

SEWERAGE & WATER BOARD OF NEW ORLEANS

GOVERNANCE COMMITTEE MEETING

WEDNESDAY, AUGUST 8, 2018

1:00 PM

6 2 5 S T . J O S E P H S T R E E T

S E C O N D F L O O R B O A R D R O O M 2 4 0

Ralph Johnson, Chair • Robin Barnes, Vice Chair • Andrew Amacker • Lynes Sloss

FINAL AGENDA

INFORMATION ITEMS

1. Overview of Committee Roles and Responsibilities
2. Update on Task Force on New Orleans Sewerage, Water and Drainage utilities (HR No. 193)
3. Update on Act 366
4. Update on Billing
5. Update on August 5th Claims and Tolling Arrangements

PUBLIC COMMENTS

ADJOURNMENT

2018 Regular Session

HOUSE RESOLUTION NO. 193

BY REPRESENTATIVE HILFERTY

A RESOLUTION

To create the Task Force on New Orleans Sewerage, Water, and Drainage Utilities to study issues related to the management of sewerage, water, and drainage facilities and services in the city of New Orleans and to provide a written report of findings and recommendations regarding the best strategies and procedures for the management of such facilities and services to the mayor of the city of New Orleans, the New Orleans City Council, and the members of the Orleans Parish legislative delegation not later than January 31, 2019.

WHEREAS, Act No. 6 of the 1899 Extraordinary Session of the Louisiana Legislature created the New Orleans Sewerage and Water Board to furnish, construct, operate, and maintain a water treatment and distribution system and a sanitary sewerage system for the city of New Orleans; and

WHEREAS, in 1903, the Drainage Commission of the city of New Orleans was merged with the Sewerage and Water Board in order to consolidate drainage, water, and sewerage programs under one agency for more efficient operations; and

WHEREAS, as the population of the city of New Orleans grew rapidly over the next one hundred years, the Sewerage and Water Board faced many new challenges in its attempt to provide efficient sewerage, water, and drainage services to the city's residents; and

WHEREAS, in 2005, Hurricane Katrina severely damaged the facilities of the Sewerage and Water Board, and the board has had to contend with rebuilding those facilities and making necessary infrastructure improvements; and

WHEREAS, costs associated with providing sewerage, water, and drainage services to the city's residents continue to escalate, and the city's population is again on the rise; and

WHEREAS, over the last several years, many residents, business owners, and local officials have questioned whether the Sewerage and Water Board is the best entity to manage sewerage, water, and drainage facilities and services in the city of New Orleans; and

WHEREAS, suggestions abound regarding the best management options for the city's sewerage, water, and drainage facilities and services, including but not limited to public-private partnerships, granting control to the city, or allowing the Sewerage and Water Board to retain control; and

WHEREAS, there is an urgent need for a comprehensive review of the management options for sewerage, water, and drainage facilities and services in the city of New Orleans, including a review of the state law governing the Sewerage and Water Board, as provided in R.S. 33:4071 et seq., so that the residents of the city can have confidence that such facilities and services are being managed as efficiently as possible.

THEREFORE, BE IT RESOLVED that the House of Representatives of the Legislature of Louisiana does hereby create the Task Force on New Orleans Sewerage, Water, and Drainage Utilities to study issues related to the management of sewerage, water, and drainage facilities and services in the city of New Orleans and to provide a written report of findings and recommendations regarding the best strategies and procedures for the management of such facilities and services to the mayor of the city of New Orleans, the New Orleans City Council, and the members of the Orleans Parish legislative delegation not later than January 31, 2019.

BE IT FURTHER RESOLVED that the task force shall be composed of the following members:

- (1) The mayor of the city of New Orleans or his designee.
- (2) The chairperson of the Public Works, Sanitation and Environment Committee of the New Orleans City Council or his designee.
- (3) A representative of the New Orleans chapter of the Louisiana Engineering Society designated by the president of the chapter.
- (4) The general superintendent of the New Orleans Sewerage and Water Board or his designee.
- (5) A representative of the New Orleans Metropolitan Convention & Visitors Bureau designated by the president of the bureau.

- (6) A representative of the Business Council of New Orleans and the River Region designated by the chair of the council.
- (7) A representative of the New Orleans Office of Inspector General designated by the inspector general.
- (8) A member of the New Orleans Board of Liquidation, City Debt designated by the board.

