

ORLEANS PARISH COMMUNICATION DISTRICT BOARD OF COMMISSIONERS

Regular Quarterly Meeting
Tuesday, September 15, 2015, at 10:00am
Board Room, Chief Warren E. McDaniels, Sr. 9-1-1 Center
118 City Park Avenue
New Orleans, LA 70119

I. CALL TO ORDER

OPCD Board Chair Col. Terry Ebbert called the meeting to order at 10:00 am.

II. ROLL CALL

Ms. Ausetua AmorAmenkum called the roll. The following Board members were present:

Board Chair Col. Terry Ebbert; Vice Chair Dr. Brobson Lutz; Lt. John Stelly (proxy for Capt. Donovan Archote); Dr. Aiken (proxy for Greg Feirn); Col. Chastain (proxy for Major Glenn H. Curtis); Deputy Mayor Andy Kopplin, Supt. Timothy McConnell; Supt. Michael Harrison, Dr. Jeffrey Elder; OEP Interim Director Aaron Miller and Director Charlotte Parent.

RECOGNITION OF NEW OPCD EMPLOYEES

Executive Director Stephen Gordon introduced two new OPCD employees; Mr. Ryan Eleew, Systems Engineer I; and Office Administrator Ms. Cheronne Smith. Director Gordon informed Board members that Ms. Smith is replacing Ms. Deborah Radigan, who is retiring effective September 25, 2015. The Board acknowledged the contributions of Ms. Radigan and welcomed Mr. Eleew and Mrs. Smith to OPCD.

VOTE TO AMMEND AGENDA

Board Chair Terry Ebbert explained to Board members that under the Open Meetings Law, any changes to the meeting agenda after publication must be voted on and approved unanimously by the Board. Chair Ebbert further explained that Andy Kopplin had requested that several items be added to the Agenda. The additional Agenda items were

- Motion to approve OPCD to pay to the City of New Orleans for HR Manager and Training Coordinator (item B under Old Business);
- Motion to Approve OPCD to pay to City of New Orleans to advertise HR Manager and Training Coordinator (item C under Old Business);
- Request from City for OPCD to purchase ProQA software (item A under New Business);
- Introduction of New Consolidated 9-1-1 Positions (Item C under New Business);
- Legal Services Provided to OPCD (Item D under New Business); and
- Request for Special Meeting of the OPCD Board for Tuesday, September 29, 2015, at 10:00 AM (Item E under New Business).

Board Chair Ebbert asked for a motion and second to amend the Agenda. Mr. Kopplin motioned, and Ms. Parent seconded, to add the items to the Agenda. Board members unanimously voted to amend the Agenda.

III. ADOPTION OF BOARD MEETING MINUTES (June 9, 2015)

Board Chair Terry Ebbert called for the adoption of the minutes from the OPCD Board meeting held June 9, 2015. Mr. Kopplin motioned and Ms. Parent seconded to adopt the minutes as submitted. Board members unanimously adopted the minutes.

IV. QUARTERLY FINANCIAL REPORT

Board Chair Ebbert recognized Finance Officer Ms. Denise Clayville. Ms. Clayville informed Board members that this report is for the six months ending June 30, 2015. Ms. Clayville reported that 9-1-1 revenue is stable and is on target with budgetary projections. Ms. Clayville went on to report that expenditures are also on target and within budgetary estimates. Ms. Clayville then pointed out to Board members that expenditures exceeded revenue for the period, but that was mainly because pre-paid wireless 9-1-1 revenue for the second quarter has not been received yet.

Mr. Kopplin asked about the \$40,000 budgeted for diesel fuel and whether OPCD can purchase fuel from the City to decrease costs; the City gets it for \$1.75 per gallon. Ms. Clayville responded that this was the cost to fill the two generators when the building was completed, so this is what has been budgeted. Director Gordon replied that the generator uses about 100 gallons per hour, and that OPCD can purchase fuel from the City, if the price per gallon is less than the price charged by OPCD's fuel distributor.

Chair Ebbert asked the Board to accept the financial report. Dr. Aiken motioned, and Ms. Parent seconded the motion to accept the report. Board members unanimously accepted the financial report.

