

**Providence Park Good Neighbor Agreement
Stadium Oversight Committee**

Tuesday, October 29, 2019, 11:00 a.m.-1 p.m.

**Providence Park, 909 SW 18th Ave
(enter at Providence Sports Care)**

Agenda

| | | |
|------------|---|---------------|
| 11:00 a.m. | • Welcome / Introductions | Libby Bakke |
| 11:05 | • Public Comment | |
| 11:15 | • Review Draft Meeting Summaries - July 31, 2019 - September 10, 2019 | |
| 11:20 | • Initial Summary of Fan Survey | Phil Olmstead |
| 11:45 | • SOC Operations: Review Draft GNA Changes & Proposed Bylaws | Karl Lisle |
| 12:45 | • Next Steps | Libby Bakke |
| 12:50 | • Public Comment | |
| 1:00 p.m. | Adjourn | |

Oversight Committee Members

Jim Etzel, Sport Oregon
Karl Lisle, City of Portland
Jerry Powell, Goose Hollow Foothills League
Ken Puckett, Portland Timbers
Ron Walters, Northwest District Association

Staffing

Lauren Broudy, City of Portland
Libby Bakke, B&W
Phil Olmstead, Nelson\Nygaard

1 **STADIUM OVERSIGHT COMMITTEE**

2 **Regular Meeting**

3 **July 31, 2019**

4 **Providence Park**

5 **11am-1pm**

6
7 **Members Present**—Ken Puckett (Portland Timbers), Ron Walters (Northwest District Association), Karl
8 Lisle (City of Portland), Jerry Powell (Goose Hollow Foothills League), Jim Etzel (Sport Oregon).

9
10 **Staff Present**—Lauren Broudy (City of Portland), Chad Tucker (City of Portland), Libby Barg Bakke
11 (Barney & Worth), Phil Olmstead (Nelson\Nygaard),

12
13 **Others Present**—Hillary Chapman (City of Portland), Ashley Tjaden (City of Portland), Kathryn Doherty-
14 Chapman (City of Portland)

15
16 The meeting began at 11:17am.

17
18 **PUBLIC COMMENT**

19 Frank Dixon shared his background in neighborhood activism. Mr. Dixon noted his interest in the
20 Stadium Oversight Committee began in December 2018 when he observed potential proposed changes
21 to Legacy Hospital parking lots.

22
23 Mr. Dixon requested an update regarding procedures for the committee related to the Good Neighbor
24 Agreement. He also commented that he would like to see the committee focus on event day parking
25 impacts on residential zones and not just focus on car congestion.

26
27 Jerry Powell commented that the original intent of the committee was to foster communication
28 between the stadium operator and the neighborhoods.

29
30 Libby Bakke noted that today's agenda would first include a discussion of the monitoring plan and fan
31 survey and then include a discussion regarding the operations of the committee, with a representative
32 from the City of Portland Office of Community and Civic Life.

33
34 **MONITORING PLAN & SURVEY**

35 Phil Olmstead led the discussion of the monitoring plan. He noted the goal was to be as comprehensive
36 as possible but also to be reasonable; to develop a set of quantitative metrics to be able to use across
37 seasons.

38
39 The goal of the survey is to enhance fan data. The target is to send out a report with mid-season metrics
40 and with end of season metrics, about 6-8 weeks after the soccer season concludes.

41
42 Conversation ensued regarding the difficulty of tracking pick up and drop off location data and of the
43 availability of data sources in general.

44
45 Mr. Olmstead reported that this would be a living document and his project team had to make several
46 assumptions to assemble data (e.g., use the industry standard that the average Lyft trip has 2.5
47 passengers, etc.).

49 Mr. Olmstead suggested updating the 2018 baseline data by using the results from this new survey
50 instrument to set new future targets that are better measured to inform future decision-making.

