



MEMORANDUM

EUGENE WATER & ELECTRIC BOARD

Rely on us.

TO: Commissioners Schlossberg, Brown, Carlson, Barofsky and McRae
FROM: Frank Lawson, CEO & General Manager
DATE: November 19, 2021 (December 7, 2021, Regular Session)
SUBJECT: Resolution 2034, Sale/Transfer of MGP Site Completed
OBJECTIVE: Correspondence/Information

Issue

The directives as identified in Resolution 2034, RESOLUTION OF THE EUGENE WATER & ELECTRIC BOARD DECLARING CERTAIN REAL PROPERTY AS SURPLUS AND SUBJECT TO TRANSFER, approved by the Board on December 1, 2020, have been completed.

Background/Discussion

On December 1, 2020, the Board declared real property, commonly known as the MGP Site, surplus and authorized the General Manager to proceed in selling the MGP Site to the City of Eugene or the City of Eugene Urban Renewal Agency by negotiating the terms and conditions for transfer of the MGP Site under the guidance provided by the Board in executive session. The General Manager was also authorized to execute all documents on behalf of EWEB necessary for closing the surplus property sale transaction in accordance with Board policies.

On August 17, 2021, the City irrevocably waived all rights to exclusively negotiate with EWEB for the purchase of HQ under Code Section 2.196. The City of Eugene can still purchase the HQ property under EWEB's process, as will be presented to the Board in January.

On November 8, 2021, the City Council passed an ordinance changing City Code 2.196 as proposed as part of the sale of the MGP Site to the City. The code changes are an improvement as to the requirements and timing of the City's right of first negotiation on EWEB surplus property. Once EWEB notifies the City of a surplus property, the new code sets several deadlines, including a 30-day notification of interest from the City, 180 days (from original notification) for the EWEB GM and City Manager to work out terms for presentation to the Board and Council, and 365 days (from original notification) for the Board/Council to agree to those terms. Transfer/Sale agreements cannot include terms beyond 3 years unless agreed to in writing.

On November 19, 2021, all contingencies of the purchase and sale agreement (PSA) were completed, and the property sale/transfer was recorded. As part of the PSA all contingencies, including but not limited to those discussed above, were met.

Recommendation

No recommendations are made as part of this correspondence

Action

No Action is required or requested as part of this correspondence