



**D.C. Water and Sewer Authority
Board of Directors
Customer and Community Services Committee**

**Tuesday, November 18, 2008
11:00 a.m.**

Meeting Minutes

Committee Members Present

Alan J. Roth
Howard Gibbs
Brenda Richardson

Other Board Members Present

David J. Bardin

Staff Present

Jerry N. Johnson, General Manager
Johnnie Hemphill, Chief of Staff
Michele Quander-Collins, Public Affairs Director
Charles Kiely, Ass't GM, Customer Service
Avis M. Russell, General Counsel
Gordon Fry, Government Relations Director
Jay McCoskey, Customer Service Director
Mujib Lodhi, Information Technology Director
Tanya DeLeon, Risk Manager
Linda R. Manley, Board Secretary

Call to Order

Mr. Roth called the meeting to order at approximately 11:09 a.m.

Public Information Requests

- **Written Management Policy**

Mr. Roth commended staff for developing the draft policies and procedure for processing FOIA requests and document requests from other District agencies. Mr. Johnson noted that staff developed the draft policies and procedures based on a review of the data previously submitted to the Committee and pointed out that staff attempted to incorporate a formal mechanism for elevating sensitive and/or problematic requests to ensure that they are processed in a timely fashion. In addition, staff included reporting requirements that serve to alert the appropriate department heads, the General Counsel and the General Manager within a relatively short period of time of any cases that may become problematic.

In response to the Committee's questions, staff explained that the vast majority of requests are handled within seven business days and that requests can be denied for a variety of reasons, i.e. litigation, confidential customer data, etc. Only requests made through FOIA can be appealed. Staff agreed to take another look at the established timelines for interim and final responses to the requester within both draft policies to ensure that they are reasonable. Staff also agreed to include parallel language in the

purpose and policy statements of each set of procedures for handling document requests to ensure that both documents are consistent with one another. The intent of these policies is to ensure that when employees perceive there is a problem with processing a document request, to provide guidance for elevating the request so that it receives the appropriate attention promptly. The Committee agreed that both policies are a great start and should be monitored and modified as deemed necessary. They also noted that staff should consider including language that states a FOIA request will be considered closed if the requester does not pick up the documents within 60 days after notification that the documents are ready. Staff agreed to add such language if not inconsistent with the FOIA law or regulations. The Committee also requested that staff provide them with copies of the final version of both policies.

Community Relations Outreach on DCWASA Projects

In light of all of the ongoing projects, community meetings, and other WASA activities across the city, Ms. Richardson inquired as to whether WASA has sufficient staff to manage all of its public outreach needs. Ms. Quander-Collins noted that capital improvement program activities have increased significantly and that this is a valid question. She noted that her staff consists of seven professionals who are trained and are available to participate in various outreach activities. In addition, WASA supplements the Public Affairs staff with several qualified individuals from various departments and Public Affairs contractors who are all subject matter experts in specific areas. Ms. Quander-Collins assured the Committee that there have been no problems to date managing community and outreach activities.

Water and Sewer Services Damage – Claims Process

Mr. Roth stated that the Committee received two communications from the Mayor's Office, which were passed on to the General Manager, relating to claims and/or complaints filed with WASA for property damage associated with unfortunate events. In reading the claims the Committee noted that one is still pending and the person who filed the other recent complaint does not trust WASA to resolve their issue. In an effort to understand the process for filing a claim, the Committee inquired as to how WASA processes claims, how many employees work on claims, how WASA interacts with claimants, why WASA has this reputation and is it warranted, etc.

Mr. Johnson noted that the pending claim appears to have been received during the time that WASA was in between recruitment of a Risk Manager. In addition, this case was very instructive to the new Risk Manager both in terms of the third party administrator as well as the process WASA was using at the time. He noted that the process has been totally revamped and is not reflective of how claims are currently processed. He also informed the Committee that anytime WASA has a situation similar to this, WASA scrutinize the case to determine what happened in an effort to ensure that the situation is not systemic. In this particular case, a settlement has been reached between several parties but money has not yet changed hands and the case has not yet been dismissed.

