



MEMORANDUM

EUGENE WATER & ELECTRIC BOARD



TO: Commissioners Barofsky, Schlossberg, Brown, Carlson, and Morris

FROM: Brian Booth, Chief Energy Resources Officer; Megan Capper, Energy Resources Manager; Jonathan Hart, Power Planning Supervisor; Ben Ulrich, Lead Energy Resource Analyst

DATE: February 4th, 2025

SUBJECT: 2025 Organizational Goal #3: Revision to Bonneville Power Administration Product Selection Timeline/Board Meeting Schedule

OBJECTIVE: Information Only – Also in Support of agenda item and memorandum *“Bonneville Power Administration ‘Provide of Choice’ Contract Decision Framework”*

Issue

Staff are working to complete EWEB’s 2028 Bonneville Power Administration (BPA) Provider of Choice product selection process. Consistent with recent recommended changes to the Board Agenda Report, this memo contains a revised timeline for Board interaction along with additional milestones to ensure adequate review of analysis and recommendation material.

Background

BPA has requested that northwest publics, including EWEB, notify them of their 2028 Provider of Choice product selection no later than July of this year. Since early 2024, staff have been working to complete a comprehensive analysis of proposed BPA power contract products to determine the best fit for EWEB and its customers. During this time, staff have met multiple times with the Board to educate on BPA’s products and processes, provide updates on analytical findings, and to seek feedback and comment.

Discussion

Staff have adjusted the Board’s agenda to provide more opportunities for the Board to communicate with staff on the BPA product decision. Please see these revisions below in Figure 1.

Figure 1: Revised BPA Product Timeline

Board Agenda Item(s)	Former Timeline	Meeting Type	New Timeline	Meeting Type
New Updated Timeline and Decision Framework			2/4/2025	Regular Meeting
New Demand Side Potential Assessment (DSPA) Study Initial Findings			3/18/2025	Work Session
Energy Resource Study – BPA Product Contract/Resource Results	3/18/2025	Work Session	4/15/2025	Work Session

Initial BPA Product Recommendation/Reasoning	4/1/2025	Regular Meeting	5/6/2025	Regular Meeting
Final GM BPA Product Recommendation	6/3/2025	Regular Meeting	6/17/2025	Special Session
Resolution: GM Authorization to Execute Contract(s)	10/7/2025	Regular Meeting	7/8/2025	Regular Meeting

Recommendation and Requested Board Action

This memorandum is provided as information in concert with agenda item and memorandum *“Bonneville Power Administration “Provide of Choice” Contract Decision Framework”*



MEMORANDUM

EUGENE WATER & ELECTRIC BOARD

Rely on us.

TO: Commissioners Barofsky, Schlossberg, Brown, Carlson, and Morris
FROM: Anne Kah, Administrative Services Manager; Frank Lawson, General Manager/CEO
DATE: January 29, 2025 (February 4, 2025 Board Meeting)
SUBJECT: Review of EWEB Bylaws
OBJECTIVE: Information/Direction

Issue

Article XII, Section 2 of the EWEB Bylaws states that “The Bylaws will be reviewed during the first three months following the swearing-in of elected commissioners”.

EWEB may amend the Bylaws by a majority vote of the Board after fulfilling public notification and other requirements specified in Article XII, Section 1. The Bylaws were last amended on April 4, 2023 by Resolution No. 2308.

Discussion

A copy of the Bylaws is included as correspondence for the February 4, 2025 board meeting. Management recommends amending Article VII, Section 2 to include new statutes pertaining to public meetings (ORS 192.610 to 192.705). The new laws relate to public meeting training requirements and procedures for handling grievances. The proposed edit appears in red-line text attached herein.

Management requests that Commissioners review the complete Bylaws and provide feedback to Anne Kah, Administrative Services Manager by February 17, 2025. All responses will be provided in a board backgrounder for the March 4, 2025 meeting where Management will seek your direction on proposed revisions. If the Board indicates a desire to amend the Bylaws, the proposed amendment will be posted publicly for the required 14-day period and then placed on the April 1, 2025 consent calendar for Board action.

Recommendation

Review Bylaws and provide recommendations to Anne Kah, Administrative Services Manager by February 17, 2025.

Requested Board Action

No formal Board action or decision is requested at this time.

Attachment: EWEB Bylaws approved April 4, 2023, with proposed amendment displayed in red.

Eugene Water & Electric Board Bylaws

ARTICLE I

Section 1.

