SWBNO Task Force- Management Options/Guiding Principle Matrix 10/17/18

Management Option	Legal requirements	Equitible	Affordable	Transparent	Reliable	Independent	Resilient	Functional	Responsive	Accountable	Sustainabile	Trusted	Durable
Status quo (independent city agency)	S&WB enabling legislation—no changes												
Municipal utility (consolidation of S&WB into city government)	•LA Constitution Art. VI, §16 •Consolidation requires (1) voter approval, and (2) assumption of debt. •State enabling legislation and Home Rule Charter amendments also necessary.												
Privately-owned utility	•La. R.S. 33:4159.10 and Home Rule Charter governs the sale, divesture or transfer of responsibility of any S&WB facility (or portion thereof) to a nonpublic entity valued at more than $5 million. •Requires: (1) Legislative reporting on proposed plan; (2) citywide hearings; and (3) voter approval												
Stormwater Utility under SWBNO	•Requires amendments to state legislation and Home Rule Charter (by vote)												
Stormwater Utility under City Hall	•Requires amendments to state legislation and Home Rule Charter (by vote)												
Stormwater Utility as a stand-alone, or public benefit corporation	•Requires amendments to state legislation and Home Rule Charter (by vote)												
Expanded Public-Private Partnerships (beyond wastewater)	La. R.S. 33:4159.10 and Home Rule Charter governs the sale, divesture or transfer of responsibility of any S&WB facility (or portion thereof) to a nonpublic entity valued at more than $5 million. Requires: (1) Legislative reporting on proposed plan; (2) citywide hearings; and (3) voter approval; if less than $5 million, PPP subject only to terms of agreement and board approval												
Regional utility (water, sewer, drainage or a combination)	•Requires state legislative creation of a regional entity with enumerated powers and jurisdiction; S&WB could lease its operations back to a regional utility •Enabling legislation and Home Rule Charter would require amendment to reflect updated responsibilities and (potentially) governance •Some elements could be accomplished through MOUs												
Public benefit corporation	•State law provides for the creation of a “public benefit corporation” to “finance the construction, renovation, and operation of public properties and facilities.” LA R.S. 39:1051(B). •Does not trigger privatization requirements because agency continues to be publicly-owned •Enables re-financing options, including ability to partner with private entities to “leverage additional funds not otherwise available to public entities” (with State Bond Commission Approval). La. R.S. 39:1051(E). •City owns/controls agency and appoints board •Requires amendments to state enabling legislation and Home Rule Charter (by vote)												

SWBNO Task Force- Management Options/Desired Outcomes Matrix 10/17/18

Management Option	Legal requirements	SELA Debt	Drainage Consolidation	Groundwater	Drainage Fee	Enterprise Fund	Urban Water Plan	Workforce / Economic Development	Regional Approach
Status quo (independent city agency)	S&WB enabling legislation—no changes								
Municipal utility (consolidation of S&WB into city government)	•LA Constitution Art. VI, §16 •Consolidation requires (1) voter approval, and (2) assumption of debt. •State enabling legislation and Home Rule Charter amendments also necessary.								
Privately-owned utility	•La. R.S. 33:4159.10 and Home Rule Charter governs the sale, divesture or transfer of responsibility of any S&WB facility (or portion thereof) to a nonpublic entity valued at more than $5 million. •Requires: (1) Legislative reporting on proposed plan; (2) citywide hearings; and (3) voter approval								
Stormwater Utility under SWBNO	•Requires amendments to state legislation and Home Rule Charter (by vote)								
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