

## RESOLUTION No. 36758

Authorize Chief Administrative Officer or designee to execute a Revocable Permit of Entry to allow Peregrine Sports, LLC access to PGE Park to conduct non-construction evaluation and preparation activities (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 an 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. The Predevelopment Agreement expired by its terms on October 1, 2009. However, the City and Peregrine are working in earnest on definitive documents that will be filed for Council consideration in the near future.

WHEREAS, in order to keep the project on schedule and have the facility ready for the 2011 MLS season, certain non-construction evaluation and preparation activities must begin in early January 2010. The Revocable Permit of Entry attached hereto would authorize Peregrine to undertake these pre-construction activities.

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 to this Resolution.

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: JAN 06 2010

Mayor Adams

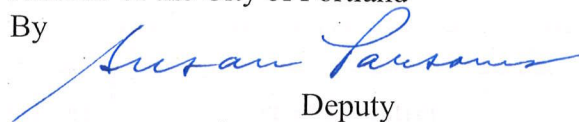
Prepared by: David Logsdon

Date Prepared: December 30, 2009

**LaVonne Griffin-Valade**

Auditor of the City of Portland

By



Deputy

41

1140

Agenda No. **36758**  
**RESOLUTION NO.**  
 Title

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| <p><b>INTRODUCED BY</b><br/>         Commissioner/Auditor:<br/> <b>Mayor Adams</b></p>   | <p>CLERK USE: DATE FILED <b>DEC 31 2009</b></p>                            |
| <p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Adams <i>AM</i></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<br/>         Auditor of the City of Portland</p> |
| <p><b>BUREAU APPROVAL</b></p> <p>Bureau:<br/>         Bureau Head:</p>   | <p>By: <i>[Signature]</i><br/>         Deputy</p>                          |
| <p>Prepared by: Skip Newberry<br/>         Date Prepared: 12/30/09</p>   | <p><b>ACTION TAKEN:</b></p>  |
| <p>Financial Impact Statement</p> <p>Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/><br/>         Not Required <input checked="" type="checkbox"/></p>   |  |
| <p>Portland Policy Document<br/>         If "Yes" requires City Policy paragraph stated in document.<br/>         Yes <input type="checkbox"/> No <input type="checkbox"/></p>   |  |
| <p>Council Meeting Date<br/> <b>January 6, 2010</b></p>  |  |
| <p><input checked="" type="checkbox"/> <b>City Attorney Approval</b> <i>KAM</i></p>  |  |

|   |
|---|
| <b>AGENDA</b>   |
| <p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p><b>Total amount of time needed:</b> _____<br/>         (for presentation, testimony and discussion)</p> |
| <p><b>CONSENT</b> <input type="checkbox"/></p>  |
| <p><b>REGULAR</b> <input checked="" type="checkbox"/></p> <p><b>Total amount of time needed: 20 minutes</b><br/>         (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                           | ✓    |      |