appeal and allow Jody, Peter and Michael Schaible to continue to sell under permit #4.

There was a brief discussion that followed.

The PDA Council voted upon the Ad-Hoc Committee's recommendation regarding the Schaible Appeal, which would be to support the appeal and allow Jody, Peter and Michael Schaible to continue to sell under permit #4.

For: Ann Magnano, Jackson Schmidt, Gloria Skouge, Patrick Kerr, Betty Halfon, David Ghoddousi

Against: 0

Abstain: Patrice Barrentine, Jim Savitt, Bruce Burger, Matt Hanna

The recommendation to support the Schaible Appeal and to allow Jody, Peter and Michael Schaible to continue to sell under permit #4 passed with a vote of 6-0-4.

- B. Central Waterfront Plans Update  
 Marshall Foster City Planning Director of the City of Seattle presented an update on the Central Waterfront Plans. A copy of the Central Waterfront Plans Update presentation was included with the meeting minute's record. Marshall Foster stated that the team is at thirty percent design and moving towards sixty percent of design with completion of that sixty percent by the end of the summer.

There was a discussion that followed with Marshall Foster and the PDA Council on the Central Waterfront Plans and the Pike Place Market Waterfront Entrance project.

There were comments from David Ghoddousi and Ann Magnano regarding the cycling and pedestrian track design and bicycle parking at the Waterfront.

Jim Savitt thanked Marshall Foster and the Central Waterfront Design for their time and work on the project.

Patrick Kerr and Jim Savitt inquired about "Building B" and who would eventually have control over the building.

Marshall Foster noted that in the long term, “Building B” would be owned by the City of Seattle; further details would have to be negotiated. Marshall noted that “Building B” is part of the City right away; the City are open to the idea of partnership with the PDA assuming responsibility of the operation of the building; other options include engaging some private enterprise to do so.

Jim Savitt inquired on the possible expectation from the City regarding the PDA assuming responsibility for the ongoing maintenance and operation of the Overlook Walk.

Marshall Foster responded that the City expects to look carefully regarding asking the PDA for responsibility and ongoing maintenance of the Overlook Walk; the City is considering other alternatives including the Metropolitan Improvement District. The City does recognize that it is responsible for the ongoing maintenance and operation of the Overlook Walk and that the costs will not be funded through any of the retail or other revenue generating enterprises that are being considered.

There was discussion regarding the current estimate for the cost of the Overlook Walk which remains at the \$148 Million estimate; a revision to the Overlook Walk estimate is expected by the summer. Marshall noted that the City is committed to keeping the Overlook Walk as a key element of the Waterfront work and expects to find funding for the Overlook Walk one way or another. The City recognizes the existence of the Overlook Walk and its importance as key consideration for the Market as it proceeds with the Pike Place Market Waterfront Entrance Project. Marshall Foster stated that the PDA can act with a high level of confidence that the City will ensure that the Overlook Walk is funded and built. Furthermore, the City recognizes the interconnectedness of the Overlook Walk and the design for the Market’s Waterfront Entrance/PCIN project; and, that in the event that the Overlook Walk was not built; the PDA can act with confidence that the City will find a way to connect the Pike Place Market Waterfront Entrance project with the Waterfront.

#### C. Pike Place Market Waterfront Entrance Design Update

- I. Central Stair and Activation
- II. Down Under Connection
- III. Deployable Canopy

David Miller from Miller Hull presented on the Pike Place Market Waterfront Entrance Design, including updates on the Central Stair and Activation, DownUnder Connection and the Deployable Canopy. A copy of Miller Hull’s PPM-WE Design presentation was included with the meeting minute’s record.

There was a discussion that followed from the committee regarding the PPM-WE design updates.

Betty Halfon inquired if we would have the ability to include the canopy structure at a later time after the design.

Justine Kim, PPM-WE Project Manager responded that we could design and bid the canopy structure as include it as an alternate design option for PPM-WE.

Jackson Schmidt noted that he was for proceeding with the Stairway Design. He stated that we need to think carefully about the increase in space for the Daystall community as well as the overall safety of the space.

Jim Savitt noted that the third level Down Under is about location and not ideas since the upper level is continually flooded with people. He added that a possibility of activating the Down Under is to have people entered in the North end and exit out the South end.

Betty Halfon noted that she would rather see money spent on Marketing efforts and incentives for Market businesses rather than spending a large amount of money regarding the DownUnder connection.

Matt Hanna requested direction from the Council regarding PPM-WE design recommendations and further design refinements. He noted that further refinements regarding the three PPM-WE design options would be discussed at the May Waterfront Redevelopment Committee. He further encouraged the Council to consider the DownUnder connection option as a base scope and not just a design alternative.

