

## EWEB Board Consent Calendar Request

*For Contract Awards, Renewals, and Increases*

The Board is being asked to approve the use of two cooperative contracts with **Landmark Ford and Northside Ford Truck Sales** for the purchase of 2021 light duty vehicles.

Board Meeting Date: 1/5/2021

Project Name/Contract #: 2021 Light Duty Vehicles/State of Oregon Price Agreement #5549 - #5550

Primary Contact: Rod Price Ext. 7122

Previous Spend: \$0

Amount of this Request: \$ 507,000.00

**Resulting Cumulative Total: \$507,000.00**

### Narrative:

The Board is being asked to authorize the use of the following cooperative contracts: State of Oregon Price Agreement #5550, Northside Ford Truck Sales, and State of Oregon Price Agreement #5549, Landmark Ford for the purchase of twelve (12) 2021 light duty vehicles.

EWEB's light duty fleet currently consist of 170 vehicles which are used both in the Electric and Water Utilities. The 12 vehicles which are being purchased, will be replacing vehicles which have exceeded their useful life; based on overall mileage, repair cost and the age of the vehicle. The replacement of these vehicles is in line with the EWEB Fleet Replacement Program Overview which was reported to the board in August of 2019.

Staff solicited pricing for 2021 light duty vehicles from the two state contract holders and is seeking to award the purchase of the following vehicles based upon the lowest price:

Purchase of 4 EA ½ ton, 4wd, Crew Cab Pickup	\$148,626.28	Landmark Ford
Purchase of 2 EA 1 ton, 4wd, Extended Cab / Chassis (gasoline)	\$69,896.84	Northside Ford Truck Sales
Purchase of 3 EA 1 ton, 4wd, Extended Cab / Chassis (diesel)	\$134,918.97	Landmark Ford
Purchase of a 1 ton, DRW, 4wd, Extended Cab / Chassis (diesel)	\$44,827.74	Landmark Ford
Purchase of 2 EA 19,500 GVRW, 4wd, Crew Cab / Chassis (diesel)	\$107,760.40	Northside Ford Truck Sales

### ACTION REQUESTED:

Management requests the Board approve the use of the two Cooperative Contracts: PA#5550 with **Landmark Ford** and #5549 with **Northside Ford Truck Sales**, for the purchase of 2021 light duty vehicles. Approximately \$530,000 was planned for these vehicle purchases in the Electric Capital 2021 budget of \$1,825 million. Variances will be managed within the budget process and Board policy.



# MEMORANDUM

EUGENE WATER & ELECTRIC BOARD

*Rely on us.*

TO: Commissioners Schlossberg, Brown, Carlson, Barofsky, and McRae  
FROM: Deborah Hart, Chief Financial Officer  
DATE: December 30, 2020  
SUBJECT: Supplemental Retirement Plan Committee  
OBJECTIVE: Approval of Resolution No. 2101

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## **Issue**

EWEB maintains a Supplemental Retirement Plan (SRP) that requires the annual appointment of a committee to make certain decisions.

## **Background**

The EWEB SRP was created in 1968 and closed to new participants in 1988. The objective of the plan is to provide a benefit on retirement which, together with the benefit from PERS, will provide 1.67% of the highest 36-month average salary for each year of service. Independent actuaries determine employer contributions. The plan currently has 17 participants or beneficiaries to whom payments are made. In 2020 EWEB funded \$108,000 in supplemental retirement benefits, down from \$128,000 and \$142,000 in 2019 and 2018, respectively. There have been no recent changes in the design or terms of the plan, and none are anticipated in the future.

## **Discussion**

EWEB funds the plan on a “pay as you go” basis, and the SRP committee monitors and administers the plan. A contracted payroll service prepares monthly checks and tax documentation for plan participants. The terms of the plan include a cost of living adjustment (COLA) based upon the rate used by the Oregon PERS plan. The plan requires committee members to be appointed by the Board of Commissioners.

## **Recommendation**

Management requests that the Board approve the appointment of Deborah Hart, Chief Financial Officer; Jeremy Whittlesey, Payroll Administrator; and Bridget Otto, Human Resources Supervisor, to the Supplemental Retirement Committee.

## **Requested Board Action**

Approval of Resolution No. 2101

**RESOLUTION NO. 2101  
JANUARY 2021**

**EUGENE WATER & ELECTRIC BOARD  
ANNUAL APPOINTMENT OF SUPPLEMENTAL RETIREMENT PLAN COMMITTEE**

**WHEREAS**, the Eugene Water & Electric Board maintains a Supplemental Retirement Plan in effect since January 1, 1968, which was last amended and restated in July 1988, with an objective to provide a benefit on retirement which supplements Oregon PERS benefits;

**WHEREAS**, the Supplemental Retirement Plan is a single-employer plan providing retirement, death and disability benefits to a closed group of EWEB retirees and their beneficiaries;

