



The City of Seattle

## Pike Place Market Historical Commission

Mailing Address: PO Box 94649, Seattle WA 98124-4649  
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### MINUTES

MHC 176/23

Wednesday, December 13, 2023

4:30 p.m.

Hybrid meeting virtual location: Virtual access on the WebEx platform as provided in the meeting agenda.

Hybrid meeting physical location: PDA Meeting Room: 93 Pike Street # 317

### COMMISSIONERS

Mark C. Childs

Jonathan Cracolici

Sam Farrazaino

Grace Leong, Chair

Lisa Martin

Golnaz Mohammadi, Vice Chair

Elisa Shostak

Lance Wagner

Stephanie Young

### Staff

Minh Chau Le

Melinda Bloom

### Absent

Chair Grace Leong determined that a quorum was present and called the meeting to order at 4:35 pm.

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

### **121323.1 APPLICATIONS FOR CERTIFICATE OF APPROVAL – USE**

#### 121323.11 Wayfarers All

1923 1<sup>st</sup> Ave (upper two floors), Smith Block Building

John and Clara Meyer, Business Owners

Ms. Le explained the proposal for a new hotel business, to be operated by Wayfarers All LLC owned by John and Clara Meyer (100%). She said the space is in Zone 3, above street level, all uses permitted. Previous Use: Other (c). Proposed Use: Other (c) – no change, was previously a hotel. Size: 5,950 sf. Proposed ownership structure: LLC. No other related business ownership reported by either owner. Owners to be onsite regularly for day-to-day operations. Hours: 24 hours per day, seven days per week. Exhibits reviewed

included description of business, floor plan, LLC documentation, operating agreement, and prior use approval (MHC 24/20).

Ms. Young said Use Review Committee (URC) reviewed the application. She said the applicants are new to the Market. She said there are no violations to the Guidelines. Guidelines that applied to this application included 2.1, 2.5, 2.5.5, 2.6, 2.6.2,2.7, 2.7.1; DRC recommended to approved.

John and Clara Meyer explained that in addition to the new business, they also own the building. All requested documentation was provided. They plan for a spring – summer opening.

Action: Mr. Childs made a motion to adopt a resolution approving the application as presented and cited 2.1, 2.5, 2.5.5, 2.6, 2.6.2, 2.7, 2.7.1.

MM/SC/MC/LM 8:0:0 Motion carried.

## **121323.2 APPLICATIONS FOR CERTIFICATE OF APPROVAL – DESIGN**

121323.21 Leland Apartments  
1501 Pike Pl, Leland Building  
Ron Wright, Applicant

Ms. Le explained the proposal for replacement of a composite window unit at the seventh floor of the building’s south façade. Exhibits reviewed included location information, elevations of building façade, photos, section details, window unit specifications, color sample. Guidelines that applied to this application included 3.1, 3.2, 3.9 and 3.9.6; DRC recommended to approve.

Ms. Leong said the Design Review Committee (DRC) reviewed the application and found it straightforward.

Mr. Childs said the application was thorough and complete.

Mr. Farrazaino said it was straightforward.

Ron Wright proposed replacement of the 7<sup>th</sup> floor non-original windows. He said there will be no visible difference from the exterior. He noted the weather exposure to the southwest corner and the need to seal it up.

Action: Ms. Young made a motion to adopt a resolution to approve the application as presented and cited 3.1, 3.2, and 3.9.

MM/SC/SY/MC 8:0:0 Motion carried.

The meeting was paused at 5:05 pm due to technical difficulties.  
The meeting resumed fully at 5:10 pm.

Jon Cracolici arrived at 5:12 pm.

121323.22

Victor Steinbrueck Park  
2001 Western Ave  
David Graves, Seattle Department of Parks and Recreation (DPR)

Ms. Le explained the proposal to modify Certificate of Approval MHC 93/19 which pertains to the physical renovation of the park currently underway. Proposed modification to MHC 93/19 consists of permanent rather than temporary removal of totem poles, re-opening of the park upon completion of renovations, and installation of features designed by the Suquamish and Muckleshoot Tribes. New features to be installed where the totem poles had previously been located within the park. Exhibits reviewed included statements and photos provided by applicant, a site plan, site photos, mock-up of location for proposed new features, and prior design approval MHC 93/19. Guidelines that applied to this application included 2.12, 3.6.4, 3.1, 3.8 and included SMC 25.24.030, C and D, hyperlink: [SMC 25.24.030](#) SMC 25.24.040, A, hyperlink: [25.24.040](#).

