



RESILIENT LOUISIANA COMMISSION

CO-CHAIR DON PIERSON

CO-CHAIR TERRIE STERLING

Resilient Louisiana Commission
Saturday, May 8, 2020
Meeting called to order at 1 p.m.

Resilient Louisiana Commission members present:

- Terrie Sterling
- Sec. Don Pierson
- Sec. Kimberly Lewis Robinson
- Lt. Gov. Billy Nungesser
- Scott Hensgens
- Bill Hogan
- Walt Leger, III
- Ti Martin
- Sonia Perez
- Louis Reine
- Jade Brown Russell
- Tim Temple

- Resilient Louisiana Commission Director Andrew Doss called the meeting to order at 1 p.m. He called roll and noted the Certification of Inability to Operate Due to Lack of Quorum.
- Co-chair LED Sec. Don Pierson provided opening remarks, stating that the meeting will move forward based on the commission's recommendation from the meeting the preceding day to complete the presentations from the leaders of the various task forces.
- He stated that the meeting minutes from yesterday were not yet available in advance of this meeting, but will be provided with the minutes from the Saturday meeting, and together would be provided to the commission for approval. He called for a motion to accept this meeting minutes procedure. Ti Martin provided motion, which was seconded by Terrie Sterling. The motion passed.
- Sec. Pierson shared that in the meeting, the commission would hear from leaders of the following task forces: Finance, Insurance and Housing, Education and Workforce Development, Rural Development, Construction, Energy, Information Technology and Communications, and transportation and Infrastructure. He added that the Restaurants and Leisure task force's presentation was optional, as they wanted to meet again to finalize recommendations.
- Sec. Pierson stated that reports submitted by the task forces are posted on the RLC web portal. The appendix includes a compilation of all reports, and as more come in those reports will be added to the document.
- He noted that some of the task forces have submitted information that address both charge one and charge two, and emphasized that the priority needs to be placed on address charge one, which is the critical items needed in advance of Louisiana entering as phase one scenario. Information related to charge 2 will be addressed in the coming weeks.
- Commission Co-Chair Terrie Sterling echoed the sentiments, saying that as the present committee moved through the meeting's agenda, presenters have 5 to 7 minutes to share items that address the immediate needs facing Louisiana.
- Sec Pierson introduced the first task force presentation of the day by the Financial Services, Insurance and Real Estate task force leader Tim Temple.

Financial Services, Insurance and Real Estate

- Tim Temple of the Financial Services, Insurance and Real Estate task force shared that the task force met several times and will meet again before Monday with the intent of submitting recommendations for the Governor's press conference.
- Bill Hogan of the task force shared that the Banking subcommittee met yesterday afternoon, and he shared recommendations from that group:

- The first concern is for customer and employee workplace safety as it relates to the virus. The subcommittee discussed if germ shields could be used at a teller line instead of facemasks for the employee. He stated that testing is critical,
 - Regarding PPE and cleaning supplies recommended by the CDC, the subcommittee wanted to know if the state could create a portal to purchase those items at a reasonable cost.
 - Daycare and childcare are concerns in getting employees back to work.
 - Industry leaders understand that virus will impact banking and they need understanding from industry regulators.
 - Liability and frivolous lawsuits resulting from the virus needs to be addressed. The subcommittee recommended safe harbor legislation for the industry.
 - The accessibility for workforce training, as the banking industry will have many different skills sets available.
 - The task force recommended uniformity in rules across all boundaries, and consistent messaging between state and local leaders.
- Louis Reine asked Mr. Hogan to clarify his reference to safe harboring legislation. Mr. Hogan responded that there is a lot of concern in all industries about the potential for lawsuits, and that there is a need for legislation that limits the liability of the employer. Mr. Reine clarified that such liability wouldn't include not allowing workers comp for people who contracted it at work. Mr. Hogan replied "No." Mr. Reine expressed his concern that care be taken in the language of such legislation to ensure that works who contracted the virus on the job would be able to apply for workers compensation.
 - Mr. Temple continued, stating that liability is one of the things that the insurance committee is looking at, as it is a major concern for many businesses and the industry, and that it will ultimately come down to how to prove or disprove if an employee contracted COVID 19 at work or if said employee took it home and got family members sick, which would lead to potential tort issues.
 - Mr. Reine responded that if legislation allowed a claim to be worker's compensation, that would eliminate the issue of tort issue because workers comp prevents the ability to sue. Mr. Temple said this will be a complex issue, but that both agree on the importance of worker safety.
 - Mr. Hogan said that PPE and cleaning supplies have been difficult for some in the industry to acquire, and said that it may be nice for a portal or a source for all industry in the state such supplies. Sec. Pierson confirmed that Chris J. DeGuelle from the Louisiana Business Emergency Center was on the call, and that PPE was a topic of great discussion and an issue that is being watched. He stated that if it becomes a challenge to acquire it around the state in order to quickly reopen businesses, and a pathway is needed to source it, he would prefer the private sector take care of that initially. If, however, that comes at an exorbitant price, the use of distribution networks and resource have been discussed.

