

**EUGENE WATER & ELECTRIC BOARD  
EXECUTIVE SESSION  
4200 ROOSEVELT BOULEVARD, EUGENE  
February 6, 2024**

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

**Others present:** Frank Lawson, General Manager; Rod Price, Assistant General Manager; Deborah Hart, Assistant General Manager/Chief Financial Officer; Lena Kostopulos, Chief Workforce Services Officer; Sarah Gorsegner, Business Continuity Manager; Tyler Tennent, Physical Security Supervisor; Chad Pappas, Security Officer; Guerin White, Security Officer, Jennifer Connors, Communications & Marketing Supervisor, Owen Morgan, IT Support Specialist; Karen Kelley, Chief Operations Officer; Holly Shugart, Administrative Assistant; Anne Kah, Administrative Services Manager, and Alan Torres of Eugene Register Guard

**EXECUTIVE SESSION**

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

**Pursuant to ORS 192.660(2)(f)**

The EWEB Board of Commissioners met in Executive Session to consider information or records that are exempt by law from public inspection.

President McRae adjourned the Executive Session meeting at 5:37 p.m.

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Assistant Secretary

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President

**EUGENE WATER & ELECTRIC BOARD**  
**REGULAR SESSION**  
**February 6, 2024**  
**5:45 P.M.**

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

**Others Present:** Frank Lawson, EWEB General Manager; Rod Price, Assistant General Manager; Anne Kah, Administrative Services Manager; Deborah Hart, Chief Financial Officer/Assistant General Manager; Karen Kelly, Chief Operations Officer; Aaron Balmer, Financial Services Manager; Tegan DeBolt, Grants Specialist; .

**CALL TO ORDER**

President McRae called the meeting to order at 5:45 p.m.

**Agenda Check [1:08]**

There were no changes to the agenda.

**Items from Board Members and General Manager [1:37]**

Commissioner Brown inquired about the costs for second source that were stated in the background materials.

Mr. Lawson responded that the scope and scale of the project has not changed, he explained that escalation and inflation have resulted in the cost going up.

Commissioner Carlson attended the Celebration of Business. A customer contacted her about payments, she expressed concerns about Friday power shutoffs. Mr. Lawson said EWEB would communicate about payment options and shutoff policies to commissioners at a later date.

Commissioner Schlossberg attended a ride-along during the ice storm to see the damage.

Commissioner Barofsky attended the Celebration of Business. He said that EWEB crews were thankful for the new smaller bucket truck to respond to the ice storm.

**Correspondence [8:00]**

1. Grant Funding Process

Deborah Hart introduced Tegan DeBolt, Grants Specialist, who helped bring in \$20 million in grant funding since 2020. Mr. Lawson wanted to align grants with EWEB's strategic priorities, such as watershed recovery work in the McKenzie Valley.

## 2. State Legislative Update

Commissioner Brown asked if any bills introduced were relevant to EWEB. Mr. Lawson replied they were watching a bill about recreational immunity for the use of public spaces.

### **Public Input [10:35] 5:56 p.m.**

The following testimony was provided to the EWEB Commissioners: The Board neither endorses nor opposes, or is responsible for the accuracy of the content of testimony, including any links or references provided.

#### Written Testimony:

**Benton Elliott** of Ward 1 in Eugene, Oregon expressed support of EWEB's response to the recent ice storm, specifically citing the continued need for further resilience and investment in renewable electricity.

**Jim Neu** of Ward 7 in Eugene, Oregon expressed support for EWEB's efforts to restore power during the recent ice storm, and specifically cited methods to increase resiliency such as locally distributed renewable energy projects and smart grid technology.

#### Verbal Testimony:

**Kathy Ging** of Eugene, Oregon expressed opposition to smart meters, specifically citing Oregon State University research about the risks of cyber insecurities.

**Aya Cockram** of Ward 1 in Eugene, Oregon expressed support of transitioning off of fossil fuels, and support of staff who responded to the ice storm, specifically citing the need to invest in local power generation and publicly owned renewable energy.