Additional information requested by DRC included a prospectus including parameters addressing issues such as public safety and structural integrity; a proposal for the site during the interim period, such as providing project status or other information; the proposed timeline for implementation; details on permanent plans for the two totem poles that have been removed; and details on the outreach conducted that informs the current proposal. DRC recommended to consider evaluating the three project components separately: re-opening of the park upon completion of renovations currently underway, making the removal of the two pre-existing totem poles permanent, installation of new features designed by the Suquamish and Muckleshoot Tribes. All considerations required further discussion among full commission.

Ms. Leong said Ms. Le summarized the Design Review Committee (DRC) report and recommendation.

David Graves, Seattle Parks and Recreation (SPAR) provided a summary of the Victor Steinbrueck Park / garage repair project that was approved by the Commission in 2019 following planning and outreach beginning 2016. He said the totem poles were removed and stored for the duration of the construction project. At that time the Parks Department did not have a specific plan for the poles. In 2020 the project was shelved due to Covid. The project resumed in 2022 with construction taking place in 2023. He said that Tim Reynon, City of Seattle Tribal Liaison, reached out to the Muckleshoot and Suquamish tribes to see if they were interested in providing pieces to replace the existing poles; in early November 2023 both expressed interest in the opportunity to work on appropriate art for the park and to tell their story as they want to tell it. He said that ideally the original plinths would be reused for the new artwork.

He said that concerns had been raised from community members about the poles not accurately representing tribal cultures and this was an opportunity to have the park be more inclusive to all.

Mr. Graves said in 2019 the plan was to remove the totem poles during construction. He said the poles were removed to protect them from damage as the whole park was dug up to do repairs to the roof membrane of the garage below. He said the plinths are engineered as part of the roof of the garage; other items cannot necessarily be attached to other parts of the park and garage. He said that if this moves forward, he would work with the Office of Arts, Office of the Waterfront, and Capital Projects, and that his approach to addressing the parameters for the new art would be similar to how public art is handled elsewhere in the city.

Mr. Graves said the poles are currently at Fort Lawton in Discovery Park, and they are in search of available indoor storage. He stated that the poles are now covered, and acknowledges that the poles got cover on them "later than we should have". He has reached out to someone who has done past work on the poles to see what needs to be done for restoration.

Tim Reynon, Tribal Relations Director, Office of Intergovernmental Relations, said he heard from local tribal leaders the importance of having tribal art more prominently displayed in the city and created by local tribes. He recognized and acknowledged the sovereignty of tribal governments. He said this is an opportunity to honor and respect the treaty and to bring tribes together to tell their stories and share their culture in this location.

Kate Ahvakana, Suquamish tribal member, said that art was deeply meaningful to her culture and had been working with Tim Reynon on various opportunities to increase the presence of local tribal art.

Mr. Cracolici asked for clarification on "the parks department had no plans for the poles at this time". Mr. Graves said that in 2019, SPAR did not yet have a plan for permanent removal of the poles. Mr. Graves said that some of the public comments for today's meeting speculated that the Parks Department had a plan to remove the poles in 2019, and that this plan is hatching now. Mr. Graves said his earlier comment was a clarification that this was not the case. Mr. Cracolici said that based on the meeting minutes, SPAR seemed resistant to replacing the poles in its 2019 commission meeting, but agreed to returning them. Mr. Graves said that at the 2019 meeting, there was no other plan, and that the MHC gave approval for the removal of the poles during construction and then they would go back.

Mr. Childs asked if the applicant would pursue a VARA waiver for the art and whether the suggested changes to the park design would need to go back to City Council for approval. He asked whether Mr. Graves had a legal opinion on whether the City Council would need review this change.

Mr. Graves said he didn't yet know and would look into both questions. He said that they had gone to City Council with a concept, and that everyone felt that was sufficient, but

the proposed changes had not been presented to Council. Mr. Graves said that he believes that if the MHC approves this change, the Parks Department would need to go to City Council and at least ask them. Mr. Childs summarized by saying "To be clear, the answer to most of my questions are "We don't know yet"." Mr. Graves agreed.

Mr. Farrazaino asked why the poles needed to be removed originally if the plinths remain. Mr. Graves said the removal was to prevent the contractor from damaging the poles.

Mr. Farrazaino asked when engagement with Mr. Reynon and the tribes began on the new concept of replacing the art and if public outreach had been done.

