

204 North Cedar Street
Tallulah, Louisiana 71282
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www.cityoftallulah.org



City of Tallulah
Office of the Mayor
Regular Council Meeting Agenda

Wednesday, May 25, 2023
5:30 P.M., City Hall

Charles M. Finlayson
Mayor
Joseph Scott
District 1
Lisa Houston
District 2
Carla Turner-Harris
District 3
Marjorie Day
District 4
Torlano Wells
District 5

1. Call to Order
2. Pledge of Allegiance & Prayer
3. Roll-Call
4. Public Comments on the Agenda
5. Approve Minutes of the May 11, 2023, Regular Meeting
6. Approve Minutes of the May 16, 2023 Special Meeting
7. Presentation to Mrs. Kubrickie Williams
8. Section 8 Report – No Report
9. Approval of Policies:
 - a. Ethics Policy
 - b. Information Technology/Business Continuity Policy
 - c. Collections Policy
 - d. Surety Bond/Theft Policy
 - e. Sexual Harassment Policy
 - f. Debt Policy
10. Approve Tallulah Wastewater Treatment Plant Municipal Water Pollution Prevention Audit
11. Public Comments (please limit to three minutes)
12. Adjourn

Special Accommodations

Any person needing reasonable accommodations to attend a public meeting held by the Tallulah City Council should contact Gerald Odom at 318-574-0964 three (3) days prior to the meeting date. If further information is needed, please contact Mr. Odom at the number listed above.

“This Institution is an Equal Opportunity Employer/Provider”

Regular Council Meeting
City of Tallulah
May 11, 2023

A regular meeting of the Mayor and City Council was held on Thursday, May 11, 2023, at 5:30 P.M., in the Council Room Chamber of Tallulah City Hall.

Mayor Charles M. Finlayson called the meeting to order, led the Pledge of Allegiance, and allowed for a moment of silent prayer.

A roll call of Councilmembers is listed as follows:

Scott	Present
Houston	Present
Harris	Present
Day	Present
Wells	Present

Time was allowed for members of the public to comment regarding items on the agenda, but there was none.

Motion and second to approve minutes of the April 27, 2023 meeting, with corrections, were made by Councilmembers Wells and Day respectively and carried unanimously. Originally, Councilmember Wells wanted the Council to table the minutes due to a misalignment of dates on three prior Tallulah Housing Authority audits regarding the dates on Letters of Engagement versus completion of the audits before approving Letters of Engagement. It was later stipulated by the Legislative Auditor's Office that the dates should not be changed on the Letters of Engagement.

A discussion was held concerning Madison Pointe Apartments and the relationship between it and Tallulah Housing Authority. On hand to explain Madison Pointe's current ownership was Mr. Archie Jones, CEO, Gemini Real Estate Holdings, Inc., Metairie, Louisiana. He stated that Tallulah Housing Authority was involved in the construction of Madison Pointe, and after that, ownership was transferred to Bridgewater Development, Inc., and a small percentage to Tallulah Housing Authority. Mr. Jones noted that he collected the rents and paid all the bills of the apartment complex. An old bank account amounting to about \$34,000.00 in Cross Keys bank was discussed regarding its origin and uses. The account has been dormant for several years. It was recommended by City Attorney David Doughty that a new board should be appointed for Tallulah Housing Authority.

Mayor Preston Walker, Village of Richmond, appeared before the Council and discussed the desire to have the City of Tallulah institute Richmond's sewer billing each month along with the water billing done by the City of Tallulah. He called for approval of a Cooperative Endeavor Agreement Between the Village of Richmond and the City of Tallulah. After discussion, it was decided through motion and second of Councilmembers Wells and Day that the cooperative endeavor agreement be tabled for more planning and clarity. A roll call is shown as follows:

Scott	Yea
Houston	Abstain
Harris	Abstain
Day	Yea
Wells	Nay

Motion did not carry.

Approval of a Notice of Intent to Call an Election was voted on by the Council in error. The item was placed on the agenda but should have been an announcement only.

For a second time, six new City Policies were placed on the agenda for approval, but the Council, especially Councilmember Wells, was not satisfied with the stated policies, so it was decided to table all of them until further clarity and legality was known. Subsequent motion to table the policies were made by Councilmember Wells, seconded by Councilmember Harris, and carried unanimously.

A brief discussion was held regarding budget committee plans, and City Clerk Gerald Odom stated he would soon be ready to have a meeting with the committee.

In closing, several issues were mentioned mostly related to Tallulah Housing Authority, Martin Luther King Apartments as well as Madison Pointe Apartments.

There being no further business to discuss, the meeting was adjourned on motion and second of Councilmembers Day and Houston respectively which carried unanimously.

Attest:

Gerald L. Odom, City Clerk

Charles M. Finlayson, Mayor

Special Council Meeting
City of Tallulah
May 16, 2023

A special meeting of the Mayor and City Council was held on Thursday, May 16, 2023, at 5:30 P.M., in the Council Chamber of Tallulah City Hall.

Mayor called the meeting to order, led the Pledge of Allegiance, and allowed for a moment of silent prayer.

A roll call of Councilmembers is shown as follows:

Scott	Present
Houston	Present
Harris	Present
Day	Present
Wells	Present

Mayor Finlayson read orally from a text into the minutes the following announcement: “Notice is hereby given in accordance with Section 19.1 of Title 42 of the Louisiana Revised Statutes of 1950, as amended, that the Mayor and City Council of the City of Tallulah, State of Louisiana, acting as the governing authority (“the Governing Authority”) of the City of Tallulah, State of Louisiana (“the City”) at its regularly scheduled meeting on June 8, 2023, at its regular meeting place, City Hall, 204 North Cedar Street, Tallulah, Louisiana, at 5:30 p.m., will discuss and consider adopting a resolution ordering and calling an election to authorize the continuation of an existing property tax of the City of Tallulah for the purpose of operating and maintaining the Police and fire departments of the City and for constructing, maintaining, and improving streets and bridges in the City, and upon approval by the qualified voters therein, for such tax to be levied thereafter.”

BY CITY COUNCIL OF THE CITY OF TALLULAH, STATE OF LOUISIANA

FOR ANNOUNCEMENT AND PUBLICATION IN THE OFFICIAL JOURNAL

LOUISIANA
MUNICIPAL WATER
POLLUTION PREVENTION
MWPP

January 1, 2022 – December 31, 2022



Facility Name:	Tallulah Wastewater Treatment Facility
LPDES Permit Number:	LA 0086576
Agency Interest (AI) Number:	24837
Address:	204 North Cedar street
	Tallulah, Louisiana
	71282
Parish:	Madison
(Person Completing Form) Name:	Andrew C. Irvin
Title:	Compliance Officer
Date Completed:	Feb. 7, 2023

INSTRUCTIONS

1. Complete only the sections of the Environmental Audit which apply to your wastewater treatment system. Leave sections that do not apply blank and enter a "0" for the point value.
2. Parts 1 through 7 contain questions for which points may be generated. These points are intended to communicate to the department and the governing body or owner what actions will be necessary to prevent effluent violations. Place the point totals from parts 1 through 7 on the Point Calculation page.
3. Add up the point totals.
4. Submit the Environmental Audit to the governing body or owner for review and approval.
5. The governing body must pass a resolution which contains the following items:
 - a. The resolution or letter must acknowledge the governing body or owner has reviewed the Environmental Audit.
 - b. This resolution must indicate specific actions, if any, will be taken to maintain compliance and prevent effluent violations. Proposed actions should address the parts where maximum or close to maximum points were generated in the Environmental Audit.
 - c. The resolution should provide any other information the governing body deems appropriate.