V. PRESENTATION OF PROPOSED FY 2016 ANNUAL BUDGET

Board Chair Ebbert recognized Ms. Denise Clayville, who directed Board members to the three parts of the Budget:

- A. The Budget Message
- B. The Operations Budget
- C. The Capital Expenditures Budget

Ms. Clayville explained to Board members that the Budget Message contains the significant changes in the budget from the prior years. Ms. Clayville encouraged all members to read The Budget Message.

Ms. Clayville then reviewed the Operating Budget in detail by line item with Board members. Ms. Clayville first explained estimates for 9-1-1 revenue. While it is important to be prudent and conservative when estimating income, it is also important to be realistic. Ms. Clayville reported that she is forecasting FY 2016 revenues to meet FY 2014 revenue levels, which represents a slight increase over the current fiscal year. To cover operating expenses, however, the Board will need to transfer \$582,508 from the Operating Fund Balance. Doing so will leave a balance of approximately \$2 million in that fund.

Ms. Clayville then reviewed Personnel expenditures with the Board. She explained that actions of the Personnel Committee later in the meeting might affect this portion of the budget. Ms. Clayville stated that for FY2016, \$60,000 has been placed in the contingency category. Of that amount, \$20,000 is budgeted for overtime, and \$40,000 has been budgeted for merit raises. Mr. Kopplin asked why funds were budgeted for overtime when OPCD employees were salaried. Ms. Clayville replied that some positions, such as Facilities and Systems Engineer were considered "non-exempt," and therefore, entitled to overtime. Ms. Clayville then pointed out that the amount budgeted for sick leave was reduced to zero, because sick leave is not an accrued amount, but is rather a cash amount.

Ms. Clayville then moved to Contractual Services. She explained that there were no significant changes in any of the individual budget line items, except for Category 2030, Public Education and Service Awards. Ms. Clayville explained that \$2,000 had been added to that budget due to the enormous success of OPCD's first 9-1-1 Kids' Day. Ms. Clayville then pointed out that Conference and Travel; Dues and Subscriptions; and Education are all the same. Insurance is budgeted to increase by \$5,000.

Ms. Clayville reviewed the remainder of the Operations Budget in detail with Board members. She pointed out that Legal Services has been increased; it is normally \$30,000 but has been increased to \$100,000 to cover the lawsuit. The audit for the telecommunications carriers is budgeted at \$150,000, which is in addition to the \$90,000 budgeted in 2015. Mr. Kopplin inquired why that much money was being budgeted for 2016, when the funds for this year have not been spent.

Mr. Kopplin asked staff to explain why this audit was needed, and whether it would be worthwhile to postpone the audit until 2016. Deputy Director Frith Malin said there are several reasons to move forward with the audit this year. Staff has anecdotal evidence that some carriers are not charging a uniform rate across their customer base. OPCD has the statutory authority to require that carriers do a "true-up," which will ensure that the wireless carrier has been charging a uniform rate. OPCD needs a consultant with the expertise to review carrier records. Second, OPCD staff has anecdotal evidence that landline/static VoIP providers are only charging commercial customers for one T-1 or PRI, rather than the individual circuits that make up the T-1 or PRI. Ms. Malin explained that a T-1 or PRI in layman's terms, was analogous to a big pipe that has the capacity to carry more telephony traffic. This has happened in Tennessee and in Alabama. Districts in those states have negotiated and settled with their Local Exchange Carrier (LEC) for past revenue due the district. Ms. Malin stated that there is potential for the recovery of significant revenue.

Currently, every 9-1-1 District in the footprint of the former BellSouth (now AT&T) is paying a monthly charge for the ability to conduct Phase 2 ALI Re-bids. (ALI is Automatic Location Identification.) These are the only 9-1-1 districts in the nation that pay this monthly fee. While the monthly fee is relatively small at \$190, it is in violation of the FCC Order on Wireless E9-1-1 service (94-102). Under that Order, the FCC ruled that carriers could only seek recovery of costs directly related to the provision of wireless E9-1-1 service. The FCC specifically prohibited carriers from earning a profit on cost recovery. However, the monthly charge is a tariffed item with the Louisiana Public Service Commission, which has a built-in rate of return. OPCD needs a consultant with experience in the industry to assist OPCD in removing this charge and recovering prior payments. In addition, the FCC ruled in 1998 that cost recovery is no longer a requirement for wireless E9-1-1 service, and exempted 9-1-1 Districts from reimbursing carriers for their costs.

