

Ethics Review Board
City of New Orleans
Monday
June 23, 2014
3:30pm – 6pm
Algiers Regional Library
3014 Holiday Drive
New Orleans, LA 70131

Minutes

Present: Dr. Michael Cowan, Chair; James Brown, Vice Chair; Allen Miller, Secretary; Dr. Joe Ricks, Jr., Howard Rodgers, III
Staff: Steve Scheckman, General Counsel
Felicia R. Brown, Executive Director

A quorum being present the chair called the meeting to order at 3:31pm. Mr. Rodgers moved to approve the minutes of May 21, 2014. A second was offered by Mr. Brown. The motion passed unanimously.

Steve Scheckman, general counsel, reviewed the January 23, 2012 memorandum regarding the Ethics Review Board's enforcement authority, referencing provisions of the local code as well as the passage of legislation at the state level permitting local ethics entities to adopt the Louisiana Code of Governmental Ethics. He also noted that certain provisions of the New Orleans Code of Ethics are antiquated. Mr. Scheckman further noted the State Ethics Board has indicated in correspondence that the ERB may not interpret the state ethics provisions. In response to Mr. Brown's inquiry about the state's responsiveness when complaints are forwarded, it was noted that the state ethics administration has forwarded dispositions of complaints in the past. Dr. Ricks intimated the state board might welcome enforcement by local jurisdictions; however, counsel explained the reluctance of entities to share power in this regard. It was indicated that the general counsel and executive director will follow-up with Kathleen Allen, state ethics administrator.

Dr. Cowan indicated the mayor's appointment has not been made to the OIG Quality Assurance Review Advisory Committee; therefore, the advisory committee's report will not be made available within the timeframe for the ERB to complete the annual salary determination for Mr. Quatrevaux per the ERB-OIG MOU. The executive director confirmed it is unclear when the appointment will be made and indicated Councilmember Head's chief of staff, Jonathan Harris, has contacted the administration. The administration is aware that the ERB uses the report to inform its review of the inspector general. Additionally, the chair indicated that Rev. Dr. Donald Frampton, a former ERB member, has been nominated by Tulane University. The executive director confirmed the Governmental Affairs Committee reflects Rev. Frampton's appointment to the ERB on its calendar today. A discussion ensued regarding the status of nominations from Dillard University. The executive director will consult with Mark Barnes at Dillard University in this regard.

The executive director reviewed the routing process for the ethics education RFP, noting she would inquire about a change in the July 29 meeting of the selection committee; the general counsel has a conflict on that date. While reviewing participation in the City Planning Commission's retreat, a discussion ensued regarding the following: the state's certification process for ethics trainers and content delivered as ethics training, as well as whether participation in local board/commission retreats might be a means for the ERB to raise awareness, as suggested by Mr. Brown. Dr. Ricks cautioned against presentations that have a compliance specific focus. Mr. Rodgers inquired about the assurance that materials developed by the ethics education consultant would conform to the state's certification requirements. The executive director noted the contract provisions could address that issue.

At 4:06pm, Dr. Ricks moved to recess into executive session; Mr. Brown offered a second. The motion was approved unanimously.

At 5:10pm, Mr. Brown moved that the board resume the open meeting; Mr. Rodgers offered a second; the motion passed unanimously.

By consensus, the board agreed to move the July 1 meeting to July 7 at 2pm.

At 5:14pm, Mr. Brown moved that the meeting adjourn and Dr. Ricks seconded; all were in favor and the motion passed unanimously.