

Note for online reference: Any materials or exhibits referenced in this approved resolution can be found in the meeting's materials posted at <https://trustees.uoregon.edu/meetings>.

Board of Trustees of the University of Oregon

Resolution: Authorization to Enter into a License or Lease Agreement (Football Practice Facility)

WHEREAS, the Hatfield Dowlin Complex on the University of Oregon's (the "UO" or "University") campus is fundamental to Oregon's success and upholds our football program's commitment to provide unrivaled facilities and resources for our student-athletes and coaches to achieve the highest level of success.;

WHEREAS, The Moshofsky Center at the Hatfield Down Complex is a dated facility that does not meet the needs of all the student athletes who use it;

WHEREAS, the creation of a new indoor practice facility for the primary use of the University's varsity football team will be supported by private philanthropy with no impact on the University's operating budget;

WHEREAS, the University of Oregon Foundation – an independent, non-profit organization responsible for receiving, investing and distributing gifts for the benefit of the University – has dedicated a single-member limited liability corporation for the purpose of creating a new indoor practice facility as Phit Too, LLC;

WHEREAS, Phit Too, LLC seeks to enter into a license or lease agreement with the University through which it would assume control of the University's existing outdoor football practice fields, the western portions of the existing Hatfield Dowling facility relating to weight training and conditioning and associated campus property (collectively "Practice Fields"), as well as that property the University contemplates acquiring from the City of Eugene pursuant to Board of Trustee resolution of September 15, 2022, for purposes of managing the construction and costs associated with creating the new indoor practice facility and replacing the outdoor practice fields in land to be acquired to the south of the existing facilities;

WHEREAS, the specific license or lease agreement would be negotiated between the University and Phit Too, LLC when more certainty exists surrounding the design and overall project;

WHEREAS, that license agreement will stipulate that the license or lease agreement will be made available to the public, and that controlling public contracting laws and prevailing wage rules will apply to the project where appropriate;

WHEREAS, Sections 1.7.2 and 1.9 of the University of Oregon's Policy on the Retention and Delegation of Authority requires approval by the Board of Trustees (the "Board") for the execution of instruments relating to real property where the anticipated value exceeds \$5,000,000 and for the acceptance of a gift of real estate and/or gifts that create obligations on the part of the University for which there is no established funding source, respectively; and,

WHEREAS, the Finance and Facilities Committee has referred this matter to the full Board of Trustees as a seconded motion, recommending adoption;

Resolution: Authorization to Enter into a Lease or License Agreement (Football Practice Facility)

6 June 2023

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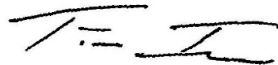
NOW THEREFORE, the Board of Trustees of the University of Oregon adopts the following:

1. RESOLVED, the Board authorizes the President or his designee(s) to take all actions necessary and proper to enter into a license or lease agreement with Phit Too, LLC for purposes of managing the completion of a new indoor practice facility as well as replacement outdoor practice fields and associated costs;
2. RESOLVED, the Board authorizes acceptance of the gift of real property to the University from Phit Too, LLC which comes in the form of construction of a new indoor practice facility and new outdoor practice fields and any increased value to the licensed or leased property; and
3. RESOLVED, the Board authorizes all prior actions taken on behalf of the University related to the acceptance and use of the aforementioned real property.

ACTION: The resolution to approve the seconded motions forwarded by the Finance and Facilities committee en bloc was moved by Trustee Kari and seconded by Trustee Aaron.

VOTE: Voice Vote Recorded—Ayes carried no dissent

DATE: June 6, 2023

A handwritten signature in black ink, appearing to be 'T. H.', is written above a horizontal line.

Recorded by the University Secretary: _____