The name of this organization is the Eugene Water & Electric Board.

Section 2.

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.

Section 3.

The Eugene Water & Electric Board is defined as a political subdivision of the City of Eugene, a municipal corporation.

ARTICLE II

Section 1.

The principal purpose of the Eugene Water & Electric Board is to benefit the citizens of Eugene by providing water, electric and other physical energy services to its customers while maintaining cost based rates in accordance with ORS Chapter 225.

ARTICLE III

Section 1.

The Eugene Water & Electric Board shall comply with all applicable federal, state, and local laws and regulations relating to its activities.

ARTICLE IV

Section 1.

The Board is composed of five electors of the city who shall serve without pay.

Section 2.

Eugene Code 2.966 (3) provides that, "In 1978, and every fourth year thereafter, two members shall be elected to the Eugene Water & Electric Board, one from Wards 4 and 5 and one from the city at large. In 1980, and every fourth year thereafter, three members shall be elected to the Board, one from Wards 1 and 8, one from Wards 2 and 3, and one from Wards 6 and 7."

ARTICLE V

Section 1.

The officers of the Board shall be president and vice president. The president and vice president will be elected annually. The Board shall appoint a general manager-secretary and fix their compensation and conditions of employment. The general manager-secretary shall designate an assistant secretary, treasurer, and assistant treasurer.

Section 2.

Consultants to the Board shall be approved through Board ratification upon recommendation by the general manager-secretary as provided by policy adopted by the Board.

ARTICLE VI

Section 1.

The function of the president is to preside over all meetings of the Board. The Board shall conduct meetings in accordance with Board policies. If the Board is unable to resolve procedural issues, the Board shall use Robert's Rules of Order. The president's role shall be primarily procedural, and the president shall have no greater vote on substantive matters than other members of the Board. The president will also represent the Board as required within the community and coordinate among the Board as necessary in the conduct of Board functions.

Section 2.

The function of the vice president is to perform the duties and responsibilities of the president in their absence or as agreed upon by the Board.

Section 3.

The general manager-secretary shall report to the Board as a whole and is responsible for implementing policies and directions established by the Board. The general manager-secretary acts as chief executive officer of the organization and shall have all authority to: operate all utilities, hire, appoint, terminate or remove employees, organize and, as the general manager-secretary deems necessary, disband and reorganize departments, act as contracting and purchasing agent for EWEB and award contracts within their delegation of authority and for which there is an appropriation (except as otherwise provided in EWEB Purchasing Policies), prepare budgets, and enforce resolutions of the Board. The general manager-secretary shall also be responsible for preparing reports requested by the Board, representing the utility to the public, other agencies and organizations, and performing such other duties as the Board directs. The general manager-secretary may lawfully delegate any or all of the responsibilities within their authority.

ARTICLE VII

Section 1.

The organizational meeting of the Board will be held at the first regular meeting of each calendar year. The primary purpose of the organizational meeting is the election of Board officers and other routine annual business.

Section 2.

The Oregon form of government requires an informed public aware of the deliberations and decisions of public bodies and the information upon which such decisions were made. It is the intent that Board decisions be approved openly. Except as otherwise provided by law: all meetings of the Board shall be open to the public and all persons shall be permitted to attend, no quorum of the Board shall meet in private for the purpose of deciding on or deliberating toward a decision on any matter; an executive session may be held only for those purposes allowed by law (ORS 192.610-.~~705690~~).

Section 3.

In accordance with applicable State and Federal laws, Commissioners shall not use or attempt to use their official position or office to obtain financial gain or avoid financial detriment. Commissioners shall follow requirements of applicable law as to announcing conflicts of interest or potential conflicts of interest, and requirements for refraining from discussion, debate, or voting in matters where an actual conflict exists. Commissioners shall abide by applicable laws on gifts, pledges or promises of employment, personal gain through use of confidential information, and prohibitions on representation of others before the Board. The Board may from time to time utilize Board policies or guidelines on conflicts of interest and other ethical standards.

Section 4.

A commissioner shall not qualify for employment at EWEB while serving on the Board and for twelve months after serving on the Board.

ARTICLE VIII

Section 1.

A quorum shall consist of a majority of members of the Board.

Section 2.

In order to pass a resolution, motion, or other measure, an affirmative vote of a majority of members of the Board is required.

ARTICLE IX

Section 1.

