



MEMORANDUM

EUGENE WATER & ELECTRIC BOARD



TO: Commissioners Brown, Carlson, Barofsky, McRae, and Schlossberg
 FROM: Deborah Hart, Chief Financial Officer; Quentin Furrow, Purchasing & Warehouse Supervisor
 DATE: January 3, 2023
 SUBJECT: Board Appointed Consultants
 OBJECTIVE: Board Action - Ratification of Board Appointed Consultants

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.

BOARD CONSULTANTS REQUIRING RATIFICATION

Consultant	Service	Tenure	Last Contracted	2022 Spend (to date)	2021 Spend
Luvaas Cobb Eric DeFreest/ Primary	General Counsel	Since 2011 with Luvaas Cobb ¹	Contract 1 for Board (#2653), awarded May, 2018	\$350 Board Spend	\$4,053 Board Spend
			Contract 2 for Staff (#045-2017), awarded in Dec 2017	\$82,796 Staff Spend	\$114,097 Staff Spend
Harrang Long Gary Rudnick P.C.	Supplemental General Counsel	Since 1992	Contract 1 for Board (#20-026-PSC), awarded February 2020	\$0 Board Spend	\$0 Board Spend
			Contract 2 for HR Dept. (#030-2019), retained in 1992	\$80,488 Staff Spend	\$120,440 HR Staff Spend
Arnold Gallagher P.C.	Real Estate Legal Counsel	Since 2018	Direct Negotiation, 2018 (#2657), awarded October 2018	\$0 Board Spend	\$300 Board Spend

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 2022. 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., and Arnold Gallagher P.C. as Board Appointed Consultants for 2023.

¹ Eric DeFrest 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.