



March 8, 2021  
2:30 P.M.

[Microsoft Teams Meeting](#)

To call in:

+1 360-663-5914

Conference ID: 598 511 130#

*Due to the COVID-19 pandemic, the PFD will be holding this Regular Meeting of the Board of Directors as an online meeting in a manner consistent with guidance from the Attorney General's office. Members of the public desiring to leave public comment should submit them to [curtisj@ballpark.org](mailto:curtisj@ballpark.org) at least 24 hours prior to the meeting start time. People attending the online meeting may provide text comment during the meeting; no verbal comments can be accommodated.*

## BOARD MEETING NOTICE AND AGENDA

- A. **Call to Order / Welcome** (Chair, Stacy Graven)
- B. **Public Comment** (any written public comment received prior to the meeting will be summarized and read aloud)
- C. **Approval of the Minutes**
  - 1. February 8, 2021, Regular Board Meeting Minutes
- D. **Board Briefings and Potential Actions:**
  - 1. Club Update (Fred Rivera) – *Presentation Only*
  - 2. 2021 State Legislative Update (Pat Dunn) – *Presentation Only*
  - 3. Designation of PFD Agent (Joshua Curtis) – *Materials Included*

a. Proposed Resolution 21-005

4. Review of Vouchers (Treasurer, Tim Burgess) – *Materials Included*

a. Proposed Resolution 21-006

E. **Reports**

1. Chair's Report (Stacy Graven)
2. Executive Director's Report (Joshua Curtis)

F. **Executive Session:** The Board will meet in Executive Session to "review contract performance of publicly bid contracts" RCW 42.30.110 (1)(d) and/or to discuss with legal counsel real estate lease matters and/or "potential litigation to which the agency . . . is, or is likely to become, a party, where public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency" RCW 42.30.110 (1)(i). Formal Board action is not anticipated following the Executive Session.

G. **Adjournment**

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WASHINGTON STATE MAJOR LEAGUE BASEBALL STADIUM PUBLIC FACILITIES  
DISTRICT

Monday, February 8, 2021, 2:30 P.M.

Microsoft Teams Online Meeting

Dial: 1-360-663-5914  
Conf. Code: 902 534 053#

**REGULAR BOARD MEETING MINUTES**

Due to the COVID-19 pandemic, the PFD held this Regular Meeting of the Board of Directors as an online meeting in a manner consistent with guidance from the Attorney General's office. Members of the public desiring to leave public comment were directed to submit them to [curtisj@ballpark.org](mailto:curtisj@ballpark.org) at least 24 hours prior to the meeting start time. People attending the online meeting were provided the option to provide text comment during the meeting.

**CALL TO ORDER**

Board Chair Stacy Graven called the meeting to order at 2:33 p.m. pursuant to notice. Other board members joining the Microsoft Teams meeting: Paul Mar, Tim Burgess, Carol Nelson, Omar Riojas, Charles Royer and Chris Marr. Staff and consultants present: Joshua Curtis (Executive Director), Sharon Bruckart (Office Manager), Tom Backer (Legal Counsel), Pat Dunn (Legislative), and Lizanne Lyons (Land Use Policy). Also joining were Fred Rivera (EVP and General Counsel at the Seattle Mariners), Trevor Gooby (SVP, Ballpark Operations at the Seattle Mariners), Dave Wilke (Director of Facilities at the Seattle Mariners), Andres Oliden (Project Coordinator at the Seattle Mariners) and Carmela Ennis (King County Council staff).

**PUBLIC COMMENT**

No written public comment was received.

**APPROVAL OF MINUTES**

Chair Graven asked for a motion to approve the December 14, 2020 Regular Board Meeting Minutes. Member Mar moved approval and member Nelson seconded. Motion carried 7-0.

**BOARD BRIEFINGS**

**2021 Election of Board Officers (Stacy Graven)**

Chair Graven opened the discussion of the Election of 2021 Officers by stating she had reached out to Board members to gauge their interest. Board members Nelson and Burgess indicated that they would be fine as in their current positions one more year. Chair Graven then discussed Task Force assignments and asked if there were any changes needed. With no other comments, Member Royer moved to accept that Board of Directors and Task Force slates as stated. Member Mar seconded and the motion was approved 7-0.

