



TO: Commissioners Barofsky, Schlossberg, Brown, Carlson, and Morris
FROM: Frank Lawson, CEO & General Manager; Anne Kah, Chief Administrator & Asst. Corporate Secretary
DATE: July 1, 2025 (July 8, 2025, Board Meeting)
SUBJECT: **Resolution No. 2514** Restricting Use of EWEB Billing and Collections
OBJECTIVE: Action via Consent Calendar

Issue

Resolution No. 2514 shall limit the use of EWEB's billing and collection services to electricity, drinking water, and/or services required by City Charter or applicable law through June 30, 2029.

Background

On April 6th, May 1st and June 3rd of this year, in public session, the Eugene Water & Electric Board deliberated issues pertaining to the use of EWEB's billing and collection system for non-utility and/or non-charter-required fees, including recent inquiries from the City of Eugene.

Discussion

Resolution No. 2514 is the product of Board "Action" on June 3, 2025, directing staff to develop a resolution limiting the use of EWEB's billing and collection services to EWEB business, and/or services required by City Charter or applicable law through June 30, 2029.

On June 3, 2025, in public session, Commissioners discussed the differences between providing guidance using either Board Policy or Resolution. Management's perspective is provided for supplemental context.

Board Policy is useful when developing "lasting" governance that will survive present Board composition and remain in effect until modified or revoked by future majority vote. This is particularly useful when dealing with long-term guidance or when a recurring set of circumstances may arise. Contrastingly, a Resolution generally deals with a specific issue or action and provides the opportunity for the Board to communicate relevant criteria and context, and to place constraints on the decision or action or direction (e.g. time limits). A resolution is more descriptive and communicates context that a simple "Action" doesn't without review of video or material records.

In the case of a non-required fee appearing on an EWEB bill, the Board's direction to staff to use a Resolution is useful, as it provides the opportunity to explain the collective reasoning for limiting non-required fees (EWEB's modernization efforts and the near-term opportunity costs of delaying important strategic and customer work) and places a time frame for which this limitation exists. So, while it is true that future Boards can revoke or modify both Resolutions and Policy, the use of Resolution No. 2514 will frame the criteria of which the direction is provided, while re-opening the issue for consideration once that criteria (and resolution) have expired.

Requested Board Action

Resolution No. 1524, as directed by the Board, is presented for approval via the Consent Calendar.

**RESOLUTION NO. 2514
JULY 2025**

**EUGENE WATER & ELECTRIC BOARD
EWEB BILLING AND COLLECTION SERVICES**

WHEREAS, the Eugene Water & Electric Board (EWEB) is a customer-owned municipal utility chartered to operate and maintain the Electric Utility and Water Utility systems; and

WHEREAS, authority for the powers and functions vested in the Eugene Water & Electric Board is established by Chapter 10, Section 44, of the Charter of the City of Eugene, (1976), as amended; and

WHEREAS, EWEB is governed by an independent Board of Commissioners elected by the citizens of Eugene; and

WHEREAS, the Eugene City Council may require EWEB to bill and collect the city service charges for collecting and disposing of liquid and solid wastes (otherwise known as stormwater and wastewater charges); and

WHEREAS, EWEB is not required to bill and collect for third party services not specified by law or City Charter; and

WHEREAS, EWEB has received requests to bill and collect non-utility fees on behalf of the City of Eugene; and

WHEREAS, the Board directed staff to investigate the present capabilities and limitations of EWEB's systems and processes related to billing and collection of third-party non-utility fees; and

WHEREAS, as a municipal entity, EWEB may not refuse to render an authorized service because of some collateral matter not related to that particular service; and

WHEREAS, billing and collection of a non-utility fee requires a separate collection system and process to exclude said fee from the utility disconnection process for non-payment; and

WHEREAS, the implementation of billing and collection of non-utility fees requires significant information technology and financial resources, as well as opportunity costs impacting utility operations and project schedules, including but not limited to, the modernization and upgrading inclusive of the EWEB Enterprise Solutions (EES) project and related customer services; and

WHEREAS, it is imperative that EWEB complete the multi-year initiative to modernize its major information technology systems in an expeditious manner; the estimated duration of this endeavor is four years; and

WHEREAS, by establishing an expiration date for this Resolution, the issue will be reopened for consideration upon expiration without Board action; the sitting Board may decide whether or not to deliberate on the matter at that time;

NOW, THEREFORE BE IT RESOLVED, given the organizational priorities, including but not limited to the modernization of EWEB's information systems, the Eugene Water & Electric Board shall limit the use of its billing and collection services to EWEB related business, and/or services required by City Charter or applicable law through June 30, 2029, unless this Resolution is repealed.

Dated this 8th day of July 2025.

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

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 July 8, 2025 Board meeting.

Assistant Secretary