Education and Workforce Development

- Kim Hunter Reed of the Education and Workforce Development task force said that the task force's number one item from the subcommittee on early childhood and K-12 is guidance for opening summer camps, extra-curricular and early learning child care centers. She noted that currently about 40 percent of child care centers throughout the state are open.
- The task force's draft report, developed with the Office of Public Health, has been sent to the online portal. That report includes guidance on group sizes: phase 1 is 10 including adults, phase 2 is 25 including adults, and phase 3 is 50 including adults. Additionally, the guidance includes physical standards, such as keeping students in their groups throughout the day and throughout their camps, no shared space, lunches eaten only within the groups, guidance regarding pools, keeping groups within their separate lanes, and more. It also includes symptom monitoring, and environmental and personal hygiene. As noted in other groups, child care is essential statewide to make sure that people can return to work and education program.
- Mr. Reine stated there was some concern about uniformity among school boards, and that there were no uniform guidelines that went across those. He asked if that issue was raised come and if the state could provide some guidelines to school boards to ensure consistence across the state. Ms. Reed responded that this type of guidance would be shared from the Department of Education based on conversations with the office of public health, but that it is ultimately the goal to ensure there is uniform guidance and support for any questions that may arise.
- Jade Russell Brown asked if there were any discussions about the training that will go into the guidance for summer camps, and how that guidance will be implemented. Ms. Reed said that calls were held with child care center to provide both good guidance and fidelity of implementation. She supposed that there will be call or webinars to ensure everyone is on the same page. She stated that the priority of the task force was in communicating the information to make sure that families were aware that facilities were opening in and that there is consistency in efforts to keep young people safe.
- Hanna Dietsch, also of the Education and Workforce Development Task force said that, the Department of Education holds weekly webinars with school system leaders, and that the department has had health officials on the calls to answer specific questions. She stated that opportunities to ask detailed medical questions has been and will continue to be crucial.

Rural Development Task Force

- Jim Clinton of the Rural Development Task force shared that the task force provided six items, three of which were immediate. He began his comments sharing two overriding thoughts:
 - The concerns that the rural task force has are the same concerns of the 14 other task forces, and that none are working on things that don't apply directly to the rural economies. The task force decided to to not replicate the work of other task forces, but to focus on specifically rural issues and to give priority for items being addressed. He

thanked Will Labar of the Information Technology and Communication task force for the productive and collaborative call.

