



The City of Seattle

Pike Place Market Historical Commission

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MINUTES

MHC 72/22

Wednesday, July 6, 2022

4:30 p.m.

Hybrid meeting virtual location: WebEx meeting platform

Hybrid meeting physical location: Seattle City Hall, 600 4th Avenue, 4th Floor, Tahoma Conference Room

COMMISSIONERS

Chris Bown
Sam Farrazaino
Grace Leong
Golnaz Mohammadi
Lisa Martin, Chair
Lauren Rudeck, Vice Chair
Stephanie Young
Leslie Buker

Staff

Minh Chau Le
Melinda Bloom

Absent

Ms. Le explained that public comment will be requested for each agenda item, as was the procedure prior to Covid.

Chair Lisa Martin determined that a quorum was present and called the meeting to order at 4:30 pm.

She reminded Commission members to announce any conflict of interest or ex parte communication prior to review of applications.

070622.1 APPLICATIONS FOR CERTIFICATE OF APPROVAL - USE

070622.11 Le Pichet
1933 1st Ave, Livingston Baker Building
Michael Chick and Marcel Boulanger, Prospective Business Owners

Proposal for change of ownership only for existing business; to be operated by Milk Carton Mimes LLC owned by Michael Chick (50%) and Marcel Boulanger (50%)

Ms. Le explained the proposal for change of ownership only for existing business; to be operated by Milk Carton Mimes LLC owned by Michael Chick (50%) and Marcel Boulanger (50%). No changes in layout requested. She said the space is in Zone 3, street level, all uses permitted. Current use: food (e). New use: food (e). Space is 885 square feet. Proposed ownership structure: LLC. Owner financial affiliations: none. Owner operator: Michael Chick and Marcel Boulanger to be onsite regularly. Business hours: Mon – Thurs 10 am – 9 pm; Fri – Sun 9 am – 9 pm. Exhibits reviewed included site plan, Certificate of Approval that established current business use, current menu, and LLC documentation. Guidelines that applied to this application included 2.1, 2.6, 2.7.

Applicant Comment:

My name is Michael Chick. Marcel is my business owner.

We might have been the first front of the house employees back in 2000. I helped Jim peel the paint, peel the tape off the windows and glue the bar down and things like that. Marcel has worked for the company here and at Cafe Presse for 13 years. We actually worked with Jim and Joanne at Cafe Campagne back in the mid to late nineties. We feel we know the business quite well. When Jim and Joanne wanted to move on to different things in their life, we were sad, like, a lot of people, we're also worried that we were two old men going to have to go look for new jobs. So we all started having a conversation about just saving it and I think you could paraphrase our business plan as 'don't screw this up' business plan. It was like, let's just try to save it. Keep it running. Hopefully as brilliantly as it's been as it's been run for the last 22 years.

We know have an old recipe book, there are some standard things that we love that we want to bring back there. We have great kitchen crew, who are very creative and we have to rein them in. Sometimes they want to go crazy in here and do wonderful, beautiful new things that they execute everything perfectly. We have our money for the purchase price, and we're still raising some money to Just to have our full operating budget. Pretty confident about that process. I'm not sure what else you have questions for me. Like I said, we're not changing anything. We might plan on closing down for a few days at the beginning of the year that's the traditionally slowest time of the year or to clean and repair some stuff, touch up some paint. But that's the extent of the changes that we see at this stage of the game, we really just want to try to keep the place running in its beloved condition that it is now.

Ms. Young: So the only thing that I would want to hear from you is to just confirm that you have no other outside business interests in the restaurant business outside of the Market, food trucks, Farmers Market locations, or any of those things either you or your partner.

Mr. Chick: Marcel has zero affiliations that way. A few years ago I started making cider back in late 2017, 2018. During the pandemic in 2020 I started a brand and I sell some of it. I have a small, very small company. My yearly gross income from this company is something like 4,000 dollars. I make a few barrels of cider a year. I make it out of someone else's facility. I don't have my own facility or my even my own liquor license through that. It's entirely a brand that I've basically making through somebody else's

bond and license down in Sodo. They have no ownership we have no affiliation. He pays me, if I sell anything, he pays me a commission on it. It's a very small project. So that is the entirety of my affiliation with anything else.

Ms. Martin: thank you very much Michael for taking the time to come and talk to us about this. Did the property owner have anything to add to this?

Property Owner Comment:

Susan Brems (PDA): I would just like to say that we are very excited about the opportunity to work with Michael and Marcel as they are so well qualified to take over the business and to continue the way it has been and to take it into the future. So, we are very happy to welcome them into the community as owners and think they will do a very good job. They're both very well versed in the business and have been there from the beginning, basically.

Ms. Martin: Thank you Susan. Do Commissioners have any questions for the applicant?

Public Comment:

Joanne Herron: Can you hear me, okay? I'm not sure I can start the video portion. I just wanted to say that my business partner and I are thrilled that we have two employees who are in good standing with us who want to continue on the legacy. It's been such an honor and privilege to have that business in the Market. And we love the business, and we're so happy that it's continuing.

Ms. Martin: Thank you, Joanne, you are a very lucky employer to have such great employees. That must be really good, a beautiful place, and I'm so excited for it to continue on. And so with that, let's go to discussion and look at the relevant guidelines and vote on the application this evening.

We look at the relevant guidelines of 2.1, general principals for uses of the market, of course, this was an already approved business previously. I continue to see no conflicts of interest at this time. Styles and methods of operations given that he's in zone 3, all uses are permitted. The spaces is within its requirements, proposed ownership structure, these are previous employees that work there. They will be on site regularly as we can obviously see this evening. So, I see no conflicts of interest as well. Going to 2.7, new uses and businesses. It's a permitted use, it's not undesirable. And it's not a significant change. This is again, the same business that was there previously. So then you go change 2.10.4 to business structure or ownership and again, I see no conflict of interest. The application falls within all the Guidelines. Does anyone have any other comments. Would anybody like to make motion this evening?

Action: Ms. Young moved to adopt a resolution to accept the application as presented under the relevant guidelines of 2.1, 2.6, 2.7 and 2.10.4.

MM/SC/SY/GL 8 in favor; 0 opposed; 0 abstained Motion carried.

070622.12

Eclipse Hat Shop

1520 Western Ave, Fairley Building

Sharon Hagerty, Business Owner

Ms. Le explained the proposal to expand existing Eclipse Hat Shop business space (1518 Western Ave) into adjacent business space (1520 Western Ave). The space is located in Zone 1, street level, food (a-b); retail (b) permitted. Current use: vacant. New use: retail (c) (no change to existing for Eclipse Hat Shop). Space size: current 340 sf; addition 180 sf; proposed total 520 sf. Proposed ownership structure: Sole Proprietor (no change to existing). Owner financial affiliations: none (no change to existing). Owner operator: Sharon Hagerty (no change to existing). Business hours: Tues – Sun 11 am – 5 pm. Exhibits reviewed included a site plan, photo of storefront, and Certificate of Approval that established current business use. Guidelines that applied to this application included 2.1, 2.6, 2.6.6, 2.8, 2.8.1.