BE IT FURTHER RESOLVED that mayor or his designee shall serve as the chairman of the task force and the chairperson of the Public Works, Sanitation and Environment Committee of the New Orleans City Council or his designee shall serve as the vice chairman.

BE IT FURTHER RESOLVED that the chairman shall call the first meeting of the task force, and the meeting shall be held no later than August 1, 2018.

BE IT FURTHER RESOLVED that all representatives and designees shall be named no later than July 1, 2018.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the mayor of the city of New Orleans, the New Orleans City Council, and the members of the Orleans Parish legislative delegation.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

SENATE BILL NO. 227

BY SENATOR MORRELL AND REPRESENTATIVES BAGNERIS, BOUIE,
GAROFALO AND JIMMY HARRIS

AN ACT

To amend and reenact R.S. 33:4071(A)(1), (2)(a), (4), and (5), 4074, and the introductory paragraph of 4091(C) and to enact R.S. 33:4091(C)(8), (D), and (E), relative to the city of New Orleans; to provide relative to the Sewerage and Water Board of New Orleans; to increase the membership of the board; to provide for the mayor's designee; to provide with respect to the content and due date for quarterly reports of the board; to provide for an effective date; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:4071(A)(1), (2)(a), (4), and (5), 4074, and the introductory paragraph of 4091(C) are hereby amended and reenacted and R.S. 33:4091(C)(8), (D), and (E) are hereby enacted to read as follows:

§4071. Creation and organization of sewerage and water board

A.(1) The public water system, the public sewerage system, and the public drainage system of the city of New Orleans shall be constructed, controlled, maintained, and operated by a sewerage and water board to be composed as follows:

(a) The mayor.

(b) **The chair of the Public Works, Sanitation and Environment Committee of the New Orleans city council, a member of the committee appointed by the chair, or a civil engineer appointed by the chair. Any member appointed by the chair shall serve at the pleasure of the chair.**

(c) Two syndicate members of the board of liquidation, city debt, to be appointed by the mayor on the recommendation of the board of liquidation, city debt.

~~(e)~~(d) **Eight Seven** citizens, to be appointed by the mayor, with the advice and consent of the city council from a list of nominees submitted by the Sewerage and Water Board Selection Committee.

(e) The members appointed pursuant to Subparagraphs (b) and (c) and (d) of this Paragraph shall include one citizen from each of the five council manic districts within the city of New Orleans. In addition, two of the appointments shall be consumer advocates with community advocacy or consumer protection experience or experience in a related field, and one of the appointments shall be a retired civil engineer.

(2)(a) For purposes of this Section, the Sewerage and Water Board Selection Committee, hereinafter referred to as the "selection committee", is hereby created to be comprised as follows:

(i) The president of Dillard University or ~~his~~ **the president's** designee.

(ii) The president of Loyola University or ~~his~~ the president's designee.

(iii) The president of Tulane University or ~~his~~ **the president's** designee.

(iv) The president of Xavier University or ~~his~~ **the president's** designee.

(v) The chancellor of Delgado Community College or his **the chancellor's** designee.

(vi) The chancellor of University of New Orleans or his **the chancellor's** designee.

(vii) The chancellor of Southern University at New Orleans or ~~his~~ **the**
chancellor's designee.

(viii) The chair of the board of directors of the New Orleans Chamber of Commerce or ~~his~~ **the chair's** designee.

(ix) The president of the board of directors of the New Orleans Regional Black Chamber of Commerce or ~~his~~ **the president's** designee.

(x) The chair of the board of directors of the Urban League of Greater New Orleans or ~~his~~ **the chair's** designee.

* * *

(4)(a) For members appointed pursuant to Subparagraphs (A)(1)(b) and (c) and (d) of this ~~Section~~ Subsection, the terms of office shall be four years after initial terms as provided in Subparagraph (b) of this Paragraph. A member shall serve no more than two consecutive terms of office.

(b) ~~Two~~ **Three** members shall serve an initial term of one year; ~~two~~ **three** members shall serve an initial term of two years; ~~two~~ **three** members shall serve an initial term of three years; and two members shall serve an initial term of four years, as determined by lot at the first meeting of the board.

(5) If the mayor is unable to attend a meeting of the sewerage and water board, ~~he~~ **the mayor** may be represented at ~~any such~~ **the board** meeting by a person designated by the mayor who shall be an unclassified member of the mayor's administration. ~~Any such~~ **The** person shall have all rights and powers granted to the mayor with regard to any such **board** meeting ~~and shall have~~ **including** the right to vote ~~for or in the stead of the absent mayor. In addition, any such person~~ **and** shall be counted for purposes of a quorum.

