



Pike Place Market Preservation and Development Authority (PDA)

OPERATIONS & COMMUNICATIONS COMMITTEE
Meeting Minutes

Thursday March 11th, 2010
4:00 p.m. to 6:00 p.m.
PDA Conference Room

Committee Members Present: John Finke, Patrick Kerr, Ann Magnano, David Ghoddousi, Gerry Kumata

Other Council Members Present: Gloria Skouge, Bruce Lorig

Staff Present: Carol Binder, Anita Neill, James Haydu, John Turnbull, Ryan Hostetler, Scott Davies, Teri Wheeler, Thomas Arnold, Elsie Jansen, David Dickenson, Matt Holland, Kateesha Atterberry

Others Present: Batur Oktay, Dan Moore, David Schaible, Peter Schaible

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

I. Administration

- A. Approval of Agenda
The agenda was approved by acclamation.
- B. Approval of February 11th, 2010 Minutes
Bruce Lorig moved and Ann Magnano seconded. John Finke abstained as he was not present at the meeting.

For: Patrick Kerr, Ann Magnano, David Ghoddousi, Gerry Kumata

Against:

Abstain:

The minutes were passed.

- C. Announcements and Community Comments
David Schaible reviewed his submitted proposed change to the Daystall rules. He noted the importance of the grandfathered merchants and requested that his son be allowed to carry on the title and benefits of the business of being 'grandfathered' in. He felt that the grandfathered merchants were a dying breed and should be allowed to continue the tradition through family similar to the way the regular permitting was passed from generation to generation. David read and quoted Carol from an article in the Seattle times and tied it back to his request. The article was submitted for the record.

II. Daystall Rules – Full Presentation and Final Vote

Carol noted that a memo was included with the Daystall rules review packet. It was regarding the reasoning behind the rule changes for Buskers. The changes were made after the City of Seattle ruled on a free speech incident involving a Busker at the Seattle Center.

Carol further noted that David Schauble's comments were well taken however there needed to be consideration for the points of conflict with his products and 'Meet the Producer' and that the Hilt Agreement grandfather specific people but not the business itself. The Market could accommodate David's son but could not guarantee same spot or seniority number.

Teri reviewed and explained the 17 proposals and counter proposals and recommendations by PDA staff to the Daystall rules. There was some discussion about the rules and reasons for the changes.

Patrick asked if David Shiuble would be allowed to pass on his business to his son similar to the way other Daystallers were allowed to pass down their seniority to family members. Carol responded that he would be able to continue the business but due to the nature of the products sold he may not be able to remain in the same location or on the daystall line. The PDA was willing to work with his son on finding a new location but the 'grandfathered' status was identified in the Hilt agreement as people and not businesses and that was not transferable.

John made the motion to amend exhibit A in the resolution to be a list of proposed changes and the PDA's description in place of the entire Daystall Rules Review packet as intended by staff, Gerry seconded.

John further made the motion to amend proposed Daystall rule change 15 to read ...'within 10 business days of mailing'. Gerry seconded the amendment.

There was some discussion on the possibly of making an exception to the rules and allowing David's son to continue the business in the same location. This would require amending the Hilt agreement and allowing the shop location to be a permanent merchant location. There was further discussion on seniority and fairness to other Daystallers. Teri and James would investigate what would be the necessary steps to amend the Hilt agreement and bring the information to the full Council meeting, or just change the rules and not amend the Hilt.

John made a motion to remove David Schauble's Daystall rule change request (see public comments) from the packet and create a second resolution for it to be voted on separately. Gerry agreed and reconfirmed his second on the original motion.

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

For: John Finke, Patrick Kerr, Ann Magnano, David Ghoddousi, Gerry Kumata

Against:

Abstain:

Proposed Resolution **10-14** passed unanimously.

John noted that the resolution was passed with the intent that staff would bring forward a separate resolution on the issue of David Schauble's request to pass his 'grandfathered' status to his son if possible without amending the Hilt agreement which would allow him to keep the businesses as a daystall vendor so it would be voted on at the next full Council meeting.