Property Owner Comment:

Zack Cook, PDA: I can try and get started. This space has been one space. Probably I think it was John said 10 or 15 years ago. And then it was divided at some point into two separate spaces. So we are proposing to reunify that space into a larger space. Eclipse Hats has been in the Market for just over a year. She's really done an amazing job becoming kind of an anchor tenant down on Western Avenue and in her original proposal, Sharon had wanted to not only sell hats, but also repair hats and to have workshops. She's been so busy with her retail side. If you've been in her small, little shop, she can barely fit in the paths to keep up with their demand. So adding this extra space to the north will allow her to basically keep the existing space as retail and then to use the area to the north as her workshop. So she would focus on having workshops in there, producing hats, fixing hats and just really use it as her back of house space. It's kind of a cool spot. It has a front door, a split door. So the top of it can open on warm days. Sharon was planning on having that door open. People could see her working in her workshop preparing hats. We really like that meet the producer aspect to it. And this is just right now the change of use, and we would come back next month with a design proposal, if the use was approved, but we're very excited that Sharon wants to commit to staying in the Market, and we're really happy to support her expanding her business. Her previous spot is only about 350 square feet. So this is only adding, I think, another 140 square feet. So we're not, we're not talking about. We're not we're not talking about a very large space here, it just gives her a little bit more room to kind of fulfill her original vision that she had of, not only hats, but also a place where she can create hats and repair hats.

Applicant Comment:

Sharon Hagerty: I'm grateful to be here and I've been very excited about the success of the shop, and I just need to make the point that it has been impossible for me and very difficult for me to clean and do these little repairs and brush people's hats in my store where I have brand new hats and merchandise, so it very much needs to be separate. So there will be no public access to this workspace. Unless they're invited by the little barn

door. They can observe me actually working on hats. This separation is important because people do bring me very dirty hats, cleaning and making hats is a process, which makes felt fly and dust. So, I have been having to do this work off site on my one and only day off, or when people come to my store, I send them out on the sidewalk and say, you got to brush your hat first, before you even come in my store with it. So, this additional space will allow me to be a craft person at work and also to have, you know, the retail store. So, it was wonderful timing and I'm very much appreciative of it. And actually, previously, just this last week, the previous owner who owns the restaurant that was both of these spaces was in my store, and she was showing me how it used to historically be one space. And then this temporary wall was put up, I guess, maybe 10 years ago when Jennifer from the Paper Feather came in. Thank you for this opportunity. It will very much will help my business so I can offer workshops as well and be able to repair hats. Thank you.

Public Comment:

There was none.

Ms. Young: After this use - assuming it is going to be approved - Is there going to be a design application following this one?

Mr. Cook: we'll bring up probably next month. We'll bring them back about how we want to connect the space and what it look like in the inside.

Ms. Young: Okay, and just again to clarify, they do have a the larger space right now?

Mr. Cook: Exactly. That's the real small one that we're adding.

Ms. Martin: All right, so let's go to discussion and go through the relevant guidelines. And so again, we look to 2.1 general principles for use in the Market. I was here when this application went through not that long ago. It falls obviously within the general principles. It is great to have them down on Western and I love seeing things made. I'm so excited for Western. It's really great to see and she is a wonderful retailer and it's awesome to have her back. I strongly see how it falls within those guidelines of the general principles, styles and methods. I understand that 2.6.6. Expansion is not looked at. You know, you'd rather have a new business and expansion, but as previously stated, when you look at 2.6.10, which is size limits, they still fall within under the 2000 square foot exception so given that, she's only adding a small amount and will only total 520 square feet. I don't see why it's an issue. The 2.8 existing uses and businesses. Again, it's just a minor change of use. In that, she's just doing this small expansion. The addition or deletion, it's not changing the character of the business. It enhances actually the specialty nature of the business. Which is 2.8.1 a B. Proposed additional product line, which she's adding on or cleaning other people's hats, or having the ability to do minor repairs and so forth for more room. And it does not lead to a undesirable mix because it's the same business, just adding on. Looks good and should proceed forward. Does anyone else have comments or any other guidelines that need to be cited, that have not been mentioned.

Ms. Rudeck: I think just adding onto that a guideline 2.6.6 about expansions to see that it previously was connected and then later divided into two spaces. So I think that's another reason that could be allowed.

Mr: Farrazaino: Also, I think adding just 2.6 in general in the first paragraph where it talks about emphasizing face to face transactions and a high degree of service to the customer. This sounds like it meets that.

MOTION: Ms. Rudeck made a motion to adopt a resolution approving the application as presented.

MM/SC/LR/SF 8 in favor; 0 opposed; 0 abstained. Motion carried.

070622.13

Tenzing Momo

93 Pike St #101, Economy Building
Erik Smith, Prospective Business Owner

Ms. Le explained the proposal for change of ownership only for existing business; to be operated by Tenzing Momo Inc owned by Erik Smith (100%). The space is in Zone 2, street level, food (a-e); retail (a-d) uses permitted. Current use: retail (a)(d). New use: retail (a)(d). Space is 700 square feet. Proposed ownership structure: Corporation. Owner financial affiliations: none. Owner operator: Erik Smith to be onsite regularly. Business hours: Mon – Sun 10 am – 5 pm. Exhibits reviewed included site plan and business sales agreement. Guidelines that applied to this application included 2.1, 2.6, 2.7 and 2.10.4.

Applicant Comment:

Erik Smith: I've been involved with Tenzing Momo since 1993, working on a full time basis. For the last 15 years or so I've been running it managing it, on a full time basis and going forward with the change of ownership from Scott and Jeffrey Gould, who were silent partners. I will be acting in the same capacity and managing it and working full time. We have a great staff, and we've been enjoying a lot of success, even throughout the crazy times that we're experiencing now we continue to thrive. I don't plan on changing a thing. When it works well, and we're going to keep it kind of just like it has been.

Public Comment:

There was no public comment.

Ms. Martin: My only question actually is to the landlord because presented was the lease. I was curious is it common to write a lease, signing it, and they don't have to get Historical approval for a year.

Property Owner Comment:

Zack Cook (PDA): This isn't the lease, this is their purchase and sale agreement so they probably just have a condition in there.

Ms. Martin: Is that common though?

Mr. Cook: Yeah, a lot of the purchase and sale agreements that we see have a date at some point. It can take a while to get Commission approval where you can basically reverse the deal if the Commission, if they don't get approval by a certain time.

Ms. Martin: Yeah, I would just have that comment not that I was, I just thought it was odd since that kind of goes against the guidelines, but I just was curious.

Ms. Rudeck: It shows up on the screen right now, the part that says a bit about the Historic Commission approval.

Ms. Martin: Right but that's what I'm saying, when you look at the application. It's 1.5.4 application must be approved the Certificate issue by the Commission before ownership transaction takes place. But it there, it says that it's giving them till December 2022, and it's already taken place. I just was I was a comment because I've never seen one done like that. Is there any questions again for Commissioners. All right, so shall we go to discussion then? All right, and so again, when we go to this, we're going to look at 2.1 general principles for uses in the Market again, this was a well-established and continues to be a very successful business in the Market and has already been approved. There are no conflicts of interest in regard to the general principle of uses in the Market. I mean, I guess we can note what I said about the 1.5.4. Granted, they're retroactively getting approval. I would just like that noted in the record that that was seen, I don't know if this is a trend. But just making note of it, 2.6 styles and methods of business operations there is no conflict that I see. Obviously, in regard to this and that's local clientele, regular hours, Tenzing Momo very well established. Great business and 2.7. they're just changing ownership structure. 2.10.4.

All right does someone want to make a motion?

MOTION: Ms. Rudeck made motion to approve the application as presented.

MM/SC/LR/SF 8 in favor; 0 opposed; 0 abstained. Motion carried.

070622.2

APPROVAL OF MINUTES

January 12, 2022

MM/SC/LM/GL 7 approved; 0 opposed; 1 abstained. Minutes approved.

February 2, 2022

MM/SC/LM/SF 7 approved; 0 opposed; 1 abstained. Minutes approved.

070622.3

REPORT OF THE CHAIR No report.

070622.4

REPORTS OF THE STANDING COMMITTEES No reports.

