

EUGENE WATER & ELECTRIC BOARD
REGULAR SESSION
January 3, 2023
5:45 P.M.

Commissioners may pose questions to staff prior to the scheduled Board meeting. To view Commissioners' pre-meeting questions and staff responses, as well as recordings and meeting materials visit <https://www.eweb.org/about-us/board-of-commissioners/public-meetings>. The agenda items below are timestamped to coincide with the meeting recording.

Commissioners Present: John Brown, President; Sonya Carlson, Vice President; John Barofsky, Matt McRae, Mindy Schlossberg, Commissioners

Others Present: Frank Lawson, General Manager; Kelly Hoell, Climate Policy Analyst & Advisor; Karen Kelly, Chief Operations Officer; Lisa Krentz, Generation Manager; Rod Price, Assistant General Manager

President Brown called the Regular Session to order at 5:30 p.m.

Agenda Check

There were no changes or additions to the agenda.

Oath of Office for Commissioners Brown and Schlossberg [0:35]

President Brown and Commissioner Schlossberg were sworn into the office of Eugene Water and Electric Board's Board of Commissioners.

Items From Board Members and General Manager [2:14]

Public Input [6:52]

Adrienne Fainman, CEO of Cedar Stone LLC, expressed interest in collaborating with EWEB on local sustainable building.

Nadine Scott of Leaburg wondered if the Leaburg Dam had ever been tested for asbestos.

Dusty Wynn, co-founder of Purelight Power, spoke about the price-gouging that happens with many regional companies selling solar power.

William Smith of Eugene urged EWEB to install and maintain a fiberoptic network in Eugene.

Joshua Korn of Eugene spoke in favor of EWEB installing and maintaining a local fiberoptic network.

Grace Brahler, Wildlands Director of Cascadia Wildlands, spoke in favor of decommissioning the Leaburg facility.

Written Testimony (not included in meeting recording)

Jake Risley of Leaburg wrote in opposition to decommissioning the Leaburg facility.

Chris Daughters of Eugene wrote in favor of decommissioning the Leaburg facility.

Approval of Consent Calendar – A, Minutes and Routine Contracts [25:40]

MINUTES

1. a. **October 25, 2022 Work Session**
- b. **November 1, 2022 Executive Session**
- c. **November 1, 2022 Regular Session**
- d. **November 15, 2022 Work Session**
- e. **December 6, 2022 Executive Session**
- f. **December 6, 2022 Regular Session**

CONTRACTS

2. Anixter – for Transformer and Secondary Connectors for use in EWEB’s electrical distribution system. \$320,000 (over 5 years) based on a Formal Invitation to Bid.

3. Virginia Transformer Corp. – for Station Class Power Transformers. \$17 million (over 5 years) based on a Formal Request for Proposals.

Commissioner Schlossberg moved to approve Consent Calendar – A. The motion passed unanimously 5:0.

Approval of Consent Calendar – B, Non-routine Contracts and Other Consent Items

CONTRACTS

4. Cascade Pacific Resource Conservation and Development (CPRCD) – for additional funds for Fiscal Management Services of the Pure Waters Partners Program (PWP). \$1,490,000 (Resulting Cumulative Total \$3,052,000) based on Direct Negotiation/Sole Source.

5. J&M Homes, LLC – for Carmen-Smith Campus Homes. \$292,000 based on Formal Request for Proposals.

6. Luvaas Cobb – for General Counsel Services. \$650,000 (over 5 years) based on a Formal Request for Proposals.

7. Olsson Electric, Inc. – for Installation of Replacement Switchgear and Other Related Tasks at EWEB’s generation facility at the International Paper Plant in Springfield, OR. \$475,000 based on Formal Invitation to Bid.

8. Schnabel Engineering, LLC – for additional funds for Safety Inspection Services for the Leaburg-Waltermville project. \$65,000 (Resulting Cumulative Total \$265,000) based on a Formal Request for Proposals.

INTERGOVERNMENTAL AGREEMENTS

9. U.S. Department of Interior, U.S. Geological Survey (USGS) – for a Joint Funding Agreement (JFA) to provide Monitoring and Consulting Services for Source Water Protection. \$1,620,000 based on Direct Negotiated Intergovernmental Agreement.

RESOLUTIONS

10. Resolution No. 2301 – Annual Appointment of Supplemental Retirement Plan Committee.

11. Resolution No. 2303 – Update to Board Policy SD15 – Climate Change.

12. Resolution No. 2304 – Update to Board Policy GP 7 – Board Parliamentary Procedures.

Vice President Carlson moved to approve Consent Calendar – B. The motion passed unanimously 5:0.

2023 Election of Officers [26:17]

President Brown moved to nominate Sonya Carlson as Board President, and John Barofsky as Board Vice President. The motion passed unanimously 5:0.