* * *

§4074. Meetings of the board

All meetings of the board shall be held in accordance with rules adopted by the board and shall be open and public. All its transactions shall be recorded in the minutes to be kept in writing by the executive director, and its records shall be public. Six members thereof shall constitute a quorum.

* * *

§4091. Reports of board

* * *

C. In addition to the requirements of Subsections A and B of this Section, the board shall report quarterly, ~~in September, December, March, and June,~~ **no later than the first day of the second month following the close of each calendar quarter** to the city council relative to its operations. ~~Such~~ **The** report shall include the following in a manner as prescribed by the city council:

* * *

(8) The identity and detailed information on the status of all projects and all improvements made since the close of the last quarter.

D. The mayor or the chief administrative officer and the executive director shall present each quarterly report to the city council at the next

1 regularly scheduled city council meeting dedicated to public works.

2 E. If a quarterly report is not submitted timely to the city council, the
3 executive director shall attend the council's next regularly scheduled meeting
4 and present to the council the reasons for the failure to timely submit the
5 report.

6 F. In addition to the other requirements of this Section, the board shall
7 send a report, by electronic mail, to the members of the Orleans Parish
8 legislative delegation and the members of the governing authority of Orleans
9 Parish detailing the pumping and electrical power of its facilities and the
10 available manpower no later than twenty-four hours prior to a hurricane
11 entering the Gulf of Mexico as determined by the National Weather Service and
12 no later than forty-eight hours after a flood watch or warning or thunderstorm
13 watch or warning is issued by the National Weather Service for any area of
14 Orleans Parish.

15 Section 2. Except as provided in Section 3 of this Act, the provisions of this Act
16 shall become effective upon signature by the governor or, if not signed by the governor,
17 upon expiration of the time for bills to become law without signature by the governor, as
18 provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the
19 governor and subsequently approved by the legislature, this Act shall become effective on
20 the day following such approval.

21 Section 3.(A) The provisions of Section 1 of this Act shall take effect and become
22 operative on the first day of January following an election at which a majority of the voters
23 of the city of New Orleans approve an amendment to Article V, Chapter 3, Section 5-301
24 of the home rule charter of the city to change the composition of the Sewerage and Water
25 Board of New Orleans to provide the identical composition of the board as contained in this
26 Act.

27 (B) The terms of the members of the Sewerage and Water Board of New Orleans in
28 office on the first day of January as provided in Subsection (A) of this Section shall
29 terminate on that date; however, the members shall remain in office until the board members
30 are appointed as provided in Section 1 of this Act and take office. The members of the

1 Sewerage and Water Board of New Orleans shall be appointed and shall take office as
2 provided in this Act and shall serve terms of office as provided in this Act. This Section shall
3 not be construed to prevent the reappointment to the board of a member in office on the
4 effective date of this Act.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

Leak Adjustment Policy

Customers wishing to request a leak adjustment should read [How do I dispute the charges on my water bill?](#) for further details.

What happens once I have disputed the charges on my water bill?

The Customer Service agent who receives a bill complaint via phone, fax, e-mail or in-person will mark the bill in dispute as under investigation. You should continue to pay an amount similar to your typical monthly bill.

We will send you a letter, indicating we have received your complaint and we will be reviewing your account. You will also receive an update every 30 days until the complaint is resolved.

Our Bill Adjustment Department will review your account information within the billing system to determine what caused the high bill.

The Bill Adjustment Department will:

- Look at your account's meter readings to determine if your meter is functioning properly.
- Review the S&WB work order system for any repairs that may have been done in the area that could have affected the customer's billing.
- Review the account history to confirm the consumption is within the normal high/low range of your monthly water usage for the past 12 months at that location. Every customers' water usage varies each month, and every bill includes a different number of days of usage. If the disputed water usage falls within this range, no adjustment will be made, and the full amount will be due.
- If the reading falls outside of this range, a service order will be issued to the Meter Reading Department for an inspector to examine the meter and inside fixtures to determine if there is a leak on the property.

The Meter Reading Department will:

- Call you to schedule an appointment with our Inspector. You may choose to be present or not. If you are not present for the inspection, we will only be able to examine the meter and outside fixtures.
- Record their findings in the billing system. The Bill Adjustment Department will retrieve the completed investigation information.