Permit #:

LA 0086576

PART I: INFLUENT FLOW/LOADINGS (all plants)

A. List the average monthly volumetric flows and BOD loadings received at your facility during the last reporting year.

Column 1 Average Monthly Flow (million gallons per day, MGD)		Column 2 Average Monthly BOD5 Concentration (mg/l)		Column 3 Average Monthly BOD5 Loading (pounds per day, lb/day)
.7335	x	N/A	x 8.34=	N/A
.7335	x	N/A	x 8.34=	N/A
.7335	x	N/A	x 8.34=	N/A
.7335	x	N/A	x 8.34 =	N/A
.7335	x	N/A	x 8.34 =	N/A
.7335	x	N/A	x 8.34 =	N/A
.7355	x	N/A	x 8.34 =	N/A
.7355	x	N/A	x 8.34 =	N/A
.7355	x	N/A	x 8.34 =	N/A
.7355	x	N/A	x 8.34 =	N/A
.7355	x	N/A	x 8.34 =	N/A
.7355	x	N/A	x 8.34=	N/A

BOD loading = Average Monthly Flow (in MGD) x Average Monthly BOD concentration (in mg/l) x 8.34

B. List the design flow and design BOD loading for your facility in the blanks below. If you are not aware of these design quantities, refer to your Operation and Maintenance (O&M) Manual or contact your consulting engineer.

Design Flow, MGD:	2.63	x 0.90 =	2.367
Design BOD, lb/day:	N/A	x 0.90 =	N/A

Permit #:

LA 0086576

C. How many months did the monthly flow (Column 1) to the wastewater treatment facility (WWTF) exceed 90% of design flow? Circle the number of months and the corresponding point total. Write the point total in the box below at the right.

<i>months</i>	0	1	2	3	4	5	6	7	8	9	10	11	12
<i>points</i>	0	0	0	0	0	5	5	5	5	5	5	5	5

Write 0 or 5 in the C point total box C Point Total

D. How many months did the monthly flow (Column 1) to the WWTF exceed the design flow? Circle the number of months and corresponding point total. Write the point total in the box below at the right.

<i>months</i>	0	1	2	3	4	5	6	7	8	9	10	11	12
<i>points</i>	0	5	5	10	10	15	15	15	15	15	15	15	15

Write 0, 5, 10 or 15 in the D point total box D Point Total

E. How many months did the monthly BOD loading (Column 3) to the WWTF exceed 90% of the design loading? Circle the number of months and corresponding point total. Write the point total in the box below at the right.

<i>months</i>	0	1	2	3	4	5	6	7	8	9	10	11	12
<i>points</i>	0	0	5	5	5	10	10	10	10	10	10	10	10

Write 0, 5, or 10 in the E point total box E Point Total

F. How many months did the monthly BOD loading (Column 3) to the WWTF exceed the design loading? Circle the number of months and corresponding point total. Write the point total in the box below at the right.

<i>months</i>	0	1	2	3	4	5	6	7	8	9	10	11	12
<i>points</i>	0	10	20	30	40	50	50	50	50	50	50	50	50

Write 0, 10, 20, 30, 40 or 50 in the F point total box F Point Total

G. Add together each point total for C through F and place this sum in the box below at the right.

TOTAL POINT VALUE FOR PART 1: (max = 80)

Also enter this value or 80, whichever is less, on the point calculation table on page 16.

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PART 2: EFFLUENT QUALITY / PLANT PERFORMANCE

A. List the monthly average effluent BOD and TSS concentrations produced by your facility during the last reporting year.

Month	Column 1 Average Monthly BOD (mg/l)	Column 2 Average Monthly TSS (mg/l)
January 2022	8.85	8.47
February 2022	9.84	19.26
March 2022	8.29	7.96
April 2022	13.35	10.13
May 2022	14.03	17.23
June 2022	23.37	29.42
July 2022	17.96	10.92
August 2022	11.49	12.02
September 2022	8.89	12.16
October 2022	10.97	12.39
November 2022	12.20	10.07
December 2022	9.36	7.66

B. List the monthly average permit limits for your facility in the blanks below.

	Permit Limit		90% of Permit Limit
BOD, mg/l	10	x 0.90 =	9
TSS, mg/l	15	x 0.90 =	13.5

Permit #:

LA 0086576

C. Continuous Discharge to Surface Water.

- i. How many months did the effluent BOD (Column 1) exceed 90% of the permit limits? Circle the number of months and the corresponding point total. Write the point total in the box below at the right.

<i>months</i>	0	1	2	3	4	5	6	7	8	9	10	11	12
<i>points</i>	0	0	10	20	30	40	40	40	40	40	40	40	40

Write 0, 10, 20, 30 or 40 in the i point total box i Point Total

- ii. How many months did the effluent BOD (Column 1) exceed permit limits? Circle the number of months and corresponding point total. Write the point total in the box below at the right.

<i>months</i>	0	1	2	3	4	5	6	7	8	9	10	11	12
<i>points</i>	0	5	5	10	10	10	10	10	10	10	10	10	10

Write 0, 5, or 10 in the ii point total box ii Point Total

- iii. How many months did the effluent TSS (Column 2) exceed 90% of the permit limits? Circle the number of months and the corresponding point total. Write the point total in the box below at the right.

<i>months</i>	0	1	2	3	4	5	6	7	8	9	10	11	12
<i>points</i>	0	0	10	20	30	40	40	40	40	40	40	40	40

Write 0, 10, 20, 30 or 40 in the iii point total box iii Point Total

- iv. How many months did the effluent TSS (Column 2) exceed permit limits? Circle the number of months and corresponding point total. Write the point total in the box below at the right.

<i>months</i>	0	1	2	3	4	5	6	7	8	9	10	11	12
<i>points</i>	0	5	5	10	10	10	10	10	10	10	10	10	10

Write 0, 5, or 10 in the iv point total box iv Point Total

- v. Add together each point total for i through iv and place this sum in the box below at the right.

TOTAL POINT VALUE FOR PART 2: (max = 100)

Also enter this value or 100, whichever is less, on the point calculation table on page 16.

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LA 0086576

D. Other Monitoring and Limitations

- i. At any time in the past year was there an exceedance of a permit limit for other pollutants such as: ammonia-nitrogen, phosphorus, pH, total residual chlorine, or fecal coliform?

√ Check one box. Yes No *If Yes, Please describe:*

Fecal Coliform – Jan 2022, Oct. 2022
Ammonia Nitrogen – Jan. 2022 thru Dec. 2022 (All Year)
Total Residual Chlorine – Feb. 2022, May 2022

- ii. At any time in the past year was there a "failure" of a Biomonitoring (Whole Effluent Toxicity) test of the effluent?

√ Check one box. Yes No *If Yes, Please describe:*

Whole Effluent Toxicity *C. dubia* – 2022 of Jan., Feb., March, April, June, July, Sept., Oct., Nov., Dec.
Whole Effluent Toxicity *P. promelas* – 2022 of Jan., Feb., March, June, July, August, Sept. Oct. Nov.