Ms. Malin went on to explain that the 1996 Telecommunications Act requires 9-1-1 service providers to unbundle their 9-1-1 charges to 9-1-1 Districts. AT&T does not unbundle its

charges, which is a violation of federal law. This aspect is going to be increasingly important as we move to Next Generation 9-1-1 (NG9-1-1). What this means is that AT&T is supposed to separate charges for Selective Routing, for ANI/ALI, and for database management services. Jefferson Parish has previously asked AT&T to unbundle its charges, but AT&T declined to do so. Our goal at OPCD is to sit down with AT&T and our consultant and resolve this matter without incurring any legal costs.

Ms. Malin told Board members that she had received a proposal from a 9-1-1 consultant, which was broken down into two phases. Phase 1 covered the true-up, and Phase 2 will cover the regulatory aspect. The \$150,000 is a budgetary estimate to ensure that the project can continue. Chair Ebbert inquired about combining with other Districts. Ms. Malin said they had previously approached Jefferson Parish 9-1-1 officials about collaborating on the true-up, but they indicated that they were not interested. Chair Ebbert suggested that staff host a regional meeting to explore the issues raised by Ms. Malin and try to determine what interest is out there. Mr. Kopplin and Vice Chair Dr. Lutz agreed with Chair Ebbert. Chair Ebbert asked staff to provide a copy of the meeting invitation to Board members, who may be able to assist in getting key players to the table.

Chair Ebbert asked Ms. Clayville to continue with her budget presentation. Ms. Clayville pointed out Category 2185, Repairs & Maintenance. Ms. Clayville explained that the increase was related to maintenance and repairs of the building, such as painting, replacing locks, radiator flushing, and camera replacements. Ms. Clayville then referred Board members to Category 2600, Hardware & Software Licensing & Maintenance Charges. The increase in that category was due to an increase in maintenance for Motorola CAD. Ms. Clayville stated that the base plan was \$420,000, which increased \$65,000 for various items purchased after the upgrade.

Chair Ebbert recognized Mr. Karl Fasold, OPCD Director of Technology. Mr. Fasold explained that he had been able to negotiate a five-year maintenance agreement with Motorola that includes three upgrades. After OPCD agreed to implement Call Control Integration, the cost increased.

Mr. Kopplin inquired about Category 2220, City of New Orleans. Ms. Clayville replied that the amount, \$443,500, was to reimburse the City for the salaries and benefits of 11 NOPD call-takers. Mr. Kopplin then stated that this allocation was less than what OPCD had historically paid under the original CEA. Board Chair Ebbert informed Mr. Kopplin that in 2009, the Board voted to terminate the CEA. Ms. Clayville replied that OPCD is providing a new building free-of-charge to the City, and the 9-1-1 Center has significantly increased the District's responsibilities and expenses.

Ms. Clayville asked Board members if there were any questions about the Operating Budget. There were no further questions. Ms. Clayville then reviewed the Capital Expenditures Budget with Board members. Ms. Clayville pointed out that we have \$518,000 budgeted under Equipment, with a majority of that amount devoted to completing the Call Control Integration project. Under Category 4805, 9-1-1 Communications Center, \$225,000 is budgeted for the load bank project, and \$40,000 is to add more parking spaces along Julia Street (by the railroad tracks). Director Gordon explained that during activations, there is not enough parking for all personnel. During Hurricane Isaac, there was a lot of double parking.