51
52 In terms of survey periods, the goal is to hold two: one round will go live on August 26, 2019 and
53 another will go live on September 30, 2019. Both surveys will be live for a period of about a week or
54 two. There will be skip logic built into the survey to get the most pertinent and relevant information
55 from each survey taker. An incentive will be used to encourage participation.

56 57 **PUBLIC MEETING LAWS DISCUSSION**

58 The committee discussed the rules of public meetings and their role at length.

59
60 Ashley Tjaden from the Office of Community and Civic Life (formerly known as the Office of
61 Neighborhoods) joined the committee to share her work over the past year helping all committees and
62 advisory groups in the city streamline operations to follow the new rules and procedures.

63
64 The bottom line is if a group qualifies as an advisory body it must follow the new rules and procedures.

65
66 The group reviewed a summary memo created by Karl Lisle discussing potential organizational
67 structures to the future of the committee. The group also reviewed a summary of the operational
68 guidelines of the committee currently outlined in the Good Neighbor Agreement.

69
70 Mr. Lisle noted three potential options for the future of the committee:

- 71 1) Comply with state public meetings law but seek an exemption to portions of city policies;
- 72 2) Comply with state public meetings law fully which would be a big change (which might not be
73 workable for the original purpose of this group which was to establish communication between
74 the city, Peregrine, and the neighborhood associations); or
- 75 3) Comply with state public meetings law but make changes to the committee to clarify that it is
76 not a public advisory body. The main change here would be the inability to continue making
77 recommendations to City Council.

78 Mr. Lisle and Ms. Tjaden noted they will work together over the next month to seek clarification and
79 guidance as to the feasibility of these potential options for the future of the committee.

80 **NEXT STEPS**

81 The next committee meeting is scheduled for September 10, 2019.

82 The city will discuss the viability of the organizational options internally and come back to the group
83 with an update in September.

84 The committee reached consensus to continue to proceed with the survey as planned. All comments are
85 due to Mr. Olmstead by August 2, 2019.

86 Mr. Olmstead will provide an updated survey and monitoring plan to the group by August 9, 2019.

87 The meeting concluded at 1:08pm.

Stadium Oversight Committee Meeting Summary

Tuesday, September 10, 2019 from 11am to 1pm at Providence Park - 909 SW 18th Ave

Attendees

| Name | Group/Affiliation |
|---------------|--------------------------------|
| Ron Walters | Northwest District Association |
| Jerry Powell | Goose Hollow Foothills League |
| Jim Etzel | Sport Oregon |
| Ken Puckett | Portland Timbers |
| Karl Lisle | City of Portland |
| Ken McGair | City of Portland |
| Lauren Broudy | City of Portland |
| Frank Dixon | Neighbor |
| Allan Classen | NW Examiner |
| Libby Bakke | Barney & Worth |
| Phil Olmstead | Nelson\Nygard |

The committee discussed the Comprehensive Transportation Management Plan monitoring effort and Stadium Oversight Committee operations.

1. Mid-Season Update (Phil Olmstead, Nelson\Nygard)

Ron Walters

- The mid-season update should quote the CTMP's primary goal
- Need to get data from Uber and Lyft – PIN #s could be huge for reducing Uber driving around. Drop off isn't an issue. But pickup w/ PIN would be a big improvement

The committee discussed other data source including Biketown and Tri-Met Route 20.

Jerry Powell reported very little change from last year in the Goose Hollow neighborhood.

- Still people parking on the streets
- Fewer people driving around looking for parking

Ron Walters reported things are slightly different in NWDA

- General impression is there is increases in all the problems before (cars arriving a bit earlier, parking a bit farther from the stadium).
- NW Park SAC – doing a survey. It will look at what are game days like vs. non-game days

Ken Puckett

- Working to pay PBOT for parking enforcement; 2 additional enforcement cars

Jerry Powell

- Not much enforcement during Thorns games

Karl Lisle

- Thorns attendance has increased to what Timbers game were before the expansion

Ken Puckett

- Timbers are letting events attendees (non-soccer) know that there is no parking available—they will get the same info as Timber/Thorn attendees

2. SOC Operations (Karl Lisle, City of Portland)

Karl Lisle discussed the original intent of the SOC and changes to the Good Neighbor Agreement (GNA) that would preserve the intended purpose of the group, while complying with all state public meeting laws. This change would include having the SOC provide recommendations to the Timbers and the Director of the Office of Management & Finance instead of City Council.