- iii. At any time in the past year was there an exceedance of a permit limit for a toxic substance?

√ Check one box. Yes No *If Yes, Please describe:*

Mercury – 1st Quarter

Permit #:

LA0086576

PART 3: AGE OF THE WASTEWATER TREATMENT FACILITY

- A. What year was the wastewater treatment facility constructed or last major expansion/improvements completed?

$$\begin{array}{rcccl}
 & & & \underline{2018} & \\
 & & & \text{Answer to A} & = \text{Age in years} \\
 \text{Current Year} & - & & & \\
 \underline{2022} & & \underline{2018} & & \underline{4}
 \end{array}$$

Enter Age in Part C below.

- B. Check the type of treatment facility that is employed.

		FACTOR:
<input type="checkbox"/>	Mechanical Treatment Plant (trickling filter, activated sludge, etc...) Specify Type: _____	2.5
<input checked="" type="checkbox"/>	Aerated Lagoon	2.0
<input type="checkbox"/>	Stabilization Pond	1.5
<input type="checkbox"/>	Other Specify Type: _____	1.0

- C. Multiply the factor listed next to the type of facility your community employs by the age of your facility to determine the total point value for Part 3.

TOTAL POINT VALUE FOR PART 3 =

$$\frac{2.0}{\text{Factor}} \times \frac{4}{\text{Age}} = \boxed{8} \text{ (max = 50)}$$

Also enter this value or 50, whichever is less, on the point calculation table on page 16.

- D. **Please attach a schematic of the treatment plant.**

Permit #:

LA0086576

PART 4: OVERFLOWS AND BYPASSES

A.

- i. List the number of times in the last year there was an overflow, bypass or unpermitted discharge of untreated or incompletely treated wastewater due to heavy rain:

_____ √ Check one box. 0 = 0 points 3 = 15 points
 1 = 5 points 4 = 30 points
 2 = 10 points 5 or more = 50 points

- ii. List the number of bypasses, overflows or unpermitted discharges shown in A (i) that were within the collection system and the number at the treatment plant

Collection System: _____ 0 Treatment Plant: _____ 0

B.

- i. List the number of times in the last year there was an overflow, bypass or unpermitted discharge of untreated or incompletely treated wastewater due to equipment failure, either at the treatment plant or due to pumping problems in the collection system:

_____ √ Check one box. 0 = 0 points 3 = 15 points
 1 = 5 points 4 = 30 points
 2 = 10 points 5 or more = 50 points

- ii. List the number of bypasses, overflows or unpermitted discharges shown in B (i) that were within the collection system and the number at the treatment plant

Collection System: _____ 0 Treatment Plant: _____ 0

- C. Specify whether the bypasses came from the city/village/town sewer system or from contract or tributary communities/sanitary districts, etc....

- D. Add the point values checked for A and B and place the total in the box below.

TOTAL POINT VALUE FOR PART 4: (max = 100)

Also enter this value or 100, whichever is less, on the point calculation table on page 16.

- E. List the person responsible (name and title) for reporting overflows, bypasses or unpermitted discharges to State and Federal authorities:

Michael Goods, Certified Operator (Class III)

Describe the procedure for gathering, compiling and reporting:

Mr. Goods will gather information and notify the Mayor, Cenla Environmental Science and DEQ incidents via telephone and in writing within 24 hours.

Permit #:

LA 0086576

PART 5: SLUDGE STORAGE AND DISPOSAL SITES

A. Sludge Storage

How many months of sludge storage capacity does your facility have available, either on-site or off-site?

Circle the number of months and the corresponding point total. Write the point total in the box below at the right.

<i>months</i>	<2	2	3	4-5	>6
<i>points</i>	50	30	20	10	0

Write 0, 10, 20, 30 or 40 in the A point total box A Point Total

B. For how many months does your facility have access to (and approval for) sufficient land disposal sites to provide proper land disposal?

Circle the number of months and the corresponding point total. Write the point total in the box below at the right.

<i>months</i>	<2	6-11	12-23	24-35	>36
<i>points</i>	50	30	20	10	0

Write 0, 10, 20, 30 or 40 in the B point total box B Point Total

C. Add together the A and B point values and place the sum in the box below at the right:

TOTAL POINT VALUE FOR PART 5: (max = 100)

Also enter this value or 100, whichever is less, on the point calculation table on page 16.

Permit #:

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PART 6: NEW DEVELOPMENT

- A. Please provide the following information for the total of all sewer line extensions which were installed during the last year.

Design Population: N/A
Design Flow: N/A MGD
Design BOD: N/A mg/l

- B. Has an industry (or other development) moved into the community or expanded production in the past year, such that either flow or pollutant loadings to the sewerage system were significantly increased (5% or greater)?

√ Check one box. Yes = 15 points No = 0 points

If Yes, Please describe:

 N/A

List any new pollutants:

 N/A

- C. Is there any development (industrial, commercial or residential) anticipated in the next 2-3 years, such that either flow or pollutant loadings to the sewerage system could significantly increase?

√ Check one box. Yes = 15 points No = 0 points

If Yes, Please describe:

 N/A

List any new pollutants you anticipate:

 N/A

- D. Add together the point value checked in B and C and place the sum in the box below.

TOTAL POINT VALUE FOR PART 6: (max = 30)

Also enter this value or 30, whichever is less, on the point calculation table on page 16.

Permit #:

LA 0086576

PART 7: OPERATOR CERTIFICATION AND EDUCATION

A. What was the name of the operator-in-charge for the reporting year?

Name: Michael Goods

B. What is his or her certification number:

Wastewater Collection 16-1122

Cert#: Wastewater Treatment 16-1121

C. What level of certification is the operator-in-charge required to have to operate the wastewater treatment facility?

Level Required: III

D. What is the level of certification of the operator-in-charge?

Level Certified: III

E. Was the operator-in-charge of the report year certified at least at the grade level required in order to operate this plant?

√ Check one box. Yes = 0 points No = 50 points

Write 0 or 50 in the E point total box E Point Total

F. Has the operator-in-charge maintained recertification requirements during the reporting year?

√ Check one box. Yes No

G. How many hours of continuing education has the operator-in-charge completed over the last two calendar years?

√ Check one box. > 12 hours = 0 points < 12 hours = 50 points

Write 0 or 50 in the G point total box G Point Total

H. Is there a written policy regarding continuing education and training for wastewater treatment plant employees?

√ Check one box. Yes No

Explain: Operators adhere to policies and procedures set forth by DEQ and LDH as it pertains to licensing requirements and compliance.

I. What percentage of the continuing education expenses of the operator-in-charge were paid for:

By the permittee? 100% By the operator? _____

J. Add together the E and G point values and place the sum in the box below at the right.

TOTAL POINT VALUE FOR PART 7: (max = 100)

Also enter this value or 100, whichever is less, on the point calculation table on page 16.

Permit #:

LA 0086576

PART 8: FINANCIAL STATUS

A. Are User-Charge Revenues sufficient to cover operation and maintenance expenses?

√ Check one box.

Yes

No

If No, How are O&M costs financed?