Mr. Graves said the engagement with the tribes began in October 2022. He said public outreach had not been done because he didn't want to raise expectations before approaching the commission first. He said that Mr. Reynon reached out to the Suquamish and Muckleshoot tribes and asked if they were interested in providing pieces.

Mr. Farrazaino asked what inspired the change in Parks Department plans which caused them to reach out to the tribes with this idea. Mr. Graves said that Mr. Reynon was a new hire as tribal liaison, and before that the Parks Department didn't have a good way to work with the tribes. Mr. Farrazaino asked if Mr. Graves coming into office inspired the Parks Department to reconsider poles being replaced. Mr. Graves responded by saying that they asked the question of the local tribes "Are you interested?". Mr. Farrazaino asked if the Parks Department asked the tribes if they were interested in the poles being replaced. Mr. Graves clarified that no, the Parks Department had asked the tribes if they were interested in providing the Parks Department art pieces. Mr. Farrazaino stated that at some point prior to reaching out to the tribes the Parks Department must have reached a decision that the poles weren't going to be returned to even ask the tribes. Mr. Graves said that anything new would have to go in the place of the poles, there is no other space in the park. Mr. Graves said that Mr. Reynon reached out to the tribes to ask "If those existing poles were to be permanently removed, would you be interested in providing a piece that would go in their place?"

Ms. Leong asked for clarification that there were two parts: first that SPAR decided not to reinstall the poles and then second, decided to reach out to other tribal artists.

Mr. Graves said he would not split the decision that way. Mr. Graves said that the poles that are there were carved by Mr. Bender, a non-native. Mr. Graves said the reasons are the plinths are there, the subject totem poles are non-Native, local tribes showed interest in creating art and telling their own story. He said that the decision to pursue not returning the poles was driven by interest in providing art expressed by local tribes. Mr. Farrazaino asked if SPAR was asking the tribes for a reason to remove the poles, and that he was trying to clarify SPAR's process. Mr. Graves said that SPAR did not parse it that way in their thinking. He said that in the view of SPAR, if we are truly going to celebrate Native culture, what should be there is something carved by local tribes. Mr. Farrazaino asked if SPAR had asked the tribes if they were interested in providing art for the park other than as a replacement for the existing poles. He asked if it was an open question, or if it was framed as a yes or no question to provide art for the pole locations.

Mr. Graves said the focus is on the current placement because SPAR doesn't own the structure below, where the plinths are attached.

Ms. Shostak thanked the public for providing written comment and for attending this public meeting to provide comment. She also thanked the native groups and said that she appreciated their input. She asked the applicant to explain the current condition and location of the poles, and asked DON staff to display images she had previously provided showing the poles in storage. She said that the earlier photos show the poles resting on the ground, and covered by a tarp. She said the recent photos show the poles slightly off the ground, but the tarp has been removed, and that garbage is surrounding the poles. She said that this is how the public art is being stored and asked the applicant to explain.

Mr. Graves said the poles are stored at Fort Lawton and are not on the ground; they are on 4" x 4" wood, off the ground, and covered in the maintenance yard. He said they are working to find inside storage.

Ms. Shostak said they are barely off the ground, that the tarp had only appeared recently and that SPAR lacked foresight and planning in the storage of the poles. She said that SPAR had been ignoring public comment and that the applicant owes an apology to the family of Martin Oliver and others.

Mr. Childs asked if SPAR had reached out to the Quinault Tribe for their opinion on status and future of the subject poles.

Mr. Graves said that SPAR has not reached out to the Quinault Tribe. Mr. Graves said Marvin Oliver's sister has reached out to Shannon Glass, the construction manager. He said that SPAR does not have an opinion from the Quinault Tribe. He said Marilyn Oliver offered information on a carver in Neah Bay who would look at the poles but SPAR would have to transport them there. He said having the work done locally is preferred.

Mr. Cracolici asked if the poles would be kept at the park. He said Marvin Oliver was a celebrated Quinault artist. He said that Prof. Oliver claimed artistry over the poles. Mr. Cracolici stated that earlier in the meeting Mr. Graves attributed the poles to a Mr. Bender. Mr. Cracolici then asked Mr. Graves why Mr. Graves is correct and Prof. Martin incorrect about who the poles should be attributed to.