Should a vacancy occur on the Board, the remaining Commissioners will appoint a qualified elector to fill such vacancy. The appointment shall be made within 90 days. (Eugene Charter Section 24)

Section 2.

Attendance at all meetings of the Board is required of Commissioners. Prior notification of absence should be given to the Board or the general manager-secretary whenever possible. The Board shall have power to declare vacant the office of a member who shall absent themselves from three consecutive regular meetings without an excuse satisfactory to the Board (Eugene Code 2.205).

ARTICLE X

Section 1.

The regular meeting of the Board will be held at 5:30 p.m. on the first Tuesday of each month, unless that Tuesday falls on or generally conflicts with a national holiday in which case the meeting may be on the next business day or on another Tuesday in that month. If an additional regular meeting is required, the general preference will be to hold that meeting at 5:30 p.m. on the third Tuesday of the month. The Board President and the General Manager-Secretary may reschedule these meetings, schedule additional meetings, or cancel any meeting of the Board by mutual agreement.

ARTICLE XI

Section 1.

All regular and special meetings of the Board shall be held whenever possible within the utility service district. (ORS 192.630(4))

ARTICLE XII

Section 1.

These Bylaws may be amended or altered by a majority vote of the Board. The proposed amendment or alteration shall be submitted to all other members of the Board in writing at least ten days before the meeting at which they are to be considered. For fourteen (14) days prior to the proposed adoption of any amendment or alteration, it shall be available for public inspection on EWEB's website. A paper copy of the amendment or alteration shall be provided at no cost, upon request. Notification of the proposed amendment or alteration, the time and place of the meeting at which the proposal is to be adopted, and notice of its availability for public inspection shall be published once in a newspaper of general circulation in the city of Eugene at least fourteen (14) days before the meeting at which the amendment or alteration is to be adopted, or shall be published or disseminated by such alternate method as will provide reasonable notice to the public of such proposal. At the meeting, reasonable opportunity for public comment will be afforded.

Section 2.

The Bylaws will be reviewed during the first three months following the swearing-in of elected commissioners.

Adopted: 01/12/79

Amended: 09/12/83; 03/25/91; 04/12/93; 06/09/97; 06/02/98; 05/17/05; 07/19/11; 06/04/13,
01/06/15; 04/06/21; 04/04/23



MEMORANDUM

EUGENE WATER & ELECTRIC BOARD

Rely on us.

TO: Commissioners Barofsky, Schlossberg, Brown, Carlson, and Morris
FROM: Sarah Gorsegner, Business Continuity Manager, Frank Lawson, General Manager
DATE: February 4, 2025
SUBJECT: Resiliency Policy Reporting for 2024
OBJECTIVE: Informational Only

Issue

EWEB is committed to providing essential Electric and Water Services to the community. To limit the likelihood, magnitude, and duration of disruptive events—whether acute or developing over time—EWEB is dedicated to planning and implementing a comprehensive resiliency program.

Background

In August 2023, the Board approved Board Policy SD22, which outlines guidance for four categories of resiliency:

- Infrastructure and Systems
- Workforce
- Finance
- Community

The policy directs the organization to incorporate resiliency considerations into Strategic Plans, Long-Term Financial Plans, Capital Improvement Plans, annual budgets, and organizational goals. Implementing this policy requires risk mitigation, recovery plans for major threats, and completing Triple-Bottom-Line (TBL) assessments that include resiliency criteria when evaluating alternatives. The policy also mandates an annual report to the Board summarizing the status of strategic initiatives and annual goals associated with policy implementation.

Discussion

EWEB's 2024 Organizational Goals included efforts to improve resiliency. These priorities focused on maintaining and enhancing business operations, as well as reducing the likelihood, magnitude, and duration of disruptive events through risk mitigation, emergency preparedness, and recovery strategies impacting business operations and the delivery of Products and Services.

Key Initiatives in 2024

1. SAP Finance and Customer Systems Go Live

On December 2, 2024, EWEB launched its Financial and Customer Systems. The EWEB Enterprise Solutions project modernized aging enterprise applications nearing the end of their lifecycle. The integrated application supports reliable, real-time decision-making. Updates include the Outage Management System and Customer Portal, which enhance EWEB's ability to respond to emergencies and disruptive events.

2. Energy Planning

EWEB is engaging in energy planning to meet future demand while aligning with customer choice and maintaining high-quality delivery. By anticipating consumption shifts and integrating customer preferences (e.g., renewable energy options or demand-side management programs), EWEB is crafting a responsive and resilient energy strategy.