B. What financial resources do you have available to pay for your wastewater improvements and reconstruction needs?

The City of Tallulah received a grant to install new aerators at the wastewater treatment plant.

Permit #:

LA 0086576

PART 9: SUBJECTIVE EVALUATION

A. Collection System Maintenance

- i. Describe what sewer system maintenance work has been done in the last year.

Daily visual inspection of the equipment was completed throughout the calendar year. General maintenance was performed throughout the year.

- ii. Describe what lift station work has been done in the last year.

Two pumps were installed at Love Truck Stop Lift station.
Three pumps installed at the Delta Bank Lift Station.

- iii. What collection system improvements does the community have under construction for the next 5 years?

None at this time.

B. If you have ponds please answer the following questions:

√ Check one box.

- | | | |
|---|--------------------------------------|-------------------------------------|
| i. Do you have duckweed buildup in the ponds? | Yes | <input type="radio"/> No |
| ii. Do you mow the dikes regularly (at least monthly), to the waters edge? | <input checked="" type="radio"/> Yes | No |
| iii. Do you have bushes or trees growing on the dikes or in the ponds? | Yes | <input checked="" type="radio"/> No |
| iv. Do you have excess sludge buildup (> 1foot) on the bottom of any of your ponds? | Yes | <input checked="" type="radio"/> No |
| v. Do you exercise all of your valves? | <input checked="" type="radio"/> Yes | No |
| vi. Are your control manholes in good structural shape? | <input checked="" type="radio"/> Yes | No |
| vii. Do you maintain at least 3 feet of freeboard in all of your ponds? | <input checked="" type="radio"/> Yes | No |
| viii. Do you visit your pond system at least weekly? | <input checked="" type="radio"/> Yes | No |

Permit #:

LA 0086576

C. Treatment Plants

i. Have the influent and effluent flow meters been calibrated in the last year?

Yes No (✓ Check one box.)

N/A

Sept. 19, 2022

Influent flow meter calibration date(s)

Effluent flow meter calibration date(s)

ii. What problems, if any, have been experienced over the last year that have threatened treatment?

High inflow was a concern at the wastewater treatment facility.

iii. Is your community presently involved in formal planning for treatment facility upgrade?

✓ Check one box.

Yes

No

If Yes, Please describe:

The City of Tallulah is seeking funding to replace the pond liner.

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LA 0086576

D. Preventive Maintenance

- i. Does your plant have a written plan for preventive maintenance on major equipment items?

√ Check one box.

Yes

No

If Yes, Please describe:

Operation and maintenance manuals at the wastewater facility need to be revised.

- ii. Does this preventive maintenance program depict frequency of intervals, types of lubrication and other preventive maintenance tasks necessary for each piece of equipment?

Yes

No

- iii. Are these preventive maintenance tasks, as well as equipment problems, being recorded and filed so future maintenance problems can be assured properly?

Yes

No

E. Sewer Use Ordinance

- i. Does your community have a sewer use ordinance that limits or prohibits the discharge of excessive conventional pollutants (BOD, TSS or pH) or toxic substances to the sewer system from industries, commercial users and residences?

√ Check one box.

Yes

No

If Yes, Please describe:

City of Tallulah, Code of Ordinance Article 5 – Sewage, Pages 251-271, Section 13-63 thru 13-82

- ii. Has it been necessary to enforce?

√ Check one box.

Yes

No

If Yes, Please describe:

- iii. Any additional comments about your treatment plant or collection system? (Attach additional sheets if necessary.)

N/A

Permit #:

LA 0086576

POINT CALCULATION TABLE

	Actual Values	Maximum
Part 1: <i>Influent Flow/Loadings</i>	<u>0</u>	80 points
Part 2: <i>Effluent Quality / Plant Performance</i>	<u>80</u>	100 points
Part 3: <i>Age of WWTF</i>	<u>8</u>	50 points
Part 4: <i>Overflows and Bypasses</i>	<u>0</u>	100 points
Part 5: <i>Ultimate Disposition of Sludge</i>	<u>0</u>	100 points
Part 6: <i>New Development</i>	<u>0</u>	30 points
Part 7: <i>Operator Certification Training</i>	<u>0</u>	100 points

TOTAL POINTS:

88

ATTACHMENT 3

MWPP RESOLUTION

Resolved that the City of Tallulah informs the Louisiana Department of Environmental Quality that the following actions were taken by

_____ (governing body).

1. Resolved the Municipal Water Pollution Prevention Environmental Audit Report for Calendar Year 2022 which is attached to this resolution.
2. Set forth the following actions necessary to maintain permit requirements contained in the Louisiana Pollution Discharge Elimination System (LPDES) permit, number LA 0086576 .

(Please be specific in listing the actions that will be taken to address the problems identified in the audit report.)

- a.
- b.
- c.
- d.
- e.

Passed by a majority/unanimous (circle one) vote of the _____
on _____ (date).

CLERK

City of Tallulah

Collections Policy

Control Environment

The City of Tallulah shall establish and maintain an environment that sets a positive and supportive attitude toward internal control. This includes setting high standards for agency-wide ethical behavior and competence for the entity's employees, and communicating these standards to employees. It also means that management adheres to the same standards of ethical behavior and competence that they expect from employees. This Policy shall be preventive in nature (prevent errors and fraud from occurring) or detective in nature (detect errors and fraud that have occurred). Ideally, this policy is designed to ensure the custody, recording, and authorization of each type of transaction are divided between different employees.

Collections Policy

All cash collected at the Tallulah City Hall, the Tallulah Water Department and the Tallulah Police Department shall be collected and deposited daily.

All customer transactions shall be issued a receipt (prenumber for City Hall and Police Department transactions).

A collections log has been created to log intake of ALL cash and ALL checks. Log asks for detailed information:

- a. For checks – Name check from, date of check, check number, check amount, date logged, date given to Deputy Clerk and date of deposit.
- b. For cash – Date of collection, amount of collection and date deposited.

In all cases all revenue taken in shall be collected by one employee and COUNTED and VERIFIED by another employee before deposit. No employee shall collect, verify and deposit incoming monies.

Due to the small staff size of the City of Tallulah front office staff, the Tallulah Water Department and the Tallulah Police Department, there may be instances where one employee is responsible for multiple transactions (collection and deposit, verifying and deposit, etc.). **Deposits can be made by either the collecting employee or the verifying employee but no employee shall collect, verify and deposit.**

Each deposit shall be accompanied by a deposit slip and a detailed document that identifies all monies for the deposit.

City of Tallulah

Ethics Policy

Each **public servant** shall receive a minimum of one hour of education and training on the Code of Ethics during each year of his public employment or term of office. Additionally, each employee shall have to sign yearly that they have read and understand the company's ethics policy.

Newly elected officials must receive training within 90 days of taking the oath of office.

Enforcement

Each political subdivision shall designate at least one person who shall provide information, notices, and updates to employees and officials of the political subdivision and assist the Board in any way necessary to fulfill the education requirements. (R.S. 42:1170). For the City of Tallulah, this person shall be the City Clerk.

- (1) Persons who are public servants solely because they are an uncompensated, volunteer fireman or an uncompensated, auxiliary or reserve law enforcement officer are exempt from the training.
- (2) Non-salaried employees of hospitals operated by a hospital service are exempt unless the employee is authorized to enter into contracts on behalf of the hospital for goods or services or the duties of the employee include the supervision of another public employee.
- (3) A former public servant whose public service in a calendar year lasted less than 90 days shall not be required to receive education and training.

