



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

**Tuesday, December 16, 2008
11:00 a.m.**

Meeting Minutes

Committee Members Present

Alan J. Roth
Howard Gibbs
Brenda Richardson
Howard Croft

Staff Present

Johnnie Hemphill, Chief of Staff
Avis M. Russell, General Counsel
Jay McCoskey, Customer Service Director
Mujib Lodhi, Information Technology Director
Tanya DeLeon, Risk Manager
Donna Lewis, Customer Service Manager
Aleizha Batson, Community Relations Coordinator
Linda R. Manley, Board Secretary

Call to Order

Mr. Roth called the meeting to order at approximately 11:08 a.m.

SPLASH Program Update

Mr. Hemphill reported that the program has made progress beyond the routine activities of collecting and disbursing funds to eligible customers. The annual cap for assistance is \$350 per household. In comparison to the last three months and the same period last year the activities have been relatively steady. This reflects that the Urban League has been routinely providing a high level of grants which has resulted in the program being roughly in parity with the prior year. The Urban League continues to seek additional grants and to identify eligible households.

With regards to the administration of the program, staff has discussed and attempted to resolve some of the administrative challenges with the Urban League. There continues to be a considerable lapse in the Urban League's reporting process which results in staff spending a substantial amount of time reconciling the data. In an effort to resolve this issue, staff met with the Urban League to provide training and explanation. However, reporting continues to be a challenge because the required reports are not consistently received by WASA in a timely manner.

Staff communicated in writing its expectation of the Urban League to consistently comply with all of the terms of the agreement. The Urban League responded and indicated that they intend to adhere to all the terms of the agreement going forward.

Mr. Hemphill reminded the Committee that another issue of concern is the fundraising side. Given the Board and Council's interest in the program, staff has over the last several months been reviewing the program in a fair amount of detail. They have also looked at similar programs in various jurisdictions as well as programs that exist in other utility companies within the District. As a result, staff developed some solid recommendations which are included in a draft detail report.

Another issue that was discussed at the Committee's last meeting is WASA's request of the District of Columbia Council to amend WASA's statute to provide clarity with respect to the Authority's ability to solicit funds specifically for the SPLASH program. Mr. Graham and his staff seemed amenable but did not want to deal with this issue in the context of the IAB (Impervious Area Billing) Legislation. It is anticipated that they will work with WASA within the next quarter in an effort to resolve this issue, which is also consistent with the mandate in the IAB Legislation to undertake a study of the customer assistance programs to evaluate their effectiveness.

Mr. McCoskey added that Customer Service is well into developing a communication and information plan for WASA Customers on CAP and SPLASH. The plan will include information on the level of contributions, how customers can contribute, how to contact the Urban League, etc. Mr. McCoskey also noted that he is working with DDOE to develop a profile of an average CAP customer, which then can be used for a pilot conservation program. The information obtained from the pilot program may be helpful with FY 2010 budgetary projections and/or recommendations in this area.

The Committee inquired as to whether the Salvation Army and the Urban League are the only organizations that administer these types of customer programs or whether there are others that could devote more attention to promoting the program and soliciting funds specifically for WASA. Staff indicated that they are not sure whether there are other organizations that administer these types of program but, if so, staff believes that WASA would face some of the same challenges associated with third parties raising funds for SPLASH while simultaneously raising funds for themselves. That is the rationale that led staff to seek clarity on the Authority's ability to solicit resources on its own or to divide the responsibility with a third party.

There was additional discussion on a number of issues relating to determination of eligibility, how the contributions are disbursed, how disbursements are prioritized, and why WASA left the Salvation Army and contracted with the Urban League. It was noted that staff would like to monitor the Urban League's progress for the next two to three months and then provide the Committee with another update in April 2009.

Water and Sewer Insurance Damage Claims Follow-up

Ms. DeLeon reported that the Risk Management Office processed 698 general liability insurance claims in the last three years. Of the 698 general liability claims, 180 have been identified as flooding and back-up related claims. Twenty-eight percent or 51 of the 180 flooding and back-up related claims resulted in a payment. She also noted that the regulations included in the Customer & Community Services Committee packet are used as the guide to determine responsibility for maintenance and repair of water and sewer pipes.

