

NOW

BGR's Spotlight on Local Government Issues

BGR Backs Mayor's S&WB Reform Proposals, Suggests Improvements

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Over the last several weeks, the mayor has unveiled proposals to significantly reform the governance of the Sewerage & Water Board of New Orleans (S&WB) during 2013. The proposals incorporate most of the recommendations BGR made last year in its report *Making the Waterworks Work: Fixing the Sewerage & Water Board's Governance Problems*. The common proposals include:

- Allowing the S&WB to increase water and sewer rates annually by an amount tied to a suitable index, without City Council approval.
- Reducing the size of the S&WB board to nine members.
- Removing City Council members from the board.
- Reducing the terms of board members to four years and imposing term limits.
- Requiring relevant areas of expertise for most board seats.
- Removing board members from the contracting process.

These are substantive reform proposals, and we applaud the mayor for advancing them.

Mayor Landrieu's proposals differ from BGR's recommendations in at least one significant respect. BGR recommended removing all elected officials, including the mayor, from the board. The goal was to increase the S&WB's independence and free it from political pressures that have seriously impaired past performance.

Under Mayor Landrieu’s proposal, the mayor would remain on the board, and firmly in control. While his proposed board structure differs from BGR’s in this key respect, it nonetheless has a distinct advantage over the current arrangement: it would clearly delineate responsibility for the S&WB. No longer would there be any question as to who is responsible for the entity’s performance. That responsibility would fall squarely on the mayor and his appointees, and he would be more easily held accountable by the public.

Under Mayor Landrieu’s proposal, the board would consist of the mayor, two members of the Board of Liquidation and six members appointed by the mayor from nominations submitted by a committee consisting of the presidents of Delgado Community College, the University of New Orleans, Southern University at New Orleans, and Dillard, Loyola, Tulane and Xavier universities. They would make each appointment jointly.

Currently, the mayor appoints seven citizen members – one from each council district and two from the city at large – with no nominating process.

The use of university presidents has been criticized by some on the grounds that it is not inclusive enough and that the presidents are too busy to give the nominating process the attention it deserves. BGR conducted research to identify alternative nomination processes. After researching local and national procedures and consulting with the local universities, we concluded that a nominating process that filters through the presidents is the most desirable.

We acknowledge that making nominations would place a burden on the presidents. However, given the important work of the S&WB and the hundreds of millions of dollars it oversees, the presidents would have good reason to take this responsibility seriously.

We are recommending that the presidents pri-

oritize the list of nominees, and that the highest ranked nominee automatically assume the open seat if the mayor fails to make an appointment from the list within 30 days.

We further recommend that the city and S&WB establish a formal process to ensure the best pool of possible nominees. While the seven presidents included in Mayor Landrieu's proposal have wide networks of local alumni and strong ties in the community, their contacts do not include the entire universe of qualified candidates. There are steps the city and S&WB can take to draw in interested citizens, improve the chances of finding qualified, committed members, and reduce the burden placed on the presidents. The steps include:

- **Publicizing Upcoming Vacancies.** The city and S&WB should make the public aware of upcoming vacancies. Several months prior to the expiration of a board member's term, the mayor and S&WB should issue a joint press release that informs the public of the impending vacancy, explains the nomination and appointment process and timeline, and encourages interested citizens to submit applications. The city and S&WB should feature the information prominently on their websites. The city's Office of Neighborhood Engagement could also distribute the information to its network of neighborhood and community organizations.
- **Facilitating Applications from the Public.** Citizens should be able to nominate themselves or others through a simple, online application mechanism. Fortunately, such a mechanism already exists. The city's website includes a section on boards and commissions (<http://new.nola.gov/boards>) that provides each entity's contact information, mission, and nomination and appointment process. The site also includes an "interest form" that citizens can fill out and submit online

(<http://new.nola.gov/boards/interest>). The interest form asks for basic contact information and a listing of the boards and commissions on which the citizen is interested in serving, along with a description of his relevant experience and qualifications. The interest form also allows citizens to upload a copy of their resume. Currently, the form is designed only for citizens to express their own interest in serving on a board or commission. It should be redesigned to also allow citizens to nominate someone other than themselves.

- **Forwarding Applications to the Presidents.** Forty-five days prior to the expiration of a board member's term, the city should forward all applications expressing interest in serving on the S&WB to the presidents. The presidents should not be limited to making their nominations from those applications, however. They should be free to supplement them with candidates identified through alumni and community networks.

The mayor has proposed important new reforms that would allow the S&WB to begin performing at a higher level. But the board's future membership will ultimately determine its future performance. Therefore, the mayor must make every effort to ensure that the selection process yields the best nominees. This will require independent thinking on the part of nominators, and the opportunity for them to draw from a strong collection of potential nominees. We urge Mayor Landrieu to revise his proposal to establish a formal process to identify the best pool of potential nominees; to require the nominating committee to prioritize its list of nominees; and to automatically seat the highest ranked nominee if the mayor fails to make an appointment from the list within 30 days.