General Ethics Prohibitions (RS 42:1111-1121)

NOTE: The following is a synopsis of some of the key provisions of the Louisiana Code of Governmental Ethics. It is only a summary. For the official text of the provisions described below and for the text of other provisions of the Code, including information relative to exceptions to these general restrictions, refer to the Code at LSA R.S. 42:1101 et seq.

The Code of Governmental Ethics prohibits the:

A. 1111A - Receipt of a thing of economic value from a source other than the governmental entity for the performance of official duties and responsibilities.

B. 1111C(1)(a) - Receipt of a thing of economic value for the performance of a service substantially related to public duties or which draws on non-public information.

C. 1111C(2)(d) - Receipt of a thing of economic value by a public servant for services rendered to or for the following: (1) persons who have or are seeking to obtain a contractual or other business or financial relationship with the public servant's agency; (2) persons who are regulated by the public employee's agency; or (3) persons who have substantial economic interests which may be substantially affected by the performance or nonperformance of the public employee's official duties. These same restrictions apply to the public servant's spouse and to any legal entity in which the public servant exercises control or owns an interest in excess of 25%.

D. 1115 - Solicitation or acceptance of a thing of economic value as a gift from any of the persons listed in (C), above; however, the restrictions against the receipt of gifts from persons regulated by a public employee's agency or from persons who may be substantially affected by his performance or nonperformance or his official duty applies only to ~~A public~~ a "public employees" @ and not to elected officials. In addition, elected officials are not allowed to solicit or accept any thing of economic value from paid lobbyists or their employers.

E. 1115.1 - Giving of food and drink valued at over \$57 per single event to a public servant by one of the persons listed in subpart (C) or (A) above; however, this restriction does not apply to a gathering held in conjunction with a meeting of a

national or regional organization or a statewide organization of government officials or employees, or to a public servant of a post-secondary education attending a private fundraiser for the post-secondary institution.

F. 1111E - Receipt of a thing of economic value for assisting someone with a transaction with the agency of the public servant.

G. 1112 - Participation by a public servant in a transaction involving the governmental entity in which any of the following persons have a substantial economic interest: (1) the public servant; (2) any member of his immediate family; (3) any person in which he has an ownership interest that is greater than the interest of a general class; (4) any person of which he is an officer, director, trustee, partner, or employee; (5) any person with whom he is negotiating or has an arrangement concerning prospective employment; (6) any person who is indebted to him or is a party to an existing contract with him and by reason thereof is in a position to affect directly his economic interests. An elected official may participate in the debate and discussion of a matter which could violate this provision, but only if he discloses the nature of the conflict on the record of his agency prior to his participation in the debate and discussion, and prior to any vote taken on the matter. The elected official is not allowed to vote on the matter and he must recuse himself. R.S. 42:1120. Appointed members of boards and commissions may recuse themselves to avoid a violation of Section 1112. Unlike elected officials, they may not participate in the debate or discussion of the matter. They must recuse themselves from all participation. R.S. 42:1112D. Other public employees who are not sole decision makers can be disqualified from transactions that would violate this prohibition. A mechanism for disqualification is found in the rules promulgated by the Board. R.S. 42:1112C.

H. 1113 - Bidding on, entering into, or being in any way interested in any contract, subcontract or other transaction under the supervision or jurisdiction of the public servant=s agency. This restriction also applies to the immediate family members of the public servant and to legal entities in which the public servant and/or his immediate family members own an interest in excess of 25%.

- 1113B - Modification of the rule for appointed members of boards and commissions prohibits not only bidding on or entering into to such contracts, subcontract and transactions, but also being "in any way interested" in them; also, reference to an interest exceeding 25% is changed to reference legal entities in which the public servant or immediate family members have a substantial economic interest.

- ~~§~~ 1113D - Modification applicable to legislators prohibits a legislator, certain executive branch officials, their spouses or legal entities in which either owns an interest from entering into a contract or subcontract with any branch, agency, department or institution of state government, with a few exceptions.

I. 1116 - A public servant's use of the authority of his office to compel or coerce a person to provide himself or someone else with a thing of economic value that they are not entitled to by law or the use of the authority of his office to compel or coerce a person to engage in political activity. Also, a regulatory employee is prohibited from participating in any way in the sale of goods or services to persons regulated by his agency, if a member of his immediate family or if a business enterprise in which the regulatory employee or members of his immediate family own in excess of 25%, receives or will receive a thing of economic value by virtue of the sale.

J. 1117 - It is prohibited for a public servant or other person make a payment, give, loan, transfer, or deliver or offer to give, loan, transfer or deliver a thing of economic value to a public servant when the public servant is prohibited by the Ethics Code from receiving such a thing of economic value.

K. 1119 - Nepotism

(1) Members of the immediate family of an agency head may not be employed in the agency.

(2) Members of the immediate family of a member of a governing authority or the chief executive of a governmental entity may not be employed in the governmental entity. The term ~~A~~ "governing authority" ~~@~~ includes parish councils, police juries, school boards, town councils, boards of aldermen, etc.

(3) Note that the application of this restriction is not affected by whether the agency head, chief executive or governing authority member has authority over or actually participates in the hiring decision - such family members are simply ineligible for employment.

(4) Exceptions:

- (a) persons employed in violation of this rule continuously since April 1, 6 1980;
- (b) a person employed for one year prior to their family member becoming an agency head;

(c) employment of a school teacher who is a member of the immediate family of the superintendent or a school board member as long as the family member is certified to teach. Annual disclosure is required and forms are available from the Ethics Administration Program office. Pursuant to Act 1349 of the 1999 Regular Legislative Session, if the required disclosure is not timely filed, a late fee assessment of \$50 per day, with a maximum penalty of \$1,500, may be imposed;

(d) employment as a health care provider, of an immediate family member of a hospital service district board member or of a public trust authority board member as long as the hospital service district or the public trust authority has a population of less than 100,000 and the family member is a licensed physician or a registered nurse. Annual disclosure is required and forms are available from the Ethics Administration Program office. Pursuant to Act 1349 of the 1999 Regular Legislative Session, if the required disclosure is not timely filed, a late fee assessment of \$50 per day may be imposed, with a maximum penalty of \$1,500, or

(e) persons employed as volunteer firefighters.

L. 1121- Post Employment

(1) During the two year period following the termination of public service as an agency head or elected official, these individuals may not assist another for compensation, in a transaction, or in an appearance in connection with any transaction involving their former agency nor may they render any service on a contractual basis to or for their former agency.

(2) During the two year period following the termination of public service as a board or commission member, these individuals may not contract with, be employed in any capacity by, or be appointed to any position by that board or commission. The Board has interpreted a "board or commission" to include a collective body that shares responsibility for its actions. This would include school boards, police juries, boards of aldermen, a group of selectmen, a council, etc.

(3) During the two year period following the termination of public service as a public employee, these individuals may not assist another for compensation, in a transaction, or in an appearance in connection with a transaction involving the agency in which the former public employee participated while employed by the agency nor may the former public employee provide on a contractual basis to his former public employer, any service he provided while employed there.