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

A. Consent Agenda

**Action Item:** Proposed Resolution **14-25:** Insurance Renewal for period May 1, 2014 - April 30, 2015

**Action Item:** Proposed Resolution **14-26:** Authorization for Contract Authority - HVAC Rooftop Unit Replacement - Stewart House

**Action Item:** Proposed Resolution **14-30:** Lease Proposals - April 2014

Motion to approve the Consent Agenda

Matt Hanna proposed to move and pass the Consent Agenda with unanimous approval from the PDA Council.

For: Jim Savitt, Bruce Burger, Patrick Kerr, Ann Magnano, David Ghoddousi, Patrice Barrentine, Jackson Schmidt, Gloria Skouge, Betty Halfon

Against: 0

Abstained: Matt Hanna

The Consent Agenda passed with a vote of 9-0-1.

B. **Action Item:** Proposed Resolution **14-24:** Authorization for Contract Authority - Paint Lower Levels of Arcade - DownUnder

Ben Franz-Knight introduced the resolution which states that the Pike Place Market Preservation and Development Authority (PPMPDA) was chartered by the City of Seattle pursuant to RCW 35.21.730 et. Seq with the mission of promoting enterprises essential to the functioning of the Pike Place Market, including the preservation and expansion of the low-income residential community, the promotion and survival of small businesses, and the expansion of services to the public market and community; and, WHEREAS, in order to maintain the viability of the Pike Place Market buildings the PPMPDA has determined the lower levels of the Market are in need of painting. WHEREAS, the PPMPDA has executed a competitive bid process to change the paint colors and repaint the lower levels. BE IT RESOLVED that the PPMPDA Council authorizes the PPMPDA Executive Director or his designee to enter into a contract with Long Painting Company in an amount not to exceed \$32,509.46 for the execution of painting the lower DownUnder levels. The funds for this project will be drawn from the Capital Projects Budget, Paint lower levels Accounting Code 163768-00.

Ann Magnano moved, Betty Halfon seconded

For: Jim Savitt, Bruce Burger, Ann Magnano, David Ghoddousi, Jackson Schmidt, Gloria Skouge, Betty Halfon

Against: Patrick Kerr

Abstained: Matt Hanna

Resolution **14-24**: Authorization for Contract Authority - Paint Lower Levels of Arcade - DownUnder passed with a vote 8-1-1.

**Action Item:** Proposed Resolution **14-27**: Authorization for Contract Authority - Entrance Design Adjustment - Western Ave Garage

Ben Franz-Knight introduced the resolution which states the the Pike Place Market Preservation and Development Authority (PPMPDA) was chartered by the City of Seattle pursuant to RCW 35.21.730 et. Seq with the mission of promoting enterprises essential to the functioning of the Pike Place Market, including the preservation and expansion of the low-income residential community, the promotion and survival of small businesses , and the expansion of services to the public market and community; and, WHEREAS, in order to maintain the viability of the Pike Place Market buildings the PPMPDA has determined to perform minimal necessary scope to accommodate Class 6 trucks including food bank delivery truck and other service vehicle entering through the Western Ave. Garage entrance. WHEREAS, the PPMPDA has executed a competitive bid process and obtained Administrative Approval from MHC for adjusting the entrance to accommodate Class 6 trucks including food bank delivery truck and other PPM service vehicles. BE IT RESOLVED that the PPMPDA Council authorizes the PPMPDA Executive Director or his designee to enter into a contract with Experienced Construction, Inc. in an amount not to exceed \$118,264 for the execution of work necessary to accomplish scope. The funds for this project will be drawn from the Capital Projects Budget, 2014 COMGAR - Adjustment - Entrance design: 163760-00

Betty Halfon moved, Gloria Skouge seconded

For: Bruce Burger, David Ghoddousi, Patrice Barrentine, Jackson Schmidt, Gloria Skouge, Betty Halfon

Against: Patrick Kerr

Abstained: Jim Savitt, Ann Magnano, Matt Hanna

Resolution **14-27**: Authorization for Contract Authority - Entrance Design Adjustment - Western Ave Garage passed with a vote of 6-1-3.

**Action Item:** Proposed Resolution **14-28**: Authorization for Contract Authority - Western Ave, Windows Design - Fairley Building

Ben Franz-Knight introduced the resolution which states the Pike Place Market Preservation and Development Authority (PPMPDA) was chartered by the City of Seattle pursuant to RCW 35.21.730 et. Seq with the mission of promoting enterprises essential to the functioning of the Pike Place Market, including the preservation and expansion of the low-income residential community, the promotion and survival of small businesses , and the expansion of services to the public market and community; and, WHEREAS, in order to maintain the viability of the Pike Place Market buildings the PPMPDA has determined the window façade of the Fairley Building on Western Avenue is in need of repair and repaint. WHEREAS, the PPMPDA has executed a

