

POLICY CONCEPT FORM

Name and UO Title/Affiliation:	Christine Thompson, Manager of the Campus Planning Office in Campus Planning and Facilities Management
	Kassy Fisher, Assistant Vice President for Administration and Chief of Staff, Finance & Administration
Policy Title & Policy :	Real Property, Space Use and Facilities Planning
Submitted on Behalf Of:	Jamie Moffitt
Responsible Executive Officer:	Vice President for Finance and Administration
Current Policy # (if applicable):	UO Real Property, Facility, and Campus Planning Policy; formerly OAR 050-580-060

SELECT ONE: New Policy Revision Repeal
Click the box to select

HAS THE OFFICE OF GENERAL COUNSEL REVIEWED THIS CONCEPT: Yes No
If yes, which attorney(s): Submitted Craig Ashford on 2/1/2017, in full, and proposed department of record text reviewed by Bryan Dearing on 1/25/2017

GENERAL SUBJECT MATTER

Include the policy name and number of any existing policies associated with this concept.

This policy outlines matters pertaining to real property, facilities, property records, and authorities relating to these matters. The Campus Planning Office in Campus Planning and Facilities Management is responsible for establishing and managing real estate and space use objectives, standards, and procedures.

Link to policy: <https://policies.uoregon.edu/real-property-facility-and-campus-planning>

RELATED STATUTES, REGULATIONS, POLICIES, ETC.

List known statutes, regulations, policies (including unit level policies), or similar related to or impacted by the concept. Include hyperlinks where possible, excerpts when practical (e.g. a short statute), or attachments if necessary. Examples: statute that negates the need for or requires updates to an existing policy; unit level policy(ies) proposed for University-wide enactment; or existing policies used in a new, merged and updated policy.

Related to UO Procurement and Contracting Policy (<https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-9-purchasing-contracting/procurement-and-contracting>), UO Campus Planning Policy (<https://policies.uoregon.edu/policy/by/2/faculty/campus-planning>), and Space Use Objectives Policy (<https://policies.uoregon.edu/content/space-use-objectives-and-building>).

STATEMENT OF NEED

What does this concept accomplish and why is it necessary?

We recommend updating named references and shifting text, as appropriate, from and to related policies that are also under review: (1) integrating existing facility planning/space use references from the Space Use Objectives Policy (<https://policies.uoregon.edu/content/space-use-objectives-and-building>) and (2) transferring campus planning references to the UO Campus Planning Policy (<https://policies.uoregon.edu/policy/by/2/faculty/campus-planning>).

AFFECTED PARTIES

Who is impacted by this change, and how?

Finance & Administration; Campus Planning and Facilities Management; Provost's Office; all other university employees working within the matters described in the policy; and all entities occupying space that is owned and/or managed by the university.

CONSULTED STAKEHOLDERS

Which offices/departments have reviewed your concept and are they confirmed as supportive? (Please do not provide a list of every individual consulted. Remain focused on stakeholders (e.g. ASUO, Office of the Provost, Registrar, Title IX Coordinator, etc.).)

Name	Office	Date
Mike Harwood	Campus Planning and Facilities Management (CPFM)	1/31/17
Various Staff	Campus Planning and Facilities Management (CPFM)	1/31/17
Chuck Triplett	Provost's Office	1/27/17
Craig Ashford	Purchasing and Contract Services, Office of the General Counsel	1/23/17
Bryan Dearing	Office of the General Counsel	1/25/17
Jamie Moffitt	Office of the VPFA/CFO	Feb 2017

Text of current policy with proposed edits—note that green highlighting indicates text to be transferred to the Campus Planning policy; yellow highlighting indicates text to be transferred **from** the Space Use Objectives policy.

Real Property, Space Use and Facilities, ~~and Campus~~ Planning

Reason for Policy:

This policy outlines matters pertaining to campus-space use planning, real property, facilities, property records, and authorities relating thereto.

Entities Affected by this Policy:

Finance & Administration; Campus Planning and Facilities Management; Provost's Office; all other university employees working within the matters described above; and all entities occupying space that is owned and/or managed by the university.

Responsible Office:

Campus Planning Office in, Campus Planning and Facilities Management ~~Design and Construction~~ at 541-346-5562

Enactment & Revision History:

Technical revisions enacted by the University Secretary on September 3, 2015.

Became a University of Oregon Policy by operation of law on July 1, 2014.

Former Oregon Administrative Rule Chapter 580 Division 60.

Space Use Policy text from former OUS Board Internal Management Directive 48 (7.105).

Policy:

A. Authority

This policy establishes the procedures that will be followed by the University of Oregon (University) to acquire, receive, hold, control, convey, sell, manage, operate, lease, lend, improve, and develop all real property of the University under the control of the Board of Trustees (Board)), herein referenced as "Real Estate."

B. Definitions

All definitions in this Policy ~~capitalized terms in Policy 580.060~~ have the meanings set forth in the UO Procurement and Contracting Code Policy 580.061 (P&C Code) ~~Section C~~ unless the context requires otherwise or except as stated. Delegation of authority for real estate transactions is also described in the P&C Code.

