

**ORLEANS PARISH COMMUNICATION DISTRICT  
BOARD OF COMMISSIONERS**

**REGULAR MEETING  
Wednesday, November 14, 2018  
Warren E. McDaniels Communications Center Boardroom  
118 City Park Avenue  
New Orleans, LA**

**MEETING MINUTES**

**I. ROLL CALL AND CALL TO ORDER**

Chairman Michael "Beau" Tidwell called the meeting to order at 10:03 am.

Ms. Ausetua AmorAmenkum called the roll with the following members present:

Chairman Michael "Beau" Tidwell; Ross Bourgeois (proxy for Vice Chairman Colin Arnold); Lt. John Stelly (proxy for Capt. Donovan Archote); Dr. James Aiken (proxy for William Masterton); CAO Gilbert Montaña; Deputy Supt. Roman Nelson (proxy for Supt. Timothy McConnell), Deputy Supt. Paul Noel, (proxy for Supt. Michael Harrison); Dr. Emily Nichols; Dr. Jennifer Avegno and Dr. Brobson Lutz.

Maj. General Glenn Curtis was absent.

**II. APPROVAL OF MINUTES (SEPTEMBER 11, 2018)**

Board Chair Tidwell called for the adoption of the minutes of the September 11, 2018 Board meeting. A motion to accept the minutes was made by CAO Montaña and seconded by Lt. Stelly. The minutes were unanimously adopted.

**III. FINANCIAL REPORT**

**A. 2018 Financial Report**

Executive Director Tyrell Morris acknowledged Ms. Denise Clayville's retirement after 13 years and publicly thanked her for her service to OPCD. Director Morris introduced Ms. Cassandra Robert as the new Financial Manager.

Ms. Robert directed the Board to the Budget to Actual document for the past ten months; she reminded the Board that the YTD Budget reflects budget numbers to the current date. After meeting with Director Morris, Ms. Robert had concerns about the reporting of revenues because OPCD's revenues are received after the month is closed. To accommodate this occurrence, Ms. Robert announced that she will post a \$600k accrual for anticipated revenues for the current month which will allow OPCD to see a visual picture of revenues to date. There are some major variances, specifically under Professional Services, resulting from the Sizeler litigation, and VISA charges; in the past receipts were not submitted in a timely manner. This process has been reviewed by Ms. Robert and she announced that her office will be updating and ensuring timely posts. Under Building Upgrades, OPCD incurred a \$8,468 expense for emergency repairs to the Roman Capitol Building.

CAO Montaña inquired about the legislative audit findings. Ms. Robert advised that we are in the process of implementing corrective measures to address all issues identified in the audit. Director Morris added that OPCD has been working on a corrective action plan, and every deficiency noted by the auditor has an attached plan of action. About 60% of the corrective actions have been completed, with the remaining expected to be completed by the end of the fiscal year. Director Morris reported that the majority of the findings were associated with financial controls and policies that didn't previously exist. His goal was to produce the plan at this meeting but the list was so large it took more time than anticipated; he did not want to present an incomplete document. Director Morris reported that he is requesting the auditors return to OPCD to review the corrective actions taken and to re-issue an updated audit statement to the Board.

Director Morris announced that the Board would now be able to see OPCD bank account balances. He pointed out that OPCD had a significant amount of monies sitting in the Operation Budget that had not been moved into the reserve fund. Director Morris advised the Board that the current bank balance reflected the movement of those funds to the Louisiana Assets Management Pool (LAMP). Director Morris anticipates the movement of additional funds before the end of the year which will increase the LAMP funds to a projected \$5.5 million. CAO Montaña inquired if there was a restriction or requirement to keep a minimum amount in reserves. Director Morris answered that OPCD did not but did conclude that there may be a need to have a fiscal policy around the intent. Director Morris continued that OPCD needs to identify what that reserve amount should be, and he acknowledged that it was the availability of having

reserve funds that allowed OPCD and 9-1-1 to recover as quickly as it did after Hurricane Katrina.

*(Chair Tidwell acknowledges Dr. Lutz arrival to meeting)*

## **B. Revenue Audit**

Director Morris reminded the Board that OPCD issued an RFP to conduct a Revenue True-Up in 2017. A True-Up is the auditing of the carriers that remit E9-1-1 fees to OPCD. The audit was needed to insure that OPCD is receiving accurate 9-1-1 fees based on the telephone customer population of Orleans Parish. Director Morris discovered that there are some legislative holes that make enforcement and auditing of the carriers' records difficult, and there are no requirements of the carriers to provide the information. OPCD essentially has to take the carriers' word as to the amount they collect for 9-1-1 and the amount they remit to OPCD. We are having conversations with the Public Service Commission (PSC) which supervises the carriers and the levying of the 9-1-1 fees, and looking at a holistic auditing approach for the entire state. The second initiative based on the data that we do collect, will help OPCD identify those areas where we are not getting proper remittance. Director Morris continued to say that OPCD randomly selected five major hotels and discovered that there were gross discrepancies between what is in the building and what is being remitted. The legislation is not clear as to whether fees are determined for the number of lines in a hotel or for the capacity of the hotel's system. OPCD may need an Attorney General's opinion to interpret the law on this matter. AT&T has agreed to work with us.

