

**ORLEANS PARISH COMMUNICATION DISTRICT  
BOARD OF COMMISSIONERS**

**Special Board Meeting**

Tuesday, January 12, 2016, at 10:00 am  
Administrative Conference Room, OPCD Administrative Building  
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. Jim Aiken (proxy for Mr. Greg Feirn); Lt. Col. Timothy Chastain (proxy for Major Glenn H. Curtis); Deputy Mayor Andy Kopplin; NOPD Supt. Michael Harrison, NOFD Supt. Timothy McConnell; NOEMS Director Dr. Jeffrey Elder; NOHSEP Interim Director Mr. Aaron Miller; and Department of Health Director Ms. Charlotte Parent.

Executive Director Stephen Gordon introduced Ms. Jeanne Hobson, HR Manager for Consolidation, and Ms. Shinar Haynes, Training & QA/QC Coordinator for Consolidation.

**III. DEVIATE FROM AGENDA FORMAT**

Board Chair Terry Ebbert announced a request to change the format as provided for in the by-laws, and to conduct a Special Meeting to discuss the CEA for consolidation. Supt. McConnell moved to deviate from the Agenda, and Dr. Elder seconded the motion. Board members unanimously adopted the motion.

**IV. ADOPTION OF BOARD MINUTES FROM NOVEMBER 10, 2015**

Board Chair Terry Ebbert called for the adoption of the minutes from the OPCD Board meeting held November 10, 2015. Ms. Parent motioned and Dr. Elder seconded the motion to adopt the minutes as submitted. Board members unanimously adopted the minutes.

**V. OLD BUSINESS**

**A. Cooperative Endeavor Agreement**

Board Chair Col. Ebbert told the Board that the only item on the agenda is the review of CEA to continue the path to consolidation. He requested that all other items be deferred until the next Board meeting. Chair Ebbert reminded Board members that this has been a 10-year journey, coming from three separate PSAPs to collocation under one roof. He reminded Board members that consolidation is a complex process, which requires the

cooperation and integration of many people. The goal is to develop the best operational, administrative, and financially efficient 9-1-1 center for the City of New Orleans. He stated that as a Board, they were obligated to employ good financial management. The 9-1-1 employees are vitally important and we need to ensure that every employee comes out with an equal or better standing from where he or she is. No one on this Board answers 9-1-1 calls, and Board members have an obligation to protect the rights and status of the 9-1-1 personnel.

Chair Ebbert went on to say that the CEA under review is revision 27. He stated that it is vitally important that everyone be able to express his or her concerns. Chair Ebbert then recommended that the Board review the CEA from the first page. Chair Ebbert requested that the CEA be displayed on the projector, and then opened the floor for comments.

Chair Ebbert recognized Lt. Stelly, who asked that they start with his first comment or review. (See attached document.)

Lt. Stelly asked why the reference to the terminated CEA was still included in the draft CEA. Mr. Andy Kopplin replied that OPCD continues to assist the City and the prior CEA should have been renewed. Deputy Director Ms. Frith Malin stated that in 2009, the Board terminated the CEA by cutting funding, due to increased funding requirements for the McDaniels 9-1-1 Center. In 2015, OPCD funds for call-taker reimbursement were diverted to pay for the ProQA call-taking software and for the salaries of the current HR Manager and Training Coordinator.

OPCD has received an opinion from the Attorney General's Office over the phone. OPCD Executive Director Stephen Gordon stated that his understanding from the conversation is that OPCD is legally able to contract with the City, that the City's liability coverage can be extended to include consolidation, and that there is nothing to prohibit consolidation from moving forward. Lt. Col. Timothy Chastain asked if the Attorney General opinion specifically addressed whether OPCD could shift from an administrative oversight to operational oversight. Director Gordon replied that the attorney from the Attorney General's office stated that there is nothing in OPCD's enabling legislation that would prevent consolidation from happening. Vice Chair Dr. Lutz stated that it was important to get the opinion in writing. Director Gordon informed Board members that he would send them the written opinion as soon as he got it.