Ken McGair gave a quick overview of public meeting laws

Ron Walters indicated that NWDA would not support the proposed change, because he felt the Timbers were not responsive to their requests.

Jerry Powell said the intent of the SOC was to be a communication device to talk to the Timbers and ask them what they could do to fix things that are not working. The intent was not to tell the Timbers what they had to do. If the committee had to adhere to the City's stringent advisory body rules it might be harder for the neighborhoods to communicate with the Timbers to solve problems.

Karl Lisle said the next step was to draft an update of the GNA for the SOC to review that clarifies that the SOC is not a formal City Body. The SOC can consider the change, and make suggestions including adding other interests, like businesses to the SOC.

Karl Lisle indicated that other options for the SOC would be more drastic including no longer having a SOC.

3. SOC Minutes & Other Issues (Ron Walters)

Ron Walters reported on several issues:

- Lack of clarity on from the Community & Civic Life on the new City policy and lack of response to his questions.
- Would like more formal meeting notes and the committee to approve them.

4. Public Comment

Frank Dixon provided comment:

- Request to set up the room better for public comment
- Operations of the Timbers impacts Goose Hollow in different ways than NWDA
- Felt meeting minutes from last meeting were mis-captured
- Worried that if SOC is not a formal advisory body then it will become a secret body not open to the public

5. Next Steps (Libby Bakke, Barney & Worth)

- Next meeting October 29, 2019
- Need to schedule a December meeting with SOC



Carmen Merlo
Deputy Chief
Administrative Officer

Tom Rinehart
Chief Administrative
Officer

Ted Wheeler
Mayor

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Date: October 11, 2019

Re: Summary of Good Neighbor Agreement Changes Related to Stadium Oversight Committee

EXECUTIVE SUMMARY

Portland Zoning Code Title 33.510.115 (B) allows Major Event Entertainment and Commercial Outdoor Recreation uses at the Providence Park site with certain conditions. One of these conditions is that a current Good Neighbor Agreement (GNA), approved by the City Council, be in effect.

The GNA has been effective in considering neighborhood impacts from events and has provided a productive forum to address issues related to noise, litter, scheduling, event management, parking and security.

The Council-adopted Good Neighbor Agreement establishes a Stadium Oversight Committee (SOC). The Stadium Oversight Committee (SOC) formed because of the Good Neighbor Agreement for the Stadium (Providence Park).

In 2017, the Stadium operator announced their intention to expand the Stadium. As a result, the SOC began meeting more regularly to discuss issues related to the expansion.

During April 2019 City Council hearings to approve the updated Stadium Good Neighbor Agreement (GNA) and Comprehensive Transportation Management Plan (CTMP), the operations of the Stadium Oversight Committee were criticized for not fully complying with state public meetings law.

During that discussion, City Commissioners requested staff work with the committee to examine two things:

- (1) The SOC's compliance with State public meetings law; and
- (2) The City's policies regarding public advisory bodies as described in [Council Resolution No. 37285](#).

City staff met with representatives from the Office of Civic Life and the City Attorney's Office to review these policies and discuss how the SOC might operate and be organized. Staff shared the content of these discussions with the SOC at their regular meetings on July 31, 2019 and September 10, 2019.

Because the responsibility to convene the SOC falls to the operator and the primary purpose of the SOC is to provide a venue for conversation and engagement between the operator and the surrounding community, the recommendation from the Office of Management and Finance is to not have the group be considered a formal advisory body to the City Council.

REASONING BEHIND SHIFT IN SOC ORGANIZATION

Decision to Not be Public Advisory Body

It immediately became clear that regardless of the direction the SOC would choose to pursue, it would be a best practice to comply with State public meetings law.



