MEMORANDUM Agenda Item No. 11(A)(23)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: October 4, 2011

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Resolution directing the Miami-Dade Water and Sewer Department to provide a proposal to update and modernize its billing system including issuing monthly bills to all customers and provide information regarding high water bill appeals and adjustments since 2007

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator Javier D. Souto.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: October 4, 2011

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(23)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous_____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(23)
10-4-11

RESOLUTION NO. _____

RESOLUTION DIRECTING THE MIAMI-DADE WATER AND SEWER DEPARTMENT TO PROVIDE A PROPOSAL TO UPDATE AND MODERNIZE ITS BILLING SYSTEM INCLUDING ISSUING MONTHLY BILLS TO ALL CUSTOMERS AND PROVIDE INFORMATION REGARDNG HIGH WATER BILL APPEALS AND ADJUSTMENTS SINCE 2007

WHEREAS, the Miami-Dade Water and Sewer Department ("WASD") provides monthly billing to commercial customers and quarterly billing to residential customers; and

WHEREAS, WASD has more than 400,000 residential customers that receive water bills on a quarterly basis; and

WHEREAS, many water utilities throughout the nation have a more consumer friendly billing system that bills customers on a monthly basis minimizing the customer's liability should a water leak occur on the customer's property; and

WHEREAS, many other utilities such as electric, telephone, cable and gas provide bills on a monthly basis which alerts the customer of any unusual circumstance which may cause a high bill; and

WHEREAS, quarterly billing can be unnecessarily punitive against homeowners and businesses when they are victims of a water leak, water theft or other circumstance that causes a high water bill; and

WHEREAS, the quarterly customer has no way to detect a high volume of water use until the billing statement arrives three months later; and

WHEREAS, in 2010 alone, there were 16,364 high water bill complaints; and

WHEREAS, WASD's quarterly customer that receives unusually high bills may minimize their liability and costs if they received monthly bills or are able to track their water usage on a daily basis through modern technology; and

WHEREAS, this Board desires for the Water and Sewer Department to update and modernize its billing system to provide monthly bills to all customers and to provide its customers with the ability to check their water usage on a weekly or monthly basis; and

WHEREAS, WASD's current policies and procedures provide for an adjustment to the customer's water bill if the high bill is due to a concealed or underground leak on the customer's property; a leak on the outlet side of the water meter; an incorrect meter reading; or vandalism; and

WHEREAS, recent media articles and complaints from customers describe unusually high water bills where the customer has appealed the bill through WASD's administrative hearing process but did not receive any credit adjustment; and

WHEREAS, this Board desires to obtain a list of all customers who have appealed their water bills and customers that have received adjustments to their water bills since January 1, 2007.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The Miami-Dade Water and Sewer Department is directed to provide a proposal for improving and modernizing its billing system using the latest technology to include either offering the customers the option of monthly billing or quarterly billing, or in the alternative establishing a consumer friendly website with technology that allows residential and

business customers to detect any unusual water consumption pattern on a weekly or monthly basis. The proposal shall be provided to this Board within 90 days of this Resolution.

Section 2. The Miami-Dade Water and Sewer Department shall provide this Board with a list of every appeal of a high water bill since January 1, 2007 and the outcome of the appeal. The Department shall also provide a list of all residential and commercial water bills that have been adjusted since January 1, 2007 whether or not the customer went through the appeals process. Both lists shall be provided to this Board within 90 days of this Resolution.

The Prime Sponsor of the foregoing resolution is Senator Javier D. Souto. It was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman
Audrey M. Edmonson, Vice Chairwoman

Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

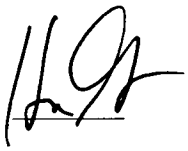
The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of October, 2011. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Henry N. Gillman