Mr. Graves said City Archives show Bender carving the poles. Mr. Cracolici agreed, and asked if Mr. Graves was aware of Prof. Oliver's views on that. Mr. Graves said that based on an article he had read in Crosscut Prof. Oliver had distanced himself from the poles and that Prof. Oliver said that they were Victor's (Steinbruck) poles, not his. Mr. Cracolici then requested to read Prof. Oliver's statements into the public record. Mr. Cracolici noted that the article referenced by Mr. Graves was written after Prof. Oliver's death, and that Prof. Oliver could therefore not be interviewed. However, Prof. Oliver gave a presentation to the Pike Place Market Historical Commission in March of 2018 which portrays Prof. Oliver's views very differently than the Crosscut article.

Mr. Cracolici then asked who in city government is pushing the idea of replacing the poles.

Mr. Graves said City Councilmember Deborah Juarez supported replacing the subject poles. Mr. Cracolici then asked Mr. Graves if he has concerns about support within the city government for this project drying up since Councilmember Juarez is leaving office, should the MHC approve the permanent removal of the poles. Mr. Graves said that he was not concerned about City Council support for removing and replacing the poles moving forward. Mr. Cracolici asked if Mr. Graves or SPAR had spoken to the incoming city council about this project. Mr. Graves said that he had not. Mr. Cracolici asked if there is money set aside for procuring new art. Mr. Graves said there is money in the construction budget related to the poles. Mr. Cracolici asked if it would be a change order. Mr. Graves said that it would not be a change order, but the money would come from the construction budget.

Mr. Childs asked if changes to the construction budget would require council approval.

Mr. Graves identified the various funding sources for the project and said that the membrane work amounting to approximately \$4 million was allocated out of the SPAR general budget. The focus was to repair the membrane but that safety improvements and other elements were included as well. He said that there is a fair amount of money in the project budget that isn't tied to the Parks and Green Spaces Levy.

Mr. Farrazaino asked about the project budget, and noted that in SPAR's earlier presentation SPAR noted a budget shortfall, and if all the elements proposed previously have been funded. Mr. Graves said that those items were "bid additives", and said that while he would need to check, but in his recollection all of those elements are in the current design and that the bid came in significantly over budget. Mr. Farrazaino asked where the money will come from to do new art, given that the project is significantly over budget. Mr. Graves said that the membrane portion of the project came in significantly over, and that SPAR has backfilled that budget. Mr. Farrazaino asked for clarification, given that many projects in the city are underfunded, and that this project is over budget, there is still money set aside to pay for the new art. Mr. Graves said that SPAR has not created a scope and fee for the new art. Mr. Farrazaino asked if SPAR has money planned for the art. Mr. Graves said that SPAR does not have money planned or identified until they have MHC approval.

Ms. Mohammadi asked for confirmation that SPAR's concern is that the world renowned artist who created the poles was not Native, and SPAR wants to replace subject poles in order to have art made by Native people. Mr. Graves said yes that they heard loud and clear from the Native community that the subject poles did not represent local culture and should be replaced. Ms. Mohammadi questioned why SPAR found the art created by a non-Native who dedicated his life to this type of art, to be against Native art. Mr. Graves said no. Ms. Mohammadi then asked what is wrong with Mr. Bender's art, and if Mr. Bender being non-Native makes his art unacceptable to SPAR. Mr. Graves said that he is not an expert on Native art, but that it is his understanding that the "native themed" subject pole is a Hiada themed pole typical of Alaskan and British Colombian tribes. He said that local Salish tribes created welcome figures and house poles, and so the subject poles do not represent what the local tribes created.

He said the whole point of the ask was to respect tribal sovereignty; it is for the tribes to decide what should be here.

Mr. Childs noted that one of the poles is representative of farmers. Mr. Childs said that he understands that SPAR does not want to dictate the content of a new design. He asked when in the prospectus process would theme or intent of the new art be articulated with the Arts Board, that is typical of a prospectus.

Mr. Graves said that the whole point is to do this one differently, and to respect tribal sovereignty by letting the tribes decide how, what, and who does the work. SPAR would give them parameters regarding durability and location, but the artistic content is for the tribes to decide.

Mr. Childs then asked if SPAR was treating both poles the same in this process, and if the intent of the subject poles would be a part of the new work. Mr. Graves confirmed that the intent of the subject poles would not be a part of the new art.

Ms. Leong asked if art would be brought back to full commission for review.

Mr. Graves said potentially.

Mr. Childs asked if SPAR was asking for design approval or preliminary design approval.