Penalties

Any employee who may have committed an ethics violation shall be:

- (1) Informed first of the potential violation.**
- (2) Informed that the violation shall be reported to the Louisiana Board of Ethics for further investigation.**
- (3) Should the potential violation prove true, the employee discipline shall follow the State of Louisiana penalties up to and including termination. State of Louisiana penalties include (but are not limited to):**

- a. The State Ethics Board has the authority to censure an elected official or other person within its jurisdiction and to impose a fine of not more than \$10,000 per violation; it does not have the authority to remove an elected official from office. R.S. 42:1153A
- b. The State Ethics Board has the authority to remove, suspend, reduce the pay or demote a public employee or other person and to impose a fine of not more than \$10,000 per violation. R.S. 42:1153B
- c. The State Ethics Board has the authority to impose restrictions on a former public servant to prevent appearances before his former agency and to prohibit the negotiation for or entering into business relationships with his former agency. R.S. 42:1151B
- d. The State Ethics Board has the authority to rescind contracts, permits and licenses, without contractual liability to the public, whenever the Board finds that a violation has influenced the making of such contract, permit or license, and that such rescission is in the best interest of the public. R.S. 42:1152
- e. The State Ethics Board may order the payment of penalties if an investigation reveals that any public servant or other person has violated the Code to his economic advantage and penalties can include the amount of such economic advantage plus one half. R.S. 42:1155A
- f. The State Ethics Board is authorized to order the forfeiture of any gifts or payments made in violation of the Code. R.S. 42:1155B

Ethics Violations Reporting

Any employee who believes that an ethics violation has occurred, shall be required to contact the City Clerk, Gerald Odom, at 318-574-0964 or in person. Once the Clerk has been contacted, an interview will be set up with the Mayor, the Clerk, the City Attorney and the employee. All pertinent information will be taken in the interview for the ensuing investigation and will be turned over to the Louisiana Board of Ethics.

Additionally, if an employee desires to report anonymously, that person should drop the information off, in the form of a letter addressed to Gerald Odom, in the employee drop box located at City Hall. **The Tallulah City Council will be informed of any potential ethics violation and/or investigation.**

Ethics Monitoring (Semi-Annual Auditing)

In January of every year, all employees shall attend a mandatory one (1) hour training of Louisiana Ethics. **Certificates for completion of Ethics Training shall be placed annually in the employee's file.** During this meeting, all employees shall be given the contact information for the City of Tallulah representative chosen to be the appointed company contact for ethics violations.

During the mandatory meeting, and during quarterly departmental meetings, all employees shall be asked:

1. Does the employee understand the company's established ethics policy?
2. Does the employee know the name and contact information of their Ethics Officer/Advisor or the person they can contact to report potential violations?
3. Does the employee know how to report potential ethical violations (in person and anonymously)?
4. Does the employee know there will be no retaliation for reporting a concern even if it turns out to be unsubstantiated?

Ethics Reporting

By February 15 of each year, the City of Tallulah shall prepare a report to be sent into the State of Louisiana which will show the number of sexual harassment violations, their reporting and investigative mechanisms. All outcomes will be included in the report.

Campaign Finance

An Elected official must receive at least one hour of Campaign Finance training during his term of office.

Each public servant (employee) shall have a completed copy of their ethics certificate at all times in their permanent employee file.

City of Tallulah

Employee Surety Bond/Theft Policy

The City of Tallulah expects that all employees will act honestly and with integrity during their work hours. The City of Tallulah explicitly will not tolerate any acts of theft in the workplace. Acts of theft will be met with employee discipline, up to and including, termination and legal actions.

For clarity, examples of types of theft include (but are not limited to):

- Monetary
- Physical goods or assets (tools, equipment)
- Intellectual property
- Utility theft (water, electricity, etc)
- Purchase of items via City of Tallulah Purchase Order for personal use

The City of Tallulah reserves the right to use video cameras and audio recording methods as well as software to identify and detect employee theft.

To prevent employees from false accusations, we will investigate all claims of theft or employee stealing, and discipline any employee making a false accusation.

Any employee who has knowledge of fraud or theft of City of Tallulah assets by any person or organization, including another employee, and does not report it to City of Tallulah officials or their Department Head may be subject to disciplinary action, up to and including termination of employment.

Reporting Theft

Any employee who believes they are witness to another employee's theft should immediately notify their supervisor of the act. All suspected acts of theft will be investigated, no matter how small or seemingly insignificant. Supervisors will then contact the Mayor and/or the City attorney to advise them of the suspected theft.

Once the Mayor and/or City Attorney has been notified, the Mayor **and City Attorney** will notify the Chief of Police **AND THE CITY COUNCIL** and an internal investigation will be launched. **If the Mayor is the subject of the investigation, the City Attorney shall also notify the City Council of the internal investigation.** The affected employee shall be notified of the investigation and advised of his right to contact legal representation, if necessary.

The employee reporting the theft shall (1) remain anonymous and (2) be protected under applicable "whistle-blower" laws and shall not be subject to retaliation of any kind.

Consequences and Actions For Theft

If the alleged act of theft is substantiated, the appropriate discipline shall be enacted, up to and including termination and legal action.

If the investigation proves that the theft did occur, restitution shall be asked for as a legal outcome. Additionally, court costs may also be asked for as part of restitution.

The submission of a resignation by an employee accused or suspected of fraud or theft will not preclude later disciplinary action, including restitution and legal action.

Roles and Responsibilities.

Annually, (1) The Mayor will review the Theft Policy with Department Heads (2) Department Heads will speak to their respective employees to review the theft policy to address and help prevent acts of theft. The reviews shall include:

- Raising awareness of the policy to all new and existing employees
- Reviewing a confidential reporting procedure
- Enforcing all pieces of the policy including properly investigating claims of theft
- Disciplinary outcomes

Bond/Insurance

The City of Tallulah shall acquire bond insurance (for theft) for the following positions. Each of these positions collects cash or checks and must be bonded:

Mayor (\$50,000)

City Clerk (\$50,000)

Deputy City Clerk (\$50,000)

Water Office Manager, Water Office Billing Clerk and Water Office Cashiers (\$50,000 Blanket Bond)

Councilperson who signs checks (\$50,000)

Police Department (six dispatchers and two clerical employees) \$50,000 (blanket)

City of Tallulah

Information And Technology Disaster Recovery/Business Continuity Policy

The City of Tallulah Information Technology Disaster Recovery Plan is designated For Official Use Only. Only City of Tallulah representatives may distribute this document to individuals on a need-to-know basis. Distribution by other individuals without prior authorization is prohibited. This document contains sensitive information.

It is critical that Information Technology (IT) services used by the City of Tallulah operate effectively and without excessive interruption. This Information Technology Disaster Recovery/Business Continuity Policy establishes a comprehensive policy and procedural plan to recover the City of Tallulah Information Technology System quickly and effectively following a cyber security disruption.