- The other overriding item is the report from the state's Revenue Estimating Conference to be issued on Monday, May 11. From a rural stand point, rural communities are already cash strapped, which is magnified by the drop in tax collections. He believes rural towns will need significant help in surviving the tax shortfalls. Such urgency may push forward consolidations of jurisdictions, education systems, and more.
- When opening task force discussions, he asked members to focus on items that were both urgent and important:
 - All 12 members led with rural broadband and rural internet, stating that the disadvantages that exist in rural community are magnified by the lack of internet access, especially now, as its absence prevents residents from being able to work from home, healthcare by distance, learning by distance. It is magnified in communities that don't have the knowledge of how to access the services that exist. It is the task force's most urgent and overriding recommendations, as it affects infrastructure, economic development, public health, public safety, education, and quality of life.
 - Tax shortfalls on the horizon, and the subsequent lack of reliable funding for infrastructure projects, from internet service through water systems.
 - COVID-19 testing in rural communities has been slow; Mr. Clinton does not believe there is have anything resembling an accurate picture yet of the impact in rural regions.
 - The task force will have recommendations about rural hospitals, pharmacies and other healthcare facilities.
 - The task force sees outdoor recreation as a path out of recessionary behavior, as of those rural communities nationwide that have returned to pre-recession levels, 90 percent have done so on the basis of outdoor recreation.
 - The task force will share ideas regarding food systems.
 - The task force will share notes about about entrepreneurship in small communities.
- Sec. Pierson noted that this task force has great underpinning, as many members of the task force were already on the state's Rural Revitalization Commission, which was established and began discussions in the fourth quarter of 2019. The task force also benefits from the inclusion of a consultant from Deloitte.

Construction

- Michael Polito of the Construction Task Force said the industry has been deemed essential, so their focus is continuing safely rather than reopening.
- The task force's immediate recommendation to industry members to follow the current CDC and OSHA guidelines as respective project elements demand. The task force wants to ensure that the commission does not encourage any more regulations or protocols than necessary, and that the industry has done a good job of putting its own protocols in place for each project as necessary.

- The task force's short-term recommendation is for the development of an executive order on the liability issue, keeping it simple as possible, and for it to state that COVID 19 is to be treated like any other contagious disease.
- Regarding items that can boost projects and support the industry, the task force recommends an extension and renewal of the historic state tax credit.
- As the pandemic has limited municipalities to provide inspections and permitting in a timely manner, the task force recommends that the state consider a self-enforcement of codes by the design community and other industry professionals who can self-police. The state fire marshal has offered to inspect statewide, which may be a good opportunity to keep projects moving forward.
- In the short term, the industry is facing a labor shortage, because unemployment benefits are higher than the unskilled craft labor prices. There was some talk about among task force members about looking into raising the wage for unskilled workers to a living wage.
- Should there be a federal infrastructure package, the task force recommends the state look into a gas tax so that funds for infrastructure are available for a generous federal match.
- Co-chair Terrie Sterling asked that in light of the challenges New Orleans had with Hard Rock hotel collapse and downtown library in Baton Rouge, how would the task force suggest self-policing work? Mr. Polito responded that the design community and architects that are the code experts that would police the industry, as they currently do now. Mr. Reine stated that the important part of a self-enforcement policy is going to be documentation, and that a qualified person did the inspection, and that it can be proved later on to the inspection department that it actually happened. Mr. Polito agreed.

Energy:

- Roman Hardy of the Energy Task Force said that the task force made a lot of progress in the last meetings, dividing the task force into subcommittees. Those sub committees are:
 - LNG
 - Oil and Gas
 - Utilities industry
 - Public Officials to give input.
- Those subcommittees have submitted their recommendations, which we compiled. The high-level recommendation across all subcommittees is to align on minimum screening, testing and eventually immunization protocols as those develop over time. Such an alignment includes getting the right infrastructure in place to support the volume. Such efforts are intended to keep employees safe and to potentially avoid or minimize the chance for frivolous lawsuits.