Ms. Clayville asked Board members if there were any questions. Mr. Kopplin asked Ms. Clayville about refinancing the bond. Mr. Kopplin asked why OPCD did not consider financing the 9-1-1 Center for 30 years, similar to a basic mortgage. Ms. Clayville stated that there are only three years left on the bonds, and a majority of the annual payment was now covering principal. Ms. Clayville stated that she believes can meet its budgetary requirements until 2019. When the bond is paid off, cash flow will increase by \$900,000 per year. Ms. Clayville told

Board members that she had conducted an amortization schedule of refinancing \$3.375 million, which is the remaining principal. Doing so would result in OPCD paying an additional \$1,111,000 in interest. If OPCD does not refinance, the interest paid will be \$350,000 over the next four years. In net present value terms, OPCD would lose over \$300,000.

Chair Ebbert recognized Vice Chair Dr. Lutz, who asked to move to the issue of consolidation because of time constraints. Dr. Aiken wanted to ensure that we had time to hear the Personnel Committee presentation. Vice Chair Dr. Lutz motioned, and Col. Chastain seconded to move forward in the Agenda to Consolidation. Board members unanimously agreed to do so.

VI. CONSOLIDATION STATUS UPDATE

Board Chair Ebbert recognized Lt. Col. Jerry Sneed. Lt. Col. Sneed said he had started meeting with City Council members to discuss consolidation. He then introduced Mr. Eric Melancon, Service Innovation Manager for the City, who distributed a PowerPoint handout. Lt. Col. Sneed directed Board members to the Organization Chart. The goal is to merge Police, Fire, and EMS into one agency. Before that can happen, all employees need to move to 12-hour shifts. Fire and EMS already do that, and Police will move to 12-hour shifts on October 4, 2015.

Lt. Col. Sneed explained that under consolidation, there will be one shift supervisor in charge of all three disciplines (Police, Fire, and EMS), along with three floor supervisors, one for each agency. The idea is for the floor supervisor to be able to move resources to wherever they are needed most. The goal is to have every employee cross-trained, able to answer and dispatch all three agencies. There will be 88 telecommunicators total. A Telecommunicator will be able to take all calls. Telecommunicator I will be able to call-take all three agencies, and dispatch one agency; a Telecommunicator II will be able to dispatch two agencies; and a Telecommunicator III will be able to dispatch all three agencies. In addition, there will be a Situation Unit Leader on each shift. That individual will assist the Shift Supervisor during significant incidents, such as filing reports and making notifications for all three agencies. On any given day, there will be 22 personnel assign to a shift: four Police Dispatchers; two Fire Dispatchers; one EMS Dispatcher; seven call-takers; four relief personnel; two on leave; and two in training.

Our goal is to have everyone to be able to process calls for service using the call taking software that EMS currently uses, ProQA. We believe that this software will reduce training time and ensure continuity in training. The goal by January 1, 2016, is to have 70 people to be able to call take for all three agencies. It will be after Mardi Gras before we begin the next phase of training.

Lt. Col. Sneed went on to say that he needed an HR Manager and a Training & QA/QC Coordinator. We are asking that the agencies keep the present commanders on staff to act as liaisons, to ensure that all requirements for the agencies' field operations are being met. We are in the process of compiling policies and procedures; which is an ongoing process. Lt. Col. Sneed said all this must be in place before consolidation can move forward.

Mr. Eric Melancon then discussed funding. The funding for consolidation currently resides in the separate budgets for Police, Fire, and EMS. Consolidation will require a Cooperative Endeavor Agreement, so the City can provide funds for the 9-1-1 personnel. Mr. Melancon stated that current net costs to the City, less OPCD's contribution, are about \$7.9 million, which includes overtime for the 12-hour shifts. Mr. Melancon stated that the estimated cost of the CEA is about \$8.1 million per year, which does not include a one-time cost of \$508,000 to cross-train employees.

Mr. Melancon told Board members the City wants to ensure that employees' benefits carry over to OPCD without interruption, including retirement and healthcare insurance. Because OPCD participates in the City's healthcare program and the municipal employees' retirement system, the CEA will ensure those programs continue. All current employees will keep accumulated sick and annual leave balances, along with years of service and seniority. In addition, current employees will either stay at their current compensation or receive significant raises. Mr. Melancon stated that the City is considering petitioning the Municipal State Board of Review to request that the current NOFD dispatchers be grandfathered in so they will continue to receive state supplemental pay. Mr. Melancon opined that the City has a strong case because these personnel will still be dispatching on behalf of NOFD.