Request for Design Proposal from qualified Architects for the design portion of the Western Ave Windows Repair and Restoration project. BE IT RESOLVED that the PPMPDA Council authorizes the PPMPDA Executive Director or his designee to enter into a contract with SHKS in an amount not to exceed \$24,090 for the design portion of the Western Ave. Windows Repair and Restoration project. The funds for this project will be drawn from the Levy Budget, 2014 COMFAI - Western Ave. Windows - Design: 163726-00

Gloria Skouge moved, Ann Magnano seconded

For: Jim Savitt, Bruce Burger, Ann Magnano, David Ghoddousi, Patrice Barrentine, Jackson Schmidt, Gloria Skouge, Betty Halfon

Against: 0

Abstained: Patrick Kerr, Matt Hanna

Resolution **14-28**: Authorization for Contract Authority - Western Ave, Windows Design - Fairley Building passed with a vote of 8-0-2.

**Action Item:** Proposed Resolution **14-29**: Update to Trademark Guidelines

Ben Franz-Knight introduced the resolution which states that the Pike Place Market Preservation and Development Authority (PDA) is the owner of all rights, title, and interest in and to certain trademarks and graphical representations of the Pike Place Market name and trademark; and,

WHEREAS, the trademarks include those listed in Attachment A; and,

WHEREAS, the PDA licenses other parties to use these trademarks for uses that will enhance the image of the Pike Place Market as defined by the Market's Charter; and,

WHEREAS, the primary purposes for granting licenses for the above referenced trademarks is:

1. to enhance the image of the Pike Place Market as defined in the Market's Charter
2. to cultivate shoppers and promote retail sales for Market merchants
3. to further the public appreciation of the traditional character, purposes, and products of the Market; and,

WHEREAS, the issuance of non-exclusive license agreements meets certain general conditions including:

1. the proposed licensed use is consistent with all the primary purposes listed above
2. the licensed use does not infringe upon licenses already granted, nor does it create confusion in the mind of the consumer, based on interpretation by the PDA
3. the licensed use materially benefits and improves the Market community by producing revenues not otherwise available through normal Market resources; and,

WHEREAS, licensing partners agree to use the licensed name and trademark only in a way that will reflect positively on the Pike Place Market; and,

WHEREAS, the PDA pursues enforcement against those infringing on our trademark rights to cease using them in order to protect our trademark rights and the integrity of our marks; and,

WHEREAS, active licensing of products in various categories strengthens the PDA's ability to pursue enforcement of trademark infringement,

BE IT RESOLVED that the PDA Council will add the following to the general conditions of issuance of non-exclusive license agreements:

4. Production methods of all licensed products must be consistent with the high standards established for Permitted Arts and Crafts:
  - a. The licensee must be closely involved with the design of each article.
  - b. The licensee must be closely involved with the production of each article.
  - c. Design and production standards should relate to the specific materials and processes used to produce the specific item.
 Food products, books, and print reproduction from original artwork and photography are exempt from this requirement.
5. The majority of the licensed product must be derived from original artwork, design or craftsmanship.
6. Food products considered for licensing will be those developed by Pike Place Market tenants who produce unique products with their own recipe (this condition is closely aligned with the trademark use requirement that calls for licensed items to further public appreciation of the traditional character, purpose and products of the Market). Creators of such food products could apply for a license to use the name Pike Place Market as part of their product name.
7. Items not in compliance with standards established in Conditions 4 through 7 above, but that demonstrate an extraordinary ability to meet the General Conditions for Licensed Use may, at the discretion of staff, be brought forward to the PDA Council for consideration.

Bruce Burger moved, Ann Magnano seconded

For: Jim Savitt, Bruce Burger, Ann Magnano, David Ghoddousi, Patrice Barrentine, Jackson Schmidt, Gloria Skouge, Betty Halfon

Against: 0

Abstained: Matt Hanna

Resolution **14-29**: Update to Trademark Usage Guidelines passed with a vote of 9-0-1.

*Ann Magnano left at 6:07p.m.*

**Action Item:** Proposed Resolution **14-31**: Authorization for Contract Authority - Geotechnical Services - Shannon & Wilson

Ben Franz-Knight introduced the resolution which states that the the Pike Place Market Preservation and Development Authority (“PPMPDA”) was chartered by the City of Seattle pursuant to RCW 35.21.730 *et. seq* with the mission of, among other things, preservation and rehabilitation of the structures and open spaces in the Market Historic District, and: WHEREAS, in order to maintain the viability of the Pike Place Market and the PPMPDA has undertaken an effort to identify and address issues and opportunities related to the design of the Central Waterfront and the development of parcels adjacent to the Market including PC-1N that may directly affect the future of the Market. WHEREAS, the PPMPDA has determined that Geotechnical Services are needed to complete the structural design for the Pike Place Market Waterfront Entrance and integration with the Central Waterfront Design, as approved by the PDA Council with Resolution 13-50; and, WHEREAS, the PPMPDA executed a public process to select Shannon & Wilson and executed an initial contract to generate a soils report to begin the structural design, which is now complete; and, WHEREAS, the PPMPDA as successfully completed negotiations with Shannon & Wilson to establish the remaining geotechnical services to complete the construction documentation phase structural design and is now ready to enter into