Mr. Graves said that SPAR is not asking for MHC approval of the specific design of the pieces, and SPAR does not want the just the tribes to need MHC approval on a specific design. He said that SPAR is happy to come back to MHC with the parameters for placement.

Mr. Cracolici asked about conversations with tribes and if they expressly said they wanted subject poles removed, or if they were just interested in placing their art in such a prime public location.

Mr. Graves said it wasn't specifically asked if the tribes wanted the subject poles removed. He said they were told that non-Native art was hurtful to local art and culture.

Mr. Cracolici asked if the tribes SPAR had contacted were disagreeing with Prof. Oliver's tribal membership. Mr. Graves said that he does not believe anyone is disagreeing with Prof. Oliver's tribal membership.

Ms. Shostak said the original design presented in November 2016 had the subject poles' placement reversed and requested clarification on the outcome of that design review meeting.

Mr. Graves said that until November 2023 SPAR did not have committed interest from the tribes. He did not recall the outcome of that meeting.

Ms. Leong asked a member of the audience to identify themselves.



BJ Bullert of Seattle Films said they were recording the meeting for a potential documentary.

Public Comment:

Bunni Peterson Haitwas of Skokomish Nation said it would be a horrible step back to have non-Natives remove Native poles. She said it would be a travesty to the Centennial Accord to remove Marvin Oliver poles. She said the subject poles should be restored.

Jean Bateman did not support the application to remove poles because of their significance.

Emily Pike, Market worker, supported replacement of subject poles with art by a local Native artist. She said the subject poles do a disservice and perpetuate cultural misunderstanding.

Jennifer Johnson said she agreed with the former speaker (Emily Pike).

Maggie Haines said the Commission's 2019 decision should be respected and poles should be returned to Market.

Mike Watanabe said he helped carve the poles, the poles are Marvin Oliver's design and Bender did the carving. He says that he supports Martin Oliver and said the poles should be reinstalled.

Greg Colfax said he has been a carver for 40 years. He said he didn't know Marvin Oliver, there were in different circle but sold art in the same places. He said the person who does the design and architecture of the poles owns it. He worked as a carver for George David, and it is George David's name on those poles, not his own. He also said that the farmer pole is top notch, an example of Marvin's brilliance. The poles reflect their designer's genius. Marvin needs to be respected.

David Steinbrueck said Ellen Mirro was hired to assess the site and the findings had not been sent to the commission. He suggested reviewing her report.

Mr. Graves said Ms. Mirro was hired by the contractor.

Mr. Steinbrueck said heard the report came out last week. He said the report provides recommendations to the contractor. He said that information should have been made available.

Vaughan Eide, Tlingit tribal member, said Marvin Oliver was his teacher and he supports Oliver's legacy and family. He said it is disrespectful to not care for the poles. He said it is OK if a Native artist collaborates with a non-Native to do the work. He said the Duwamish should be the final voice on what happens with the subject poles.

Heather Pihl spoke in support of subject poles returning to the Market and said the poles are deteriorating. She showed photos of the poles growing grass and plant matter. She said the poles are a gift to Seattle from Victor Steinbrueck.

Barbara Brennan asked Tim Reynon why the Duwamish were left out of his outreach efforts and said their exclusion from federal recognition is illegal.

Mr. Reynon said he reached out to Muckleshoot and Suquamish, federally recognized tribes with treaty-protected rights in this area. Mr. Reynon said that he only reached out to federally recognized tribes.

Lisa Steinbrueck said if not for her father, Victor Steinbrueck the Market would not be here.

Maurice Evans said the request should be denied and the original poles should be returned. He said the treatment of the poles being left outside is a disgrace.

Marilyn Oliver Bard cited a YouTube video in which her brother Marvin was quoted as stating that the poles are Victor Steinbrueck's, not his. She provided the full quote "This is Victor's pole, it's not mine. I designed it, I carved it, with the help of Jim Bender and others. But he commissioned me to do it, it belongs to him." The poles were designed and carved with the help of James Bender and others. The poles were commissioned for and belong to Victor Steinbrueck Park. She said Oliver worked with James Bender who studied under Bill Holm. She said to say the poles were carved by a non-Native person is not correct; a Native carver collaborated with the non-Native artist. She said there is room in the park for the poles, they belong there.

Matthew Steinbrueck said the poles are in recognition of native people and desired to honor them. The poles demonstrate real collaboration, not cultural appropriation.

Ken Workman, Duwamish said the Duwamish people are in the timbers in the Market and in the poles. He said there is meaning in the poles and they should be kept. He said the poles are symbolic of their culture.

