

The Ethics Review Board
City of New Orleans

Friday, March 23, 2007
2:00 p.m.

Xavier University New Orleans, University Center

Present: Rev. Kevin Wildes, Chair, Rev. Cornelius Tilton, Vice Chair, Elizabeth Nalty, Secretary, Dean Winston Brown, Professor Kathryn Lorio, Dr. Beverly Favre.

Excused: Mrs. Leah Chase

Guests: Professor David Marcello of the Tulane Public Law Center, Evelyn Pugh and Dawn Segura from the City Attorney's Office.

Open participants:

Ed Quatrevaux, former IG, Legal Services Corporation, Jill Hixon, chief of staff Councilman Arnie Fielkow's office, Michael Cowan, Loyola Professor, Katherine Shepard, law student, Loyola University.

Rev. Tilton moved for approval of minutes, Professor Lorio seconded – motion passed.

Rev. Tilton asked for a clarification of the civil service question. This will be addressed as an agenda item in the next meeting.

The minutes of the Executive Committee were approved and Rev. Tilton moved to enter them into the record. Professor Lorio seconded – motion passed.

David Marcello of the Tulane Public Law Center led an "in service" training for the ERB members so that the ERB role, the role of the Inspector General and the ERB operations would be clearly understood. Assisting him were Evelyn Pugh and Dawn Segura from the City Attorney's Office. Topics covered were 1) Home Rule Charter Provisions, 2) City Code Provisions, 3) State Ethics Laws, and 4) State "Sunshine" Laws.

The question of indemnification was asked and Mrs. Pugh answered that the city does cover indemnification of Boards. She suggested a letter to the city be sent requesting such.

Discussion was held on the open meeting laws and private investigations. Should an exception be desired, legislation would be necessary. Professor Marcello and Professor Lorio agreed to create a draft to present to the Legislature by April 30 when it convenes.

The Inspector General Announcement, which was created from the basic ordinance was discussed and reworked. Approval was moved by Rev. Tilton and seconded by Professor Lorio – motion passed. See attached position announcement.

Position announcement will be placed with the Association of Inspector Generals, The Federal Inspector General Network, The National Association of Local Government Auditors, The Institute of Internal Auditors, The Association of Certified Fraud Inspectors, The Government Finance Officers Association, and the National Association of State Auditors, Comptrollers and Treasurers. The announcement will also be placed in local, regional and national media outlets.

The first draft of By-Laws was presented. Discussion followed and adjustments were made.

It was determined that in due compliance with the open meeting laws, an adjusted draft would be circulated withholding comments until the next meeting.

Professor Lorio and Ms. Nalty agreed to meet at the Tulane Public Law Center to begin developing procedures for public comments in the open meetings.

Topics for the next meeting were discussed.

- 1) Process for hiring to be followed in compliance with the open meeting laws;
- 2) Clarification of the civil service question. It was suggested that representation from the city attorney's office, Professor Marcello and Gilbert Buras from the Civil Service Office provide a briefing for the ERB;
- 3) Any legislation;
- 4) Letter requesting Board indemnification to city;
- 5) Public comment procedures – review and adopt;
- 6) By-Laws review.

Dates for meetings in April will be determined following a canvas of available times.

Dean Brown moved the meeting adjourn at 5:05 p.m.

Respectfully submitted,

Elizabeth S. Nalty