

**Ethics Review Board**

**City of New Orleans**

**October 23, 2015**

**1:00 P.M. – 3:00 P.M.**

**City Council Chambers | 1330 Perdido Street | New Orleans, Louisiana 70130**

**Minutes**

Present: Dr. Michael Cowan, Chair; Mr. Allen Miller, Vice Chair; Mr. James Brown;  
Mr. Howard Rodgers; Rev. Dr. Donald Frampton; Rev. Brandon Boutin

Staff: Dane Ciolino, General Counsel

Guest: Toni Hackett, The Hackett Group, ethics education trainers

At 1:00 p.m., a quorum being present, the Chair called the meeting to order. On a motion by Dr. Cowan seconded by Mr. Brown, the board unanimously approved the minutes of September 21, 2015.

Ethics Education

Ms. Hackett Antrum told the board that the Hackett Group is planning ethics education to six entities within the City of New Orleans: The City Council, Sewerage & Water Board, Mayor's Office, Public Works, Safety & Permits and Finance.

According to Ms. Hackett Antrum, the group has received positive feedback from employees within the six departments and employees are looking forward to an ethics education training that is diplomatic and robust.

Ms. Hackett Antrum told the board that she and her team have been working on the evaluation instrument that will be used to obtain useful feedback on the ethics education training from employees.

She also told the board that Aaron & Gianna, PLC, the law firm associated with the Hackett Group, is actively working to make sure that the ethics training includes a combination of city ordinances and rules related to ethics training as well as state ethics requirements.

Ms. Hackett Antrum stated that two members of the Hackett Group will receive additional training from the Louisiana Board of Ethics. Upon successful completion of this training, they will be recognized as certified ethics trainers by the Louisiana Board of Ethics. This will allow each employee trained by the Hackett Group to earn one hour toward the annual state ethics education requirement.

Ms. Hackett Antrum told the board that the group expects to complete the ethics education training for the six departments by the end of spring; this will include three sessions before the end of 2015 and four sessions in 2016.

In response to Rev. Dr. Frampton, Ms. Hackett Antrum told the board that the six departments that the Hackett Group has met appear to be looking forward to the ethics education training.

In response to Dr. Cowan, Ms. Hackett Antrum told the board that the ethics training will provide employees with useful information to show how ethics rules may apply to various scenarios. The goal is to provide the employees with the tools to apply ethics rules to their jobs. She also told the board that the group is working with department heads to get examples of situations and ethical dilemmas that the employees may face.

In response to Dr. Cowan, Ms. Hackett Antrum told the board that the ethics rules don't change but the presentations and emphasis will be customized for each department.

Mr. Ciolino reviewed the resolution dated October 19, 2015, that proposed an addition of a new section to the financial disclosure rules for the ERB. The change in the rule mirrors a provision approved by the City Council's Governmental Affairs Committee to require ERB members to submit tier 2.1 disclosures to the Louisiana Board of Ethics.

In response to Mr. Brown, Mr. Ciolino told the board that the two opinions from the Louisiana Board of Ethics were both based on a factual premise that the ERB did not control a budget of \$10,000 or more. However, Mr. Ciolino told the board that having reviewed the charter and ordinances that were enacted pursuant to the charter that created the ERB, he believes that the board does indeed control a budget of \$10,000 or more.

In response to Mr. Brown, Mr. Ciolino told the board that the Louisiana Board of Ethics was working off a factual premise that he believes was wrong.

In response to Mr. Miller, Mr. Ciolino told the board when the CAO signs off on ERB expenditures, it's an administrative matter not a matter of control.

Mr. Brown told the board that he would like for the minutes to reflect that the ERB looked into the matter of financial disclosure for ERB members as soon the General Counsel was selected. Mr. Ciolino noted that the ERB chair had asked him to make this his first action upon being hired.

Dr. Cowan moved to propose the change to the rules, a second was offered by Mr. Rodgers. All were in favor and the motion passed unanimously.

Mr. Ciolino told the board that he suggests the ERB formally undertake a comprehensive review of all operational rules, in order to be in compliance with the requirements and because reviewing the rules periodically is good practice.

In response to Dr. Cowan, Mr. Ciolino told the board that he will provide an analysis and review of the rules shortly and no less than every 5 years thereafter.

Dr. Cowan moved to review the board rules as the ERB General Counsel suggested, a second was offered by Mr. Brown. All were in favor and the motion passed unanimously.

Dr. Cowan told the board that one of the members of the Quality Assurance Review Advisory Committee, which was nominated by the ERB and appointed by the City Council, has resigned. The ERB has a few leads and hopes to have someone selected for the November 10, 2015 ERB meeting.

Dr. Cowan told the board that no action is required for agenda item 5, ERB appointee to Quality Assurance Review Advisory Committee.

In response to Mr. Brown, Mr. Ciolino told the board that he received an email from Dr. Marcello commending the ERB and Mr. Ciolino for the detail in agenda item #6 for the October 23, 2015 ERB Meeting.

On a motion by Dr. Cowan and a second by Mr. Rodgers, the board adjourned into executive session pursuant to La. Rev. Stat. sec. 42:17(A)(4) to discuss an investigative proceeding regarding allegations of misconduct, at 1:26 p.m.

The board resumed the public meeting and Dr. Cowan announced that the outcome of the Executive Session was to approve an investigation of alleged violation of the City Code of Ethics.

There was no new business.

At 1:53 p.m., Mr. Brown moved that the meeting adjourn, a second was offered by Mr. Miller. The motion carried unanimously and the meeting adjourned.