

The Ethics Review Board
City of New Orleans

Tuesday, February 17, 2009
10:30 a.m.

Xavier University New Orleans
Student Center, Room 205 C

Present: Rev. Kevin Wildes, S. J.; Chair, Rev. Cornelius Tilton, Vice Chair; Elizabeth Nalty, Secretary; Dean Winston Brown; Mrs. Leah Chase; Dr. Beverly Favre; and Professor Kathryn Lorio

Guests: Leonard Odom, Interim IG; David Marcello; Mike Cowan; Janet Werkman, OIG; Neely Moody, OIG; David Westerling, OIG; Hugh Fox, OIG; Frederick Boyd, OIG; Shontelle Julian, OIG; Eduardo Hernandez, OIG; and Jill Poutré, Executive Director to ERB

Rev. Kevin Wildes called the meeting to order at 10:39 a.m.

Rev. Tilton moved to adopt the minutes from the January 27, 2009 meeting. Elizabeth Nalty seconded – motion passed.

Rev. Kevin Wildes announced that Robert Cerasoli tendered his resignation on January 30, 2009 and he, with the authority provided by Article XIII, Sec. 2-1120, 3(d) of the city ordinance, appointed Leonard Odom as interim inspector general.

Kathryn Lorio asked if the board could send a special note to Mr. Cerasoli and if the board could thank Leonard Odom for stepping in to the position for the interim. Rev. Tilton moved to send a note to Mr. Cerasoli, Rev. Wildes seconded, all in favor – motion passed.

Rev. Wildes asked if David Marcello could speak briefly on the revised inspector general position announcement. Mr. Marcello said the announcement was updated to include the changes provided by the charter amendment and ordinance. The Office of Inspector General is in a better situation as it is now a permanent establishment with dedicated funding and the right to independent legal counsel. One member stated the Ethics Review Board and Office of Inspector General need to discuss how the dedicated funds are divvied between the two offices and the position announcement should reflect that the offices share the funding. Rev. Wildes said the announcement could read, “Dedicated funding line ensured between the two offices.” David Marcello agreed with the comments. Rev. Wildes said Jill would make the edits and resend the revised announcement. Janet Werkman asked if the board would like to include the inspector general salary. The board agreed that the salary is based on experience and should not be included in the announcement. Tilton moved to adopt the announcement with the changes discussed. Kathryn Lorio seconded, all were in favor – motion passed.

The Chair mentioned the announcements would go out by the end of the week. One member mentioned the board could send out the announcements through special mailings from organizations with which the board is affiliated. The board agreed to make the application deadline March 31 and to plan for interviews in May.

Janet Werkman presented request for proposals procedures to the board. She stated that the ERB and the OIG have the right to create their own RFP procedures. Executive Order CRN 08-01, a policy pertaining to the competitive selection procedures for professional service contracts, does not apply to the ERB or OIG. Rev. Cornelius Tilton declared that the Ethics Review Board is not a part of the executive branch of government. Mrs. Werkman said the ERB and OIG request for proposals procedures includes creating a selection committee that would hold open meetings, limits how much the contract can be amended, and recognizes the bid threshold set by ordinance at \$15,000. The board by majority vote may decide to undertake the RFP process and if it deems necessary may select a subcommittee to oversee the selection. One member asked why the RFP procedures for the Ethics Review Board and Office of Inspector General were combined into one set of procedures. The ordinance allowing the ERB and OIG to create their own request for proposals procedures lumps the Ethics Review Board and Office of Inspector General together. Mr. Odom asked who had vetted the RFP procedures and said he had not had the opportunity to review them. Rev Kevin Wildes made a motion to table the RFP procedures vote until Janet Werkman and David Marcello form a cooperative endeavor agreement between the Office of Inspector General and the Ethics Review Board. Rev. Tilton moved and Mrs. Elizabeth Nalty seconded, all were in favor – motion passed.

One member asked the board to take up discussion on the fourth agenda item, RFP for Education and Legal Counsel Vote. During that discussion, a board member stated that the board should not contract for legal counsel. He also mentioned that it is not necessary to hire a contractor to develop and oversee the ethics education when the legal counsel can be hired to manage those tasks. Rev. Kevin Wildes announced that the board can develop a job description for the legal counsel that includes creating and overseeing an ethics education program. Rev. Tilton moved to have the board hire a full-time legal counsel who will create and oversee the ethics education program rather than contract out for those services, Rev. Wildes seconded, all were in favor – motion passed.

A board member requested to receive monthly financial reports. The board agreed that monthly financial reports on the Ethics Review Board's budget would be beneficial.

Discussion ensued on whether the board should invite board members and executive directors from other ethics entities to visit and share their knowledge with the ERB. The board agreed that they would greatly benefit from such an experience. Rev. Tilton, Kathryn Lorio, and Elizabeth Nalty, all board members who attended the Council on Governmental Ethics Laws conference, agreed to meet with Jill Poutré to make a recommendation to the board on who the board should invite.

Jill Poutré gave an update on the annual report. The annual report is due at the end of March. Mrs. Poutré will send out a draft and the board will vote on it at the next ERB meeting.

Rev. Kevin Wildes asked Mr. Leonard Odom to give an update on the Office of Inspector General. Mr. Odom thanked the board for showing faith in him and giving him this opportunity. Odom announced that he is activating the inspections and evaluation function within the OIG that was created by ordinance. The police monitor positions were approved at yesterday's civil service commission hearing. Leonard Odom submitted the Audit and Inspections Plan to the ERB. He stated that the office is also working on developing the office manuals. One board member asked whether the OIG has long distance. Mr. Odom explained that someone switched the long distance provider from AT&T to Verizon and he is not sure who did make the switch. All payments were made to the provider. Another board member asked about whether the office will be able to purchase the protection equipment. Mr. Odom said the equipment purchasing is on hold and he plans to meet with Rev. Wildes and the Mayor to discuss the purchases and other issues. Two OIG investigators are already in training to become post-certified and Mr. Odom spoke with the police superintendent a couple weeks ago about deputizing OIG investigators. He also gave an update on increased staffing, computer equipment setup, and the hotline launch date which is set for March 15, 2009.

Kathryn Lorio moved to adjourn. Elizabeth Nalty seconded. Meeting was adjourned at 12:00 p.m.