Lt. Stelly asked about the transfer of sick and annual leave. Chair Ebbert recognized Mr. Eric Melancon, who stated that the City would provide an annual appropriation to OPCD to cover sick and annual leave accumulated for Police, Fire, and EMS employees. Mr. Melancon went on to say that employees will have the option to receive a cash payout or have their leave transferred to OPCD. Mr. Melancon said he was working with the City's Finance Office to ensure that the proper terminology is used in the CEA. He said that ever year, the city would appropriate funds for the full value of the leave. Mr. Melancon estimated that the communications employees have accumulated approximately \$900,000 to \$1 million in accumulated sick and annual leave. Board Chair Ebbert asked Mr. Melancon to develop a written plan with specific dates that the transfer will occur, and to share that plan with employees and Board members.

Board Chair Ebbert recognized Mr. Andy Kopplin, who asked if a review of the HR Policies could be added to the Agenda for the Special Board meeting in February. Board Chair Ebbert replied affirmatively.

Board Chair Ebbert recognized Lt. Col. Sneed. Lt. Col. Sneed said that he had been working on a draft of the HR policies, and that it should be complete by the middle of February. Chair Ebbert recognized Mr. Eric Hessler, Attorney for the Police Association of New Orleans (PANO). He asked if employees who did not want to transfer to OPCD would be provided with other employment options in their respective departments before they were terminated. Lt. Col. Sneed stated that HR would work with Civil Service to make those options available. Mr. Kopplin stated that Civil Service recommends that employees be formally laid off so that all options can be fully examined and explained.

Chair Ebbert recognized Mr. Louis Robein, attorney for the Fire Union. Mr. Robein asked if collective bargaining rights would be offered to the OPCD-Ops employees. Mr. Kopplin replied only if the Board adopted or allowed collective bargaining. Mr. Robein asked Lt. Col. Sneed if current NOFD Dispatchers would be given one year to add another dispatch discipline if they wanted to keep the equivalent of their state supplemental pay. Lt. Col. Sneed replied affirmatively. Mr. Robein asked what will happen if an employee is not able to successfully train for the additional discipline. Mr. Robein stated that NOFD dispatchers are already receiving this level of pay prior to consolidation. They will have more work to do because they will be required to call-take for all three agencies, but if they do not or cannot take additional duties, they will lose the pay they are currently making.

Mr. Kopplin stated that NOFD dispatchers are some of the highest-paid employees in the 9-1-1 Center. They will take on new skill sets in order to keep their current pay. Mr. Kopplin continued that they will be given priority in getting dispatch training, and the Board can be flexible with the time required to obtain that skill set. Deputy Director Malin stated that in other consolidations, higher paid employees were "red-lined," which means their level of pay was frozen; if they wanted to earn more money, they would have to learn a new skill set, but they were held harmless with respect to their current pay. Mr. Kopplin asked Ms. Malin if it was equitable for Fire employees to earn more than their counterparts in consolidation were, when other employees were doing the same job for much less money. Ms. Malin acknowledged that there were going to be inequities for the first several years until the more senior and more highly paid employees retired. As new employees are hired, their salaries would be consistent and equitable with their counterparts. Ms. Malin asked if it was equitable for Fire employees to be given the first shot at training, when the other employees were earning less, and deserved priority in training.

Chair Ebbert stated that he needed more data on each of the approximately 140 employees in order to determine whether the proposed pay structure was adequate and equitable. Chair Ebbert asked Mr. Melancon to submit a spreadsheet that outlines pay, longevity, potential position, and proposed salary for every employee currently working in the 9-1-1 Center. Chair Ebbert also asked Mr. Melancon to provide Board members and OPCD staff with this data in two weeks. Mr. Melancon agreed to do so. Mr. Melancon informed the Board that once the CEA has been approved, then they would submit a funding request to the City Council.

