



# MEMORANDUM

EUGENE WATER & ELECTRIC BOARD

*Rely on us.*

TO: Commissioners Brown, Carlson, Barofsky, McRae and Schlossberg  
FROM: Frank Lawson, General Manager  
DATE: January 26, 2022 (February 1, 2022, Board Meeting)  
SUBJECT: Resolution No. 2207 - AUTHORIZING GENERAL MANAGER TO CONDUCT LOT LINE ADJUSTMENT AND COMPLETE SALE OF PROPERTY (Triangle Lot)  
OBJECTIVE: Action

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## **Issue**

On February 1, 2022, Management will be asking for the Board to deliberate and act on Resolution No. 2207, authorizing the General Manager to conduct lot line adjustments and sell/transfer a constituent portion of property located south of the south headquarters building (herein referred to as the “Triangle Lot”) as generally shown in Attachment A.

## **Background/Discussion**

The EWEB Board of Commissioners declared the Headquarters property, of which the Triangle Lot is a constituent portion, as surplus and no longer needed for utility purposes as per Resolution No. 1826, dated November 6, 2018.

The City of Eugene irrevocably released its exclusive right to negotiate for the sale/transfer of EWEB’s Headquarters Property under Code Section 2.196 as of August 17, 2021. However, the plans as presented by Atkins Dame, Inc. (formerly Williams and Dame Associates) and being implemented by the City of Eugene show future housing on the Triangle Lot.

## **Recommendation**

Management wishes the Board to deliberate on whether to segregate the Triangle Lot and direct the General Manager to negotiate and execute the sale/transfer of the Triangle Lot before and separately from the headquarters property sale process, as described in Resolution 2207.

Alternatively, the Board could instruct the General Manager and Headquarters Sale Project Team to transparently communicate the interest of the City of Eugene, or designee, to purchase the Triangle Lot portion in the future, at the future owner’s discretion.

## **Action**

Approval or Disapproval of Resolution No. 2207

## **Attachments**

- A. Exhibit A Triangle Lot
- B. Resolution No. 2207 - AUTHORIZING GENERAL MANAGER TO CONDUCT LOT LINE ADJUSTMENT AND COMPLETE SALE OF PROPERTY (Triangle Lot)



**Note:** This depiction does not represent a survey and is only intended to approximate the location of boundaries and improvements in the area.

<b>PROJECT:</b>  Resolution 2207 Triangle Lot Disposition	<b>OWNER:</b>  Eugene Water & Electric Board 500 East 4 <sup>th</sup> Avenue Eugene, OR 97401	<b>Date:</b> 01/26/2022
		<b>By:</b> O'Dell
<b>Lane County Assessor's</b> <b>Map # 17-03-32-22 Tax Lot 100</b>	<b>Scale:</b> None	<b>EXHIBIT "A"</b>

**RESOLUTION NO. 2207  
FEBRUARY 2022**

**AUTHORIZING GENERAL MANAGER TO  
CONDUCT LOT LINE ADJUSTMENT AND COMPLETE SALE OF PROPERTY  
EUGENE WATER & ELECTRIC BOARD**

**WHEREAS**, the Eugene Water & Electric Board (“EWEB”) holds title to real property in the name of the City of Eugene, for the use and benefit of Eugene Water & Electric Board as depicted in the attached Exhibit A, a legal description shall be determined through recorded survey prior to close of escrow. Hereafter said property shall be commonly referred to as the “Triangle Lot”;

**WHEREAS**, the provisions of ORS 271.310 authorize EWEB to sell property within its possession or control if the real property is no longer needed for its public use or EWEB determines that the sale is in the public interest;

**WHEREAS**, the EWEB Board of Commissioners declared the Headquarters property, of which the Triangle Lot is a constituent portion, as surplus and no longer needed for utility purposes as per Resolution No. 1826, dated November 6, 2018;

**WHEREAS**, Eugene Code 2.195 provides EWEB to have entire control of the water and electric utilities of the City of Eugene, and all property connected therewith;

**WHEREAS**, Eugene Code 2.196 provides the City of Eugene with the first opportunity to negotiate for purchase of the Headquarters property for other municipal purposes;

**WHEREAS**, the City of Eugene irrevocably released its exclusive right to negotiate for the sale/transfer of EWEB’s Headquarters Property under Code Section 2.196 as of August 17, 2021.

**WHEREAS**, the City of Eugene, or Urban Renewal Agency, has expressed an interest in acquiring the property, or having the developer acquire the property, for the purpose of completing development plans;

**WHEREAS**, the EWEB Commissioners have had the opportunity to address anticipated terms and conditions with those designated to negotiate the real property transactions during the course of executive session in accordance with ORS 192.660(2)(e).

**NOW, THEREFORE, BE IT RESOLVED** by the Eugene Water & Electric Board that:

- (i) The General Manager is instructed to complete necessary land use action in order to legally convey the Triangle Lot substantially in accord with that which is represented in Exhibit A-;
- (ii) The General Manager or delegee is hereby authorized to negotiate terms and conditions for transfer of the Triangle Lot to the City of Eugene, Urban Renewable Agency, or the developer under the guidance provided by the Board during Executive Session.
- (iii) The General Manager is further authorized to execute the property sale transaction consistent with the negotiated terms and conditions.

Dated this 1<sup>st</sup> day of February 2022.

THE CITY OF EUGENE, OREGON  
Acting by and through the  
EUGENE WATER & ELECTRIC BOARD

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President

I, ANNE KAH the duly appointed, qualified and acting Assistant Secretary of the Eugene Water & Electric Board, do hereby certify that the above is a true and exact copy of the Resolution adopted by the Board at its February 1, 2022, Regular Board Meeting.

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Assistant Secretary