Kate Krafft, Friends of the Market said Victor Steinbrueck's notes contain writings about the process of creating the poles. The application is incomplete. She said the poles should be stored inside and there are vacant buildings available. She said the poles are a character-defining feather of the park. She said it is an insult to Victor Steinbrueck.

Christine Vaughan opposed removal of the poles. She said it isn't appropriation, because the artist was Native. The pole doesn't pretend to represent a tribe, it celebrates all tribes. She said the application is incomplete.

Deb Barker said she was opposed to amending the Certificate of Approval. Tribal artifacts are warranted but not at the expense of what has been there. She said to honor what is there.

Peter Steinbrueck said he was on the commission for eight years. He said the park is part of the historic district and he wrote legislation to require council to approve final plans. He said he was a consultant with Walker and Macy, architects for this project. He said the park is known as “Native Park” and the poles have not been an issue. He said to deny the application.

Duncan Theime had technical difficulties and was unable to provide public comment.

Ms. Le said that public comments received were provided to commissioners.

Ms. Leong thanked the public for their comments and opened commission discussion.

Mr. Childs said the three different issues being considered are linked.

Mr. Farrazaino said the application taken as a whole is incomplete. He said he is not prepared to approve the application because it is undefined; there are no parameters, no details. He said that if the applicant is willing to split the application into the individual pieces, we could have a discussion on the merits of each piece. He said the commission can hear an application for future art.

Mr. Graves said the poles are being assessed and may not be ready when the park is scheduled to open in March 2024.

Mr. Farrazaino asked why the poles are just sitting in storage and not being restored when the need for restoration was known years ago, and also given that SPAR has been conducting outreach on replacing the poles for more than a year.

Mr. Graves said that the delay was due to issues with a contractor.

Mr. Farrazaino then repeated the question of whether or not the applicant would like to split the application into three parts for individual consideration.

Mr. Graves indicated that SPAR would like to split the application into three parts.

Mr. Farrazaino said that it was his understanding that SPAR would like to split the proposal into three parts: a) do the poles stay or get removed? B) Does the park open with or without the poles c) if the poles come down permanently, is there a future art piece that could be approved by the commission?

Commissioners discussed whether future art could be included in the future, while also re-installing the poles.

Mr. Farrazaino said that he believes that there is community interest in installing new art, but that in his view the commission is not able to approve a new art piece which is undefined and has no parameters because it does not fulfill the process by which the commission hears applications, and that the commission would be overstepping its abilities if it approved such an application.

Ms. Leong said the commission couldn't approve anything besides re-opening of the park with everything else in the application TBD. She said there isn't enough information about poles' condition or the other art. She said the only thing there was enough information on is that the park will be ready to open in the spring.

Mr. Childs said a great deal of information is missing. A number of questions were not answered, and there is a conditions report the commission did not receive.

Mr. Farrazaino said the commission can only decide if removal of the poles is approved or denied with information provided.

Mr. Childs suggested applicant return with more information.

Ms. Le said the commission can defer their decision if they find they do not have enough information to do so.

Mr. Cracolici thanked the public for their interest in this issue and for spending their time commenting and attending the meeting. He said that leaving aside public opinion, and leaving aside the conversation about the art's authenticity, that from the perspective of historical preservation it is not a good precedent to set to open the park without the poles. He said that this issue was specifically negotiated between the MHC and SPAR in the previous 2019 meeting. All parties had agreed that the poles needed to be removed during construction, repaired, and then returned to the park.

Mr. Graves said it is SPAR's intention to restore the poles.

Mr. Cracolici said the existing agreement is that the park is to be restored inclusive of the poles and cited guideline 2.12.6. He pointed out that the commission makes decisions based on those guidelines, and that the MHC recently concluded a guideline revision process. He noted that the city was free to lobby the MHC to change portions of those guidelines, but that the recently issued guidelines specifically mention the poles as a character defining features.

Ms. Leong said it is difficult to make a decision about art or permanent removal without more information.

Ms. Mohammadi said she worried about the park opening without the poles and said in the three years of planning, reinstallation could have been considered as part of engineering design.

Mr. Cracolici said that while he wants the park to open as soon as possible, he is concerned that SPAR will not make re-installation a priority if the park is allowed to re-open without them.

Ms. Leong said conditions could be put on the park opening. She said it is important the park open, but a path forward with details is needed.