**Mindy Stone** of Ward 4 in Eugene, Oregon expressed support of keeping her analog meter. She expressed opposition of switching to a digital meter, specifically citing a media release that supported utility customer choice. A written copy of the media release was provided.

**Cindy Allen** of Eugene, Oregon expressed opposition to smart meters and EWEB's opt-out policy, specifically citing her sensitivity to radiofrequency radiation after her surgery. She expressed support for customer choice.

**Tana Shepard** of Ward 8 in Eugene, Oregon shared about her experience related to the Eugene School District 4J/EWEB education partnership, including examples of the students' lessons such as alternative energy, salmon, water, and emergency preparedness.

**Lisa Oxman** of Eugene, Oregon expressed opposition to the installation of a smart meter at her home, specifically citing a document she gave to EWEB commissioners. She expressed support of customer freedom to choose their type of meter.

**Alan Gormezano** of Eugene, Oregon expressed opposition of a smart meter being installed at his home, specifically citing testimony of his experience with staff. He shared ideas for meter replacement. He expressed support for EWEB's Customer Care Program. He encouraged staff to hold board meetings closer to the center of town to make it more accessible for customers to attend.

**Mo Lohaus** of Ward 8 in Eugene, Oregon expressed opposition to smart meters, specifically citing how the policy was adopted and changes from 2018 that included customer choice. A written letter was also provided.

**Sabrina Siegel** of Eugene, Oregon expressed opposition to smart meters and EWEB's opt-out process, specifically citing electro sensitivities she and others experience.

**Joshua Korn** of Eugene, Oregon expressed opposition to smart meters and digital meters, citing a letter he sent to staff declining his consent to any digital meter being installed at his residence.

**Commissioner Brown** asked if the salmon watch program has been discontinued and if so, why. He also asked who owned the analog meters.

**Mr. Lawson** said EWEB owned and maintained the meters. He explained the owner of a residence may not choose which metering device is selected for their house; that is done by the utility and has been supported by legal precedence. Mr. Lawson explained the difference between the types of meters.

**Commissioner Carlson** explained that in 2018 she voted to change to smart meters because of the safety of EWEB staff. She also supported the switch because EWEB could not replace them with new analog meters. She said cell phones had more radiofrequency than smart meters.

**Mr. Lawson** explained the 25+ year process of smart meters becoming part of EWEB. He said management intended to fulfill the process as it currently stood including the complete deployment of AMI technology with the option to opt out which is the non-communicating mode.

## **5. Ice Storm Recovery Update/Report [50:40]**

Mr. Lawson gave a PowerPoint presentation about EWEB's effort in the ice storm recovery. He compared the 2024 storm with the storms in 2016 and 2019. He reported on the cost, number of responding staff, equipment replaced, modes of communication to the public, and impact to customers and EWEB's equipment. He commended EWEB's incident commanders for their response to the storm.

Ms. Kelly thanked crews who responded and commissioners for visiting them.

Commissioner Carlson thanked staff for their response to the storm compared to the last storm. She suggested that staff create an online form to report power outages. Mr. Lawson said in the next year, EWEB would implement a new outage management system, he added that we will evaluate methods of collecting secondary information from customers such as downed lines.

Mr. Lawson said staff wanted to know how to improve their situational awareness, including with automation.

Commissioner Schlossberg wanted to know ways staff could distribute status updates to rural residents. She was concerned about a local grocery store that called EWEB but was unable to talk to a staff person. She suggested a staff point of contact for customers that provide essential services.

In reference to the outage phone system, Commissioner Brown asked what costs were reimbursable and if there was recourse for systems that did not work. Mr. Lawson said he would check that contract.

Commissioner Brown said EWEB's outage map was challenging to understand. Mr. Lawson explained the way EWEB fed information into it. He thanked their GIS and mapping staff for their work.

Commissioner Brown was concerned the PUC was not ensuring communication companies trim branches near their lines. He asked why EWEB was not confronting those companies. Mr. Lawson said management shared his concern. Mr. Lawson and Mr. Price provided insight to the ongoing challenge.