If the investigation has not completed by the time the following month's bill is mailed, the subsequent bill will inform you in the Important Information section that the previous bill's charges are under investigation. The amount due on this bill will only reflect the charges for that billing period, and will not require payment of the prior bill's charges that are under investigation. This new bill and all following bills should be paid in full.

During the investigation period, if a following month's bill also has charges you believe are incorrect, you should contact the Sewerage and Water Board to request that the charges from the subsequent bill be included in the investigation. You will once again be asked to pay an amount similar to your typical bill.

After the investigation is complete, you will receive a letter which notifies you that we found one of the following:

- A leak on your property - You are responsible to have the leak repaired. You must notify us in writing with proof of the repairs. Proof consists of a statement of work by a licensed plumber or a signed letter from you stating the extent of the repairs completed with copies of any receipts for supplies. After we receive a meter reading that indicates your water usage has returned to normal, we will adjust 50% of the excess sewer fees and 50% of the excess water fees for leaks that occurred above ground, such as leaking fixtures. We will adjust 100% of the excess sewer fees and 50% of the excess water fees for leaks that occurred in underground pipes. Normal usage is considered the average of the two most recent actual meter reads before the leak occurred. Excess sewer and water usage is considered water and sewer used above that of your normal usage.
- A leak that was the responsibility of the S&WB - We will remove 100% of the excess sewer fees and 100% of the excess sewer fees from your bill.
- An unexplained high bill - When there is no clear cause of the high bill, and the following month's usage returns to normal, we will make a once per year adjustment of your water consumption to match your account's last actual meter reading that is similar to your account's normal water usage. If your water usage on your following bills continues to be high, you will be notified that you should check your house plumbing for leaks. No adjustment will be made in this case.

If you are not satisfied with the results of the investigation, you may request a hearing before our Administrative Hearing Officer. You may request a hearing by calling Customer Service at 52-WATER, writing to us at Sewerage & Water Board of New Orleans, Bill Adjustments Department, 625 Saint Joseph Street, New Orleans, LA 70165, or you may complete the [online form](#).

For questions regarding your investigation or your hearing, you may [Contact the Customer Service Department](#).

How can I see my previous bills?

Bills created before the new system was released on October 24th were not transferred into the new system. Please contact customer service to get copies of older bills.

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I want to receive a confirmation number when I make a payment

When you make a payment you will receive an invoice number which serves as confirmation that the payment was made successfully.

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What happens when an account is delinquent?

Once an account has a balance of \$50 or more past due for over 60 days, that account is considered delinquent. The account holder will receive a letter informing them that their account has been entered into the collections process and their water service is eligible for an interruption.

The letter will state that the account holder has 10 days to make a payment or agree to a payment plan. S&WB has special options for customers who are elderly, disabled, or economically disadvantaged. Account holders with questions or wishing to pay can do so using the methods [described above](#).

An account holder can also dispute their bill in the following ways if they believe it is inaccurate. For more information see [How do I dispute the charges on my water bill?](#)

If an account holder has not disputed their delinquent bill and they fail to either pay the bill or make a payment arrangement within 10 days, S&WB will begin the process of shutting off water service to that account.

S&WB will have the same number of employees turning water back on as turning it off, and will make every effort restore service the same day if an account is resolved by 2:30 p.m.

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What happens if a bill is in dispute?

If a bill is in dispute, water service will not be subject to shutoff.

The S&WB has a new strike team in place to get through the backlog of disputed bills. Once a decision has been made about a dispute, the account holder will receive a letter notifying them that they have 14 days to either pay the amount determined by the strike team, make a payment arrangement, or request an administrative hearing.

S&WB is making administrative hearings available in each City Council district.

If an account holder fails to take action within 14 days, their account will be entered into the collections process. At that point, the account holder will receive a letter giving them 10 days to make a payment or be subject to an interruption in service. If no payment is made, or you don't enter a payment plan, S&WB will begin the process of shutting off water service to that account.

S&WB will have the same number of employees turning water back on as turning it off, and will make every effort restore service the same day if an account is resolved by 2:30 p.m.

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Can I have my service temporarily disconnected?

We encourage you to close your account if you do not plan to return to your property within the next 6 - 12 months. Otherwise, you will continue to be billed for service charges.

Only the customer of record or the owner of record can request the account be closed. You may close your account by fax, telephone, mail or website. If you decide to close your account by fax or mail please include a copy of your picture identification i.e., driver's license, military or state ID.

Be prepared to supply us with a forwarding address to receive your final bill and or any refunds due from deposits.