070622.5

STAFF REPORT

Ms. Le: No committee meetings next week.

Administrative approvals to date 2022

Ms. Le: none to report out since the last report out which was the last full meeting.

Transition to hybrid public meetings updates

Ms. Le: We will eventually make our way back to the Pike Place Market. I'll keep you all updated once I have that confirmation. In the meantime, I would just reiterate the past advice that anytime is going to go out. if you think that you would like to go to the person, just look carefully at the location so that during this transitional period, nobody is inadvertently going to the wrong place and be very disappointed to miss you. The third item is there are four vacancies, the first notice went out, and then we'll move to the next step to the process. Okay, so those are my updates and were there questions? We had some questions that were via email, additional questions as well.

Ms. Buker: I have just five questions I would like to ask on the public record. The first question I have is how are rules and guidelines from the Historical Commission enforced?

Ms. Le: What is enforced is the Code. Department of Neighborhoods administers Seattle Municipal code, there's a particular section that pertains to the Pike Place Market. That's me, there's one staff person who does a variety of roles important to that. The staff person approaches people who are potentially out of compliance with the code, and given the opportunity to rectify the situation. And if they don't within a certain amount of time, they can be referred to the Department of Construction and Inspections. That department has the authority to accept and then act upon or issue penalty. I wanted to make the distinction that it is the code being enforced. If I were to approach a business and feel like there might be a violation, rather than going up to the business and holding it up next to the guidelines, I would pull it up next to the code to tell me, everything that is happening there, design wise use wise, do they have a Certificate of Approval? If they didn't, that would be a violation of the code. And if they did have approval look further, look at what it says. It's always pretty detailed how the plans or some of the exhibits that you all reviewed. And what is there, needs to match the Certificate of Approval. So, that's what the compliance and enforcement looks like, who does what, what is the support. And I did want to make that small and important distinction because it would not be up to me to go around the District and cite what's compliant with the guidelines. I could only make the distinction of whether or not they've met the requirement of having a C of A from the Commission. And if they did, whether what they're doing complies with what the conditions spelled out in its approval.

Ms. Buker: Thank you for explaining that. I was having a little bit of trouble with your audio, but I think I got the gist of what you were saying. A quick follow up question there. I apologize if you just explained this, so what is the procedure when a violation is observed by a Commissioner?

Ms. Le: That's not spelled out specifically in the rules or procedure. So how it comes to my attention is not specifically mandated anywhere. People can still report things to me. I think that I'm doing that more and more as time allows. So there is no formal process. You can always contact me. The ability to respond and get right on those is limited, it's straight against other priorities that are strictly Code mandated and sensitive.

Ms. Buker: That is really helpful. Thank you. I would like to call out a violation of what I've observed to be every business in the Market that has a sandwich board sign with the exception of one sign of The Purple Store and the one sign that we reviewed at our last meeting. Other than that, I don't believe we have documentation for any other sandwich board signs, or A frames, or any other signs that are in the public right away sidewalks in the Market. I'm hoping we can enforce those guidelines.

Ms. Rudeck: I don't think that giant A frame for the purple store has been approved.

Ms. Buker: I don't think so either. I know we talked about that. There's a sticker and I went around looking at all the signs. I saw one sticker and it's on the Purple Store Sign. It's a circular sticker with an H on it. I don't know if that's one of our signs. I think we should call that out as potentially in violation as well. I know it's probably going to be a big job in how I think there's dozens of these signs.

So if there's anything we can do to help facilitate that, please let us know. I'd be happy to help in some way to improve this as soon as possible, because it is the summer time we're getting pre pandemic levels of visitors and it's incredibly hard to walk around the Market. And I think it's really not fair that the businesses that have come to us for approval of their signs, have been deemed, versus all the other businesses who are just putting signs out with ask without asking approval. I think we need to enforce those guidelines. I have just a few other questions, not related to the rules enforcement.

Ms. Le: You believe that every A sign to the District today is out of compliance with the exception of two?

Ms. Buker: I do, as I have not been able to find any kind of documentation for any of the signs, other than the market that we reviewed last week and approved one of those signs. Otherwise I have not seen any approval for any other signs. And just walking around the Market after looking at the guidelines, I can't say that I've seen any that fit to the size requirements that are within our guidelines.

Ms. Le: To clarify Kitchen and Market, it was reviewed at the last meeting and it was denied right?

Ms. Buker: And they've removed the signs that were denied per compliance, and I just want to make sure that we are enforcing the same rules and guidelines for all businesses. Even those who don't ask for permission and just violate the rules until we enforce it. So, I'm really hoping we can enforce those rules, not only for equity, but also to improve pedestrian mobility in the Market during our busiest time of years during the one of the most important summers for the recovery of the Market. We've got to make it walkable.

Lisa Martin: I hate to interrupt, isn't that the responsibility of the the landlord. I mean, that shouldn't go all on you. No, I mean, it's a combination, right?

Ms. Le: I hear people's concerns the, the code is required, so it's not optional. It is the shared responsibility hopefully among property owners and the City of Seattle. To sort of look out for and support for people to come into compliance. I agree that it's a priority. It's a big job and the last meeting we had laid out a potential strategy to deal with the sandwich board compliance to make it manageable and actionable given that it is a big job so I like the idea of breaking it out.

Ms. Buker: Wonderful, that sounds great. I wonder if at our meeting next week, we could touch base on progress or again, if it would be helpful, if you need me or somebody else to maybe help provide a schedule of which streets do we tackle? First, what are the highest priority? I would be very happy to help with that, or if it would be beneficial for me to walk around the Market and do some documentation I can provide that as well. Anything I can do to help, but I'd really like to get cranking on this just since it is the summertime. I'm curious what is the status of the revised rules procedures and guidelines and what are the next steps for those.

Ms. Le: Going through law review, we have one person who works on Commission legal issues. And they're currently pretty involved in Commissioner business that is not yet resolved. It looks to be closer rather than further away from resolution.

Ms. Buker: Perfect wonderful. That's really helpful. I understand that our one law staff is currently busy with another project, because it has been over a year. I think it would be really beneficial to see if it is all possible to maybe at our next meeting to have some kind of update even if it's just we'll be able to get to this within the next three months or there's this outstanding issue. I've heard from the group whose seat I'm on, the Friends of the Market, I've heard that perhaps maybe there was some miscommunication regarding those public meetings, and that that could have stopped the process. So, I'm really hoping for an update to understand that the process to approve those revised rules procedures and guidelines is still moving forward. If possible.

Ms. Le: Definitely, I think it's great. It really helps keep everybody informed on track. I like the idea of adding it. The standard reports, like the admin approval updated today. I do really like that suggestion it's kind of continuing the conversation because there are so many things going on So that we can add all.

Ms. Buker: Perfect. I think that's so great. Thank you so much. And everyone I just have two more quick questions and then maybe a quick motion. One more quick question, how can we obtain a written list of all administrative approvals to date? Including those are that are still within the appeals period?

Ms. Le: I can say right now, there are none in the appeals period, because the appeals period is 14 days long and there is nothing that's been approved in the last 14 days. I'm working on that list, so I do have that information readily obtainable.

Ms. Buker: I think that would be really helpful. I believe the last administrative approval I saw was related to materials, put around the base of trees and I think you're right, it was either right around 14 days ago or further. But any list would be really helpful. I believe you said there's nothing currently in the appeal period. One final question for me, I would like to ask. Is it possible that there are hybrid meetings going forward? Can the in person component be held in a Market location, such as the Goodwin Library to help facilitate public participation and perhaps to address some of the technology issues we've been having with the City Hall meetings?

