

RESOLUTION No. 36762

Authorize Chief Administrative Officer or designee to execute a Revocable Permit of Entry to allow Peregrine Sports, LLC access to PGE Park to construct the foundation system for the Major League Soccer improvements (Resolution)

WHEREAS, in the spring of 2008, Major League Soccer (MLS) announced its intention to take proposals for two additional expansion franchises that would begin play in 2011. Merritt Paulson, as President of Shortstop, LLC, the owner of both the Portland Beavers and Portland Timbers, approached the City and indicated that he wanted to submit a proposal to MLS for one of the expansion franchises. Mr. Paulson formed a new entity, Peregrine Sports LLC, for the MLS project.

WHEREAS, on March 11, 2009, the City Council approved Resolution No. 36687 (as amended) that declared the City's support for Peregrine's bid to bring a MLS franchise to the City and authorized the presentation of agreed upon financing terms to MLS.

WHEREAS, on March 20, 2009, MLS announced its conditional approval of a MLS franchise for Portland.

WHEREAS, on July 23, 2009, the City Council approved Resolution No. 36717 (as amended) that approved a proposed transaction between the City and Peregrine to renovate PGE Park in a manner consistent with MLS requirements and for Peregrine to operate a newly renovated PGE Park for a minimum period of twenty-five years.

WHEREAS, on July 23, 2009, the City Council also adopted Ordinance No. 183036, authorizing the execution of a Predevelopment Agreement between the City and Peregrine. The Predevelopment Agreement contemplated that the City and Peregrine would enter into a Redevelopment Agreement for the project, a new Operating Agreement, and other necessary documents. On February 3, 2010, the City Council approved the documents by non-emergency ordinance.

WHEREAS, in order to keep the project on schedule and have the facility ready for the 2011 MLS season, Peregrine must start foundation construction during the 30 days while the ordinance approving project documents becomes effective. The Revocable Permit of Entry attached hereto as Exhibit A would grant Peregrine access the PGE Park for this work.

NOW, THEREFORE, BE IT RESOLVED that the Portland City Council hereby authorizes the City's Chief Administrative Officer (CAO) or his designee to execute a Revocable Permit of Entry in substantially the form attached hereto as Exhibit A.

BE IT FURTHER RESOLVED that the Portland City Council delegates to the CAO or his designee the authority to amend this Revocable Permit of Entry as the CAO deems necessary in his reasonable discretion.

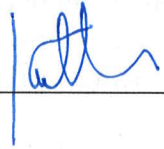
Adopted by the Council: FEB 03 2010
Mayor Adams
Prepared by: David Logsdon
Date Prepared: January 26, 2010

LaVonne Griffin-Valade
Auditor of the City of Portland

By 
Deputy

Agenda No.
RESOLUTION NO. 36762
 Title

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<p>INTRODUCED BY Commissioner/Auditor: Mayor Adams</p>	<p>CLERK USE: DATE FILED <u>JAN 29 2010</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p>	<p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By:  Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: Mayor's office Bureau Head: Sam Adams</p>	
<p>Prepared by: David Logsdon Date Prepared: Jan 28, 2010</p>	
<p>Financial Impact Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>Council Meeting Date February 3, 2010</p>	<p>ACTION TAKEN:</p>
<p>City Attorney Approval</p>	

AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: 10 minutes (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	—	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	