Mr. Kopplin advised that the City Council had appropriated an additional \$1 million for consolidation, which will allow the Board to raise the base pay for call-takers, but those pay raises are still not enough to compare to existing NOFD salaries. Mr. Kopplin stated that the question is how to address properly the inequities in pay that exist in the current system and how to make pay more equitable with consolidation.

Chair Ebbert recognized NOFD Senior Fire Dispatcher Ms. Wanda Newsome, who told the Board that she was speaking for several Fire dispatchers. They have been given information advising them that they will come in as Telecommunicator II's, and if they want the City to maintain their state supplemental pay, they will have to take on additional skill sets in order to be classified as Telecommunicator III's. Ms. Newsome stated that Fire employees will be doing three jobs (call-taking for all three agencies), along with dispatching Fire, with lower pay and no opportunity to determine which discipline they would like. In addition, they were told that they would not be eligible for merit raises. Ms. Newsome pointed out that the City Council did not appropriate an additional \$1 million for consolidation; the City Council appropriated an additional \$1 million to NOPD for call-taker pay raises. This needs to be clearly stated. Ms. Newsome continued that employees have been given very little information and no one seems to know exactly what is going to happen; no one has given them any solid answers that make sense. Fire employees' expertise has been put to the side and discounted, but no one has asked them exactly what they do during a fire or other event. Ms. Newsome informed Board members that several NOPD call-takers or dispatchers have transferred to Fire, but have transferred back in less than two years because the job is too hard and demanding. Ms. Newsome stated that the NOFD dispatchers do the job of call-taker, dispatcher, and command desk, but no one making decisions seems to care or even know about this. Ms. Newsome stated that Board members and Lt. Col. Sneed need to understand and learn exactly what Fire dispatchers do. She asked Board members to consider this before approving the CEA.

Board Chair Ebbert recognized Mr. Nick Felton, President of the Fire Union, who asked Mr. Kopplin to work together to find additional monies to make consolidation fair for all employees. Board Chair Ebbert recognized Mr. Robein, who stated that as written, fire union issues are applicable to the CEA. He said if this is a true consolidation, then collective bargaining rights are applicable to OPCD, along with the fire union. Mr. Robein stated that collective bargaining protects employees' supplemental pay and other statutory rights.

Board Chair Ebbert recognized CAO Mr. Kopplin, who motioned that the Board authorize the Chair to execute a CEA after Board approval of the HR policies, which will give more opportunities to vet out all remaining matters. Deputy Director Malin asked when employees would be given a chance to review the policies before they come to the Board for review. Lt. Col. Sneed replied that agency employees and OPCD staff would be given ample time to review the policy before the February Board meeting.

Board Chair Ebbert recognized NOFD Supt. McConnell, who addressed Ms. Newsome's concerns for increases in pay. Under the current system, their longevity raises expire after 23 years of service, and consolidation provides an opportunity to change that. Supt. McConnell pledged to Ms. Newsome that the Board would work with HR and develop policies to address this matter.

Board Chair Ebbert recognized Vice Chair Dr. Lutz. He asked Ms. Shinar Haynes for her opinion regarding proposed staffing levels. Ms. Haynes stated that based on her experience in call taking, dispatching, and operating in a consolidated 9-1-1 environment, she was concerned with the safety of the units on the street as well as 9-1-1 employees' ability to do their jobs correctly. Ms. Haynes stated that the original plan as submitted does not have sufficient personnel to meet NENA, APCO, NFPA, or CALEA standards. After reviewing the number of abandoned calls compared to the number of calls that are answered within standard, she concluded that the Center is significantly understaffed. Ms. Haynes acknowledged that NOPD is understaffed with