Ms. Le: As I've been reporting out for a few rounds now, it's the eventual goal to move back there. I do coordinate with the facility and staff who own and manage those buildings. They are not ours. Rather we are guests there so waiting for their word as to what room may be available and when. You'll notice that in the posting for the new recruitments, it is advertised that these meetings will be in the Market. So that's what we're putting out there. This is what's happening, a little bit behind schedule due to the room renovation timeline but it is the goal to move over there.

Ms. Buker: That sounds great and knowing that the renovation is ongoing, I think it would be beneficial to, in the meantime, pursue a temporary location within the market, such as the Goodwin Library, where other organizations are able to meet. It'll help facilitate public participation as well as perhaps address some of the audio visual issues we're having. Those are all my questions. Thank you so much everyone for your patience with that. The only other thing I wanted to say is because we have changed the format of this meeting to have public comment throughout. I know that mostly the public comment periods were related to the three items that we were reviewing. I would like to ask that we can also have a public comment period for this section of the meeting as well if that's possible. For staff report, or just any opportunity for public comment not necessarily related to the three specific items we reviewed.

Ms. Le: Public comment is accepted on anything on the agenda. That's how it's been for decades. It's good to remind everybody because some of us are newer. But that is always the intent in open public meetings, public comment is accepted on anything related to the agenda so not just Certificate of Approval applications, which there were three.

Ms. Buker: Perfect wonderful, thank you so much for explaining that to me. I know earlier in the meeting, you had mentioned that there was an issue with the public comment mechanism and as we were going through the three items, you needed to pause and unmute everyone and ask if they had public comments. I wonder if it would make sense to do that now.

Ms. Martin: Firstly, I thought we were going on to New Business, and we would ask for comment at that time.

Ms. Le: There is the suggestion that there's public comment opened up for the staff report. If that were the case, I would suggest that we confirm that the items have been wrapped up. And then we merged into public comment.

Ms. Martin: Do you feel like you have thoroughly gone through the staff report and are there any public comments in regard to the staff reports this evening?

Ms. Le: Let's see right so at this point, there are four people on the phone. I'm going to unmute and I do have some public comments that I received related to the last item on the agenda.

070622.6

NEW BUSINESS

Develop Commission statement regarding proposed legislation related to land use review decisions and meeting procedures.

Public Comment:

Bob Messina: I support the Commissioner's action today regarding drafting a message relating to land use and meeting procedures which is listed on the agenda under new business. I fully support the 12 member Market Historical Commission whose members are comprised from 6 different categories, having relevance to the issues of the Pike Place Market Historical District. It is under the direction of these 12 members that I believe the Pike Place Market has been well served. This is why I say any such authority called administrative review must not become permanent in any form of any department or office or other Commission's authority over the Market Historical Commission's long standing work in the Market. The administrative review process was an emergency public health action to protect people from a dangerous pandemic. Our Historical Commission must now or very soon return to its pre pandemic meeting procedures and the temporary administrative review under the Department of neighborhoods discontinued. Thank you.

Ms. Le: I have a public comment in writing I'm going to go ahead and read it.

Rolf and Gerd Nieuwejaar: "Greetings to all involved in current decision making regarding The Pike Place Public Market, its Management and Definitional Processes under City of Seattle Ordinance. Specifically the Seattle City Department of Neighborhoods, City of Seattle Mayor and Council. We believe it prudent to manage the Pike Place Public Market by the Methods established by SMC Establishing Ordinance's and Washington State Law, RCW's that defined the Pike Place Public Market PDA, Pike Place Public Market Constituency, and the Pike Place Public Market Historical Commission as governing Bodies of the Pike Place Public Market Historic District. Please accept the attached Letter as Public input to any and all appropriate venues regarding any proposed changes to Management and Oversight responsibilities of Entities involved in The Pike Place Public Market Historic District. We do not believe Seattle Department of Neighborhoods should Manage the Pike Place Public Market.

Thank you for your considered actions, Rolf and Gerd Nieuwejaar

Artist Craftpersons in Pike Place Public Market since 1974

Former Pike Place Public Market Constituency Vice Chair and Secretary Treasurer

Former Pike Place Public Market Daystall Tenants Association Directors.

Rolf and Gerd Nieuwejaar: Salutations Pike Place Public Market Constituency Executive Board, Happy Fourth of July! It has come to our attention Seattle Department of Neighborhoods may soon be considering possible Structural changes to the Market Historical Commission, MHC in Seattle Municipal Code. We support continuance and maintenance of the Historic District Enabling Ordinance created by the 1971 Initiative to "Save The Market" thus creating and establishing the MHC in its Statutory Role, managing Pike Place Public Market Historical uses and activities. It is vitally important these Roles and subsequent Historic District Enabling Ordinances with associated Washington State RCW's continue to be consistent by application of Washington State Law, RCW's and the Enabling Pike Place Public Market Historic District and PDA Charter. We consider important, all Seattle Department of Neighborhood Processes, Actions and Decisions must be provided to the Public, in accord with the "Washington State Open Public Meetings Act". We thank our Pike Place Public Market Constituency Executive Board for their efforts to serve, preserve and protect our Pike Place Public Market and Community. We support continued provision of PPPM Constituency, MHC and PDA Council Meetings within Pike Place Public Market Historic District to always maintain a direct physical Public venue for Participation, Communication and Connection with the Community they are Mandated to represent. Together We Thrive, Rolf & Gerd Nieuwejaar. Since 1974, Artist Craftsperson's and Members of the Pike Place Public Market Community

Ms. Le: So, moving down the list public comment number 3.

Ms. Buker: I think I may be just surprised and disappointed. I mean, 2 years into doing virtual meetings, I'm surprised we don't have a better process for this. And I think this is a great example of why we need to be meeting a more accessible place for public comments. I mean, this is really well, this is happening. We're kind of just listening to static on people's phones for 10 or 20 minutes.

Ms. Le: Reading public comment by Ruth Danner:

"I am President of SaveTheMarketEntrance.org (STME), a grassroots 501(c)3 non-profit 90,000 strong and growing in concern for Seattle's future. For over 5 years we have witnessed the erosion of the public's rights and opportunities to participate in public meetings in a mean way. Our organization is dedicated to preserving affordability, sustainability, quality of life, and sense of place in the downtown core for all who live, work, and play here at the entrance to Pike Place Market. Now, more than ever, democracy needs public participation for its survival. The changes being contemplated to make administrative review permanent for Landmarks Preservation serves to block transparency and sows seeds of distrust and assumptions of a return to back room deals that the open public meetings act was designed to eliminate. Please do not rob Seattleites of their right to know what is being proposed, and their opportunity to participate in the process to make Seattle a place we all want to be. Respectfully, Ruth Danner, President, SaveTheMarketEntrance.org, Member, Pike Place Public Market Constituency."

Ms. Le: Thank you everyone for your patience as, you know, typically there are two people who staff the full Commission meeting. The Commission chose to adopt a

slightly different plan for July, now we see what it takes two people to staff the meeting. So thank you as it continues to move along if not a little bit slower than usual.

Ms. Le: Reading a comment by Bruce Rutledge:

"Dear Sarah, MinhChau, Greg, Tammy, and respected MHC Commissioners, Speaking on behalf of the leadership of the Pike Place Market Constituency, we strenuously oppose any extension of administrative approval in any form as it applies to the Market Historic District and/or the Market Historical Commission.