Mr. Farrazaino said with credible, contractual information about restoration of the poles and a timeline, he could approve opening the park. He did not support open-ended approval.

Mr. Colfax said the poles need repair; the bases are rotten, they should be lopped off and new pieces attached. The tops are covered with copper which has saved the poles. He said the poles should be checked for cracks and a good contractor could do it. He said 50' racing canoes go all over the place; it is no big deal to move the poles to Neah Bay.

Mr. Farrazaino asked Mr. Colfax how long it would take to restore the poles. Mr. Colfax said it would take about four months.

Ms. Leong suggested that Mr. Colfax work with SPAR.

Marilyn Oliver said she spoke to Ellen Mirro about the evaluation of the poles, who agreed the poles needed to be inside, out of weather.

David Steinbrueck said to give Mr. Colfax the opportunity to fix the poles so the park can be finished and poles re-installed with no problem.

Ms. Leong cited SMC 25.24.040, section E. She said information was received that the poles are a misrepresentation of culture and examples of appropriation which is harmful to many cultures. She said she is not an expert but that she heard the comments and read the letters. She said more information is needed. She said others said they are harmed by the poles. She said she was not ready to make a decision on the poles. She said she was OK to open the park with special conditions.

Mr. Cracolici said that he wished to read some things into the record. He cited an article about the totem poles in Crosscut which claimed that Martin Oliver had disavowed the poles. He said the article contained a mis-quote. He read from the MHC 2019 meeting minutes for the VSP application, specifically the interaction between Mr. Steinbrueck and Prof. Oliver, during which Prof. Oliver said that there is no validity to the argument that the poles are not authentic and unrepresentative. Mr. Cracolici said if other tribes desire art that's fine. He said he didn't understand why agreements would be broken to take apart historic art.

Mr. Farrazaino said there are differing opinions and levels of awareness. He noted the opportunity to tell stories and provide education about questions and have dialog about food, celebrations, place, culture. He said he is not qualified to discuss cultural appropriation but open to having that dialog in public. He said further discussion is needed. He said that in his opinion the commission has very specific guidelines that prohibit the commission from removing the poles, but do not prohibit the commission from adding additional pieces to the park. He said if the park is to re-open, the commission should require SPAR to immediately find storage for the poles, contract to restore them, provide a timeline to come back, and commitment from the SPAR to budget to meet those requirements.

Mr. Childs said that what he is hearing is that the commission needs more information for all three items.

Ms. Leong said she needs more information regarding removing of the poles.

Mr. Childs said conversation about SMC 25.24.030 D is needed. He said racial equity guidelines have not been adopted and the task of considering equity was not complete.

Ms. Leong said it is being worked on. She cited comments made by Colleen Echohawk in a Crosscut article about the poles. She said Echohawk said it was troubling and confusing and that the poles are misrepresentative. She said that most of the public comment received about the subject poles came in the past couple days. She said she did not have enough information to make a decision, although other Commissioners may.

Mr. Cracolici said that Ms. Echohawk works across the street, and asked Ms. Le if it was permissible to invite her.

Mr. Childs asked about the conflict regarding the commission's requested 30 day notice and requirements. Ms. Leong said that Mr. Graves was asked if he would consider delaying the meeting until January, but he declined. Ms. Le said the commission in 2019 added a requirement of a 30-day notice should the issue be raised with the commission again, which conflicts with Code.

Mr. Farrazaino clarified that SPAR could have asked to be on a later agenda. Ms. Le concurred that an applicant could choose that, but that section of the code identifies a certain amount of predictability and responsiveness from the City in an open application process.

Ms. Sodt said that if more information is needed, the commission could request it.

Ms. Martin said in reading the 2019 minutes it seemed no decision was made then on the totem poles. She said while it was discussed, no judgment was made. She noted that in her reading that the commission kicked the can down the road, and now we might be doing so again.

Ms. Leong clarified that the reason we are having this meeting is that SPAR is requesting a change from the CoA, which did not authorize changes to the poles in VSP.

Mr. Cracolici said that his reading of the minutes was that the commission decided the poles must be re-installed. He said now SPAR wants to reverse that decision.

Mr. Farrazaino said that the reason there was not a direct decision on the removal of the poles in the language of the CoA is that at that time SPAR assured the commission that SPAR did not want to permanently remove the poles, and so did not ask for a judgement on that issue.

Ms. Le said the entire renovation of the park was approved with some discrete conditions.

Mr. Farrazaino said the condition was about the poles. He cited 2.1.6 and 3.6.4 as guidelines that prohibit the removal of the poles.