2023 Appointment of Board Liaison Assignments [28:20]

The slate of liaison assignments the Board put forth was as follows:

McKenzie Watershed Council - Commissioner Barofsky

McKenzie Watershed Alliance Executive Board - Designated EWEB staff primary appointee, with no designated Commissioner as alternate

Lane Council of Governments (LCOG) - Commissioner Carlson primary appointee, with Commissioner Barofsky as the alternate

Other Post-Employment Benefits (OPEB) Board - Commissioner Brown

Springfield Utility Board (SUB) - Commissioner McRae

Lane Electric Cooperative - Commissioner Brown

City of Springfield - Commissioner Schlossberg primary appointee, with Commissioner Brown as the alternate

City of Eugene - Commissioners Carlson and Barofsky

Commissioner Brown moved to adopt the discussed slate of liaison assignments. The motion passed unanimously 5:0.

Goal #3(a): Leaburg Hydro Electric Project – Proposed Record of Decision, Resolution No. 2302 [36:14]

Mr. Lawson, Ms. Kelley, and Ms. Krentz offered the Board a report and PowerPoint presentation on Goal #3(a): Leaburg Hydro Electric Project – Proposed Record of Decision, Resolution No. 2302.

Vice President Barofsky moved to approve Resolution No. 2302, moving forward with the Record of Decision on the Leaburg Hydroelectric Project, and directing the General Manager to develop a Leaburg Hydroelectric Decommissioning Action Plan. The motion passed unanimously 5:0.

Proposed 2023 Strategic Goals/Organizational Performance Measures [1:06:00]

Mr. Price and Mr. Lawson offered the Board a report and PowerPoint presentation on the proposed 2023 Strategic Goals/Organizational Performance Measures.

Commissioner Schlossberg moved to approve the 2023 goals. The motion passed unanimously 5:0.

Break [1:21:00]

President Carlson called for a break at 6:50 p.m. The meeting resumed at 7:00 p.m.

Climate Guidebook Introduction [1:29:53]

Ms. Hoell offered the Board an introduction to the Climate Guidebook, with an accompanying PowerPoint presentation.

Correspondence & Board Agendas [2:08:22]

Mr. Lawson offered the Board a brief report on Correspondence and Board Agendas.

Board Wrap Up [2:14:40]

President Carlson adjourned the Regular Session at 8:02 p.m.

Recorded by Rodney Cimburke

Assistant Secretary

President

**EUGENE WATER & ELECTRIC BOARD
EXECUTIVE SESSION
VIRTUAL
JANUARY 17, 2023**

Commissioners Present: Sonya Carlson, President; John Barofsky, Vice President; Matt McRae, Mindy Schlossberg, and John Brown Commissioners

Others present: Frank Lawson, General Manager; Rod Price, Assistant General Manager; Deborah Hart, Chief Financial Officer; Julie McGaughey, Chief Customer Officer; Karen Kelley, Chief Engineering & Operations Officer; Holly Shugart, Administrative Assistant; Anne Kah, Administrative Services Manager; Jared Rubin, Environmental and Property Supervisor; Tim O'Dell, Right-of-Way Agent; John Marshall, Facilities Maintenance Supervisor, and Megan Banta of the Register Guard

EXECUTIVE SESSION

The Executive Session was called to order at 5:00 p.m.

Pursuant to ORS 192.660(2)(e)

To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

President Carlson adjourned the Executive Session meeting at 6:32 p.m.

Assistant Secretary

President

EWEB Board Consent Calendar Request

For Contract Awards, Renewals, and Increases

The Board is being asked to approve four new contracts with **Brink Brothers Inc.; Forest Restoration, Inc. dba Integrated Resource Management; Oregon Woods Inc.; and TBI (Timothy K. Browning)** for **Planting and Vegetation Maintenance**.

Board Meeting Date: February 7, 2023
Project Name/Contract #: Small Lot Vegetation Management / 22-246-(1-S, 2-S, 3-S and 4-S)
Manager: Mike Masters Ext. 7549
Executive Officer: Karen Kelley Ext. 7153

Contract Amount:

Original Contract Amount: \$4,000,000
Additional \$ Previously Approved: \$0
Spend over last approval: \$0
Amount this Request: \$4,000,000
% Increase over last approval: NA
Resulting Cumulative Total: **\$4,000,000 (Over 5 years between four contracts)**

Contracting Method:

Method of Solicitation: Formal ITB
If applicable, basis for exemption: NA
Term of Agreement: 5 years
Option to Renew? No
Approval for purchases "as needed": Yes No
Proposals/Bids Received (Range): 6 - (\$633,600 - \$2,848,000)
Selection Basis: Lowest Responsive and Responsible Bidder

Narrative:

Operational Requirement and Alignment with Strategic Plan

The Board is being asked to approve four new Contracts with Brink Brothers, Inc.; Forest Restoration, Inc. dba Integrated Resource Management; Oregon Woods, Inc.; and TBI (Timothy K. Browning) for as-needed Planting/Vegetation Management; and Integrated Vegetation Management (IVM). The contract amount noted above is a Not-to-Exceed (NTE) limit, across the four contracts, and will be used as needed throughout the life of the contracts.