### Neighborhood Improvement Fund Proposal (Joshua Curtis)

Joshua thanked Members Royer, Riojas and Marr for their assistance in helping define the structure and goals of the Neighborhood Improvement Fund (NIF). Joshua then summarized the information contained in the Board packet. A few points that were made are that the Mission Statement of the PFD coincide with the NIF. As required by the lease, Joshua stated the NIF Advisory Committee will be comprised of two representatives from the PFD and two from the Mariners. Joshua noted that he had discussed the current proposal with Fred Rivera of the Mariners, and that he would add language to add clarity that any project should show how it improved the public's experience of the ballpark. Member Marr moved that the NIF proposal be approved, with the added language discussed by Joshua. Member Riojas seconded, and the motion was approved 7-0.

### 2020 Year End (YE) Budget (Tim Burgess/Joshua Curtis)

Member Burgess presented the 2020 YE budgets for discussion. They were the YE Operating Fund, the YE CapEx Fund and the YE Neighborhood Improvement Fund. Joshua gave a brief overview of how each fund ended the year. Member Marr had a question as to why the Operating Reserve was capped at a maximum of \$3 million dollars (adjusted for CPI), and Attorney Backer responded that it was part of the lease negotiations.

### Creation of PFD Operating Reserve Fund (Tim Burgess/Joshua Curtis)

Member Burgess introduced Resolution 21-001 to approve the creation of a PFD Operating Reserve Fund. Member Riojas asked if we could open an account to hold the funds. Joshua stated that King County by statute serves as the Treasurer for the PFD and manages all of the PFD's funds, which provides more transparency in how the money is accounted for and spent. Member Nelson asked if there was anyway once this money was moved it could be swept up by the County and taken from the PFD. Attorney Backer stated that the funds will remain funds of the PFD (and not the County), and that the funds may be spent at the discretion of the PFD. Member Burgess moved to approve Resolution 21-001. Member Nelson seconded and the Resolution was approved 7-0.

### 2020 CapEx and Operating Reserve Contributions (Tim Burgess/Joshua Curtis)

Member Burgess introduced Resolution 20-002 ratifying the 2020 CapEx contribution and approving a top-up of the Operating Reserve to account for CPI adjustments. Joshua gave background information on the \$250,000 CapEx contribution with an increased amount of 1.4% based on CPI, for a total contribution of \$254,000. The Resolution also approved an additional contribution to the Operating Reserve to account for CPI adjustments in 2019 (2.2%) and 2020 (1.4%) for a total contribution of \$72,616. Joshua noted that there was a surplus in the budget of \$923,359 from 2020, which provides sufficient room for these contributions. Joshua also pointed out that there was a discrepancy in Resolution 20-002 on line 24 with respect to the surplus amount. Member Burgess moved to approve Resolution with the correction on line 24. Member Marr seconded the motion and the Resolution was approved 7-0.

### Review of Vouchers (Tim Burgess)

Member Burgess introduced Resolution 21-003 to approve the two December Vouchers. Member Burgess stated that he had reviewed the vouchers and was recommending the resolution be adopted. Chair Graven asked for a motion to approve Resolution 21-003.

Member Burgess moved approval, seconded by Member Nelson. The Resolution was approved 7-0.

#### EMC Public Polling Contract (Joshua Curtis)

Joshua Curtis introduced Resolution 21-004 to enter a contract with EMC Research for polling services. Member Royer stated that with the Mayor ready to introduce recommendations to City Council on how to proceed with the Stadium District, the PFD Task Force felt that there should be a targeted poll of the public on how they would like to see the Stadium District unfold. The target polling group would be 500 members of the public. The cost would be shared 50/50 with the PSA and they have already obtained approval for the cost share with their Board. Member Nelson asked who would be directing the polling of EMC. Joshua responded that the Task Force is directing content but that he is responsible for managing the contract and ensuring that the scope and budget are met. Chair Graven asked for a motion to approve Resolution 21-004. Member Mar moved approval, seconded by Member Marr. The Resolution was approved 7-0.

#### Baseball Club Updates

Fred Rivera state that there were four items for discussion today.