Vice President Barofsky asked if the Board could send a letter to thank the contractors and mutual aid crews who helped EWEB during the storm. Mr. Lawson said staff would facilitate that.

President McRae expressed concern about back-up power for customers with medical devices. He supported expanding that program to all of EWEB's areas. He said back-up batteries would be a good use of their funds. He also supported more investment in water storage containers for customers.

Mr. Lawson thought the existing program supporting back-up power was started for areas prone to wildfire. He said there may be ways to flag that with a new system. Regarding Commissioner Schlossberg's comments, he said EWEB did not differentiate solely on the type of building that EWEB provided power to, but it did have a short list of customers that provided vital services. He was surprised some grocery stores did not have emergency back-up generators for refrigerated items. He mentioned EWEB's residential back-up generator program and would research ways to expand it to commercial properties.

Mr. Lawson said EWEB went into ICS two days before the storm. They reached out to 30 contractor crews and did other pre-planning. He said EWEB cooperated well with other governments and utilities. He mentioned more opportunities to be more resilient, and the Board would receive an after-action report in the spring.

## **BOARD ACTION AND GENERAL BUSINESS ITEMS**

### **Approval of Consent Calendar – A, Minutes and Routine Contracts [1:33:57]**

#### **MINUTES**

##### **1. a. January 9, 2024 Regular Session**

#### **CONTRACTS**

2. **David Evans and Associates, Inc.** – for the Jessen Substation Rebuild. \$580,000 based on Formal Request for Proposal.

3. **GE Renewables US, LLC (formally Alstom Renewable US, LLC)** – for additional funds for the Design-Build contract for Carmen Turbine Generator Rehabilitation. \$6,000,000 based on Formal Request for Proposal (original contract amount \$19,776,000, spend over last approval \$4,800,000, resulting cumulative total \$25,776,000).

**MOTION:** Vice President Barofsky moved to adopt Consent Calendar A.

The motion passed unanimously, 5:0.

### **Approval of Consent Calendar – B, Nonroutine Contracts and Other Consent Items [1:34:16]**

#### **CONTRACTS:**

4. **Carson Wealth Management (CWM), LLC dba Northwest Capital Management (NWCM)** – for Deferred Compensation Benefits Consulting. \$162,000 (over 5-years) based on Direct Negotiation.

5. **CenturyLink** – for continuation of Telephone Services. \$475,000 based on Direct Negotiation (original contract amount \$594,000, resulting cumulative total \$1,069,000 [2021-2026]).

6. **Riverbend Materials** – for the provision and delivery of Rock Materials. \$375,000 based on Formal Invitation to Bid (original contract amount \$125,000 not previously approved by the Board, resulting cumulative total \$500,000).

#### **RESOLUTIONS:**

7. Resolution No. 2403 - Board Policy Revisions.

8. Resolution No. 2404 - Board Appointments, Committees, Outside Liaisons.

**MOTION:** Commissioner Brown moved to adopt Consent Calendar B.

The motion passed unanimously, 5:0.

**Resolution No. 2402, Upcoming Electric Utility Bond Financing [1:34:36]**

Ms. Hart and Aaron Balmer gave a PowerPoint presentation about the 2024 Electric Utility Bond Financing that summarized the bond issuance process.

They hoped to issue bonds to fund electric capital improvement projects. They would bring the request to Eugene City Council on February 12, 2024.

Ms. Hart said staff sought to issue \$64 million in bonds.

Ms. Hart would ask the City of Eugene to authorize refinancing of existing debt service obligations and also new money.

President McRae asked where interest rates were headed. Ms. Hart said they were going down. Mr. Lawson said the bond markets were stable. President McRae expressed concerns, but he appreciated there was flexibility.

Commissioner Carlson asked why it was good to refinance now. Ms. Hart replied the forecast was favorable now.

**MOTION:** Ms. Carlson moved to support Resolution 2402.

The motion passed unanimously, 5:0.