III. Marketing

A. Staff Reports

James requested to table the Marketing report until April, Council agreed.

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

James noted that the resolution was being brought forward for a second time after Council had a chance to review the contract. Two Starbucks representatives were also present at the meeting to

answer questions. There was some review and discussion on the contract including the cost of registering the Trademark in foreign countries. The representatives explained in detail the international trademark process and noted that Starbucks would be absorbing this expense.

Gerry Kumata moved and Ann Magnano seconded.

For: John Finke, Patrick Kerr, Ann Magnano, David Ghoddousi, Gerry Kumata

Against:

Abstain:

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

The committee agreed that they understood and were comfortable with the contract and it was not necessary for the Starbucks representatives to appear at the full Council meeting.

B. Action Item: Proposed Resolution 10-13: Authorization for Contract Authority with DEI Creative, Inc. for PDA Website Redesign and Upgrades.

James reviewed the resolution noting that it was necessary to update the PDA website in order to keep up with its function. Necessary updates included improved navigability, functionality, enhanced merchant listings, comprehensive resource of information for levy renovations and PDA Council including meeting minutes. James further noted in response to Councils questions, the first year of maintenance of the website was included in the cost of the contract and links to Market business websites could be add at no extra charge.

David Ghoddousi moved and Patrick Kerr seconded.

For: John Finke, Patrick Kerr, Ann Magnano, David Ghoddousi, Gerry Kumata

Against:

Abstain:

Proposed Resolution **10-13** passed unanimously.

IV. Farm Program

A. Staff Reports

James noted that there was not a lot to report with the farm program other than it was getting ready for the upcoming season. This included conducting farm inspection and coordinating the remote farmers markets. There would be a detailed farm update in April.

V. Property Management

A. Residential Property Management Report

Carol handed out the residential vacancy and sales reports. She then introduced Elsie Janson as the new Residential Portfolio Manager. Robert Hader who was the manager for the Stewart House took Elsie's old position as the Manager of the LaSalle while Eugene DeMesa was hired as the new residential manager of the Stewart House. She added that next month a tour of the properties including the newly renovation Livingston Baker units would be added as part of the property management report.

John F. asked why there were so many vacancies. Elsie responded that competition and cost were most likely the reason and were looking into ways to become more competitive with the downtown market. Ann asked about the subsidized tenants being moved out of the Sanitary building and where they were being moved to. John T responded that some of the tenants were being relocated to the Livingston Baker others were being compensated for their relocation costs at market rate that came from the levy funds.

B. Closed Session Closed Session (RCW 41.30.110 [c])

The meeting went into closed session at 5:23 p.m.

- i. Review of Lease Proposals
- ii. Review of Delinquency Report
- iii. Vacancy Report
- iv. Current Lease Negotiations

Closed session ended at 5:39 p.m.

- C. **ACTION ITEM:** Approval of Lease Proposals
John Finke moved and David Ghoddousi seconded the lease proposals.

For: John Finke, Patrick Kerr, Ann Magnano, David Ghoddousi, Gerry Kumata

Opposed:

Abstained:

The lease proposals passed unanimously.

Bruce L. noted the he would like to be proactive in reviewing the lease renewals and requested that a list of upcoming lease renewals be included in the lease report prior to their final approval.

Bruce Lorig left at 5:47.

VI. Items for Consent Agenda

John moved the leases and the DEI resolution to the consent agenda, it was approved unanimously.

VII. Public Comments

None

VIII. Concerns of Committee Members

Carol asked the committee to clarify their position in regards to David Schaible and his request of passing on his 'grandfathering' status in the family business to his son. There was some discussion and it was decided that his request would be treated the same as other family partnerships which meant some advantage in seniority but would not necessarily be able retain the same space.

IX. Adjournment

The meeting was adjourned at 5:56 p.m. by John Finke, Chair.

Meeting minutes submitted by:
Anita Neill, Executive Assistant