- *LTCNA* (Fred Rivera)– Fred stated that the Mariners and PFD had agreed on an approach that would allow the capital planning to proceed this year, considering the changed circumstances and disruptions caused by the pandemic. This approach should focus on the current status of the ballpark and changes that may be needed versus changes that may be discretionary. The Mariners and the PFD will also start the process of finding consultants to conduct a new LTCNA later this year, which would focus on the next five-year timeframe. The goal would be to have a new study in place in time to consider proposed CapEx improvements for 2023. Joshua expressed his hope that this work could also be combined with an ‘applicable standard’ tour of other ballparks.
- *Earthquake Insurance Modification* (Fred Rivera) – Fred summarized the information from the AIG Earthquake Survey Report done in 2019. Based on those findings, he is asking for a modification to the lease that would allow the Mariners to reduce the earthquake coverage limit from and aggregate of \$125 million to \$100 million. He said that the request was being driven based on changes in the probable maximum loss on the income side (because of lower revenues) and not based on changes in coverage for structural damage to the ballpark. Further discussion was tabled for the Executive Session with legal counsel to review applicable lease terms.
- *General Updates* (Trevor Gooby) – Trevor provided information on the 33 capital projects that are in process and stated the majority would be completed by March 1, 2021. Some of the projects include the steel painting project, the roof axle upgrades, as well as COVID safety preparations. Member Nelson asked how the Mariners proposed to enforce mask protocols. Trevor stated they would be hiring and/or using current staff as “mask ambassadors” to remind fans to wear their masks. Member Riojas inquired if T-Mobile Park was being offered as a mass vaccination center. Trevor stated that the offer had been made and the park was toured, but the determination was made not to use the park. Trevor also informed the Board of some events that are still on the schedule for 2020 including two concerts in September and the Holiday event (Enchant) for November/December time frame. Concerts in 2022 are predicted to make a big comeback due to the fact that so many artists have not had the ability to tour.

- *2021 CapEx Contribution* (Fred Rivera/Trevor Gooby) – Fred asked the Board to consider making an additional contribution to the CapEx Fund after the first rent payment is made by the Mariners in March. The additional PFD contribution would be used by the Club to fund up to \$1 million dollars in COVID preparedness. Trevor then outlined the kind of items that could be funded by this request. They include metal detectors that would eliminate the need for removing items from pockets, which would eliminate contact with the fans entering the stadium and allow for appropriate social distancing (\$350K); contactless kiosks that would eliminate the need for staff scanning tickets (\$400K); plexiglass screens for all point-of-sale vendors, as well as other COVID-related improvements. Chair Graven noted that several of these items would reduce Mariners staffing needs, which would lower operations cost. Fred stated that they would be adding staff elsewhere, such as the “mask ambassadors”, so it would basically be a wash. The Board tabled the discussion for Executive Session with legal counsel to review applicable lease terms.

## **REPORTS**

### Chair’s Report (Stacy Graven)

Chair Graven had nothing to report.

### Executive Director’s Report (Joshua Curtis)

Joshua Curtis summarized the Executive Director’s report included in the Board packet.

Member Nelson exited the meeting at 4:15 p.m.

## **EXECUTIVE SESSION**

The Board entered Executive Session for the reasons stated in the agenda. The session was anticipated to last 30 minutes. The PFD entered Executive Session at 4:17 p.m. The Board left Executive Session at 4:40 pm. The Board discussed the earthquake insurance and CapEx contribution requests made by the Mariners and decided not to pursue them at this time.

## **ADJOURNMENT**

There being no further business before the Board, Chair Graven declared the meeting adjourned at 4:45 p.m.

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Joshua Curtis  
Recording Clerk

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Stacy Graven, Chair  
Board of Directors, Public Facilities District

March 8, 2021

Proposed No.: 21-005

RESOLUTION NO. 498

A RESOLUTION appointing the District's Executive Director or designee as an agent to receive claims for damages under Chapter 4.96 RCW, and certain matters related thereto.

WHEREAS, pursuant to the provisions of Chapter 36.100 RCW, as amended, the Washington State Major League Baseball Stadium Public Facilities District ("District") has been created and possesses all the powers of a public facilities district; and

WHEREAS, Chapter 4.96 RCW provides a single, uniform procedure for bringing a claim for damages against a local government entity, such as the District; and

WHEREAS, Chapter 4.96 RCW requires that all claims for damages against a local governmental entity arising out of tortious conduct be filed with the entity *before* a civil lawsuit is commenced; and

WHEREAS, the Board now desires to designate the Executive Director of the District or designee as the agent to receive any claim for damages under Chapter 4.96 RCW.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE WASHINGTON STATE MAJOR LEAGUE BASEBALL STADIUM PUBLIC FACILITIES DISTRICT AS FOLLOWS:

1. Designation of Agent. The Executive Director is hereby confirmed and designated as the agent (the "Agent") of the District to receive any claim for damages made under Chapter 4.96 RCW. The Agent may be reached during normal business operating hours, Monday through Friday, except legal holidays, at the address provided in Section 2. If the Agent is not available during normal business hours, the Agent's designee is appointed as the agent to receive claims for damages.