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To help ensure equal access to programs, services and activities, the Office of Management & Finance will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities upon request.

In terms of whether the SOC should form as a public advisory body, the group revisited its core purpose: to provide input and feedback to the Stadium owner (City) and operator (Peregrine Sports) on the impacts of the Stadium to the neighborhood. This requires real-time communication and the ability to have fluid and frequent exchanges.

In clarifying the SOC is not a formal public advisory body, there are several situations in the GNA in which the SOC currently makes a recommendation to City Council. Staff proposes to change that structure so that the SOC will report to the Chief Administrative Officer. This would never limit the ability of any individual member to submit testimony to the City Council on any issue.

Decision to Create Operational Bylaws

In addition to the shift in the organization of the SOC, bylaws will help streamline the operations of the group. Currently, the SOC does not have formal bylaws outside of the direction outlined in the GNA. A new section 4.1.7 is proposed for insertion into the GNA to allow the SOC to create bylaws, so long as they do not conflict with the GNA.

The bylaws state the purpose and goal of the SOC while covering meeting authority, scheduling/frequency, membership and term, decision making authority and administrative functions related to the group.

The impact of operational bylaws will be to create a clear, systematic fluidity to meetings where procedures will be outlined.

CONCLUSION AND NEXT STEPS

The City Council directed staff to look into compliance with City Policies on Boards, Commissions and Public Advisory Bodies. The staff recommendation endorsed by the City Attorney's Office is to clarify that the SOC is not a public advisory body but still complies with aspects of public meetings and public records laws, and adheres to best practices for City Advisory bodies when applicable. New bylaws help provide clarity on operations and reaffirm the role and function of the SOC.

City staff drafted changes to the Good Neighbor Agreement and bylaws for the SOC to review. If the SOC is in agreement, these proposed changes could be approved by City Council this winter along with the presentation of a report on the CTMP.

DRAFT – 10/11/2019
STADIUM OVERSIGHT COMMITTEE BYLAWS

PURPOSE

The City of Portland (owner) and Peregrine Sports (operator) are parties to a long-term relationship to operate the multi-purpose stadium located at 1844 SW Morrison Street for major sports events and entertainment. The primary use of the property is as a soccer stadium for Major League Soccer and the National Women’s Soccer League.

GOAL

Portland Zoning Code Title 33.510.115 (B) allows Major Event Entertainment and Commercial Outdoor Recreation uses at the Providence Park site with certain conditions. One of these conditions is that a current Good Neighbor Agreement (GNA), approved by the City Council, be in effect. The GNA defines and outlines the existence and purpose of the Stadium Oversight Committee. The Oversight Committee is not a public advisory body but rather a mechanism for soliciting neighborhood input for the stadium owner and operator to maintain positive relationships within the adjacent community and community at large. Typically, formal recommendations made by the Oversight Committee will be directed to Peregrine and/or the City’s Chief Administrative Officer. The Oversight Committee does not directly make recommendations to the City Council or to the City Hearings Officer. This does not limit individual members of the Oversight Committee from providing recommendations or testimony to any public body or private entity as an individual.

AUTHORITY

GNA Section 4.1.7 (*proposed new section*) provides that the Oversight Committee may establish bylaws to clarify operational procedures and processes consistent with the provisions of the GNA. Bylaws or amendments to existing bylaws are approved by a majority vote of Oversight Committee members.

SCHEDULING AND FREQUENCY OF MEETINGS

The Oversight Committee shall meet at least once each calendar year and as otherwise deemed necessary to conduct its business. The Oversight Committee may hold additional meetings if a majority of the members deem it to be necessary.

A quorum for meetings (simple majority of three (3) or more members) must be present in order to hold a meeting. In accordance with Section 4.1.5, Peregrine will convene the Oversight Committee. Peregrine will seek to schedule meetings at a time when all current members of the Oversight Committee can attend. Meetings may be held at any time of day at times that work best for all members of the Committee.