Director Morris announced that if a significant amount of funds are due to us, he may come back to the Board to request civil action, not to change the laws, but to enforce the laws that currently exist. There are other parishes in the State who have asked to join us in our efforts to develop enforcement mechanisms for the collection of the 9-1-1 fees. Director Morris continued that currently the responsibility is on the District to provide and present data to the carriers, there is no responsibility required of the business carriers. A short discussion continued regarding hotel PBX lines and how to change the law. Director Morris advised the Board of the new political subdivision that has been created, the State 9-1-1 Board, which will consist of all 911 Directors from throughout the State whose primary responsibility is to provide guidance to the Public Safety Commission and State legislators. There is also a group of larger parishes organizing to approach the carriers regarding this issue. Director Morris will provide an update in the First Quarter of 2019.

#### **IV. Executive Director's Report**

##### **A. Updates and Announcements**

Director Morris reviewed the last three months of the call answering stats. OPCD answered 98% of 9-1-1 calls for service at the NFPA national standards.

Director Morris introduced newly promoted Operations Director Juana Green and Training & Compliance Manager Teresa Thompson.

Director Morris advised the Board of the newly created Executive Advisory Council, consisting of representatives from all departments in OPCD. The purpose is to allow staff to address issues regarding working conditions outside the chain of command. The first meeting was very successful and the feedback from employees confirmed that we are on the right track.

Director Morris advised the Board that the Recruit Class #18-03 is currently in training. He reported that the class is very dynamic and diverse and has a wide range of experience.

On February 1, 2019, the OPCD will begin encryption of the public safety radio channel which follows national standards. As incidents unfold throughout the nation, the criminals have been one step ahead of public safety because they have been listening in on radio transmissions. Major law enforcement agencies have begun to encrypt their radio channels so one must have a radio that has an encryption key in it in order to listen to public safety radio transmissions. Director Morris advised that OPCD issued a press release to allow the public to be aware of this change.

Director Morris announced that OPCD was recognized for the use of Quick Base software which is used for several tasks including: leave requests, overtime signup, incident alerts, and gist entries for officers. Quick Base did a story on OPCD and our use of this software to save lives.

##### **B. Leave Policy Update**

Director Morris reported that while evaluating OPCD's financial risks the area of bonus leave was of concern. Under the current OPCD policy, a certain number of bonus days are

deposited into employees' leave banks at the beginning of each calendar year (like City employees) depending on their years of service. OPCD determined that after a significant amount of resignations or terminations at the beginning of the year, the District was liable to pay that employee for leave that they had not worked to earn. Going forward, employees will accrue their leaves throughout the year, not receive all bonus leave hours in one amount at the beginning of the new year. The total leave amounts will be unchanged; just when the leave is awarded will change. This policy will go in to effect on January 1, 2019.

There was a discussion about annual and bonus leave time and comparisons to the City's leave policy. Director Morris shared the history of bonus leave wherein the City could not afford to give raises so they gave bonus leave instead. He advised that OPCD is not in the same financial position, and he believes that our compensation plan is fair and this decision is in line with industry standards. The Board concluded that this policy makes good fiscal sense.

**C. Resolution #18-13 – 2019 Regular Meeting Dates**

Chair Tidwell called for the motion to adopt Resolution #18-13 which determines the 2019 Regular Quarterly Board of Directors Meeting dates on the second Tuesdays of the month: March 12, June 11, September 10, and November 12, 2019. The motion was made by CAO Montaño, seconded by Dr. Avegno, and Resolution #18-13 was unanimously adopted.

**D. Resolution #18-14 – Authorize Chairman to Sign CEA with City of New Orleans**

Director Morris advised the Board that the current Cooperative Endeavor Agreement (CEA) with the City expires December 3, 2018. A draft CEA was presented at the last Board meeting. The final draft presented today for Board approval has been vetted with the OPCD staff, the City Attorney, and the CAO. Director Morris stated that he does not expect any changes substantive in nature. The City Council requires that the Board Chairman execute the CEA which includes the following details: integration of 3-1-1 operations into OPCD; and the removal of the clause addressing OPCD's \$500,000 payment to the City.