Vice Chair Dr. Lutz asked who would be responsible for paying out of sick and annual leave balances. Both Mr. Melancon and Mr. Kopplin stated that such payouts would come from City funds.

Board Chair Ebbert stated that the Board as a whole and each Board member has a fiduciary duty to the citizens to come to a full and complete understanding of the costs of consolidation; exactly how consolidation will improve service; that consolidation is also cost- and revenue-neutral to OPCD; that there is no negative impact to employees; that there are no challenges to the City Charter; and that this is approved by the Attorney General. As established by law, the OPCD Board has served as a policy-making Board in non-operational areas; as proposed, consolidation will shift 9-1-1 operations to the Board. We as a Board need to be clear to 9-1-1 employees that they will no longer work for Police, Fire, or EMS, but will work for OPCD. That is a major shift in the way things are done today and a major shift of liability for the board and for those employees. The CEA must reflect all of these issues along with numerous others not discussed at the meeting.

Vice Chair Dr. Lutz asked why the City could not consolidate 9-1-1 operations within one City department. Mr. Kopplin stated that the OPCD Board initiated a consolidation study with Kimball three years ago and consolidation did not progress. The Mayor determined that Lt. Col. Sneed was needed to work exclusively on consolidation to get results. We believe having consolidation under OPCD is the best and right place for it to happen because it can be done under OPCD without adversely affecting employees. We determined that it was not logical to consolidate under any one of the existing agencies. The goal is to improve response time and quality of service; we have tried hiring more personnel and we still need significant improvement. We believe that consolidation is the way to go.

Chair Ebbert recognized Mr. Kopplin, who requested that the Board redirect the monies that are currently allocated to the City for reimbursement of the salaries and benefits of 11 NOPD call-takers to fund the two positions requested. Executive Director Gordon asked for a copy of the draft CEA, and Lt. Col. Sneed replied that city attorneys are still working on it. Mr. Kopplin explained that the draft CEA will be introduced for consideration at the Special Meeting on September 29, 2015, with passage at the regular meeting in November. Executive Director Gordon stressed the importance of involving OPCD staff in the drafting of the CEA.

Chair Ebbert recognized Lt. Stelly, who stated that he was familiar with consolidation, as it exists within the State Police; their consolidation was successful in reducing the redundancy of effort. He asked if this matter needed approval from the Attorney General. Chair Ebbert recognized City Attorney Chad Dyer, who stated that he and Juan Lizarraga have discussed this topic and have determined that this is not a difficult issue, at least legally. In addition to the authority granted by the Constitution and City Charter for Cooperative Endeavor Agreements, there is a specific section in state law (LRS 33:13:21, Local Services Act) that authorizes local governmental units to share funds, property, equipment, and personnel to advance a legitimate

governmental purpose. The more efficient operation of government is a very clear and accepted public purpose, as opined by the Louisiana Attorney General. The Local Services Act does require that the two units execute a Cooperative Endeavor Agreement to document the resources that will be shared. Mr. Kopplin stated that the OPCD Board will have to approve the CEA, as will the City Council. Mr. Dyer then stated that one way to ensure the legality of the resulting CEA is to proceed with a CEA Validation suit. In this proceeding, the City and OPCD would go to Court and request that a judge rule whether the CEA is legal.

Chair Ebbert stated that the CEA needs to define clearly the function of the Board and the function of the City. The CEA needs to protect the 9-1-1 employees who will become a part of our organization and who will no longer have the protection of Civil Service. A short discussion followed concerning how often the CEA should be renewed. Chair Ebbert recognized Mr. Lizarraga, who stated that Act 155 established OPCD's statutory obligation, which was to create an emergency telephone system. The proposed consolidation and CEA will change OPCD's role; we are going from an infrastructure role to an operational role. Mr. Lizarraga said his initial concern was did 9-1-1 operations need to be consolidated under OPCD.