Ms. Tanya DeLeon gave a detailed explanation on how claims are processed. She noted that when a customer calls with a sewer problem, a crew is dispatched to check the main sewer line. If the main sewer line is clear the customer is instructed to contact a registered master plumber to clear their sewer lateral from the house to the main sewer line. The crews also provide the customer with a handout that provides information on what to do when you have a back-up, what WASA is responsible for, what the customer is responsible for and if necessary how to file a claim. If the main sewer line is obstructed, a WASA crew is dispatched to take care of the problem.

If a claim is filed as a result of an obstructed sewer, WASA launches a full investigation and attempts to render a decision as quickly as possible (the goal is to render a decision within 45 days of receipt of the claim). If WASA feels that a more detailed investigation is needed, WASA engages its third party administrator to conduct an additional investigation. The third party administrator then advises WASA on its recommendation for settlement or denial. WASA then reviews all of the facts pertaining to the case and renders a decision. When the case involves a large dollar amount or the loss is questionable, Risk Management consults the General Counsel for an opinion.

The General Counsel noted that legally WASA is not responsible for sewer back-ups unless we have prior notice of the situation. This is common across the country with municipal entities.

WASA has been working with the D.C. Department of Insurance, Securities and Banking (DISB) to educate its customers on homeowner insurance for sewer back-up and to help WASA with its public information campaign. One of the things DISB has agreed to is to notify all licensed insurers in the District of Columbia of the requirement to inform their customers of their obligation to provide coverage for sewer back-up as well as provide information on how to obtain such insurance. The Committee suggested that WASA consider providing its customers information regarding the same in the form of a bill stuffer.

Staff agreed to provide a report on the types of claims received by the Risk Management Office and the percentage that resulted in compensation. The Committee also requested a copy of the DC Plumbing Code and/or law that pertains to sewer laterals. With regard to educating the public on insurance coverage for sewer related issues, staff agreed to provide the Committee with a copy of the recommendations from the DISB task force in January along with some strategies on how WASA can assist customers in understanding why WASA is not responsible for every unfortunate incident

Mr. Johnson noted that WASA has an extremely formalized reporting, response and recordkeeping process for dealing with correspondence from the Office of the Mayor and other dignitaries. It was agreed that WASA would contact the appropriate person/s from the Mayor's Office to discuss any existing or potential problems with internal processes to ensure that correspondence continues to be handled efficiently. Mr. Roth

asked staff to add to next month's agenda a review of the process for handling correspondence from the Mayor's Office and asked the representative from DDOE to check and see if someone from the Mayor's Office could attend next month's meeting.

Departmental Reports/Updates

- **Government Relations**

Mr. Johnson reported that there is a mark-up scheduled on the Impervious Area Surface bill on November 21st. Mr. Fry noted that Council is working on the third version and as soon as it is finalized Council has agreed to provide WASA with an advance copy. Council is developing language on the CAP, and the Mayor's Office has been working with Council to complete this work.

- **Customer Service**

The Customer Service report was handled by exception. The Committee requested that staff add to next month's agenda a six month review of the Urban League's performance in handling the SPLASH program.

- **Public Affairs**

Mr. Lodhi reported that the revamp of the website is going very well and that WASA expects to launch the new website during the first of the year.

Ms. Quander-Collins reported that WASA received a gold award from the International Association of Marketing and Communications for design and content of the Annual Report. In addition, she noted that there is now a link on WASA's website that will allow those interested to view the presentation on Liquid Assets.

Ms. Quander-Collins informed the Committee that the video/webcasting project is coming along. Staff has met with several vendors and is now looking at a managed services contractor who would provide both services. Staff expects to make a decision on a vendor and to go live the first part of the year.

Other Business

Hearing no other business, Mr. Roth adjourned the meeting at approximately 1:23 p.m.