The Market is a small area, expressly protected by the citizens of Seattle, who entrusted its care to a volunteer Market Historical Commission comprised of members with specific identified skills. This decision should be honored. There are no massive development projects nor any new residential buildings planned for the Market Historic District. Delay of major projects caused by the review process is not an issue. On the other hand, small decisions, that would be unnoticeable in a larger area, have an outsize, cumulative effect on the small, historic Pike Place Market. If the goal of administrative review is to simplify the application process, the Commission can take it upon itself to make adjustments as/if necessary; but the regulatory authority granted to the Commission by Initiative needs to be returned, in its entirety, to the Commission. We also believe that, to provide ease of access for the Market's business and property owners, as well as to encourage public oversight, it is imperative that in-person components of MHC meetings be returned to a location within the Market Historic District. Hybrid meetings are already held successfully in the Goodwin Library and other rooms within the Market complex. Such meetings are possible; all that is needed is the desire to do so. Please exclude the Pike Place Market from any legislation that makes administrative review permanent. Please plan to locate in-person and/or hybrid meetings within the Historic District. Pike Place Market Constituency Executive Committee: Adora Lopez, Chair, Jerry Baroh, Vice Chair, Bruce Rutledge, Secretary-Treasurer "

Skip Knox:

My name is Skip Knox and I have a long time lifelong interest in the Pike Place Market. I can address the agenda item, it's more efficient than if I was to just talk off the top of my head. And some of it you may see it as facetious or wacky. If I can't have fun, I'm not gonna work here, but I'm dead serious about what I have to say. I learned through public disclosure that the survey, the Department of Neighborhoods conducted over the course of the spring, was contracted for in September of 2021. It was months later that the Commission was even advised to comment the Department Neighborhoods had contracted that survey. Why were they kept in the dark? Why was the Commission not consulted? Why didn't the Commission have anything to say about the survey before it was even contracted for? It's outrageous that the Department of Neighborhoods will go out and spend public money on behalf of the Public Market Historical Commission. Asking what they think about it ahead of time may have agreed. They may not have, but they weren't given a chance that totally defeats the purpose of the Market Historical Commission, which is an insurance policy written into the legislation that brought a force to prepare and inform the public of what's going on in the Market. That sort of process needs to be terminated. Put to sleep as professor powder would have said.

I guess I saw the department has refused or failed, or both to add into the public record. The Pike Place Market Historical Commissions procedures, newly revised, which they have the outright authority and responsibility to do, it doesn't have to come from somewhere else and DON doesn't like it. So, I'd like to know what authority that material was withheld from being implanted into the public record for the Public Markets Historical Commission's procedures. The production of certain public records has been withheld unreasonably. For example, the survey that I just referred to has been in house for over a month, and it wasn't until I submitted an appeal for denial of records that it was produced. Excuses, and maybe it's a good excuse by the person who has to produce the records. I don't have the allocated time to do all of the stuff. Well, that's not a problem that the public that's a problem for Mr. Greg Wong, director. So best get with it. It's a very essential part of keeping the public confidence in our governance process. Public records belong to public. It should be delivered toot suite again.

In the legislation that we're now operating under, which have been extended, administrative approval is for only issues of minor importance. There's no definition of minor. That needs to be scrubbed out, it opens the barn door to all kinds of collusion back door deals corruption and all the stuff, which is what the Market Historical Commission was set up to preclude.

It's essential that that be done away with. And that the authority to be restored to the Market Commission to do its job. I don't believe that the person who was saddled with doing the administrative approvals during the interim temporary period of time has any nefarious designs. And I don't know, because I'm not that familiar with the process, whether or not it was always done chop chop chop the same kind of attention and clarity on each particular instance. But the next person that runs this scam, if it's allowed to continue may not be quite as upstanding. That process needs to be taken right back into where it came from. That's Market Historical Commission. So my word to Mr. Wong maybe should be given a pass because he's an interim person.

It's been identified, but he hasn't been as far as I'm concerned confirmed by City Council. He gets a pass for a while, but it's been three months since the hair has been raised on this issue. And certainly, he should have heard some reverberations in the air about this. Should have done something about it ahead of time. He, he hasn't done it. If records are asked get them out. It belongs to the public and here's the budget to do it. That's his responsibility to do it. And I think if he does that, and ask the rest of the staff to sit up a little straighter in their chair on this particular Commission of all its equity boards and commissions that he's responsible for, he'll be doing the right thing because this Commission is so much different in that capacity than the others. We've got to go back to the purpose for the Market Historical Commission, and the Market itself being made public. Public ownership in perpetuity, get back to what we started from that was doing just fine, but it ain't broke don't fix it. Somebody said carve out legislation that goes to the City Council. Protection to make the Market no different as it was for 50 years and that is no administrative approval or usurpation of the Market Historical Commission's responsibilities and authority. Thanks for your time.

Ms. Martin: Next, the Commission discussing the proposed statement about legislation related to land use review. Any comments?

Ms. Rudeck: Rudeck: Sam, I think you wrote a great letter. Thanks for putting that together.

Mr. Farrazaino: Thank you, apologies that I had to exit the meeting last week. But thank you for the edits and I'm totally open to anybody and everybody's input into that.

Mr. Farrazaino: I think the intent would be to send it to Department of Neighborhoods and also CC the Mayor's Office and City Council Members. Get it to all levels for consideration. I'm sorry and yes, signed by each commission members that are interested in signing on to it.

Ms. Martin: Is anyone writing their own letter as well? Or is everyone just signing the same letter?

Ms. Rudeck: I will also be writing a letter.

Ms. Leong: I'm writing my own, so how can we proceed with the Commissions letter?

Ms. Rudeck: Can this be sent out tomorrow you said? I assume since you're the chair, you would send it out.

Ms. Martin: I'm going to be honest with you guys, I don't feel comfortable signing the letter. I'm just disappointed because I feel like we waste so much time fighting and I feel like we lost so much opportunity that this board has never had to make any kind of betterment for the Commission itself, I mean, as we all know. And we discussed this evening, but how many people don't abide by any of the rules currently? I mean, there has to be buy in from everybody in all these parties and I just feel like, to go back to what it was, it doesn't do any good. I don't know, I mean, I've been here all my life. I discussed with my mom, you know, we've had several tenants, I've worked every day for years, decades. I know what it's like to bring people forward. I know what it's like to be a tenant. I know what it's like to have an applicant. I know what it's like to be a customer, and I'm just super sad and disappointed that this continues to go on. I just wish we could work to something better. I'm just disappointed. When we had a chance and no one's willing to do it. They're just saying no, I think it's easy to say no, I just wish we could work to something better.

Mr. Farrazaino: I definitely hear that. And hear that working for better is what I'm interested in as well. I think for me, the understanding from the rest of the Commission and where I was trying to go with that letter, and maybe I didn't get clarity around it. is that idea of the Commission itself being able to create the better. And be able to take into account with public comment and with people that the organizations that have stewarded the market along with the historical commission for all these years, to be able to collaborate to do that. And what I've heard from public comment, and others here on the Commission is that the Department of Neighborhoods process, and the way that they're going about this, is what's not working for people, but my inclination is that

If the Commission itself is empowered to make changes within the process, and so that would be going back to the things that we've done to change the guidelines, that sort of work, and finding the way that the Commission can be proactive in making it better and more equitable so that people can not be slowed down by a bureaucracy, but perhaps it could be sped up, but that we can also have compliance and have folks in the Market. You know, like the sandwich board conundrum. Trying to help so that the people that we do say no to are equitably treated along with the people that are taking advantage of a situation of not having the capacity to do the compliance. I don't want to make or compel anybody to sign on to something. I do believe that we, as a Commission, would need to sign on to the letter as a whole and have a unanimous approach to that. If we're not there yet, then I would lobby for not sending that letter and sending individual letters. I'm willing to work on process and figure out how we could as the Commission design a process to get authentic public input and make it more equitable.