not just officers; NOPD Communications as a whole was grossly understaffed. Ms. Haynes cautioned that this situation was exposing the City to huge liability and it is only a matter of time before someone is hurt. Ms. Haynes reiterated that they must have enough call-takers and dispatchers so they will not be overworked and over-stressed. Having insufficient staff makes training almost impossible. Ms. Haynes went on to say that she, Lt. Col. Sneed, and Mr. Melancon were continuing to work on the staffing structure and staffing levels. Ms. Haynes further explained that her perspective comes from having done the job of call-taker and dispatcher, and from that perspective, the original plan made no sense. Ms. Haynes stated that they were continuing to work as a team, and have changed the structure somewhat. Ms. Haynes continued that Lt. Col. Sneed and Mr. Melancon are knowledgeable, but until you have been a call-taker or dispatcher, you cannot know what happens when an emergency arises; there is no real appreciation for what the call-takers do and go through. Ms. Haynes stated that it is disingenuous to expect call-takers to meet a standard while operating with an insufficient level of staffing that has proven its inability to meet national standards. Ms. Haynes closed her statements by saying that the initial cost of consolidation is going to be very significant due to the amount of training needed and the need to hire more call-takers and dispatchers.

Chair Ebbert recognized Lt. Stelly, who reiterated that consolidation should be cost neutral to OPCD. He questioned whether legal counsel should be consulted for the appeal process for disciplinary decisions, as done at State Police. Mr. Kopplin agreed that the City assigns a City Attorney to assist with HR issues. Lt. Stelly then brought up the situation of dual chain-of-command regarding Operations and Administration. Mr. Melancon stated that the Ops Manager position is being considered transitional and if discovered that it is not needed then it can be revisited. Chair Ebbert agreed with Lt. Stelly, that consolidation should be cost neutral to OPCD. He stated that funds should be transferred to cover the costs of drug testing, the payroll system, training, uniforms, tool allowances, and overtime; in addition, those specific costs must be added to the CEA. Chair Ebbert then asked about assignment of a vehicle for the Ops Manager. Mr. Kopplin said that it is easier for the Board to establish a budget and let OPCD execute those funds. Chair Ebbert said he would be agreeable to that, if the City funded those costs.

Lt. Stelly questioned why OPCD's appropriation of \$443,500 was included in the CEA. This money was supposed to reimburse the City for the salaries and benefits of 11 NOPD Complaint Operators. The OPCD is already incurring costs, and there is no reason to keep the \$443,500 in the CEA. Mr. Kopplin replied that this is what the amount has been historically. Lt. Stelly replied that just because it is historical does not necessarily make it the right thing to do. Lt. Stelly reiterated that the cost of consolidating should be neutral to OPCD; allocating those monies to cover the cost of 11 call-takers when there are more than 11 call-takers does not make sense. Those funds can be re-allocated to another expense that will ensure cost neutrality and will reduce the amount of one-time funds needed to balance the current year budget.

Board Chair Ebbert recognized Ms. Denise Clayville, OPCD Finance and HR Director. She reminded the Board that OPCD's operating revenue is less than operating expenses. Any funds not spent will be re-allocated to funds for capital projects. Ms. Clayville said the \$443,500 is a carry-over from when OPCD had sufficient revenue. Ms. Clayville also said that the Board will not enjoy a budget surplus until 2020 when the note is paid off. Mr. Kopplin questioned the decision to pay off the building in 10 years, when loan payments are affecting cash flow. Ms. Clayville stated that these were the

only terms that OPCD was able to get. Mr. Kopplin stated that any consolidation costs incurred by OPCD could be subtracted from the \$443,500, which is what happened with respect to ProQA. After a discussion among Mr. Melancon, Lt. Stelly, and OPCD General Counsel Mr. Juan Lizarraga, Col. Sneed and Mr. Melancon agreed that the wording would be amended and brought back to the Board.

Lt. Col. Chastain questioned the word "sole" in reference to operations personnel who shall remain under the sole supervision and control of the Operations Manager. Lt. Col. Chastain said this word limits the ability to delegate and reference a chain of command, and asked that it be removed. Lt. Col. Sneed stated that is in place to ensure clarity for employees that the current agency commanders would not have control over the employees. Chair Ebbert stated that he would like to see a single chain of command, where the Ops Manager reports to the OPCD Executive Director.