2. Notice of Claims. All claims for damages filed against the District must be presented to:

By Mail:

Joshua Curtis, Executive Director  
PO Box 94445  
Seattle, WA 98124

Physical Delivery:

Joshua Curtis, Executive Director  
110 Edgar Martinez Drive South  
Seattle, WA 98126

Pursuant to RCW 4.96.020(2), a copy of this resolution will be recorded with the King County Auditor.

3. Further Authority. All District officials, their agents, and representatives are hereby authorized and directed to undertake all action necessary or desirable from time to time to carry out the terms of, and complete the transactions contemplated by, this resolution.

4. Effective Date. This resolution will take effect immediately upon its passage and adoption.

PASSED by a vote of 8 to 0 this 8<sup>th</sup> day of March 2021.

BOARD OF DIRECTORS  
WASHINGTON STATE MAJOR LEAGUE BASEBALL STADIUM  
PUBLIC FACILITIES DISTRICT



Stacy Graven, Chair

ATTEST:



Clerk



March 8, 2021

Proposed No.: 21-006

RESOLUTION NO. 499

A RESOLUTION to approve payment vouchers.

WHEREAS, pursuant to the provisions of Chapter 36.100 RCW, as amended, the Washington State Major League Baseball Stadium Public Facilities District ("District") has been created and possesses all the powers of a public facilities district; and

WHEREAS, Resolution No. 478 [Proposed No. 20-002] appointed the District Executive Director, Joshua Curtis, as Auditing Officer; and

WHEREAS, Resolution No. 449 [Proposed No. 15-006] designated the Board Chair or the Chair's designee to review and approve payment vouchers, subject to final review and approval by the Board; and

WHEREAS, Board member Tim Burgess has been designated by the Board Chair to review and approve payment vouchers; and

WHEREAS, the Auditing Officer and Board member Burgess have reviewed and approved ballpark voucher #20210121092056, etc., as summarized as follows:

January 21, 2021

Classification

Amount

1. IT Support/Website/Domains	\$1,350.90
2. Accounting/Auditing	\$1,187.55
3. Consulting Services	\$16,125.00
4. Legal Fees	\$7,031.00
5. Equipment	\$424.49
6. Insurance	\$10,832.26
7. Telephone/Wireless	\$53.51
8. <u>Cleaning &amp; Maintenance</u>	<u>\$1,083.60</u>
TOTAL FOR THE PERIOD	\$38,088.31

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE WASHINGTON STATE MAJOR LEAGUE BASEBALL STADIUM PUBLIC FACILITIES DISTRICT AS FOLLOWS:

Voucher #20210121092056, etc., as reviewed by the Auditing Officer and Board designee (monthly summaries attached) is hereby approved.

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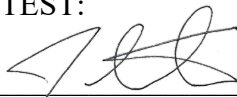
PASSED by a vote of 8 to 0 this 8<sup>th</sup> day of March 2021.

BOARD OF DIRECTORS  
WASHINGTON STATE MAJOR LEAGUE BASEBALL STADIUM  
PUBLIC FACILITIES DISTRICT



Stacy Graven, Chair

ATTEST:



Clerk



## March 8, PFD Regular Board Meeting Executive Director Report

### Highlights

- Executive Director 2021 Workplan – I submitted to the Chair and HR Task Force (formally the Hiring Task Force) my 2021 Work Plan. I am a proponent of the annual work planning process and found the exercise very helpful in thinking through what I'd like to achieve this year. The plan is comprehensive and covers Office Administration, Organizational Maintenance and Integrity, the Stadium District efforts, the Neighborhood Improvement Fund, Communications, Board Development, and Relationship Management and Outreach. I will share some notable goals for this year at the board meeting and am happy to share the plan with anyone interested in reviewing.
- Stadium District Task Force – The work of the Mayor's Maritime and Industrial Advisory Group has been extended by several months to accommodate three more meetings of the group. The City intends to conclude the group's work in mid-April, with Council action possible in mid- to late-June. We continue to work with our partner the Public Stadium Authority to highlight the opportunities that residential development would provide as part of the Neighborhood Industrial (formerly, Makers District) land use designation.
- Website Redesign – Parallel Public Works continues to make great progress on the new PFD website. We have concluded the bulk of content development and Parallel is in the process of migrating it to a beta version of the website, which I will share with the board at the March 8 meeting. We anticipate being able to share a completed PFD-only beta version of the site for your review and feedback later this month, with the goal of an official role out in early-April.

## Administrative

- Staffing – The application period for the new part-time office manager closed on March 3 and I received over 20 applications. I was impressed with the quality of the applicants and will be scheduling interviews in the next week, with the goal of having an offer out by March 12 and, ideally, a new person hired and onboard by early-April.