Chair Ebbert recognized Mr. Kopplin, who stated that after a number of conversations with Civil Service staff, it was determined that consolidation could not be facilitated through their process. Mr. Kopplin stated it is more logical to consolidate under OPCD and the public already thinks that 9-1-1 call-takers and dispatchers work for OPCD. Vice Chair Dr. Lutz expressed his disagreement; most of the public has no idea who or what OPCD is. Dr. Aiken asked if the 9-1-1 employees were still being paid by the City, would that make them City employees. Mr. Dyer replied that the CEA could address this issue.

Board Chair Ebbert stated that the discussion could go on and on but until we see this draft of the CEA, we will be limited in where this discussion goes. Dr. Aiken reiterated that as long as we have a good understanding of the operational role of the Board and the treatment of the personnel directly affected, consolidation should fix many problems. However, consolidation will not work unless we have sufficient personnel. Dr. Aiken also expressed concern that although the City has the funds now, there was no guarantee that the funds will be there in the future.

Before moving on to the next item on the Agenda, Chair Ebbert asked for any questions from the public. Chair Ebbert recognized Mr. Louis Robein, who represents Firefighters Local 632. Mr. Robein stated that there was something missing from the discussion. Mr. Robein stated that the public safety employees might have "fallback" rights that provide Civil Service protection under state law instead of city ordinance, and the CEA needed to address directly the issue of Civil Service. Mr. Robein said that while local Civil Service might not cover employees, as a political subdivision of the State, OPCD employees might be entitled to state civil service protection. Mr. Robein stated also that it was important for Board members and the public to understand that if the two entities will be sharing services, they will also be sharing responsibilities and liabilities.

Mr. Robein said another item not discussed is the fact that some fire communications employees were members of the union, and the Collective Bargaining Agreement with the City provides specific protections for its member employees. Mr. Robein continued that there is a greater Constitutional question with respect to the 9-1-1 employees. Shared means shared, so in this situation, who is the employer and who is the employee? By sharing resources, the City and OPCD could be creating a joint-employer relationship. Mr. Robein asked about workers' compensation and whose program would cover these employees. Mr. Robein then reminded Board members that several fire employees are part of the consent judgment and are entitled to back pay; who would be liable for that payment—OPCD or the City?

VII. EXECUTIVE DIRECTOR'S REPORT

A. Load Bank for Over-sized Generators

Executive Director Stephen Gordon informed the Board that the load bank is currently being installed.

B. Raising the Cap for Legal Fees for Lawsuit

Mr. Gordon told the Board that attorneys for both sides are in negotiations and the invoices have been personally monitored by him to ensure that legal fees are reasonable. Mr. Gordon explained that the Board had previously voted that legal fees shall not exceed \$25,000. Due to the upcoming mediation session, Mr. Gordon was recommending that the Board approve raising the cap to \$50,000. Vice Chair Dr. Lutz motioned, and Mr. Aaron Miller seconded, to raise the cap. Board member unanimously voted to raise the cap.

VIII. SPECIAL PRESENTATIONS

A. 9-1-1 Call Answering Times

Board Chair Ebbert recognized Deputy Director Malin, who referred Board members to the monthly Call Answering Times reports. Ms. Malin pointed out they continue to not meet the national call-answering standard. Ms. Malin pointed out that abandoned calls continue to fall as a percentage of total 9-1-1 calls, which means fewer callers are hanging up before their call is answered. Ms. Malin told Board members she would send out updated information on call-taker staffing levels.

B. Personnel Committee Report

Chair Ebbert recognized Ms. Charlotte Parent, Chair of the Personnel Committee. Ms. Parent stated that she was the Chair of the Personnel Committee and other members were Vice Chair Dr. Lutz, Supt. McConnell, and Dr. Aiken. Ms. Parent reminded Board members that the Committee formed about a year ago to review FLSA requirements. Once that was done, the Committee reviewed the salaries of MIS personnel, and decided to compare OPCD MIS salaries to City MIS salaries because those salaries are current and updated frequently for recruitment and retention. For the remaining staff, the Committee used salary data from several entities for comparison purposes. This included the City of New Orleans, St. Tammany Parish, Jefferson Parish, Baton Rouge, and Indeed.com.