A central component of this effort is the Integrated Resource Plan (IRP), which balances supply and demand, evaluates long term generation sources and distribution needs, and incorporates customer-driven solutions. Additionally, EWEB is evaluating BPA products in preparation for a contract that will begin October 1, 2028.

3. Rate Design Planning

A horizontal Team is developing a rate design strategy that will align future fiscal obligations, customer preferences, and grid infrastructure planning to ensure financial health while maintaining customer trust. The analysis and roadmap will consider fixed versus variable charges, time-of-use pricing, integrating demand response programs, grid modernization, and customer engagement strategies to balance operational costs and long-term investments.

4. Operational System Improvements

EWEB has invested in critical infrastructure to ensure resilient service delivery. Key projects include:

- **Water Storage Tanks:** New seismically resilient drinking water storage tanks near East 40th Avenue were completed in March 2024. Replacement of the College Hill Reservoirs with two new seismically resilient drinking water storage tanks is underway.
- **Emergency Water Station:** A sixth emergency water distribution site opened in October 2024 near the YMCA.
- **Willamette Water Treatment Plant:** Early design for a redundant water source on the Willamette River is underway, with construction expected to begin in 2026 or later.
- **Curin Substation:** Rebuilt and placed back into service in Q4 2024, enhancing grid reliability.
- **Smart Meter Deployment:** By Q3 2024, 98% of customers had smart electric meters, and 85% had smart water meters, supporting efficiency and resilience.
- **Generation Resource Management:** Significant investments in infrastructure, including turbine rebuilding at Carmen Powerhouse and control system upgrades at Trail Bridge, were completed. Natural resource enhancements also advanced.

5. Resiliency Program Development

EWEB's Business Continuity Leadership Team evaluated the Board's Resiliency Policy in 2024, identifying well-developed areas and gaps. Key priorities for further development include:

- **Infrastructure and Systems:** Conducting a Business Impact Analysis (BIA) to prioritize investments and mitigate risks.
- **Workforce:** Building bench strength and capacity to retain staff and minimize burnout.
- **Finance:** Aligning rate-making with resiliency efforts and ensuring operational continuity of Financial Systems.
- **Community:** Enhancing public safety communication and addressing the needs of vulnerable populations.

A BIA will inform emergency preparedness efforts, identify system vulnerabilities, and establish priorities for recovery and investment. The scope includes workforce disruptions, natural hazards, cyber events, and financial interruptions. Catastrophic events, such as massive earthquakes, will remain out of scope but will benefit from broader program improvements.

TBL Assessment

None required for this reporting program update.

Recommendation

Management plans to provide an annual update in Q1 summarizing progress on implementing the policy.

Requested Board Action

No action requested; informational only.



MEMORANDUM

EUGENE WATER & ELECTRIC BOARD

Rely on us.

TO: Commissioners Barofsky, Schlossberg, Brown, Carlson, and Morris
FROM: Jason Heuser, Public Policy and Government Affairs Program Manager
DATE: January 24, 2025
SUBJECT: February 2025 State Legislative Update
OBJECTIVE: Information

Issue

EWEB monitors, influences, and strategically plans around legislative and regional policy issues.

Background

The Board adopts general policy directives for advocacy on legislation and other public policy matters, which guide the work of EWEB's lobbying activities. When political considerations test the applicability of those directives, the General Manager makes a determination as to whether a fundamental shift in direction is required. The Board may be asked to reaffirm policy directives or direct staff to make necessary adjustments.

Discussion

The Oregon Legislature convened on January 21 for the start of 2025 Oregon Legislative Session. Just a few days into the session there is little to report on the topics and recommendations included in the December Legislative Agenda and informational update correspondence. However, after initial review of 2500 bills introduced at the start of the session EWEB staff have identified the following additional bills for advocacy and/or monitoring. Several additional bills should be expected for inclusion in the March legislative update as new bills are introduced in the coming weeks and further staff review and analysis conducted on the multitude of bills already introduced.

SB 427 – Prohibition on water use changes that reduce streamflow – Oppose unless amended

This bill would prohibit water transfers and other proposed changes related to the appropriation or use of water that will result in the diminishment of streamflow. This bill has not received a hearing and the intent of this bill is not well understood to water users. EWEB staff have identified impacts from the bill as currently drafted that could produce significant obstacles to EWEB's effort to successfully operate a future Willamette Water Treatment Plant and diversify Eugene's water supply. EWEB staff recommends opposing this legislation unless it can be amended to address these impacts.