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Will my meter be read or will my bills be estimated?

We are diligently working to obtain a reading for our customers each month. However, effective December 1, 2008, if we do not obtain a reading from your meter we will assess a minimum charge for 3000 gallons of water consumption for the month. A standard water service charge plus applicable sales taxes based on your meter size will also apply. When we are able to read your meter, we will bill you for all water usage that passed through the meter since the last reading.

[Click here to view all current service charges](#)

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Am I responsible for a water service charge?

The Water Service charge on your bill is calculated from your connection size. As long as the meter is installed, you will be billed the monthly service charge bill based on the billing chart shown.

The charge is based on the costs the S&WB must pay even if you don't use any water. These costs include reading your meter each month, replacing your meter if it needs repair, maintaining adequate water pressure, etc.

Since the S&WB must always be prepared to deliver water whenever a meter is installed, this part of your bill is sometimes called the "Ready to Serve" charge.

[Click here to view a chart of water service charges](#)

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Who is responsible for repairing leaks that occurred during the storm?

As is the usual practice, water leaks on private property are the responsibility of the property owner. Please check your property periodically for apparent water leaks make sure your water lines are secured to avoid unauthorized water usage on your meter.

High bills that are the result of leaks on private property will have 50% of the excess water charges adjusted and 100% of the excess sewer charges adjusted after the customer submits proof of the repairs and water usage returns to normal the following month. High bills resulting from a defect in the water meter or some other problem caused by the Sewerage and Water Board of New Orleans will be fully adjusted.

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Am I responsible for unauthorized usage?

Yes. The customer of record will be responsible for any usage that is detected through the meter, whether theft has occurred or not.

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How do I report a water leak or sewer problem?

To report a water leak or sewer problem call (504) 52-WATER (504) 529-2837 or go to our online [Report A Problem Form](#).

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How do I get a refund for sanitation fees?

S&WB can not make any corrections for Sanitation charges. Customers must [contact the City of New Orleans Treasury Bureau](#).

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How do I dispute the charges on my water bill?

S&WB Customers can initiate a bill complaint if they want to dispute billing charges for water, sewer and sanitation.

If your water consumption is 50% higher than the previous month, a message will display on the left side of the bill – "Your current bill has an unusually high consumption. We encourage you to check your property for leaks." Such an increase also will start an automatic investigation into why your bill rose for that particular month.

By Phone

Our Customer Service Call Center hours are Monday through Friday, 7:00am to 7:00pm.
52-WATER or (504) 529-2837

Online

Visit [Swbno.org](#) and click Contact Us > Sewerage & Water Board Departments > Customer Service Department and select [Email the Customer Service Department](#).

By Mail

You can mail your bill inquiry to:
Sewerage & Water Board of New Orleans
Mail Resolving Department
625 Saint Joseph Street
New Orleans, LA 70165

By Fax

You can fax your bill inquiry to: (504) 585-2455

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What happens next? Read [What happens once I have disputed the charges on my water bill?](#) for more details.

Can I be notified if a relative's water is due to be turned off?

Using our Third Party Notification Service, a person, in addition to the customer of record, can be notified when water service is due to be turned off for delinquency. This plan can be of service to senior citizens and customers who are ill and who are unable to handle their own affairs, to attorneys administering estates, and to customers who are frequently out of town.

To enroll, complete and sign the [Third Party Notification Form](#) and mail it to the address shown.

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What must I do to have sanitation charges removed from my bill if I have a vacant house or apartment?

Although the S&WB bills and collects the Sanitation Fees for the City, we do not adjust sanitation fees. You must contact the City to have your fees removed.

- Dial 311 from a phone with a 504 area code.
- Outside New Orleans, dial 658-2299 or 1-877-286-6431.
- The hearing impaired can dial 504-658-2059 or 1-800-981-6652. Spanish and Vietnamese language assistance available.

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What documentation must I bring with me to open a new account?

A New Account Checklist detailing all of this information can be found on the [Customer Documents & Forms](#) page. Please visit that page for more information.

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My Water Meter Cover is missing. How do I get a new one?

To report a missing water meter cover please call (504) 52-WATER, (504) 529-2837 or go to our online [Report A Problem Form](#).

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My Sewer Cleanout Cover is missing. How do I get a new one?

Homeowners are responsible for maintaining their sewer cleanouts and, therefore, it is the homeowner's responsibility to get a new cover. Sewer cleanout covers are readily available at most local plumbing supply stores in and around Orleans Parish.

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