Lt. Stelly questioned whether there will be a fail-safe infrastructure in place regarding the termination of the CEA. As important as 9-1-1 service is, there must be a process in place to provide for the transfer of responsibilities from OPCD back to the City. Lt. Stelly opined that there should be a standing agreement with Civil Service to navigate that process, not only for the continuation of 9-1-1 service, but so the dispatchers and call-takers can keep their jobs and continue to be paid. Mr. Kopplin stated that he suggested 180 days as a trial period, with the possibility of extending the CEA to one year.

Board Chair Ebbert recognized Mr. Greene, Legal Counsel for the Civil Service Commissioners. Mr. Greene stated that the reality is that it will be difficult to find a large enough talent pool needed to perform the job if the CEA fails. He also acknowledged that the Commissioners are looking down the road for a contingency plan. Dr. Aiken stated that the termination policy should be in place prior to approving the CEA. Chair Ebbert recognized Mr. Nick Felton, who said the CEA term should be for more than one year because Fire employees would be given a year to acquire a new skill set.

Chair Ebbert recognized Vice Chair Dr. Lutz. Dr. Lutz stated that there were still too many unanswered questions to approve the CEA as submitted. In addition, the meeting has been going on for over two hours, and nothing has been decided. Dr. Lutz motioned to adjourn. There was no second, and the motion failed.

**B. ADOPT RESOLUTION 16-01 TO AUTHORIZE THE CHAIR OF THE OPCD BOARD OF COMMISSIONERS TO SIGN THE PROPOSED COOPERATIVE ENDEAVOR AGREEMENT FOR CONSOLIDATION**

Board Chair Ebbert recognized CAO Kopplin, who motioned to adopt Resolution 16-01. Supt. McConnell seconded the motion. Lt. Stelly stated that there were a significant number of unresolved issues with the CEA. Dr. Aiken asked if the Ops Manager would be hired in the same manner as the Executive Director. Mr. Melancon replied affirmatively. Dr. Aiken expressed concern that the Board had not seen any policies, and that approval of such policies would be needed prior to approval of the CEA.

Board Chair Ebbert asked for clarification regarding Board approval of the CEA and a formally executed document. Mr. Melancon stated that because the funding for consolidation is not available yet, once the Board approves the HR policies and they are in place, the CEA will be executed. Chair Ebbert then asked how OPCD should approach the City Council without sufficient documentation of the costs.

Board Chair Ebbert recognized Dr. Aiken, who motioned to amend Resolution 16-01 to require Board approval of HR policies and all policies and procedures indicated in Article I, Section 1, Part d of the CEA. Mr. Kopplin seconded the motion. Chair Ebbert called for the vote. There were 10 yeas and one nay from Dr. Lutz. Resolution 16-01 was adopted as amended.

Chair Ebbert recognized Mr. Nick Felton, who requested a clear definitive answer from the Board regarding collective bargaining. Mr. Kopplin opined that collective bargaining does not follow the employees to OPCD, but would defer to the City Attorney. Mr. Kopplin thanked the Board members for their commitment to this process and to Lt. Stelly for his attention to detail.

## **VI. NEW BUSINESS**

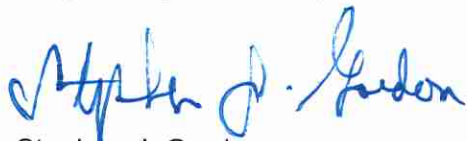
### **A. REQUEST FOR OPCD TO PAY FOR TRAINING MATERIALS FOR CPR COURSE AS PART OF PRO-QA TRAINING**

This was deferred to the next Board meeting due to time limits.

## **VII. ADJOURN**

Chair Ebbert thanked Board members for the commitment to the process. CAO Kopplin thanked Lt. Stelly for his attention to detail. Chair Ebbert then called for a motion to adjourn. Dr. Aiken moved, and Lt. Stelly seconded, to adjourn the meeting. Chair Ebbert adjourned the meeting at 1:05 PM.

Respectfully Submitted,



Stephen J. Gordon  
Executive Director