Emergency Points of Contact

City of Tallulah – Mayor Charles Finlayson, 318-474-0964 (office) 318-341-6161 (cell)

City of Tallulah – Yvonne Lewis, 318-574-0964 (office) 702-379-5464 (cell)

MicroSystems Contact	Office	Cell
Mike Donovan (primary)	601-638-0545	601-831-5888
Jessica Kean	601-638-0545	601-529-6988

Employee Training

Each employee who operates a City of Tallulah computer shall attend an annual cybersecurity training. Training will include recognition of cyber intrusion methods and cybersecurity countermeasures to assist in preventing cyber attacks and protecting the City of Tallulah IT system. **A COPY OF THE CERTIFICATE OF COMPLETION OF TRAINING SHALL BE PLACED IN THE EMPLOYEE'S FILE.**

Critical Information Storage

Tallulah City Hall and Tallulah Police Department information is on the same server. Critical files saved on the server are backed up daily to Idrive online data backup center to ensure if interruption occurs, sensitive data is still retrievable.

Tallulah Water Service is on a separate server. Critical information is backed up daily by CSDC, the company which manufactures the software used by the Tallulah Water Service, to ensure sensitive data is retrievable.

Critical Information Defense

Microsoft Windows Defender is installed on all City of Tallulah, Tallulah Police Department and Tallulah Water System computers for antivirus/antimalware. Employee training is especially important as almost 90% of viruses and other malware units come via email.

Windows Server Update Services is used to manage updates to all computers. The monthly backup reports from MicroSystems and CSDC shall also include the dates of updates to the system.

The plan will follow three main areas during a service interruption:

- o **Activation and Notification phase** to activate the plan, notify appropriate personnel and determine the extent of damage.
- o **Recovery phase** to restore City of Tallulah operations; and
- o **Reconstitution phase** to ensure that the City of Tallulah is validated through testing and that normal operations are resumed.

Activation and Notification

FOR CITY HALL/POLICE DEPARTMENT/ADMINISTRATION

- Mayor and Microsystems (IT Vendor) shall be notified of interruption.
- **Tallulah City Council shall be notified of the interruption.**

Emergency Contact

City of Tallulah – Mayor Charles Finlayson, 318-474-0964 (office) 318-341-6161 (cell)

City of Tallulah – Yvonne Lewis, 318-574-0964 (office) 702-379-5464 (cell)

MicroSystems Contact	Office	Cell
Mike Donovan (primary)	601-638-0545	601-831-5888
Jessica Kean	601-638-0545	601-529-6988

- City of Tallulah administration and Tallulah Police Department will immediately shut down all computers. If the outage is expected to last longer than 4 hours, the City will notify citizens via social media and TextMyGov messaging system.
- MicroSystems will travel to Tallulah and conduct an onsite assessment of the Tallulah IT System to identify cause of disruption, determine extent of damage and notify City officials of timeframe for recovery.

FOR TALLULAH WATER SYSTEM

- Computer System Development Corporation (CSDC) shall be notified of interruption.

Emergency Contact

City of Tallulah – Mayor Charles Finlayson, 318-474-0964 (office) 318-341-6161 (cell)

City of Tallulah – Yvonne Lewis, 318-574-0964 (office) 702-379-5464 (cell)

CSDC – Jerry Drummond 337-436-7747 direct/cell 337-502-8875

- Tallulah Water Service will immediately shut down system and follow the directions of CSDC

- CSDC will begin remote assessment to identify cause of disruption, determine extent of damage and notify Tallulah Water System of findings and timeline for restoration

Recovery Phase – MicroSystems or CSDC will finalize their assessment and present their findings to appropriate City of Tallulah officials, detailing an approximate timeframe for the system to be operational. Upon approval of findings, MicroSystems and/or CSDC will begin working to restore the system.

Reconstitution – The affected system will be tested and validated as operational prior to returning operations to its normal state. Validation procedures may include functionality or regression testing, concurrent processing, and/or data validation. The system is declared recovered and operational by system owners upon successful completion of validation testing.

Recovery Declaration

Upon successfully completing testing and validation, the Mayor will formally declare recovery efforts complete, and that the City of Tallulah IT System or Tallulah Water System is in normal operations. Where appropriate, notices will run on social media and TextMyGov messaging platform.

Data Backup

As soon as reasonable following recovery, the system should be fully backed up and a new copy of the current operational system stored for future recovery efforts. This full backup is then kept with other system backups.

Event Documentation

All recovery events shall be documented, including actions taken, problems encountered and best practices learned. Types of documentation that should be collected may include:

- Activity logs (including recovery steps performed and by whom, the time the steps were initiated and completed, and any problems or concerns encountered while executing activities)
- Identification of cause of interruption
- Functionality and data testing results
- Messaging Methods (i.e. social media, etc)

Test and Maintenance Schedule

City of Tallulah IT System:

- The City of Tallulah IT System is backed up daily to Idrive online backup data center.
- City of Tallulah server is backed up to Idrive, which is located at a separate physical address from City Hall.

- The City of Tallulah IT Vendor, MicroSystems, shall test the back up system monthly to ensure files can be restored in case of an service interruption. After a service interruption, the backup system will be tested, AFTER RESTORATION, to ensure back up materials can be accessed.
- Monthly reports of testing of backup system shall be sent to the City of Tallulah from MicroSystems and be filed at City Hall.

Tallulah Water System

- The Tallulah Water System is backed up daily to Idrive online backup data center (and located at a separate physical address from City Hall).
- The Tallulah Water System is backed up to Idrive, which is located at a separate physical address from City Hall.
- The Tallulah Water System IT Vendor, CSDC, shall test the back up system quarterly to ensure files can be restored in case of an service interruption. After a service interruption, the backup system will be tested, AFTER RESTORATION, to ensure back up materials can be accessed.
- Monthly reports of testing of backup system shall be sent to the Tallulah Water System from CSDC and be filed at the Tallulah Water Office.

DEBT MANAGEMENT POLICY

CITY OF TALLULAH

The purpose of this debt policy is to establish a set of parameters by which debt obligations will be undertaken by the City of Tallulah.

The goal of the policy is to assist decision makers in planning, issuing, and managing debt obligations by providing clear direction as to the steps desired. Preemptive steps in this process include:

- a) Determination of the amount of funds to be indebted;
- b) Number of years for pay-off. The amount of time should never exceed the life of the asset;
- c) Approximate interest rate expected for the endeavor;
- d) Agreement by the Mayor and City Council that a need exists for the loan;
- e) Determination as to how such indebtedness shall be financed;
- f) Legal counsel selection;
- g) City financial advisor selection.

Long term debt shall not be used for current operations. Long-term debt may be used for capital purchases or construction identified through the City's capital improvement plan. Short-term debt may be used for certain projects and equipment financing as well as for operational borrowing; however, the City will minimize use of short-term cash flow borrowing by maintaining adequate working capital for enterprise funds, cash for governmental funds, with close budget management. During the processing of the loan, the City shall submit a request for the funding to the Louisiana State Bond Commission and include city budgets (actual vs budget) of the top three funds which are: General Fund, Water Fund and Utility Fund.

If during the payment amortizations of the debt, it is deemed financially advantageous to refinance the loan, the City will refund the existing debt and issue new funding for the remainder. Again, the Bond Commission of The State of Louisiana must approve the financial transaction before it is activated.

Loan Counsel shall put before the Mayor and City Council the legal documents required for debt service. Subsequent ordinance to be adopted by the Council's decision will be introduced at a scheduled meeting, and the action taken will be to introduce the ordinance to the public along with an announcement of public hearing on the ordinance at a future meeting.