~~C. Comprehensive Plan Coordination~~ **Space Use Planning**

The university shall establish space use objectives and standards consistent with the university's mission. The objectives and standards shall ensure that space allocation and usage are consistent with other relevant university policies and in alignment with the university's strategic plans and goals. They shall apply to all university owned, leased, and managed properties.

The Campus Planning Office in Campus Planning and Facilities Management, working with the Provost's Office, is responsible for establishing and managing space use objectives, standards, and procedures. The University will maintain a long-range campus development plan covering all real property under its control and management. University plans, and revisions thereof, will be approved by the University President or designee. The President or designee will approve revisions to the campus boundaries.

D. Records

The University will maintain the official records of all documents that affect real property under its control and management. Documents affecting real property include, but are not limited to, all instruments that acquire, transfer, sell, or alter the character of land.

E. Purchase of Real Property

- (1) All purchases of real property will be for the present or future development of the University.
- (2) Legal title to all real property purchased must be taken and held in the name of the State of Oregon acting by and through the Boards of Trustees of the University of Oregon.
- (3) The President is delegated the authority to execute conveyances for the purchase of real property after the following have been performed to satisfaction of the President:
 - (a) Obtain at least one appraisal by a licensed and experienced real estate appraiser estimating the fair market value;
 - (b) Complete an environmental assessment and determine that any risk associated with the real property is reasonable;
 - (c) Determine that sufficient ongoing revenues are available to operate and maintain the property
- (4) If the consideration for the purchase is \$5,000,000.00 or more, the President must receive the prior approval of the Board or an appropriate standing committee of the Board.

F. Gifts of Real Property

- (1) Legal title to all real property gifted to the University must be taken and held in the name of the State of Oregon acting by and through the Boards of Trustees of the University of Oregon.
- (2) The President is delegated the authority to execute conveyances for the gift of real property after the following have been performed to satisfaction of the President:
 - (a) Complete an environmental assessment and determine that any risk associated with the real property is reasonable under the circumstances;
 - (b) Determine that sufficient ongoing revenues are available to operate and maintain the property.

G. Condemnation

Acquisition of real property by condemnation will be conducted in accordance with ORS Chapter 35 and must be approved by the Board.

H. Sale of Real Property

- (1) The President is delegated the authority to execute conveyances for the sale of real property after the following have been performed to satisfaction of the President:
 - (a) Obtain at least one appraisal by a licensed and experienced real estate appraiser estimating the fair market value;
 - (b) Verify whether any tax exempt financing was used to purchase or improve the property and, if any such debt remains outstanding, ensure continued compliance with IRS regulations.
- (2) If the consideration for the sale is \$5,000,000.00 or more, the President must receive the prior approval of the Board or an appropriate standing committee of the Board.

I. Easements

- (1) The President is delegated the authority to execute easements and other nonpossessory interests in real estate.
- (2) If granting an easement, the President shall first verify whether any tax exempt financing was used to purchase or improve the property and, if any such debt remains outstanding, ensure continued compliance with IRS regulations.

J. Use of Board Property

(1) If the University intends to lease or license real property owned by the Board and either (a) the term of the lease or license exceeds 50 days in total or (b) the arrangement was not set at fair market value, then prior to the execution of the lease or license, the President or designee will confer with the University's ~~Controller's Division~~ **treasury operations unit** to determine compliance with bond restrictions.

(2) The President or designee will obtain prior approval of the Board or an appropriate standing committee of the Board for agreements permitting the construction on or renovation to Board-owned property if such improvements exceed \$5 million during the term of the agreement. To obtain approval from the Board or an appropriate standing committee of the Board, the University must specify where funding for operations and maintenance will come from.

(3) If the University permits construction on or renovation to Board-owned property, the University must approve all plans and specifications prior to the commencement of work and obtain record drawings upon termination of the agreement or completion of the work, whichever first occurs.

(4) The University normally will not make available University buildings and other facilities to individuals for essentially private use or to outside organizations, unless approved in University policy or required by law. Exceptions will be made only if the proposed use is consistent with University policies and missions and the individual or organization fully reimburses the University for all appropriate costs.

K. Leases

(1) The President is delegated the authority to execute leases of real property.

(2) If the consideration for the lease is ~~from~~ \$5,000,000 ~~or more to \$15,000,000~~ or the term of the lease is over 10 years ~~but less than 15 years~~, the President must receive the prior approval of the Board.

~~(3) If the consideration for the lease is over \$15,000,000 or the term of the lease is over 15 years, the President must receive the prior approval of the Board or an appropriate standing committee of the Board.~~

(4) Prior to executing an amendment to a lease, the President must receive approval under subsection

(2) ~~or (3)~~ based on the consideration or term of the amended lease.

Related Resources:

[Related to UO Procurement and Contracting Policy and the UO Campus Planning Policy. The Campus Planning Office in Campus Planning and Facilities Management is responsible for establishing and managing real estate and space use objectives, standards, and procedures.](#)

Clean Version

Real Property, Space Use and Facilities Planning

Reason for Policy:

This policy outlines matters pertaining to space use planning, real property, facilities, property records, and authorities relating thereto.

Entities Affected by this Policy:

Finance & Administration; Campus Planning and Facilities Management; Provost's Office; all other university employees working within the matters described above; and all entities occupying space that is owned and/or managed by the university.

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Related Resources:

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