Meetings will typically be held at the stadium and convened by the operator. If meetings are held elsewhere, the location must be accessible and open to the public.

If the need for additional meetings arises, members may discuss this matter at a meeting or by email to the other four (4) members and facilitator (if applicable). If additional meetings are determined needed by three (3) members, notification of additional meetings will be in

accordance with GNA Section 4.1.4 (City and Peregrine event calendar postings) and directly to those subscribed on the interested party list.

MEMBERSHIP AND TERM

In accordance with GNA Sections 1.19 and 4.1.1, the Oversight Committee is composed of five (5) members.

Four (4) organizations will designate members to serve on the Oversight Committee:

- (1) Peregrine Sports (operator);
- (2) City of Portland (owner);
- (3) Northwest District Association (neighborhood association);
- (4) Goose Hollow Foothills League (neighborhood association);

The fifth (5th) member shall be a representative of a local business interest and is approved by a majority vote of the other four members.

Oversight Committee membership should be revisited at least every three (3) years. During this time, each of the four (4) members will submit written confirmation from their organization that the organization wants the member representing their organization to continue serving on the Oversight Committee. Alternatively, the organizations may choose to designate a new representative to serve on the Oversight Committee. The appointment of the fifth (5th) member should be reconfirmed by majority vote of the other members at least once every three (3) years.

Members serving on the Oversight Committee are participating as representatives of their respective organizations/businesses. They have a responsibility to communicate with other members of their organizations about the activities of the Oversight Committee.

DECISION MAKING AUTHORITY

The Oversight Committee shall generally follow Robert's Rules of Order when making decisions that are representative of the committee's decision making (culminating in a majority vote). The City of Portland or professional facilitator (if available) will lead the Oversight Committee in following Robert's Rules of Order to take votes when decision making is required. Proxy/absentee voting is not allowed.

SETTING AGENDAS

The City and Peregrine will collaborate to set agendas. Other members of the Oversight Committee may request agenda items by emailing the members from Peregrine, the City and the facilitator (if applicable) before a scheduled meeting. Agendas will be posted with the meeting notices, but these agendas may be revised as necessary to accommodate additional items, or for other reasons with less than fourteen (14) days of notice. Time will be set aside at each meeting for public comment. Typically, time set aside for public comment will be at the beginning or end of the agenda and will not exceed 10-15 minutes in total.

MEETING NOTES

The City of Portland is responsible for note taking. Notes will meet the requirements of State public meetings laws and follow the "action minutes" format; they will include the date/time the meeting took place, members/visitors present, summaries of the content discussed at the meeting, summaries of planned action or content to be discussed, and a record of votes cast and the

concluding time of the meeting. Oversight Committee members will have the opportunity to offer input/provide corrections to meeting notes at subsequent meetings.

MEETING NOTICE

Public notice of meetings of the Oversight Committee will be in accordance with Section 4.1.4 of the GNA. In addition, the City will maintain an interested parties email list to notify those who are interested of upcoming Oversight Committee meetings. People on the interested parties email list will receive an email notifying them of an upcoming meeting of the Stadium Oversight Committee at least fourteen (14) days in advance of the meeting.

REMOVAL OF MEMBERS AND RESIGNATIONS

Any member who does not give notice that they intend to be absent from more than two consecutive meetings in a row will be removed from the committee and replaced by the Party that they represent. In the event the member being removed is the fifth (5th) member, the other four (4) members will select a replacement representative in accordance with the GNA and these bylaws.

Members are expected to make a good faith effort to serve on the Oversight Committee. In cases where this is not possible, members are expected to provide written notice to City staff and Peregrine regarding their inability to participate.

FACILITATOR

The City or Peregrine may contract with an independent and neutral third party whose role is to facilitate meetings, help develop recommendations and help produce approved reports. The Facilitator will not act as an advocate on any issue, any interest group, or any member of the Oversight Committee.