Ms. Young: I definitely hear your pain, but I'm not quite sure I understand. And while you're uncomfortable with the letter, I mean, is it too soft? Is it not hard enough too hard? I mean, I'm not quite sure. I understand this particular letter that we're working on. What, what would be better in your opinion something stronger I guess.

Ms. Martin: I just don't even know if the letter I mean, we can write the letter. But part of me just thinks, why can't we demand to have a meeting and bring like I really want this. This opportunity of legislation doesn't come often in fact, it's very rare and we can't just ask for that at some other time. No, I don't even know how many other Commissions have had this opportunity and it's now or never I look at this historical district is in really dire straits in all honesty. I want to save it and I want it to go forward and to me, we have to work on it now. So I feel like as much as I understand all of us have a lot going on and I see that we're busy there's all these applicants and everything, but this legislation's happening and I feel like, if you brought everyone to the table, if you made the PDA show up and say how they felt on this and had input, if you had other land owners have input and have a huge meeting and had. as they had offered to have a facilitator, and get this done, like, let's be, let's try to make this better. I'm tired of this going on, it's just going to be another Commission next time. Nothing's going to happen. It's the same thing. It always gets pushed off and then it's another group of people that don't know what's going on. And I'm just I'm tired of it. I just see continually going on. I mean, now people constantly don't use any of the rules and the guidelines, you can walk down the street, and there's constantly people that aren't abiding by any of them. No one's buying into it at all. It's a joke. And I want the Market to be reinvigorated I want young people to come in and want to be a part of it. This can't go on like this. You need new fresh people, we need to make this more efficient, we need to make it new and vibrant and alive and bring people in. I just don't see that. Continually doing the same thing. The same way isn't working. And so I'm just trying to figure out. How to make it better? I just watch it and it's just people, you know, they just turn around and do whatever they want. It doesn't matter what we say they call us the hysterical society. It's a joke. That's the truth and I've known that for a long time, but it's just, I want it to mean more, you know. I just want us to, I'm just tired of it going on and on. I don't know if this letter just say, no isn't going to mean anything to them. You know, I want action.

Mr. Farrazaino: Do you feel like the process the Department of Neighborhoods is in right now is an equitable and transparent process that would get us to a, a better future?

Ms. Martin: No, I mean, I don't want administrative approval on everything. I'm not saying that by any means. I mean, I could say that it's not equitable with the 12 people. Every time they turn over new people come in and have, you know, not all the time our rules always looked at the same way, even though they should be right?

Mr. Farrazaino: Do you think it would be a worthwhile effort to ask for, or create that meeting of the different elements, so the constituency and the PDA and the Friends of the Market input

Ms. Martin: I haven't heard anything from the PDA, they don't want to say anything. Why would they?

Mr. Farrazaino: So I'm just wondering is, would that be a next step?

Ms. Martin: That would be my feeling. I want to have the input and really have, you know, the head of Department of Neighborhoods would show up. They had called me and said that a facilitator could come. I mean, if we put it out there and made sure that the other landlords knew and asked for other public comment, I just feel like, this is the time that we need to make a difference, you know. You know, we have to keep evolving, right? Or die. That's life.,

Mr. Farrazaino: I think if maybe the Historical Commission here, then needs to take the lead on that convening. The thought of the Commission taking the lead. Whether that's bringing in outside facilitator or whatnot, but that invitation to get everybody to the table, I think is a much more equitable and reasonable process than the Department of Neighborhoods creating legislation to change something on their own with limited public input in limited and not very accessible ways. That inspires me what you're saying is to bring everybody together and actually get people in the same room and start addressing the issues, figure out the ways that it could change. And then everybody's got buy in, in the creation of new legislation going forward that could actually evolve it, make a difference. And be equitable at the same time

Ms. Martin:, right? Like real solutions right?

Mr. Farrazaino: Yeah, like get to work. Make something happen.

Ms. Mohammadi: Thank you Lisa for bringing that up. I appreciate it as a business owner. I have been going through so many challenges and I haven't even been able to talk about them because some of these issues are within my interest, so I haven't been even able to talk about that but thank you for bringing that up. I know everything is so frustrating and one thing, I know as a business owner, you know, when you are at the Market, not everybody, gets a fair chance. A lot of people don't even get a chance to be

in front of MHC to be able to have a case. And I kind of feel like we have to be there for the small business owners, but we don't even get a chance to see them.

Ms. Rudeck: can we propose a date that we have this meeting and try to organize it and put it together?

Ms. Martin: I think that would be good. We can get enough input and enough people.

Mr. Farrazzaino: What were you saying about some, an offer to facilitate a meeting?

Ms. Martin: They offered to have a facilitator. It wasn't originally for this idea, but it was just one in general, which I'm just thinking that maybe I can.

Mr. Farrazzaino: Are you saying that the Department of Neighborhoods offered?

Ms. Martin: Yes, an offer to provide a facilitator. Or having us all, a non...because originally, it was just to help the meetings go better. But I think this would be a wiser use.

Ms. Le: I could clarify a little bit more so, as you all know, I'm at each and every meeting, and I frequently do report up when I feel that there's concerns that need to be elevated or things the Commission is concerned about that the director level should know. I try my best to encapsulate them. I don't capture it all. For example, in the last three minutes I've heard information that I have never heard before. But I do try to elevate things upwards and express the sentiment that I do know, which is the Commission would like more support in doing its work and does good work, but needs support in doing so, and so it was an idea that came out of some of that reporting up, what Lisa is referring to. And that offer has been extended by the director of the DON.

Mr. Farrazzaino: and this facilitator or some combination of staff and whatnot could help facilitate basically what we're talking about, a convening of the different bodies and the public to be tasked with thinking about how this could all evolve and how the process could evolve and the Commission, et cetera and compliance and everything else is that something that Department Neighborhoods is willing or able to? Facilitate that process or is it something that the Commission should take on and initiate from within the commission.

Ms. Le: I can't make a commitment as to the first option. I want to say that there would be a great willingness to pursue that but again, I've heard new things in the last five minutes when I thought I was going to be sending a letter. I would like to think about that and check in with those that have the authority. That would be a very interesting topic that people would be very open to and excited to hear more about from the Commission. However, since it has never been on anybody's radar and not on mine in my record ups, because I have not heard this previously, I don't want to make that commitment. As for the second option, I see that the Commission wants to have a leading role in this makes total sense. You all do so much, you invest so much time already. Also related to that 2nd idea, there is the idea of just the power dynamic.

Given that you all have regulatory authority, thinking about what that would look like for that group you'd be convening. The stakeholders to provide, what I heard today was very, candid, and heartfelt, a vulnerable space. So just thinking about in the case of the latter option, what it would look like for a regulatory decision, making body to be convening and facilitating potentially very felt conversations and trying to excavate things that are maybe deep within. I'll look into it and let you all know right away. I like the idea of the 1st option. I think that there would be interest in exploring that, however, it has never been done in any way.

Ms. Leong: I really like the idea of having that conversation that Lisa and Sam have been talking about, but I guess my question is what happens if we don't send this letter and we're just relying on, You know, and of course, sending this letter is not going to guarantee anything but are we under a time limit? And should we be more active.

Ms. Le: I'm not aware of anything that has been written as of today. If you feel like you may be on the verge of something appropriate, maybe we can request to push the time limit back to get a better estimate to figure out whether your solutions might fit within whatever time was allowed. We were hoping to get feedback and conversations and input.

Ms. Rudeck: Would it be appropriate to request this meeting at the end of our letter, or suggest that this is what we would like to do at the end of the letter. We would like to have this big meeting of all of the parties involved. I think if we need to get the letter out or something out sooner it might be best to send a letter with the goal of having this meeting, or the proposal of having this meeting.