- Energy industry members are operating as essential services, and the pace of the demand destruction is the industry's most significant issue. The task force encourages aligning on campaigns that allow for the increased demand for these products, as increased production rates unleash the supply chain.
 - He stated that, most acutely, if gasoline is not flowing then the refineries are not at rates, which has large-scale impacts, not just for the industry but for state revenue.
- Various other recommendations from the task force focus on reducing operating expenses, in various forms.
- The task force also recommends minimizing the requirements to bring third party individuals on to sites, as it is something the industry has to manage and could affect their well-being and creates a risk of community spread.
- The task force also recommends providing assistance for low income and elderly workers, particularly to support paying their utility bills.
- Communicating best practices across these communities to aid people in understanding the nature of the executive orders and the other things that are requested of them.
- Like other task forces, access to broadband is a key request of public officials on the energy task force.
- Shane Hilton, also of the Energy committee shared input from the Utilities subcommittee, including:
 - Testing and creating plans is important, as pandemic protocols are being put in place should a plant have to be sequestered or shuttered shutter a plant. The task force may soon recommend a classification of essential workers at these plants, who would have more readily available access to immediately testing, to establish continuity of plant to ensuring the essential service is provided.
 - The sector has seen significant demand destruction and revenue loss. Mr. Hilton reminded the commission that the utility sector is currently under a non-disconnect order from the Louisiana Public Service commission, which will be in effect until three weeks after Louisiana enters phase two.
 - One detailed recommendation coming from the energy community is how to inform the public about the financial programs that can be used toward utilities and how to fund these programs.

Information Technology and Communications

- Will Labar of the Information Technology and Communications task force said that the team members conducted a survey for Charge one of members of the stakeholder group and simultaneously, separated into sub teams to meet with other task forces, in recognition of the fact that IT and Comms will play a role in the long term and short term economic resilience of

the state.

- In the IT sector there is a large capacity to work from home, but economic impacts are expected to ripple out in the technology sector, specifically in IT consulting. Small to midsize firms who can't pivot from one industry vertical to another are starting to see displaced workers. Larger IT companies are not currently seeing major impacts.
- The Communication sector is critical infrastructure, and it has seen some impact in the retail side of the business with reduced hours. Core workforce being available in the workplace is needed, while protecting health and safety of workforce and customers.
- Monitoring that's being done on infrastructure, as well as commentary on expanding broadband. The committee provided specific recommendations and requests as well:
 - Consistency of reopening guidelines, especially given the fact that the industry have a mobile workforce. Different constraints in different regions causes complexity and risk.
 - Displaced worker programs as those impacts the second and third waves are felt, there is a concern the industry may lose some the talent it developed in the state. Working in conjunction with the Workforce Development team, the task force wants to connect displaced workers with IT and tech companies as soon as possible.
 - Cross sector broadband collaboration; identifying if there are immediate broadband items that can be done to position a sector for resiliency.
 - Cybersecurity is important as cyber security threats have ramped up dramatically as people are working and seeking education from home. Awareness is critical.
 - Looking into available federal funding sources and grants that can support IT and Communications firms.
 - Guidance for PPE in those elements of the sector that are in small to mid-sized firms or working in the field.
 - Liability protection, recognizing the sensitives; it has to be a combination of the safety of the workers and protection for the businesses across both task force subsectors.
 - Spreading awareness of telecoms offerings to smaller communities or businesses are not aware of the services broadband can bring.
 - Guidance on childcare services as members go back into the workforce.
 - Similar to the request of the construction task force, streamlining permitting, specific to the communication sector on any near or long-term infrastructure improvements.
 - Ensuring that there are continual resources and best practices shared with businesses as workers are working from home.
- Information Technology and Communications co-chair Erin Monroe Wesley said the task force's work has a cross-sector approach, and members are happy to work with other task forces.

Restaurant and Leisure

- Ti Martin with the Restaurant and Leisure task force stated that the report will be forthcoming, but also asked of the commission mission members what they would like to share with the task

force, in particular, what would make them feel comfortable with dining out or dining in