Resolution #18-14 authorizes the Chair to sign the CEA with the City of New Orleans. There was a short discussion around any future substantive changes, and Director Morris stated that if that were to happen it would require Board for approval. CAO Montaño stated that it is standard procedure to make grammatical changes within legislative bodies. It was motioned by Dr. Avegno and seconded by CAO Montaño to open for discussion. The Board briefly discussed changes between the former version and the presented version of the CEA. Director Morris reported to the Board that the CEA will be up for renewal in five (5) years with one year options to renew. CAO Montaño asked if General Counsel and the City Attorney had been consulted to determine the legality of the consolidation of 3-1-1 operations. Director Morris announced that our General Counsel opined that it was legal. Dr. Akins inquired if Act 155 (enabling legislation) needed to be amended. OPCD Attorney Juan Lizarraga stated that the language is already embedded in the original legislation. The Chair called the vote, and Resolution #18-14 was unanimously adopted by the Board.

**E. Resolution #18-15: Authorize Amendment to FY18 Capital Projects Budget**

Director Morris informed the Board that a 2018 Capital Budget was passed and OPCD was at the end of the fiscal year with some significant savings (\$466,000). OPCD has the opportunity to deploy Premiere One Mobil across our entire public safety platform. This increase in functionality is significant: it will allow OPCD to get responders to the right location faster; gather information more quickly; and increase responder safety by using enhanced maps and the integration of NCIC in a secured environment. Director Morris requested that the Board approve a resolution to spend some of OPCD's savings on the purchase of Premiere One Mobile for NOPD. The total proposed cost is \$352,000, and a formal proposal from Motorola is included in the Board packets.

Ms. Aminata Brown, NOPD Chief Technology Officer, stated that this purchase would represent a major step forward for the NOPD by increasing efficiencies and NOPD's ability to collaborate. She thanked OPCD for providing the vision and assisting in this endeavor. Using this product will be significant for the officers as well as the public. This implementation will allow increased collaboration with first responders. Director

Morris added that the funding of this project does not require the use of reserve funds.

Chair Tidwell called for the motion to adopt Resolution #18-15. It was motioned by Mr. Montaña and seconded by Deputy Supt. Paul Noel; Resolution #18-15 was unanimously adopted by the Board.

**F. RESOLUTION #18-16: ADOPT FY2019 BUDGET**

Director Morris advised the Board that the prior draft version of the proposed OPCD FY2019 budget was adopted before the Mayor adopted the City budget. The current OPCD budget version in the Board packets correlates with the City budget, reflecting the City's funding allocation to OPCD and the consolidation of 3-1-1 with 9-1-1 operations. OPCD held a Public Hearing on the budget, it was also published on the website, and we did not receive any public input. He advised that there are changes to the staff organization; specifically the elimination of the Chief of Staff position; and hiring of a 3-1-1 Manager, a Director of Support Services, and a CAD Administrator. Director Morris reported that these positions will not all be filled at the same time but completed by March or April.

Chair Tidwell called for the motion to approve resolution #18-16, and it was moved by Dr. Lutz. Dr. Aiken asked about the \$40,000 cap that the Board implemented to restrict movement of budget funds without Board approval. Director Morris advised that he does not anticipate coming to the Board for any changes regarding the budget, but State law does allow 10% of the overall budget to be moved at the discretion of the Executive Director without Board approval. There was a short discussion that resulted in any budget changes over \$40,000 should be brought before the Board. Director Morris agreed and stated that he will provide a budget policy that outlines restrictions and notifications required at the next meeting. The Chair called for the vote and Resolution #18-16 unanimously passed.

**C. RESOLUTION #18-17 – ISSUE RFP FOR PHASE II DESIGN OF PSAP**

Director Morris informed the Board that the McDaniels PSAP building debt will be paid off in 2019. Director Morris stated that in reviewing the original concept of the building plans for

the campus, he believes it is time to examine the possibility of expanding the PSAP. Expansion will assist the Mayor in her vision to improve efficiency in government and public safety. Director Morris is releasing an RFP authorizing OPCD to receive proposals to design PSAP expansion options. The designs should address what are additional needs and comparisons to other agencies. The study should lay out a framework for implementation to guide us on how to make it a reality. With the debt payoff of the existing building, we will also pay for facility improvements which may come under capital outlay; this will all be done in conjunction with expansion.

The Chair called for questions or comments. Lt. Stelly motioned for adoption of Resolution #18-17, it was seconded by Mr. Bourgeois, and the resolution was unanimously adopted by a vote of the Board.

#### **V. OLD BUSINESS**

General Counsel Juan Lizarraga reported that we have completed the arbitration process in the Sizeler suit and are anticipating a ruling at the end of the month.

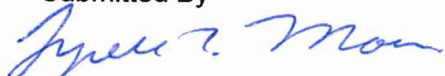
#### **VI. NEW BUSINESS**

There was no new business to discuss.

#### **VII. ADJOURN**

Chair Tidwell motioned to adjourn the meeting; it was second by Lt. Stelly. The meeting was adjourned at 11:30 am.

Submitted By



Tyrell Morris  
OPCD Executive Director