Once comparisons were made, the following formula was used. If an employee's current salary was 10 percent higher than their salary base, no adjustments were made. If the employee's current salary was below the salary base, then that employee's salary was raised to the base. If employed more than seven years, that employee received a four percent increase. Ms. Parent explained that she determined that there were five employees whose salaries needed to be raised, three of whom were MIS employees. The other two positions were Facilities Manager and the Director of Finance & HR.

Ms. Parent recommended that the Board approve the five new salaries and make them retroactive to June 2015. Ms. Parent said the Committee is also recommending that starting in 2016, all OPCD employees be annually evaluated, with potential merit raises if budgeted. The Committee is also recommending that the by-laws be amended to

provide for an annual evaluation of the Executive Director by the Board to determine if a raise should be given at that time. Ms. Parent stated that the suggested amendments to the by-laws will be submitted at the regular OPCD meeting in November, which will then hold over until the next regular OPCD Board meeting.

Vice Chair Dr. Lutz stated that he did not get the information about this until yesterday evening and said he was not sure he wanted to be included in the Committee recommendations; because the Committee did not meet to review and approve the recommendation, they were more accurately the Committee Chair's recommendations. Ms. Parent stated that she sent the recommendations out early Monday afternoon. Vice Chair Dr. Lutz stated that he did not get supporting documentation until after 5:00 pm yesterday. Ms. Parent apologized for getting this information out so late, but she was concerned that if the Board did not adopt the recommendations at this meeting, the raises would not be approved before the fiscal year ended.

Vice Chair Dr. Lutz expressed his support for the raises and asked that the Committee stay open so that the methodology used to determine salaries was consistent from one position to the next. He stated that every OPCD employee deserved a raise, and he expressed his disagreement with the comparables that were used for the non-MIS positions.

C. Motion to Accept Committee Recommendations

Vice Chair Dr. Lutz motioned to accept the Personnel Committee Chair's recommendations and keep the Committee convened to review the data that was submitted. Dr. Aiken seconded the motion. Board members unanimously adopted the motion.

IX. OLD BUSINESS

B. Motion to Approve OPCD to pay City of New Orleans to hire HR Manager and Training Coordinator

C. Motion to Approve OPCD to pay to City to Advertise HR Manager and Training Coordinator

Board Chair Ebbert recognized Mr. Dyer and asked him to discuss the legal requirements regarding this issue. Mr. Dyer stated that under the Local Services Act, all that is needed is a written agreement documenting what is actually transpiring; it should be fairly clear. Board Chair Ebbert stated that part of the difficulty he was having is that the Board did not have the necessary documentation to determine the legitimacy of doing that. Mr. Kopplin stated that the proposal now is for OPCD to hire the HR Manager and the Training Coordinator. The City is not asking OPCD to use additional funds for these positions; the City is asking that OPCD subtract from OPCD's annual reimbursement the cost of the salaries and benefits of these two positions.

Executive Director Gordon asked to whom these employees would report. Mr. Kopplin replied that they would be assigned to Lt. Col. Sneed, and added that he could execute a separate CEA or MOU if that is OPCD's desire. Mr. Kopplin said he wants OPCD to advertise the position. Mr. Kopplin stated that these two positions were necessary to move consolidation along. He went on to say that this issue should not be difficult to resolve. Mr. Lizarraga replied that the issue was slightly more complicated than that. If OPCD were paying for the position, then who is the employer? Mr. Kopplin replied that

OPCD would be the employer. Mr. Lizarraga said that the District is going to hire two employees for a program that has not been approved. Mr. Kopplin replied that these can be OPCD employees, and OPCD can decide to move forward or not. If we do not move forward with consolidation, the employees can be fired because they are non-classified, at-will positions.

