



MEMORANDUM

EUGENE WATER & ELECTRIC BOARD



TO: Commissioners Carlson, Barofsky, McRae, Schlossberg, and Brown
FROM: Deborah Hart, Chief Financial Officer; Quentin Furrow, Purchasing and Warehouse Supervisor
DATE: January 9, 2024
SUBJECT: Board Appointed Consultants
OBJECTIVE: Board Action - Ratification of Board Appointed Consultants

Issue

At the first meeting of the year, the Board is presented with the opportunity to appoint and ratify professional consultants retained 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 historical knowledge and perspective of EWEB and its work.

BOARD CONSULTANTS REQUIRING RATIFICATION

Consultant	Service	Tenure	Last Contracted	2023 Spend (to date)	2022 Spend
Luvaas Cobb Eric DeFreest/ Primary	General Counsel	Since 2011 with Luvaas Cobb ¹	Contract 1 for Board (23-208), awarded October 2023 Contract 2 for Staff (22-157), awarded January 2023	\$996 Board Spend \$95,127 Staff Spend	\$350 Board Spend \$82,796 Staff Spend

Consultant	Service	Tenure	Last Contracted	2023 Spend (to date)	2022 Spend
Harrang Long Gary Rudnick P.C.	Supplemental General Counsel	Since 1992	Contract 1 for Board (20-026-PSC), awarded February 2020 Contract 2 for Workforce Services (030-2019), awarded July 2019, retained in 1992	\$0 Board Spend \$68,384 Staff Spend	\$0 Board Spend \$80,488 HR staff Spend

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

Discussion

These contracts have minimal usage in 2023. A previous contractor declined our request to provide services through a formal contract due to prior contracts expiring without any activity for the period. If services are requested in the future, they have indicated willingness to provide services on a case-by-case basis. In December, the Board was requested to review the contracts and to provide performance feedback. The feedback suggested continuing with these contracts is appropriate.

Requested Board Action

Management requests ratification of consultants Luvaas Cobb, and Harrang Long Gary Rudnick P.C. as Board Appointed Consultants for 2024.

¹ 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.