

The Ethics Review Board
City of New Orleans

Friday, December 17, 2010

2:30 p.m.

City Council Chambers
City of New Orleans
1300 Perdido Street
New Orleans, Louisiana 70112

Present: Rev. Cornelius Tilton, Chair; Betsy Nalty, Vice-Chair; Okyeame Haley, Secretary; Michael Cowan

Staff Present: Steven Scheckman, General Counsel to ERB

Guests: Edouard Quatrevaux, IG; Suzanne Lacey Wisdom, OIG; Susan Hutson, IPM

Rev. Cornelius Tilton called the meeting to order at 3:07 P.M. and welcomed new ERB Member Michael Cowan and Independent Police Monitor (IPM) Susan Hutson

Betsy Nalty moved to approve the minutes from the August 17, 2010, meeting. Okyeame Haley seconded, all were in favor – motion passed.

Inspector General Edouard Quatrevaux advised the Board that since the last meeting the OIG has engaged in the following activity:

- Issued letter to Mayor on procurement processes
- Issued report of audit of hotel taxes
- Issued report of follow up on Crime Camera Program
- Issued report on Citizen Verification Survey: Sanitation Service Locations
- OIG investigations led to
 - A guilty plea by Anthony Jones to Conspiracy to Commit Bribery
 - The arrest of Dennis Firstley, a city tow truck driver, for solicitation of bribes
- Working with DA, IRS and state dept. of revenue relating to prosecution of hotel owners that failed to file taxes
- Other criminal investigations are underway
- Since last meeting spoke to:
 - Hispanic Chamber of Commerce
 - N.O. Citizen Diplomacy Council
 - 2 groups of visiting diplomats interested in the IG program
 - ENGAGE NOLA
 - Downtown Rotary Club

- Numerous media interviews
- Also working to develop a best practices guide for satellites of city government
 - Identify required policies
 - Contain a procurement primer
 - recommend processes for oversight of finances
- Police Monitor signed MOU with NOPD that specifies how interact, especially with respect to crime scene access

Inspector General Edouard Quatrevaux introduced IPM Susan Hutson who echoed the IG's comments about the historic nature of the MOU with the NOPD. She further advised that it allows the IPM to share information about the Department, allows the IPM to get called to the scene of major uses of force and then follow them from start to finish, which would be the final investigation. Ms. Hutson further advised the Board that her office hired a new Executive Director of Community Relations, Ursula Price, who was asked to stand. Ms. Hutson also advised the Board that the IPM would be re-instituting the ordinance required meetings quarterly in each council district starting in January and telling the city about our work. Finally, Ms. Hutson reported on mentioned the successful outreach with Safe Streets the previous Thursday night.

Inspector General Edouard Quatrevaux next introduced Susanne Lacey Wisdom who made a presentation to the Board concerning proposed changes to the OIG ordinance, City Code Sec. 2-1120, since the August 17, 2010 ERB meeting. An outline of the proposed changes are attached hereto and incorporated by reference. Mr. Quatrevaux expressed that he would appreciate an ERB resolution supporting the proposed amendments to the ordinance.

Finally, Inspector General Edouard Quatrevaux advised the ERB that the 2011 budget has changed again. Pursuant to the City Charter, the OIG-ERB budget is .75% of the General Fund. It currently stands at approximately 3.6 million. Additional millage and fees will raise the general fund level and thus the OIG-ERB budget may increase by between \$18,000-\$60,000. The three (3) ERB positions of General Counsel, Executive Director and administrative support person have been included in the budget. He further reported that the OIG budget is sufficient but expressed his concern that the IPM will play a key role in consent decree monitoring and the Decree will spell out requirements but may need IPM to develop investigative capacity and therefore may need more staff for IPM.

At the conclusion of his presentation, Inspector General Edouard Quatrevaux responded to questions from members of the audience, Vanessa Gueringer, on behalf of A Community Voice, and Edward H. Parker, on behalf of the NAACP.

Betsy Nalty moved to approve the following Resolution. Okyeame Haley seconded, all were in favor – motion passed.

Resolution supporting the amendments to the Office of Inspector General Ordinance

WHEREAS this board reviewed the proposed amendments to the ordinance for the Office of Inspector General, New Orleans City Code, Section 2-1120 at its regular meeting on December 17, 2010, *and*

WHEREAS this Board is in agreement with the need to amend the ordinance, and fully supports the amendments proposed by the Office of Inspector General to City Code Section 2-1120,

BE IT RESOLVED BY THE ETHICS REVIEW BOARD OF THE CITY OF NEW ORLEANS, that the Board states and affirms that it fully supports the proposed amendments.

THE FOREGOING RESOLUTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: 4

NAYS: 0

ABSENT:

AND THE RESOLUTION WAS ADOPTED

Betsy Nalty moved to ratify the OIG-ERB budget previously submitted to the City Council. Okyeame Haley seconded, all were in favor – motion passed.

Michael Cowan moved to receive the “Proposal to Amend the City Code of Ethics regarding: (1) Restricting Contributions from Professional Services Contractors, and (2) Prohibiting False Declarations by City Employees” from Professor David Marcello of the Public Law Center. Okyeame Haley seconded, all were in favor – motion passed.

Betsy Nalty moved to receive the letter to the Ethics Review Board dated October 18, 2010, from Daniel E. Davillier, concerning Richard’s Disposal Inc. and Metro Disposal Inc. Okyeame Haley seconded, all were in favor – motion passed.

Steven Scheckman reviewed with the Board his memorandum concerning “A Review of Ethics Education Programs From Other Jurisdictions.” At the suggestion of the Chair, Cornelius Tilton, this matter was deferred to the next meeting for further consideration in order for the current Members of the Board to review the material including both online and in a DVD format; and in anticipation of new Members being appointed to the Ethics Review Board.

The Board deferred consideration of both hiring a new Executive Director and of a revised job description until the February 1, 2011 meeting.

The Board deferred consideration of the Proposed Revisions to Ethics Board Rules until the February 1, 2011 meeting.

The Board next discussed the 2011 meeting schedule. Betsy Nalty moved to adopt the following meeting schedule. Okyeame Haley seconded, all were in favor – motion passed.

ERB meetings will be convened in the City Council Chambers. The ERB meeting schedule for 2011 is as follows:

- February 1
- March 1
- April 5
- May 3
- June 7
- (no meeting scheduled in July)
- August 2
- September 13
- October 4
- November 1
- December 6

Betsy Nalty made a motion to enter into executive session, Michael Cowan seconded, all were in favor – motion passed.

The Board entered into executive session at 4:21 P.M.

Michael Cowan made a motion to resume open session, Okyeame Haley seconded, all were in favor – motion passed.

The Board resumed open session at 5:10 P.M.

Meeting adjourned at 5:10 P.M.