Lt. Stelly expressed concern about moving forward without a CEA to document the situation, as recommended by Mr. Dyer. Supt. McConnell stated that he has a Fire Department employee who reports to the EOC. Mr. Lizarraga replied that this situation is different because OPCD and the City of New Orleans are different governmental units, and that state law requires a written agreement. Supt. McConnell said that if the Board wanted consolidation to move forward, they needed to approve this request, and have the employee report to Lt. Col. Sneed.

Lt. Stelly asked if it was possible to reach a compromise until a CEA was approved. Mr. Kopplin motioned for the OPCD to subtract from its annual reimbursement to the City the funds needed to pay the salaries and benefits for an HR Manager and a Training & QA/QC Coordinator. These would be OPCD employees who would be assigned to Lt. Col. Sneed. Supt. McConnell seconded the motion.

Chair Ebbert called for discussion. Vice Chair Dr. Lutz stated that this request was premature and as a result, he could not support it, even though he supported consolidation. A discussion ensued concerning the legality of employees who would be paid by OPCD but who would report or be assigned to Lt. Col. Sneed. Mr. Lizarraga stated that it is legal for OPCD to hire these two positions, but the examples given previously do not apply here, because in all situations the employees were City employees assigned to another City department. Mr. Dyer added that there needs to be something in writing that clarifies and documents the entire situation. Vice Chair Dr. Lutz reiterated that the City is asking OPCD to approve something that has not been agreed to or even put in writing. Mr. Dyer agreed with Vice Chair Dr. Lutz, stating that the CEA has to be authorized before anything can be put in writing.

Dr. Aiken asked who would be creating the jobs, advertising the jobs, and hiring the individuals. Mr. Kopplin replied that it would be OPCD, but hoped that Executive Director Gordon and Lt. Col. Sneed could work together on the hiring. Board Chair Ebbert requested that the motion be amended to clarify that OPCD's Executive Director would determine the salary and final job description. Mr. Kopplin agreed.

Board Chair Ebbert called for a vote. Vice Chair Dr. Lutz and Col. Chastain voted "Nay." The motion passed by a majority of Board members.

X. NEW BUSINESS

A. Request from City for OPCD to purchase ProQA Software

Lt. Col. Sneed informed the Board that EMS already has the ProQA call-taking software, and that ProQA had a software suite that would provide law enforcement and fire call-answering protocol. In addition, ProQA has a built-in QA/QC process. Lt. Col. Sneed continued that this software is needed to begin the cross training of all 9-1-1 personnel.

Chair Ebbert explained that because this was New Business, the OPCD by-laws require that the item be held over for final passage at the Board's next meeting. Vice Chair Dr. Lutz motioned to approve the request and place it on the Agenda for the next meeting

for final passage. Mr. Miller seconded the motion. There was a short discussion among Board members concerning how quickly this could be purchased and installed.

Board Chair Ebbert called for a vote. Board members unanimously adopted the motion. Chair Ebbert directed OPCD staff to place this on the Agenda for the Special Board meeting on September 29, 2015.

**B. Evaluation of 2015 Budget—Request for Additional Information from CAO
Andy Kopplin**

Board Chair Ebbert directed Board members to the handout in their packets. Chair Ebbert complimented OPCD staff for the detailed, thorough, and educational answers. Mr. Kopplin stated he had no further questions.

C. Introduction of New Consolidated 9-1-1 Positions

This item was not discussed.

D. Legal Services Provided to OPCD

This item was not discussed.

**E. Request for Special Meeting of the OPCD Board of Commissioners for
Tuesday, September 29, 2015, at 10:00 AM**

Board Chair Ebbert recognized Mr. Kopplin, who requested the Special Meeting. Board Chair Ebbert then formally called for the Special Meeting, as provided in the OPCD by-laws.

XI. ANNOUNCEMENTS

A. Next Regular OPCD Board Meeting: Tuesday, November 10, 2015

Board Chair Ebbert reminded Board members about November's Board meeting.

XII. ADJOURN

Board Chair Ebbert thanked Board members for attending the long meeting. Dr. Aiken motioned, and Mr. Miller seconded, to adjourn the meeting. OPCD Board Chair adjourned the meeting at 12:22 pm.

Respectfully Submitted,



Stephen J. Gordon
Executive Director