After public hearing, the council reconvenes, and council members adopt or reject the ordinance.

In order to maintain transparency through the loan process, the City shall:

- 1) Comply with legal requirements for notice and for public meetings.
- 2) Post notices in the customary and required posting locations including local newspapers, bulletin boards, and websites.

This policy shall be reviewed, if necessary, each year by the City Council with approval of the annual budget. Any amendments to the policy shall be approved by the same process as the initial adoption of the policy which allows for public input.

City of Tallulah

Sexual Harassment Policy

Each **public servant** shall receive a minimum of one hour of education and training on Sexual Harassment during each year of his public employment or term of office. Training can be done in person or via the internet.

Newly elected officials must receive training within 90 days of taking the oath of office.

The City is committed to providing a work environment that is free of discrimination, harassment or any conduct that creates an intimidating, offensive or hostile environment. Any form of harassment or discrimination, whether based on race, color, religion, gender, pregnancy, childbirth, sexual orientation, sickle cell trait, national origin, age, marital status, disability, handicap, status as smoker of tobacco, or veteran status is prohibited. All supervisory or managerial personnel are responsible for taking proper action to end such behavior.

By definition, harassment is any unwanted attention or action prohibited by law by someone in the workplace that creates an intimidating, hostile, or offensive work environment, including sexual harassment.

Sexual harassment is defined as any unwelcome sexual advances, requests for sexual favors, and other verbal or physical contact of a sexual nature when: (a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or, (b) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or, (c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment of or by any city employee, independent contractor, or volunteer is strictly prohibited.

Offensive conduct or harassment may take many forms, including but not limited to:

- Verbal Conduct – such as sexual innuendos, suggestive comments, epithets, derogatory jokes or comments, name calling, threats, sexual humor, slurs or unwanted sexual advances.
- Visual Conduct – such as leering, whistling, derogatory and/or sexually oriented posters, photography, cartoons, drawings, calendars, graffiti, electronic mail, or obscene gestures.
- Physical Conduct – such as assault, offensive touching, blocking of normal movement, brushing the body, coerced sexual activity, or interference with work.
- Threats, Demands or Expectations – to submit to sexual requests as a condition of employment status or preferential treatment.

The City disapproves of activity which falls within the definition of sexual harassment and will take appropriate action to end sexual harassment and/or prevent the recurrence of any such misconduct.

Employees who experience or observe conduct believed to be harassment are required to report the alleged act(s) immediately or as soon as possible. The procedure for responding to and reporting incidents of sexual harassment is as follows:

- (1) If a person's behavior makes an employee uncomfortable, the employee should feel free to immediately advise the person that, in the employee's opinion, the behavior is inappropriate and that the employee would like it stopped.
- (2) If the employee is not comfortable discussing the issue with the person, or if the person fails to respect an employee's request, the employee should report the incident to his or her supervisor, department head, or the Mayor. If, for any reason, the employee is uncomfortable reporting the conduct to any of these individuals, the employee may report the conduct to a supervisor or manager in another department with whom the employee is comfortable.

Whether or not a particular incident is sexual harassment requires a complete factual investigation and the City will conduct such investigations on all complaints in a manner so as not to cause any serious effect on innocent employees who either file a complaint and/or are the subject of a filed complaint.

Complaints of harassment will be investigated promptly and in as impartial a manner as possible, giving consideration to protect the rights and dignity of all involved individuals. The City will take all steps necessary to resolve the problem, up to and including termination.

The City will investigate by confidentially gathering information on all concerned parties. The City may consult its legal representative for assistance in determining whether conduct which has occurred does in fact constitute sexual harassment.

Employees will be subject to disciplinary action, up to and including termination, for the following: (1) violating the harassment policy; (2) knowingly providing false information in conjunction with an investigation of harassment or discrimination; (3) failing to take action to end and correct the discrimination or harassment if you are a supervisor or manager who has knowledge of harassment.

No employee shall be subject to retaliation in any form as a result of bringing a complaint or testifying or assisting in a grievance related to complaints of discrimination or harassment. Instances of retaliation should be reported to the employee's supervisor, department head, or to the Mayor. If the employee is uncomfortable reporting retaliation to any of these individuals, he or she may report the conduct to a supervisor or manager in another department with whom the employee is comfortable.

The City may make subsequent inquiries from time to time to ensure offensive conduct does not resume and/or that the subject of harassment has not suffered any retaliation. No retaliation of any kind will occur because an employee in good faith reports an incident of suspected harassment. The supervisor, or other person to whom the complaint was made, will work to establish mutually agreed upon safeguards against retaliation while attempting to mediate any sexual harassment complaint.

If any party is not satisfied with the outcome of the investigation or the remedy provided, that person should inform the Mayor.

State and federal law provide administrative and judicial remedies which may be pursued by filing a complaint with the Louisiana Commission on Human Rights and the federal Equal Employment Opportunity Commission.

Enforcement

Each political subdivision shall designate at least one person who shall provide information, notices, and updates to employees and officials of the political subdivision and assist the Board in any way necessary to fulfill the education requirements. (R.S. 42:343). For the City of Tallulah, that person shall be the City Clerk. In the event the matter involves the City Clerk, the designee shall be the Mayor.

An agency head shall require supervisors and any persons designated by the agency to accept or investigate a complaint of sexual harassment in his agency to receive additional education and training. For the City of Tallulah, that person shall be the City Clerk. In the event the matter involves the City Clerk, the designee shall be the Mayor. **IN THE EVENT THE MATTER INVOLVES THE MAYOR, THE DESIGNEE SHALL BE THE CITY ATTORNEY. THE CITY COUNCIL SHALL BE INFORMED OF ALL INVESTIGATIONS.**

C. Each agency head shall ensure that each public servant in the agency is notified of the agency's policy against sexual harassment and the mandatory training requirement on preventing sexual harassment. The agency head, or his designee, shall be responsible for maintaining records of the compliance of each public servant in the agency with the mandatory training requirement. Each public servant's record of compliance shall be a public record and available to the public in accordance with the Public Records Law.

D. Each agency head shall ensure that its policy against sexual harassment and its complaint procedure is prominently posted on its website or, if the agency does not have a website, that a notice on how to obtain the information is posted in a conspicuous location in each of the agency's offices.

Exceptions:

- (1) Persons who are public servants solely because they are an uncompensated, volunteer fireman or an uncompensated, auxiliary or reserve law enforcement officer are exempt from the training.
- (2) Non-salaried employees of hospitals operated by a hospital service are exempt unless the employee is authorized to enter into contracts on behalf of the hospital for goods or services or the duties of the employee include the supervision of another public employee.
- (3) A former public servant whose public service in a calendar year lasted less than 90 days shall not be required to receive education and training.

Required Reporting

- A. Each agency head shall compile an annual report by February first of each year containing information from the previous calendar year regarding his agency's compliance with the requirements of this Chapter including the number and percentage of public servants in his agency who have completed the training requirements, the number of sexual harassment complaints received by his agency, the number of complaints which resulted in a finding that sexual harassment occurred, the number of complaints in which the finding of sexual harassment resulted in discipline or corrective action, and the amount of time it took to resolve each complaint. These reports shall be public record and available to the public in the manner provided by the Public Records Law.