a contract for services in an amount not to exceed \$25,000. BE IT RESOLVED that the PPMPDA Council PPMPDA Executive Director or his designee to amend the Shannon & Wilson contract to include Construction Documentation related Geotechnical Services for the Pike Place Market Waterfront Entrance project, for an amount not to exceed \$25,000; and, The funds for this project will be drawn from 110630-01 – PC1-N State Funds and 110165 PC1-N City Funds.

Patrice Barrentine moved, Gloria Skouge seconded

For: Jim Savitt, Bruce Burger, David Ghoddousi, Patrice Barrentine, Patrick Kerr, Jackson Schmidt, Gloria Skouge, Betty Halfon

Against: 0

Abstained: Matt Hanna

Resolution **14-31**: Authorization for Contract Authority - Geotechnical Services - Shannon & Wilson passed with a vote of 8-0-1.

**Action Item:** Proposed Resolution **14-32**: Authorization for Contract Authority - Seneca Group - PC1-N Financial Analysis

Ben Franz-Knight introduced the resolution which states that the Pike Place Market Preservation and Development Authority (“PPMPDA”) was chartered by the City of Seattle pursuant to RCW 35.21.730 et. seq with the mission of, among other things, preservation and rehabilitation of the structures and open spaces in the Market Historic District, and: WHEREAS, in order to maintain the viability of the Pike Place Market and the PPMPDA has undertaken an effort to identify and address issues and opportunities related to the design of the Central Waterfront and the development of parcels adjacent to the Market including PC-1N that may directly affect the future of the Market. WHEREAS, the PPMPDA has determined that Financial Analysis Consulting services are necessary to establish a baseline pro-forma financial plan on the PC1N Concept Design approved by the PDA Council with Resolution 12-77; and, WHEREAS, the PPMPDA solicited bids for Financial Analysis Consulting Services in accordance with its Purchasing Guidelines and the Seneca Group was identified as the best qualified to address the needs specifically related to development of a baseline pro-forma financial plan based on the PC1N Concept Design and conduct sensitivity testing; and, WHEREAS, the PPMPDA entered into a contract with Seneca Group for Financial Analysis Consulting Services for PC1N as approved by the PDA Council with Resolution 13-08; and, WHEREAS, the PPM PDA has determined that additional Financial Analysis Consulting Services are required to update the pro-forma based on the project and seeks to amend the Seneca Group contract to include additional Financial Analysis for the Waterfront Entrance project in the amount not to exceed \$15,000; and, BE IT RESOLVED that the PPMPDA Council PPMPDA Executive Director or his designee to amend the Seneca Group contract to include additional Financial Analysis Consulting Services for the Pike Place Market Waterfront Entrance project, for an amount not to exceed \$15,000; and, The funds for this project will be drawn from 110630-01 – PC1-N State Funds and 110165 PC1-N City Funds.

Betty Halfon moved, Jackson Schmidt seconded

For: Jim Savitt, Bruce Burger, David Ghoddousi, Patrice Barrentine, Patrick Kerr, Jackson Schmidt, Gloria Skouge, Betty Halfon

Against: 0

Abstained: Matt Hanna

Resolution **14-32**: Authorization for Contract Authority - Seneca Group - PC1N Financial Analysis passed with a vote of 8-0-1.

C. Other

**VI. Further Public Comment**

Haley Land commented on PPM-WE Design regarding Daystall spaces. He provided a couple suggestions including promoting the Market during the off Season and easing the attendance requirements for those craftspeople with higher seniority numbers. He also commented on the proposed connection to the Down Under and his interest in Jim Savitt's idea of removing the top level walkway.

Joan Paulson provided feedback from Haley's previous comments. She noted that in regards to the Canopy Approach, it must be designed to sustain the elements of our weather in the Seattle. She added that the current design issue is flawed and in non-operational.

Tom Graham commented on the Daystall space availability in the Market. He noted that there has been a record amount of rain which has affected the availability of weather protected space for the craftspeople.

Howard Aller noted that it is our obligation to the PDA Charter to have space available at the Market for the Farmers.

**VII. Concerns of Committee Members**

Patrick Kerr noted that he would like to have a security report update presented at the next Finance & Asset Management Committee meeting in May.

**VIII. Adjournment**

The meeting was adjourned at 6:21p.m by Matt Hanna, PDA Council Chair

Meeting minutes submitted by:  
Dianna Goodsell, Administrative Services Coordinator