Ms. Martin: Because we have a Commission meeting next week, if I'm not mistaken, the legislation, we haven't seen any proposal yet and nothing can go in effect until after the emergency is lifted, which has not been lifted yet. Correct?

Ms. Le: Those general facts on their own are true.

Ms. Martin: So would you possibly be able to give us information by the next week? And that would still be plenty of time, whether to write the letter and put an addition onto it or whether we can go forward with some type of meeting.

Ms. Le: Yes, okay so an update next week about it: the time constraints that you're under? The sequencing, what happens and when, calculating the cost of not doing something now, the hard cut off time...

Ms. Martin: Right. And if this meeting was possible, and how soon it could happen.

Ms. Buker: These are such wonderful discussion points, Lisa, it's so good to hear your point of view as, you know, I'm fairly new and I really appreciate hearing this. It brings up so many more questions for me. Right? It seems like we're essentially discussing rewriting the governance of the Market for very good reason. Totally agree. Some of the things I'm wondering if we're the judge and jury, do we need to collaborate with anyone? I mean, if we make the rules, can we just remake the rules on our own? We

want to do the right thing. We want input from everyone, but do we have to have it? Do we have to give the PDA a voice? Do we have to give the Department of Neighborhoods voice? Even if we don't give them a voice, it seems like they have the ability to supersede anything we decide. But other than that do we really need to collaborate with anyone other than as being good collaborative people, right??

Ms. Martin: I think that's how you have buy in. I mean, I think that's the problem right now right? If the PDA or a landlord doesn't buy into the rules and the guidelines, then that's why they sign leases that are contingent a year after, or that's why people put sandwich boards out. And they don't care. I feel like when people have a stake in it, and have input, then they have collaboration and understanding.

Mr. Bown: I kind of see those as two different issues, though, the enforcement of the rules that are already there. Maybe just because I'm newer, but I just don't understand really what the issue is. As I understand that we make the rules. So it's an enforcement issue. Everybody sees the rules when they come in and, I mean, the collaboration is right there because you see the policies. So I think I might be missing something.

Ms. Martin: Well, it's also procedural because if it takes so long. For instance this is an example. So, let's say someone comes before and they were denied or we said, we don't agree and you have to come back and now they can't come back till September. And they've lost all summer to make any money. I wish there was a what better way that we could help somebody make their changes, right? And be able to go on and do their business. I think that we need to be more fluid to help people make money and be productive and still be within the guidelines. Like, I'm not saying that the guidelines all need to get changed, but I'm saying we need to help people be able to do business. Like, the symphony wanted to play in the Market, but because they can't get on until September they're not going to play. That sucks.

Mr. Bown: I would have been interested since my son's an oboe player.

Ms. Martin: Why couldn't there be temporary signs put up when there's construction, because nothing can move fast enough. I'm not seeing administrative approval, but I'm just saying that we need to look at this in order to be a more fluid and more equitable affair. Otherwise people will break rules. Do you see what I'm saying? I don't know, that's just my observation, what I see from everybody and what I see going on.

Mr. Bown: I still think those are two different issues. I agree cause I, I mean, I work for the federal government and it takes us so long to get things approved just for the average person. That's just wrong. But I think that. I mean, and I don't, I don't want to single this person out, but coming in asking for 3 signs. And then they were all out of out of size. They need to adhere to the size proportions. That just seems so far out of whack to me, but the idea of someone the speeding things up. I agree with you there. Absolutely. I agree. I have no issue with that.

Ms. Rudeck: Lisa, Do you feel like pre covid the turnaround time was faster? I remember it being 2 ish weeks when I would apply and by the time I went before the Commission.

Ms. Martin: It depends, but, yeah, I mean, but the thing is, I just don't know if it's going to change and how long it's going to take. I mean, the problem is there's so many vacancies in the Market. It's scary, you know, and how many people are going out of business.

Ms. Le: Related to Lauren's question about turnaround time, so that's all mandated in the code, this legislation, the terminology that keeps coming up. The timelines that Lisa cites are very well allowable within the existing code.

Ms. Young: I don't really understand. I'm going to take your specific examples that you just made. Somebody wanted to play in the park. So I'm assuming it's Victor Steinbrueck Park. So there's the guideline 2.12.3 about amplified sound and it gives some criteria about that. Right? But when you say they can't apply till September, I guess I'm confused because we meet every week either as Use Committee or full commission - so it's 2 weeks. And I would think that if somebody was planning an event of that magnitude, that 2 weeks, you know, they don't just wake up one morning and say, gee, I think I want to do a giant concert in the park tomorrow evening. So, I guess I don't understand where the bottleneck is.

I mean, what is that? I agree with you that it's ridiculous, but I'm wondering, why can't somebody ask for something 2 weeks in advance of what they want to do? Minh Chau, you're, you're the one who knows that code. I don't understand the lengthy process.

Ms. Le: It's all spelled out in the code. So I would be happy to send it to you all. In regards to the chamber music festival, there was a period in June, which is an anomaly because it has 5 weeks in it. There was a dry spell where there were no meetings and so they did not have the opportunity to come before the Commission as they're required to do to obtain permission. Yes it was last minute on their part. And that's not ideal. And the process, as it stands, had no solution whatsoever to offer them. I don't think that's anyone's fault, but just to answer your question about the example. I'm also aware of the time. I think this conversation is really important and interesting. I'm hearing a lot of new information perspectives for the very first time and I'm wondering Commission what do you see as the steps of wrapping up today, or this phase of it, given what has been shared. And then what can be outlined as next steps, or goals to tackle next.

Ms. Martin: I was hoping at the next meeting that you could let us know what was asked or proposed, if having a meeting is possible, with Mr Wong and the facilitator. And having all these inputs, if this is something that the DON would agree to and allow us to have all this input in order to make some kind of legislation..

Ms. Rudeck:

According to the municipal code, the Commission can request any of those things from the Department of Neighborhoods and it says staff assistance and other services shall be provided by the Department of Neighborhoods to the Commission as requested. So,

anytime we would like to be doing something, we can ask them to facilitate it and it should be done.

Ms. Leong: I think it's incumbent on the Commission to have a clear list of issues that we see, and they may just be issues that have happened over time, because of COVID, or certainly things like the length of time that's required for something that is a temporary pop up concert or if there's a an new business, and they need extra advertising because they're brand new. So these are things that are not addressed in our guidelines. And I think what we need to do is have that list of problems we see that we would like to help change to make things more equitable, but also we need to focus on the administrative review process and what do we like and what do we not like about that and I've mostly been hearing from the public and from the Commissioners that there are significant issues with the administrative process and that it's not really working potentially the way it was intended to, I think is, you know, done to expedite but because it is a very limited review it takes away that democracy and our Commission should be a Commission of 12, but it rotates for a reason. I mean, it is frustrating I'm sure for everybody like, when I was new, that was probably terrible and it's probably still terrible but that is an important part of the process too that there are different members on the Commission, and it's already been selected, the areas that are represented.

Mr. Farrazaino: It feels to me as though we are at the juncture where to Grace's point, we need to sort of make a list of the things that we want to change or that we think are not working and could use change. And then I think we also need collaboration with the other entities, the PDA, the Friends of the Market, Allied Arts, and the different constituents and the public.

And we also need as a Commission, probably some legal advice about what our jurisdiction is and how we change that. And how we influence the process that DON provides to support the Commission. And I think if Sarah and Mr. Wong and Minh Chau have some of the information I think that's helpful to have them all at one of our meetings. I also think it would be helpful to have our legal representation, if that's the City Attorney, that could help guide us to understand what we as the Commission can do now, and if we should be more proactive, or if we should be directing Department of Neighborhoods in the supporting, if you will of what the Commission's work is. So, anyway, that's what I would be inclined to do is make that invitation to the Department of Neighborhoods and the City Attorney and have that information, so that we know what we're doing while we think about what the changes and the needs are from us.