**Break [1:52:38]**

**EWEB/City of Eugene Joint Initiatives Agenda [2:03:23]**

Mr. Lawson referenced previous discussion about the joint initiatives. President McRae referenced a memo the board received. Vice President Barofsky suggested adding EV charging infrastructure if it was not covered under another bullet point. Commissioner Schlossberg asked if they could talk about disaster preparedness. Commissioner Brown wanted CILT money to go to the rental pool instead of EV. He wanted to support emergency water stations and get the word out now before an emergency.

In response to Commissioner Brown's comments around EWEB's role as a billing agent for the City of Eugene, Mr. Lawson said he invited Sarah Medary, Eugene City Manager, to discuss this matter with the Board depending on the City's approach for billing new sources of revenue.

President McRae asked if there were policy goals that were not included in the agenda. Mr. Lawson said they had to change the Public Facility Services Plan to facilitate their plans to build a secondary water treatment plant on the Willamette River. President McRae proposed they add that.

**MOTION:** Vice President Barofsky moved to add the Public Facility Services Plan to the agenda.

The motion passed unanimously, 5:0.

**MOTION:** Commissioner Schlossberg moved to approve the City of Eugene liaison agenda.

The motion passed unanimously, 5:0.

### **McKenzie Valley Meeting Planning [2:17:09] 8:03 p.m.**

Mr. Lawson explained the purpose of the annual work session in the McKenzie Valley in a PowerPoint presentation. He suggested holding an open house or a dinner where there would be presentations, questions from customers, and opportunity for commissioners to have conversations with customers and residents. Mr. Lawson proposed information to share at the meeting. He asked for feedback on how the meeting should be held.

Commissioner Brown asked for talking points from staff about the decommissioning of the Leaburg Dam. He suggested to add the cost-of-service allocation to the list of topics. He asked if they could have county officials available to address transportation concerns. Mr. Lawson said they could also invite emergency management staff.

Commissioner Schlossberg wanted to ensure there was space for people to talk about other topics aside from the dam decommissioning. She suggested hosting an informal event. She said commissioners would like a staff person with them to help them answer questions.

Commissioner Carlson asked for a separate room where people could talk about Leaburg.

Vice President Barofsky said it could be helpful to have partners and local speakers give presentations.

President McRae supported holding an open house without presentations.

Mr. Lawson agreed with involving partners. He supported highlighting the rate design process at a high level. Anne Kah said they planned to make an informational flyer about various EWEB topics in advance and post the information online.



Commissioner Brown referenced the McKenzie River Reflections newspaper's information about the local septic system. He asked if they could present about that grant program.

Commissioner Carlson asked how many people had taken advantage of the loan program for generators. Mr. Lawson said staff will make sure they share information on different ways to be prepared in the upriver area.

President McRae recommended inviting US Department of Fish and Wildlife and the emergency manager at the County.

Commissioner Brown said we should be prepared to answer questions regarding the difference between Lane Electric's underground power and EWEB's power setup.

Mr. Price said staff was gathering ideas for how to communicate emergency information to people upriver. Vice President Barofsky suggested asking upriver residents.

#### **Future Board Agendas [2:47:38]**

Mr. Lawson asked if Commissioner Carlson was available for the upriver meeting.

#### **Board Wrap Up [2:48:19]**

President McRae was excited to have new audio equipment in the EWEB meeting room. Mr. Price hoped to have it installed this spring.

Commissioner Brown acknowledged University of Oregon students who attended that night's board meeting.

Commissioner Carlson asked how EWEB could utilize its partner assets to determine creative ways to provide food and shelter during adverse weather events. Mr. Lawson said EWEB was part of a resiliency task force, and he would follow up with Lane County. She also asked about the invitations for the McKenzie River trip. Mr. Lawson would follow up on the list.

Vice President Barofsky asked about the reservoir in south Eugene. Mr. Lawson said they were still commissioning it and were in communication with the Oregon Health Authority.

