

NOTICE FOR THE EUGENE REGISTER-GUARD

On Tuesday, January 19, 2021, at 7:30 p.m., the Eugene City Council will conduct a public hearing on the following ordinances:

AN ORDINANCE CONCERNING CHAPTER 4 OFFENSES; ADDING SECTION 4.040 TO THE EUGENE CODE, 1971; AMENDING SECTIONS 4.330, 4.340, 4.731, 4.755, 4.906, AND 4.922 OF THAT CODE; AND AMENDING SECTION 2.773 OF THE EUGENE CODE, 1971 TO MAKE A CORRECTION.

AN ORDINANCE CONCERNING DISPOSITION OF EUGENE WATER & ELECTRIC BOARD REAL PROPERTY AND AMENDING SECTION 2.196 OF THE EUGENE CODE, 1971.

Due to Governor Kate Brown's Stay Home, Save Lives Executive Order to combat the spread of Covid-19, this public hearing will be held remotely using virtual meeting technology. Information about online or other options for participation will be available by 5 p.m. on January 19, 2021, at <https://www.eugene-or.gov/3360/Webcasts-and-Meeting-Materials>. Written testimony may be sent to mayorcouncilandcitymanager@eugene-or.gov or to Eugene City Manager's Office, 101 West 10th Avenue, 2nd floor, Eugene, OR 97401. Written testimony must be received by Tuesday, January 19, 2021, at 5 p.m.

These ordinances are posted on the City of Eugene website at <http://www.eugene-or.gov> and are also available by calling the City Manager's Office at 541-682-5010.

Notice posted on Sunday, January 3, 2021.

ORDINANCE NO. _____

AN ORDINANCE CONCERNING DISPOSITION OF EUGENE WATER & ELECTRIC BOARD REAL PROPERTY AND AMENDING SECTION 2.196 OF THE EUGENE CODE, 1971.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Section 2.196 of the Eugene Code, 1971, is amended to provide as follows:

2.196 Eugene Water & Electric Board - Disposition of Real Property.

(1) The board may dispose of real property not needed for utility purposes in accordance with state law.

(2) In the event the board or its designee determines that real property is not needed for utility purposes, it shall afford the city the opportunity to obtain the property for other municipal purposes by ~~notifying~~ **providing** the city manager **written notice** of its availability.

(a) If the city desires to obtain the property, the city manager shall request negotiation within thirty (30) days of the ~~notification~~ **notice of availability**.

(b) ~~As soon as possible after notification,~~ **Within 180 days of the notice of availability**, the city manager and the board's general manager shall negotiate an agreement to ~~compensate the board for the property transferred in accordance with agreed criteria~~ **and agree upon terms for the property transfer to present to the board and the city council for approval**.

(c) **Within 365 days of the notice of availability, the board and the city council shall approve terms for the transfer of the property to the city and compensation to the board for the property.**

(d) Any agreed transfer to the city and compensation to the board shall be completed within ~~five (5)~~ **three (3)** years from the ~~date of notification~~ **notice of availability**.

(e) **Unless the city manager and the board's general manager agree in writing to extend one or more of the deadlines,** ~~the~~ board may dispose of the property by such means and terms as it deems appropriate if:

1. **Within 30 days of the notice of availability** the city manager fails to request negotiations within ~~thirty (30) days of notification of availability;~~ or, if the property transfer is not completed within ~~five (5) years of that notification;~~ **or,**

2. **Within 180 days of the notice of availability the city manager and the board's general manager fail to agree upon terms for the property transfer to present to the board and city council for approval; or,**

3. Within 365 days of the notice of availability the board and the city council have not approved terms for the transfer of the property to the city and compensation to the board for the property; or,

4. Within three (3) years of the notice of availability the property transfer is not completed.

Section 2. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Passed by the City Council this

___ day of _____, 2021

City Recorder

Approved by the Mayor this

___ day of _____, 2021

Mayor