- Bill Hogan shared that one of his concerns about dining in is the exchange of food and beverage from one wait staff to customers. Sonia Perez stated that the behavior of store employees on a recent shopping trip made her feel like there was no safer time to be in the store, and wondered what restaurants could do to make people feel safe and comfortable. Mike Polito visited restaurants that have been opened in Florida, and was impressed with the restaurants that placed signs on the table explaining what precautions the establishment was taking. He said there is a certification or accreditation of cleaners, called the ISSA that certify cleaning staffs. Louis Reine shared that, should other states open before Louisiana, people will go to other states, where Louisiana has less ability to ensure the safety of the public, so reopening as fast as possible is key. Jade Brown Russell shared that she feels comfortable with a place when the employees who work there feel comfortable about being there, and how the employees feel about hygiene and cleanliness. Veneeth Iyengar, co-leader of the Healthcare and Human Services Task force stated there are many restaurants that want to do the right thing and protect their colleagues and patrons
- Ti reminded the participants that ultimately it will be up to this commission and the Governor to suggest things that are more rigorous. Bill Hogan and Sonia Perez both expressed their hopefulness of a return, saying there is a lot of pent up demand, and they can't wait to return to restaurants.
- Andrew Doss shared that retail and small business task force recommended a cleanliness certification sticker, that would be voluntarily processed. Ms. Martin said that the New Orleans Culinary & Hospitality Institute is working on something similar to that.
- Concluding the meeting, Sec. Pierson shared that task to compile input from 15 task forces and 300 participants is great, but that he is proud of the work and efforts of participants thus far.
- He continued that all of the task force reports are being posted to the portal and being aggregated for the working draft of the commission's appendix, and that has been provided to the commission, which includes Commission Dardenne, Sec. Kim Robinson, Chief of Staff Mark Cooper. He said that these reports are being provided to the administration as they are working with the Governor to issue the pending guidance about entering phase 1.
- Terrie Sterling asked for feedback from fellow commission members in regard to these recommendations and the synthesis document, she asked if the synthesis document is directionally correct as to what commission members would like to see early next week as the initial crisis response.
- Louis Reine said that many of the very small employers are having trouble accessing the PPP, and others are not aware of the alternative tax credit if they are not able to get PPP. He asked if this is being communicated. Sec. Pierson replied that LED is sharing these recommendations, but noted that there a tremendous number of small businesses and the department is overwhelmed

by demand. He shared that the department is building assistance in providing technical assistance to small businesses and supporting our nine regional small business centers to advertise the availability of this technical assistance. Sec. Kimberly Robinson said that guidance by the IRS has been communicated and that it will continue to be communicated. It will be shared with the NFIB. Michael Hecht of the Economic and Community Development task force shared a comparison chart that we put together that includes Louisiana assistance programs, and the employee retention tax credit, and it puts it all together to give people a menu of what they might be able to access.

- Ms. Ti Martin stated that if there would be a way to give free accounting advice to small businesses, that would save businesses because they just are not aware of the selection of programs that exist. Mr. Hecht replied that this was seen after Katrina and 9/11. Holding an “Ask the Expert” can be done by zoom. The the two biggest requests were for legal advice and accounting advice, which can ground business owners that feel overwhelmed. He said It’s being done at the regional level, but could be done in more regions or on a state level.
- Responding to Co-Chair Sterling’s original question, Sonia Perez said that after reviewing both the attachments and the appendices and summaries, she found herself going back to reading the entire report. She stated that the staff should run the information by the task force leaders to make sure they’re not missing an integral part. Ms. Sterling shared that the commission staff will take the synthesis document as it exists today, comb through the additional reports that have been submitted, add to the synthesis document, and then send the report to the Task force chairs for accuracy and relevancy of what they have included. It will then be submitted to the commission for endorsement and approval
- She stated that the staff will continue to share what is in the appendix, which is the compilation of those recommendations unedited, but the recommendations will be summarized in the synthesis from the commission and will be a stand-alone piece from us.
- Andrew Doss asked if he had all the reports were sent in since the first working draft of the appendix as distributed to the commission. He confirmed that he had recommendations from child care, and that Mr. Hogan sent an email with recommendations, Mike Polito sent recommendations, and IT and Comms sent a report.
- Sec. Pierson confirmed that the staff will get this preliminary recommendation in a final form, and that the goal would be to get it completed by Monday, close of business. He asked for any other comments or suggestions.
- The meeting concluded with wishes for a Happy Mother’s Day.
- Co-Chair Sterling made motion to adjourn the meeting, which was seconded.

Meeting adjourned at 2.54 p.m.