#### **Adjourn [2:53:28]**

President McRae adjourned the Regular Session at 8:39 p.m.

*Recorded by Laura Campbell, LCOG*

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Assistant Secretary

President

# EWEB Board Consent Calendar Request

*For Contract Awards, Renewals, and Increases*

The Board is being asked to approve a new contract with **Historical Research Associates, Inc.** for **Cultural Resource Studies and Technical Support for the Carmen-Smith Hydroelectric Project.**

Board Meeting Date: March 5, 2024  
Project Name/Contract #: Cultural Resource Studies and Technical Support / 24-002-Q  
Manager: Lisa Krentz Ext. 7408  
Executive Officer: Karen Kelley Ext. 7153

### Contract Amount:

Original Contract Amount: \$400,000  
Additional \$ Previously Approved: \$0  
Spend over last approval: \$0  
Amount this Request: \$400,000  
% Increase over last approval: NA  
Resulting Cumulative Total: **\$400,000 (over 5 years)**

### Contracting Method:

Method of Solicitation: Formal Request for Proposals (RFP)  
If applicable, basis for exemption: NA  
Term of Agreement: 5-Years (May 9, 2024 – June 30, 2029)  
Option to Renew? No  
Approval for purchases “as needed”: Yes  No   
Proposals/Bids Received (Range): 3 (\$378,000 to \$400,000)  
Selection Basis: Highest Ranked Proposer  
Narrative:

### Operational Requirement and Alignment with Strategic Plan

Managing EWEB-owned and managed properties associated with the Carmen-Smith Hydroelectric Project in compliance with FERC License requirements directly aligns with the Strategic Plan initiatives related to cost improvement and safe and reliable delivery of services as well as Organizational Goal #2 Compliance Adherence.

### Contracted Goods or Services

This firm will provide technical consulting services that support FERC required protections of cultural and historic resources as required in the Carmen-Smith Historic Properties Management Plan, Manual for Built Resources, including performing cultural and historic surveys and documentation, site or project monitoring, developing technical studies and reports, and providing recommendations related to cultural resource protection.

Purchasing Process

EWEB issued RFP 24-002-Q on January 2, 2024. The RFP responses were opened on February 1, 2024, and reviewed by staff. Proposers were required to demonstrate relevant experience in cultural resource services, archaeological field investigations and history preservation. Three (3) responses were received from the firms shown below. Historical Research Associates, Inc. was determined to be the most qualified and responsive bid.

Proposals Received

Vendor Name	City, State	Offered Price	Ranking (for RFPs)
Historical Research Associates, Inc. (HRA)	Missoula, Montana	\$400K for 5-years	1
SWA Environmental Consultants	Portland, Oregon	\$378K for 5-years	2
ASM Affiliates	Eugene, Oregon	Elected Not To Submit A Pricing Proposal	3

Prior Contract Activities

EWEB Contract	Project Name (Description)	Board Approved	Project Duration (Start to Close)	Original Amount	Approved/Amended Amount to Date (Total)	Reason Code
23-071-Q	College Hill Reservoir Replacement – Historic Mitigation Services	NA	April 14, 2023, to December 31, 2023	\$25,000	\$25,000	
22-030-PSC	Cultural Research Studies	NA	February 11, 2022, to December 31, 2024	\$125,000	\$125,000	
011-2019-Q	Cultural Resource Studies & Technical Support for Carmen-Smith	May 7, 2019	May 9, 2019, to May 8, 2024	\$250,000	\$469,000	AW

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

011-2019-Q - Several required projects were added including surveys conducted at Trailbridge Reservoir while drawn down for the sinkhole investigation, decommissioning the Trailbridge Crane, the addition of the Carmen Smith Load Bank and the spillway expansion at Smith Dam.

**ACTION REQUESTED:**

Management requests the Board approve a contract with Historical Research Associates, Inc. for Cultural Resource Studies and Technical Support for Carmen-Smith Hydroelectric Project. Approximately \$60,000 was planned for these services in the 2024 Carmen-Smith License Deployment budget of \$24.3 million. Variances will be managed within the budget process and Board policy.

