



MEMORANDUM

EUGENE WATER & ELECTRIC BOARD

Rely on us.

TO: Commissioners Mital, Simpson, Helgeson, Manning and Brown
FROM: Roger Gray, General Manager
DATE: November 16, 2015
SUBJECT: Update to Board Policy GP4, Agenda Planning
OBJECTIVE: Board Action: Resolution No. 1537

Issue

Board policy GP4 states that contract awards or increases over one million dollars must be an agenda item on the regular Board meeting agenda, rather than presented as part of the consent calendar. This practice is a EWEB requirement which is not mandatory under Oregon Purchasing laws.

Discussion

Management has observed that the Board generally does not discuss contracts that are in excess of one million dollars. At times, presenters report to Board meetings when there are no questions or concerns for them to address. This is due in part because contracts of this magnitude are accompanied by a backgrounder containing detailed information for the board to make an informed decision. Furthermore, Commissioners have the opportunity to request additional information from Management in advance of the meeting to resolve any concerns or to answer factual or technical questions.

Board policy GP4 provides that Board members can elect to remove an item from the consent calendar for discussion by notifying the Board President prior to voting. Many times, there is no correlation between the dollar amount of the contract and potential for discussion. This provision will continue to afford commissioners the opportunity to discuss any contract, regardless of the amount, whenever necessary.

Recommendation

Management proposes to remove the dollar threshold for items that may be placed on the consent calendar with the understanding that consent calendar requests for large contact awards will continue to be supplemented with background information and that any item can be removed from the consent calendar and discussed.

Requested Board Action

Management requests approval of Resolution No. 1537; revision to board policy GP4 which removes restrictions for contracts that may be placed on the consent calendar.

Policy Number: GP4
Policy Type: Governance Process
Policy Title: Agenda Planning
Effective Date: December 2, 2015 ~~January 6, 2015~~

BACKGROUND:

The Board will follow an agenda that periodically:

1. Focuses on policy review and
2. Continually improves Board performance through Board education and enriched input and deliberation.

Accordingly, the following additional assumptions and procedures apply regarding agenda planning and Board background material preparation:

Assumptions:

- The Board owns its agendas.
- Board agendas will emphasize policy development, goal status and the future direction of the utility.
- The Board President and Vice President set the agendas with the General Manager (GM).
- The GM has the authority to schedule agenda items.
- Board priorities take precedence over individual Commissioner priorities.

AGENDA FORMATION:

- **Regularly scheduled Board items** established by charter, by-laws or Board policy (i.e. budget development, budget amendments, rate setting) can be both Board and staff driven.
- **Informational or review items** (i.e. policy discussion, revisions or review) may be requested by a majority of the Board.
- **Informational, policy updates or review items** (i.e. annual customer survey results, interim reports) are staff driven.
- **Consent calendar** is a group of routine items that have either been discussed previously or do not need discussion before a vote of the Board. Board members can elect to remove an item for discussion by notifying the Board President prior to voting. Chair ahead of time.
- ~~**Contract awards or increases over \$1M must be an agenda item on the regular Board meeting agenda. Contract awards for \$1M or less can be placed on consent calendar.**~~
- **Backgrounders** are content based documents, prepared by staff, which support an agenda item in order to inform and educate the Board. Backgrounders are often in response to:
 - Board requests
 - Agenda items initiated by staff
 - Agenda items that require interim or status reports
 - Unusual items appearing on the consent calendar, i.e. large contract awards or budget amendments

AGENDA FORMAT:

Generally, the agenda for Regular EWEB Board Meetings will include the following:

- Agenda Check
- Items from Board Members
- Public Input
- Board Action Items
- General Business Items
- Board Agenda Calendar
- Board Wrap up

Commissioners reserve the right to add or delete items as needed, or change the order of the agenda as necessary. Public input and public hearings will occur near the published time.

ORGANIZATIONAL MEETING:

During the first meeting of each calendar year an election of Board officers and other routine annual business will be performed.

AGENDA MANAGEMENT:

- The President, Vice President and the GM will meet prior to each Board meeting to develop and prioritize agenda items.
 - The Executive Assistant to the GM/Board will maintain a list containing potential future background and agenda items.
- Agenda management will be broken out as a regularly occurring agenda item.
 - The time will be used to gauge the Board's interest in topics raised by Commissioners or staff and to discuss the trade-offs involved in using Board time for that issue.
- Board Agenda Reports: An agenda report is kept and provided with each Board Agenda and tracks the status of outstanding and future agenda items. The report is made up of the following components:
 - Outstanding backgrounders that may result in Board action
 - Items that may be added to future Board agendas
 - Annual agenda calendar and agenda items if known
- All Board agendas, including all backgrounders, correspondence, and other supportive documentation for regular meetings, special meetings, and work sessions shall be made available to the Board in hardcopy or other suitable form; and all non-confidential supportive documentation will be made available to the public via EWEB's website at least four full business days in advance of the meeting unless mitigating circumstances prevail.
- Public Notice. EWEB will comply with Oregon Public Meetings Law 192.640 to provide reasonably calculated notice to news media and other interested persons. If an emergency meeting is necessary, notice shall be given to the Board and the public at least 24 hours prior to the meeting unless emergency circumstances prevail.

Source: Board Approved 10/20/03, Revised 02/13/2004, Revised 04/19/2005; Revised 12/15/2009 (Resolution 0931); Revised 3/1/2011 (Resolution 1112); Revised 01/06/15, Resolution No. 1503; Revised 12/01/15, Resolution No. 1537.

**RESOLUTION NO. 1537
DECEMBER 2015**

**EUGENE WATER & ELECTRIC BOARD
RESOLUTION APPROVING REVISIONS TO BOARD POLICY GP4**

WHEREAS, the Eugene Water & Electric Board (EWEB) maintains a Board Policy Manual that contains governing policies for the Board of Commissioners; and

WHEREAS, the Board of Commissioners periodically reviews said policies and identifies required modifications or amendments to those policies; and

WHEREAS, the Board of Commissioners has reviewed a modification to Board Policy GP4, Agenda Planning Policy, which removes the threshold for contracts that may be placed on the consent calendar, and has determined that the modification is appropriate and necessary.

NOW, THEREFORE, BE IT RESOLVED that the Eugene Water & Electric Board hereby approves the revisions to Board Policy GP4 – Agenda Planning Policy.

DATED this 1st day of December 2015.

THE CITY OF EUGENE, OREGON
Acting by and through the
Eugene Water & Electric Board

President

I, ANNE M. 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 December 1, 2015 Regular Board Meeting.

Assistant Secretary