SB 215 – State Nuclear Siting Moratorium Repeal -- Monitor

This bill would repeal Oregon law enacted in 1981 that requires there to be a federal repository for radioactive waste to be disposed of before a nuclear power plant may be sited in Oregon. SB 215 differs from

previous bills introduced in past sessions in that it would also eliminate a requirement that the siting of any nuclear power plant be approved statewide by the voters of Oregon. However, if enacted by the legislature, SB 215 would have a requirement under the state constitution that the components of the bill would require one approval statewide by Oregon voters.

SB 634 – Authorizes Legacy Hydropower to Qualify for Oregon RPS – Monitor

On principle this bill makes sense in authorizing legacy hydropower (pre-1995) to qualify for the Oregon Renewable Portfolio Standard (RPS), hydropower is deserving of the same status as other clean energy sources. However, the Oregon RPS has numerous components that were negotiated and calibrated to work together in pursuit of specific statewide goals. Changes in the definition of qualifying renewable electricity in the RPS statute (ORS 469A) would necessitate consideration of other changes in the statute in order to keep intact the goals of the Oregon RPS. SB 634 though is only a standalone change to the qualifying electricity definition in the RPS without consideration for the other components of the Oregon RPS and could have unintended consequences.

SB 635 – OSU Nuclear Study – Monitor

This bill would direct Oregon State University (OSU) to conduct a feasibility study on nuclear energy generation in Oregon. OSU has a school of Nuclear Science and Engineering and is home to the TRIGA Reactor (OSTR), a water-cooled, Mark III research reactor with graphite shielded core, designed to provide intense radiation fluxes for research and isotope production. The reactor is licensed by the U.S. Nuclear Regulatory Commission.

HB 2038 – ODOE Nuclear Study – Monitor

This bill would require the Oregon Department of Energy to study nuclear energy, including nuclear waste disposal from nuclear energy.

HB 2410 – Umatilla County Small Modular Nuclear Reactor Demonstration Project – Monitor

This bill would allow the Oregon Energy Facility Siting Council (EFSC) to issue a site certificate for a small modular reactor energy facility demonstration project in Umatilla County, potentially as part of a microgrid. The bill would require that a site certificate be contingent on approval from Umatilla County voters. It is unclear whether HB 2410 would comport with Oregon's nuclear siting moratorium.

Note: HB 2410 has been initiated by the Umatilla County Board of Commissioners. Umatilla Electric Cooperative (UEC) reports that they are not involved in this effort at this time.

HB 2566 – Community Renewable Energy Program eligibility for resiliency-only projects – Support

The Oregon Community Renewable Energy Program was authorized in 2021 and has provided almost \$50 million in planning and/or construction grants to renewable energy and energy resiliency projects around Oregon outside of Portland (Portland has a local Renewable Energy grant program and was not included in the state program in order to distribute project funding across geography and demographics where need and challenges were greater). The scope of CREP was already expanded once since its inception to include more than renewable energy -- allowing standalone energy storage without generation -- HB 2566 would allow the Oregon Department of Energy to provide some funding to grid-resiliency projects that do not include a renewable generation or storage component. This additional flexibility would provide opportunities for a wider range of statewide use cases and meet differing local energy resiliency needs within Oregon

HJM 10 – Resolution to Congress on role of Bonneville Power Administration – Neutral, Possible Informational Testimony.

This bill would request the United States Department of Energy and the United States Congress to support the Bonneville Power Administration in providing cleaner, more affordable and more reliable energy to all consumers in the Pacific Northwest. The sponsor of this legislation is a Portland legislator -- 100 percent of his constituents are customers of Portland General Electric or Pacific Power. A joint memorial is an expression of an opinion from the state legislature that is shared with Congress and the Federal Executive Branch.

EWEB staff will be gathering more information on the intent of this bill – if deemed necessary to ensure legislators have good information and context on this topic, EWEB staff will plan to provide informational testimony about the Bonneville Power Administration, the Federal Northwest Power Act, and the purpose and history of the federal hydro system and preference rights for consumer-owned utilities in the region. Notably, the NW Power Act already includes provisions that require the federal hydro system to provide benefits to all electric ratepayers in the region.

Recommendation/Requested Board Action

These are informational updates, and no action is required at this time.