## **EWEB Board Consent Calendar Request**

*For Contract Awards, Renewals, and Increases*

The Board is being asked to approve a new contract with **RiverBend Construction, Inc.** for the construction of **Phase 1 of the ROC Expansion/Bertelsen Annex Project.**

Board Meeting Date:	March 5, 2024	
Project Name/Contract #:	ROC Expansion/Bertelsen Annex / 24-003-PW	
Manager:	Scott Milovich	Ext. 7408
Executive Officer:	Karen Kelley	Ext. 7153

### **Contract Amount:**

Original Contract Amount:	\$2,836,000
Additional \$ Previously Approved:	\$0
Spend over last approval:	\$0
Amount this Request:	\$2,836,000
% Increase over last approval:	NA
Resulting Cumulative Total:	<b>\$2,836,000</b>

### **Contracting Method:**

Method of Solicitation:	Formal Invitation to Bid
If applicable, basis for exemption:	NA
Term of Agreement:	Completion by December 2, 2024
Option to Renew?	No
Approval for purchases "as needed":	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Proposals/Bids Received (Range):	5 (\$2,835,899-\$3,549,108)
Selection Basis:	Lowest Responsive and Responsible Bidder
Narrative:	

### Operational Requirement and Alignment with Strategic Plan

The Roosevelt Operations Center (the ROC) is EWEB's primary operational facility and is an essential asset in providing EWEB's critical functions. In May 2021, EWEB negotiated the purchase of the property adjacent to the Roosevelt Operations Center at the corner of Roosevelt Blvd. and Bertelsen Rd., with the intent of expanding the ROC's operational resiliency, capacity, and efficiency.

### Contracted Goods or Services

If approved, RiverBend Construction, Inc. will develop the first phase of the Bertelsen property in accordance with the master plan. Per design specifications, construction will include a new exterior laydown yard with access road, security fencing, site prep, grading, lighting and associated utility work. RiverBend Construction, Inc. will also provide construction management & project work oversight, and coordinate with the owner/owner's representative on site improvements & permitting requirements.

Purchasing Process

In January 2024, EWEB purchasing staff initiated a Formal Invitation to Bid (ITB) process for the ROC Expansion/Bertelsen Annex . The ITB was advertised in the State of Oregon’s procurement site, OregonBuys, and in the Portland Business Tribune. Five (5) bids were received, and RiverBend Construction, Inc was the lowest responsive and responsible bid.

Proposals/Bids Received

Vendor Name	City, State	Offered Price
RiverBend Construction	Eugene, OR	\$2,835,899
Wildish Construction	Eugene, OR	\$2,863,000
Delta Construction	Eugene, OR	\$2,910,497
Pacific Excavation	Eugene, OR	\$3,261,100
Knife River	Tangent, OR	\$3,549,108

Competitive Fair Price (If less than 3 responses received)

Not applicable

Prior Contract Activities

EWEB Contract	Project Name (Description)	Board Approved	Project Duration (Start to Close)	Original Amount	Approved/Amended Amount to Date (Total)	Reason Code
19-145	¾ Minus Gravel	1/7/19	1/2020-1/2024	\$250,000	\$500,000	AM
23-064	Rock Materials	2/6/24	2/2024-2/2028	\$125,000	\$500,000	AM

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

19-145: The increase is based on actual usage, increased maintenance, infrastructure work and the increase of costs seen throughout the industry.

23-064: Contract 19-145 was merged with Contract 23-064 to streamline the ordering process and available funds from Contract 19-145 were added to Contract 23-064 with the Board’s approval at the February 2024 Board meeting.

**ACTION REQUESTED:**

Management requests the Board approve a contract with RiverBend Construction, Inc. for the construction of Phase 1 of the ROC Expansion/Bertelsen Annex Project. Approximately \$4.3 million was planned for this work in the 2024 Type 2 Buildings and Land Capital Budget. Variances will be managed within the budget process and Board policy.