**WHEREAS**, a Trust was created in accordance with the Pension Trust Agreement effective May 16, 1975, for the benefit of funding the Supplemental Retirement Plan;

**WHEREAS**, funding of the plan since is provided by Board contributions, deposited to the existing trust account as needed to meet obligations to retirees, together with earnings on plan assets;

**WHEREAS**, the Supplemental Retirement Plan provides for annual appointment and reappointment by the Board of a Retirement Committee of three to seven members charged with the general administration of the Plan, subject to the consent and approval of the Board of Commissioners;

**WHEREAS**, Management recommends the Board appoint Deborah Hart ( Chief Financial Officer), Bridget Otto (EWEB Human Resources Supervisor), and Jeremy Whittlesey (EWEB Payroll Administrator), as EWEB personnel without rights in or to the Supplemental Retirement Plan funds, be appointed to the Retirement Committee;

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

The Board continues the Supplemental Retirement Plan without amendment, and hereby reappoints the Retirement Committee to be comprised of Deborah Hart, Bridget Otto, and Jeremy Whittlesey.

The Retirement Committee shall continue to administer the Supplemental Retirement Plan in accordance with its terms, and remain as trustee fulfilling applicable duties under the 1975 Pension Trust Agreement. The trust account may be maintained at a zero or minimal balance within the discretion of the Retirement Committee. Based upon the closed membership in the Supplemental Retirement Plan and the anticipated budget requirements to cover benefit payments in the future, the Board does not require the Supplemental Retirement Plan to be pre-funded. The Board will continue to fund the Supplemental Retirement Plan contributions as a budgetary item on a prospective basis.

Dated this 5th day of January 2021.

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

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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 January 5, 2021 Board Meeting.

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Assistant Secretary



# MEMORANDUM

EUGENE WATER & ELECTRIC BOARD

*Rely on us.*

TO: Commissioners Schlossberg, Brown, Carlson, Barofsky and McRae  
FROM: Deborah Hart, Chief Financial Officer; Sarah Gorsegrner, Purchasing & Warehouse Supervisor  
DATE: December 30, 2020  
SUBJECT: Board Appointed Consultants  
OBJECTIVE: Board Action - Ratification of Board Appointed Consultants

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## Issue

At the first Board meeting of the year, the Board is presented with the opportunity to appoint and ratify professional consultants that are retained by the Board outside the competitive selection process.

## Background

Consultants are exempt from the competitive selection process when the Board appoints or retains the consultant. The Board Appointed Consultants independently advise and provide professional direction and assessments to the Board without regard to Management's position or interpretation. Consultants are selected based on technical knowledge, areas of expertise, and their historical knowledge and perspective of EWEB and its work.

The following directly appointed contracts are presented for ratification. Contracts may also be presented if they are beyond the routine 5-year contract period following a competitive process. There were no contracts beyond the 5-year contract period this year.

## BOARD CONSULTANTS REQUIRING RATIFICATION

Consultant	Service Provided	Tenure	Last Contracted	2020 Spend	2019 Spend
Luvaas Cobb (Eric Defreest Primary Contact)	General Counsel	2011 with Luvaas Cobb <sup>1</sup>	EWEB has two contracts with Luvaas Cobb, one primarily used by staff, and one that is a Board Appointed Contract. Using an RFP process, the staff contract was awarded in Dec 2017, the Board appointed contract was awarded in May 2018.	\$137,400 (\$2,009 Board Appointed Contract)	\$162,000 (\$9,300 Board Appointed Contract)

<b>Consultant</b>	<b>Service Provided</b>	<b>Tenure</b>	<b>Last Contracted</b>	<b>2020 Spend</b>	<b>2019 Spend</b>
Harrang Long Gary Rudnick P.C.	Supplemental General Counsel	Since 1992	Retained in 1992 for Human Resources Legal Counsel, in 2020 for the Supplemental General Counsel	\$83,975 (\$0 for Board Appointed Contract)	\$134,522
Arnold Gallagher P.C.	Real Estate Legal Counsel	Since 2018	Direct Negotiation, 2018	None	\$290
Watkinson Laird Rubenstein P.C.	Real Estate Legal Counsel	Since 2018	Direct Negotiation, 2018	None	None

Additional contracts have been occasionally used by the Board, but they were awarded using a competitive process and with Board approval and do not require ratification.

### **Discussion**

These contracts have had minimal usage in 2020. In December, the Board was requested to review the contracts and to provide performance feedback. The feedback suggested that continuing with these contracts is appropriate.

### **Recommendation and Requested Board Action**

Management requests ratification of consultants Luvaas Cobb, Harrang Long Gary Rudnick P.C., Arnold Gallagher P.C, and Watkinson Laird Rubenstein P.C. as Board Appointed Consultants for 2021.

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<sup>1</sup> Eric Defreest provided General Counsel to EWEB at Calkins & Calkins prior to 2011 when the contract was assigned to Luvaas Cobb. Calkins & Calkins was retained by EWEB from the 1940's-2011.