The Committee asked how many of the 51 claims resulted in voluntary payment versus payment as a result of legal action. Ms. DeLeon noted that none of the 51 claims resulted in legal action and that only two of the 129 claims that did not receive payments result in legal action. The two claims were turned over to the General Counsel's office and are no longer tracked by Risk Management. The Risk Management Office is notified that legal action has been taken after the claimant files a claim with WASA's insurance company or when the General Counsel requests copies of records for a specific claim. The Committee asked staff to provide a status report on the two pending claims.

When a customer requests copies of files from the Risk Management Office, the customer is referred to the FOIA Officer for the Authority. Ms. Russell noted that all FOIA requests are handled according to the FOIA process. The Committee asked staff to provide them with the number of claims that resulted in FOIA requests out of the 127 claims that did not receive payments and have not pursued any legal action to date. In addition, staff was asked to note if there were any circumstances in which the FOIA requests were denied or produced any other unusual outcome, and to inform the Committee of the average length of time it takes for WASA to respond to these FOIA requests.

Ms. DeLeon explained the administrative process for filing claims and how a file is deemed closed. She also noted that the Risk Management Office keeps statistical data on flooding and back-up claims. The Committee requested the percentage of flooding and back-up claims that were resolved within WASA's 45 day goal for resolution and, for those that did not meet the 45 day goal, the categories of reasons they did not.

As a point of clarity, Ms. DeLeon explained that the regulation that was referred to at the last meeting regarding legal responsibility for repairing or maintaining sewer lines or water mains pertained to notice (whether WASA had notice of a pre-existing condition, is there something WASA could have done to prevent the incident, etc). She noted that WASA focuses on what caused the blockage and provided the Committee a couple of different scenarios where WASA or the customer could possibly be liable. The Committee asked about the total dollar amount paid out on the 51 claims in question by year. Staff agreed to provide that number by email.

Departmental Reports/Updates

- **Customer Service**

Mr. McCoskey handled the Customer Service report by exception. He pointed out that Customer Service is expected to receive a file from WASA's billing service that will allow staff to test the CAPS sewer credit. As of December 15th, IT completed an upgrade of the Customer Service AVR system to 48 incoming lines. The system has many features, including the ability to create a customer profile over a period of time. In addition, the system has the capability of allowing customers to use voice recognition.

- **Public Affairs**

The Public Affairs report was also handled by exception. Ms. Batson reported that the Sewer Science Program is going very well and that the classes are continuing to grow. WASA will be hosting classes for 120 students from the Young America Charter School at Blue Plains Central Maintenance Facility on January 13 and 14th at 9:30 a.m.

In addition, she noted that WASA has been working with WSSC to share information on the program in an effort help them implement their program. Ms. Batson informed the Committee that a multi-jurisdictional training is being planned for staff members and teachers regarding wastewater treatment education.

The Committee requested that staff send Board members advanced notification of upcoming community events, especially within their respective Wards.

Mr. Roth brought to the Committee and staff's attention a Washington Post editorial entitled "Stalled Chesapeake Clean-up". After discussing its contents, the Committee agreed that WASA needs to think about developing a communications strategy for addressing the failure of State Governments in the Chesapeake Bay watershed to develop any meaningful regulation of non-point sources, especially agricultural run-off, and how WASA customers are being forced to bear an unreasonable share of the expense for cleaning up the Bay as a result of those States' failure of political will.

Other Business

Mr. Hemphill pointed out that the Board made clear its interest in having the Board meeting broadcasted and webcasted. Ms. Quander-Collins and Mr. Lodhi have been meeting with several vendors and other jurisdictions to explore all of the options. An RFP has been developed but has not been reviewed by the General Manager. It is anticipated that the process will be completed and a vendor will be selected by the end of January.

Hearing no other business, Mr. Roth adjourned the meeting at approximately 12:45 p.m.