Ms. Le: As you consider changes, I would just encourage people to understand the delineation between the code and the guidelines. Legislative, administrative approval, that terminology refers to the code. And then some of the other things that I hear that are also great ideas like how many signs, the design parameters, et cetera, those would be more within the guidelines. So those are two different things that can be changed or kept the same, but it's kind of two different tracks. So, legislation is the legislative branch and the municipal code; it's the law. The guidelines is more the in house Commission document that we're all familiar with. I think that that would be helpful both for those thinking about these problems and potential solutions and then for those taking it in, like, are you talking about a guideline revision? Or is this in response to the

code and proposed code changes inputs? I think it will go a long way towards just understanding and efficiency.

Ms. Buker: Okay, one thing I might also follow through as food for thought, knowing that there's been an attempt to revise the guidelines that has been in process for over a year. Lisa, you bring up so many, wonderfully important points, especially with needing to expedite some things. So, knowing that even just some guidelines hasn't happened a year later if we're talking about rewriting governance of the Market, it could be a very lengthy process. So, are there some other very important issues, like timing that we need to tackle in the short term with even a temporary measure like, what the Department Neighborhoods was trying to do with the executive review. Do we need something like that in the meantime? Do we have emergency review projects that we always have to, for every meeting that business isn't gonna happen if they don't hear back in 2 weeks? Something we might want to think about knowing that this could be an incredibly lengthy process.

Ms. Martin: I also know there were issues with it being cited and the public being involved. You want to make sure all that happens correctly. You're correct because otherwise we're wasting our time and I'm not going to do that.

Ms. Buker: Yeah, and I'm sure you were included on all of Christine's emails that clarified that all the public notices did go out and that there was just no response to that pushback saying that the notices did go out.

Ms. Le: I want to make a friendly clarification regarding the statement, and you weren't on the Commission at the time Leslie, but, the last time that this Commission discussed revising the guidelines was spring 2021. It's the same period in which the Commission was looking to revise Rule and Procedures. At that time, the Commission chose to move forth with the one, and leave the other. I made the invitation to re-up that conversation at any given time. For understandable reasons, given to covid and other extenuating circumstances, that request has not been made.

So, if the Commission would like to take that up, as I stated at the time, please make the request of the chair to put it down the agenda and let's do it, but I just wanted to make the correction that it's not really accurate, that the guidelines were revised and in process for a year. They've not been in process or addressed formally since the spring of 2021, and we do have minutes and agendas available related to that. But just to clarify that common point of current misunderstanding of where the guidelines are at.

Ms. Buker: I think everything you just said, reinforces what I just said of how this is incredibly complicated and it's going to be a very lengthy process because it seems like it's nearly impossible to get anything done when it involves a big change. I'm really concerned about rewriting the governance of the history of market, but I'm excited to tackle that challenge.

Ms. Rudeck: Could it even be as simple as just providing one more application? Like, there's a design application and a use application. Can we have a temporary use or temporary design application? I know that would be rewriting guidelines as well.

Ms. Martin: Would that be like an amendment onto it? Or how would you I mean, there's all kinds of ideas. These are all things we can discuss.

Ms. Le: these are exactly the things that we want to hear. We don't have that now because the code does not allow for that. Makes sense to me, and there's scenarios where I might imagine that that might benefit and solve some of these problems that are being identified all around. And so really what is that? Maybe, it's literally just one thing. Maybe it's a few. Maybe it's none. I'm not trying to persuade the process, but really, it is a meant to just be generating these ideas.

Ms. Martin: From here, you're going to get back to us next week on whether this is able to have some kind of roundtable event? Is that my understanding?

Ms. Le: A department supported facilitated conversation to get input.

Ms. Martin: And whether any timeline and how we can have input before this legislation goes through?

Ms. Le: Yes, and is it fair to say that this is related to propose legislative changes as opposed to other work like rules and procedures and guidelines, which are a different bucket. Yes, I can make the inquiry.

Mr. Farrazaino: Is there still an invitation on the table for Sarah and Mr. Wong to join a commission meeting and discuss some of these issues, was that still pending?

Ms. Le: The invitation that's pending was really specifically identified as discussing the results of the survey, the consultant selection, and the outreach: the rubric, the rationale around that. That invitation is still standing if we would like to add to that or modify that give what has transpired between the time that was extended and now. That's possible as well and I can share that up.

Mr. Farrazaino: As we are, there are so many different issues, legislative process, administrative guidelines, compliance, and enforcement and everything else. And I need to go in three minutes. I think it would be great if we set up a process where in a meeting had time to identify and list out these issues and that we also had a process to convene with Sarah Sodt and the director, and you in a meeting to clarify what we can and can't do from DON's perspective. And then also, if we had an opportunity to have our legal counsel as the Commission, guide us from their position on what we can and can't do and then I believe we would be ready to make a decision about having a roundtable public meeting.

Ms. Le: So, thank you, Sam, to be honest, it sounds like a lot of steps and so really it could be a letter that you all signed. It could be an email, a scrap of paper, inviting them to come to a listening session. I like where you're going with that. I just hear a lot of different steps involving the attorney who's tied up other things right now. et cetera, and people's busy summer lives. So, is that what you would like to order? Is that the full order?

Mr. Farrazaino: I live eat and breathe Historical Commission. I don't understand people that don't. What I'm asking for is that we get on the next meeting, or as soon as possible an opportunity to discuss with you and Ms. Sodt and Mr. Wong what the relationship is, to clarify some of these relational issues with Department of Neighborhoods, and that we also get an opportunity to be with the City Attorney and then we, as the Commission have an opportunity, and perhaps our next meeting to take the time and clarify these issues about what we're actually trying to resolve. So there's three things that I see and would like to do those as soon as possible understanding that the city inertia when it does get going it keeps going so would not want to get to a point where some legislation moves through without agreement from the Commission. So what process do we need to do to make that happen? Is that a formal letter or invitation to them?

Ms. Le: I can just let them know. I know that they're interested in meeting with the Commission as well and share a lot of these same goals and have a great desire to learn what the issues are and hear them spelled out and distilled.

Mr. Farrazaino: Okay, so then I would propose that if that is probably not going to happen before next week's meeting that we, as the Commission, make a concerted effort in next week's meeting to clarify our issues, line them out. To understand exactly what we're trying for so that as soon as they do come to the meeting that we can address those issues and get the guidance from legal.

Ms. Le: And just really quickly when you say move this forward, what is this? What would you say?

Mr Farrazaino: Exactly, that is the exact question. I think we need to clarify exactly what we are trying to achieve in these efforts. So understanding are we trying to change legislation? Are we trying to change guidelines? Are we trying to change process? And I think we need to really zone in and try to clarify what the end results that we're looking for, an expedited process and more equitable process evolving the Commission's work and the Market to get up to date in this modern age. I don't know all the things, that's why I think we're talking around in circles and I think we need to try to get very specific. So, my request to the other Commissioners would be to really think those through, take some notes and decide the things you think aren't working, the things that you think are working, and ideas for how it can be different. And then we'll be able to know what we're trying to do. Was that being clear? All right, I appreciate that. I apologize folks, but I really have to go. Thank you. Exciting meeting to jump into have a beautiful night.

Ms. Martin made a motion to adjourn the meeting.

MM/SC/LM/LR

The meeting was adjourned by acclamation at 6:55 pm

Submitted by: Minh Chau Le, Commission Coordinator