These services and goods will serve over 240 private properties ranging in size from smaller than 1 acre to 3 acres that are enrolled in the Pure Water Partners (PWP) program and within the fire-affected areas of the McKenzie Watershed. The services may be reimbursed in part by wildfire recovery grants to support continued restoration efforts.

Contracted Goods or Services

This ITB included four lots of three worker categories each that grouped similar classes of vegetation management allowing vendors to bid on one or more of these categories. The four lots included Lot 1: Site Preparation, Lot 2: Planting, Lot 3: IVM (Integrated Vegetation Management) Maintenance & Disposal Fee, and Lot 4: Plant Maintenance.

Contracted services and goods include the following:

Planting and Vegetation Management: *planting bare root native seedlings and/or spreading native seed mixtures*

Integrated Vegetation Management (IVM): *invasive weed removal, small-scale fuels treatments, pre-planting site preparation, and revegetation maintenance activities*

Work will be assigned on an emergent basis by lot size. EWEB and the Contractors will coordinate the scope of work, staffing plan, delivery of materials, and project schedules prior to the work being performed.

Purchasing Process

In late December of 2022, Staff issued a Formal Invitation to Bid for Small Lot Vegetation Management Services. This solicitation was advertised on the OregonBuys website and Six (6) bids were received. Brink Brothers Inc., Forest Restoration, Inc. dba Integrated Resource Management, Oregon Woods, Inc., and TBI were deemed the lowest responsive and responsible bidders.

Bids Received

Vendor Name	City, State	Offered Price	Ranking (for RFPs)
Brink Brothers, Inc.	Pleasant Hill, Oregon	\$633,600 (Not All Categories Bid)	NA
Oregon Woods, Inc.	Eugene, Oregon	\$996,000	NA
TBI	Oakland, Oregon	\$1,447,152	NA
Forest Restoration (IRM)	Philomath, Oregon	\$1,459,400	NA
Ash Creek Forest Mgmt	Hillsboro, Oregon	\$2,054,000	NA
Silhouette Farm & Forestry LLC	Medford, Oregon	\$2,848,000	NA

Prior Contract Activities

Recent Brink Brothers, Inc. Contracts for Similar Services

EWEB Contract	Project Name (Description)	Board Approved Date	Project Duration (Start to Close)	Original Amount	Final Amount	Reason Code
21-136-S	Hazard Fuels Management	10/5/21	10/11/21-10/25/26	\$1,500,000	\$2,900,000	AW
21-085-S	Vegetation Removal Services	5/4/21	5/5/21-5/3/26	\$150,000	\$187,500	
20-160-S	Field Mowing at Hayden Bridge – Zones 2 & 3	10/6/20	10/9/20-10/8/25	\$165,000	\$175,890	

Reason Code: AM = Additional Materials, AW = Additional Work, EW= Emergency Work, SD = Staff Directed, UC = Unforeseen Conditions, Other

Recent Forest Restoration, Inc. dba Integrated Resource Management Contracts for Similar Services

EWEB Contract	Project Name (Description)	Board Approved Date	Project Duration (Start to Close)	Original Amount	Final Amount	Reason Code
21-106-GS	Seeds, Seedlings and Erosion Control	9/7/21	9/13/21-10/1/26	\$3,750,000	\$3,750,000	
001-2017-IRM	Vegetation Management Services	NA	4/10/17-4/9/18	\$133,000	\$133,000	
Reason Code: AM = Additional Materials, AW = Additional Work, EW= Emergency Work, SD = Staff Directed, UC = Unforeseen Conditions, Other						

Recent Oregon Woods, Inc. Contracts for Similar Services

EWEB Contract	Project Name (Description)	Board Approved Date	Project Duration (Start to Close)	Original Amount	Final Amount	Reason Code
21-265-S	Vegetation Management Services – EWEB McKenzie Corridor	4/5/22	4/7/22-4/5/26	\$200,000	\$200,000	
21-131-S	Vegetation Maintenance and Irrigation Services	NA	6/23/21-12/31/22	\$80,520	\$80,520	
001-2017	Vegetation Management Services	NA	4/10/17-4/9/18	\$50,692	\$50,692	
Reason Code: AM = Additional Materials, AW = Additional Work, EW= Emergency Work, SD = Staff Directed, UC = Unforeseen Conditions, Other						

EWEB has not contracted with TBI (Timothy K. Browning), but Staff have checked references and received positive feedback.

ACTION REQUESTED:

Management requests the Board approve four contracts with Brink Brothers, Inc.; Forest Restoration, Inc. dba Integrated Resource Management; Oregon Woods, Inc.; and TBI (Timothy K. Browning) for as-needed Planting/Vegetation Management; and Integrated Vegetation Management (IVM). Approximately \$1.25 million was planned for these goods and services in the Holiday Farm Fire Restoration 2023 budget of \$10.3 million, a portion of which may be reimbursed by wildfire recovery and restoration grants. Variances will be managed within the budget process and Board policy.