Ms. Leong acknowledged the guidelines cited by Mr. Farrazaino, and cited 2.1.2. She said the purpose of the park was that it be a gathering space for all. She said if some feel harmed, it would not be a gathering place for all.

Ms. Le cited 1.4 and said there is discretion to interpret as apply to individual applications. She said that rather than the commissioners saying that the guidelines forced the commission to reach a certain decision, she encouraged the commissioners to take ownership of their decision.

Mr. Farrazaino asked Ms. Le if this advice is in contrast to previous appeals where the Commission interpreted things differently, the Hearing Examiner reversed a commission decision for not having specific guideline call outs to justify their decision. He asked Ms. Le if it is her interpretation that we would be in compliance by using the discretion granted in 1.4 without specific reference to the guidelines.

Ms. Le said that she was just encouraging the commission to take ownership of their decision.

Mr. Farrazaino said that he is ready to make a motion regarding the poles.

Ms. Leong requested a straw poll regarding the draft motion by Mr. Farrazaino denying that portion of the application requesting permanent removing of the poles.

Mr. Cracolici was in favor of the draft motion.

Mr. Childs noted impact of deciding on one item and not the others and said that could eliminate the possibility of new art at the pole sites. He also noted that the commission is not aware of the current condition of the poles.

Ms. Martin said she needed more information regarding the condition of the poles.

Ms. Young supported the restoration and return of the poles.

Ms. Shostak supported the restoration and return of the poles.

Ms. Mohammadi supported the restoration and return of the poles.

Mr. Wagner said he needed more information, especially about the cultural concerns and the physical condition of the poles. He wished to hear more from people saying that they are harmed.

Mr. Farrazaino said that the commission may not yet have enough agreement to move forward on this topic, and we should ask for more information.

Mr. Cracolici said that the framing of the question had strayed from the application in front of the commission. He said that what is in front of the commission is that SPAR has a CoA that says that SPAR needs to replace the poles, and they are asking to not do that. SPAR has not come to the Commission and said that they can't, SPAR hasn't said that the poles are in such bad condition that replacement isn't possible, SPAR is simply asking for permission not to replace them because SPAR would rather do something else. He then asked if the commission even has the purview to review the condition of the poles, should they not be returned to the historical district.

Mr. Farrazaino said the poles may not leave the district. Ms. Leong cited 3.6.4.

Mr. Cracolici suggested Colleen Echohawk be invited to a future meeting to provide information, due to her proximity to the meeting and the fact that she was quoted in the Crosscut article discussed.

Mr. Farrazaino asked how many people the commission would need to hear from to change the conversation, and how to know how to weigh the opinions.

Ms. Mohammadi said that over time buildings and monuments become history, and art can be interpreted in many ways. Sometimes people can be against something but is still part of Seattle history.

Mr. Farrazaino said the commission is tasked with voting yes or no. If SPAR brought more advocacy they have the opportunity to come back.

Action: Mr. Farrazaino made a motion to adopt a resolution to deny the portion of application pertaining to the permanent removal of the totem poles, as it was presented. He cited 3.6.4, 2.12.6. Ms. Shostak and Mr. Cracolici offered to second simultaneously.

MM/SC/SF/JC

6:0:3

Motion carried. Mr. Childs, Mr. Wagner, and Ms. Leong abstained.

Action: Mr. Farrazaino made a motion to table opening of the park upon completion of renovations currently underway, pending more information.

MM/SC/SF/MC

9:0:0

Motion carried.

Action: Mr. Farrazaino made a motion to table installation of new features designed by the Suquamish and Muckleshoot Tribes pending more information.

MM/SC/SF/MC

9:0:0

Motion carried.



- 121323.3**      **APPROVAL OF MINUTES**  
Deferred to next meeting.
- 121323.4**      **REPORT OF THE STAFF**  
Deferred to next meeting.
- 121323.5**      **REPORT OF THE CHAIR**  
Deferred to next meeting.
- 121323.6**      **REPORTS OF THE STANDING COMMITTEES**  
Deferred to next meeting.
- 121323.7**      **REPORT OF THE SPECIAL COMMITTEE**  
Deferred to next meeting.
- 121323.8**      **NEW BUSINESS**  
Deferred to next meeting.
- Adjourn            8:05 pm Mr. Farrazaino made a motion to adjourn the meeting.

Minh Chau Le  
Commission Coordinator  
206-684-0229