

Ethics Review Board
City of New Orleans
Monday, December 8, 2014
2pm – 5pm

Norman Mayer Library | 3001 Gentilly Boulevard | New Orleans, Louisiana 70122

Minutes

Present: Dr. Michael Cowan, Chair; Allen Miller, Vice Chair; Dr. Joe Ricks, Jr., Secretary; James Brown; Howard Rodgers, III; Rev. Dr. Donald Frampton

Guests: Ed Quatrevaux, Inspector General
Susan Hutson, Independent Police Monitor
Suzanne Wisdom, OIG General Counsel
Ron Wilson, Counsel to Ms. Hutson
William Quigley, Counsel to Ms. Hutson
Bruce Waltzer, Counsel to Ms. Hutson

Staff: Steve Scheckman, General Counsel
Felicia R. Brown, Executive Director

At 2:05pm, a quorum being present the chair called the meeting to order. On a motion by Mr. Brown and a second by Rev. Frampton, the board unanimously approved the minutes of November 17, 2014.

By consensus the board agreed to meet on January 13, 2015, at 3:30pm.

A discussion ensued regarding the position of general counsel, specifically hiring on a contract basis or maintaining the current staff position. The board deliberated the advantages and disadvantages of both options, giving considerations to costs, workload, and ability to attract a pool of viable applicants. Mr. Scheckman reminded the board of the purchasing protocols should the ERB proceed with an RFP.

Mr. Brown moved that the ERB proceed with development of an RFP for professional services contract for general counsel to the Ethics Review Board at an annual flat fee retainer of \$40,000.00 for FY 2015; a second was offered by Dr. Ricks. The motion passed unanimously.

A discussion ensued regarding the position of executive director, with Dr. Cowan proposing to segment the functions of the current position, creating separate and distinct administrative responsibilities from the training role. The board considered the salary for each function, contracting for the ethics trainer and budget implications for hiring. The executive director proposed that the board consider consolidating the roles of general counsel and executive director. By consensus it was agreed that Dr. Ricks and Mr. Brown will meet with Civil Service regarding the ERB's personnel needs and report back to the full board.

At 2:40pm, Dr. Ricks moved to adjourn the public meet and recess into executive session. Mr. Brown offered a second and the motion passed unanimously.

On a motion by Dr. Ricks with a second by Mr. Miller, the board resumed the public meeting at 4:32pm.

On joint motion of all Members of the Ethics Review Board present, the following resolution was offered:

Resolution No. 1:

A resolution acknowledging acceptance of report of Independent Investigation:

Be It Resolved the Ethics Review Board accepts the findings of Mr. McGoey’s report of independent investigation that the Inspector General has **not** created a hostile work environment based on race or gender and considers that investigation to be concluded.

YEAS: 6

NAYS: 0

ABSENT: 0

The resolution was declared to be adopted on this the 8th day of December 2014.

On joint motion of all Members of the Ethics Review Board present, the following resolution was offered:

Resolution No. 2:

A resolution regarding future working relationship of the Inspector General and Independent Police Monitor:

Be It Resolved the Ethics Review Board expresses its sense regarding the appropriate future working relationship of the Inspector General and Independent Police Monitor, as follows:

1. Because the Independent Police Monitor (“IPM”) is a division within the Office of Inspector General (“OIG”), the Inspector General (“IG”) must be afforded a reasonable measure of supervisory authority over the IPM. The IPM should be willing to accept that supervisory authority.
2. Open communication and a constructive working relationship between the IG and the IPM characterized by civility and professionalism on both sides should commence promptly. To support that constructive relationship, the IG should afford the IPM an appropriate measure of discretionary authority to direct the affairs of her division, including matters such as work priorities, hiring and termination of personnel, allocation and use of funds allocated to the IPM division, and other matters appropriate to the work of the IPM. The IG should give appropriate budgetary support (consistent with available resources) to the work of the IPM. The IPM, however, should submit work product and reports to the IG for review prior to issuance.
3. The IG should be mindful of the tone and manner of his communication and dealings with all employees, including the IPM, without in any respect lessening the IG’s high standards

for quality of work. The IPM should afford the IG the respect attendant to his office and responsibilities.

4. The Board expects that both parties will recommit to the effort to confect a Memorandum of Understanding in the spirit of this resolution.

YEAS: 6

NAYS: 0

ABSENT: 0

The resolution was declared to be adopted on this the 8th day of December 2014.

During the period of public comment, Mr. Norris Henderson and Ms. Janet Hays provided remarks to the ERB regarding their support of the OIPM.

Concluding remarks were offered by board members Cowan and Rodgers, indicating their respect and support of both the OIG and OIPM and the importance of the roles served by each.

At 4:52pm, Rev. Frampton moved that the meeting adjourn; a second was offered by Dr. Ricks. The motion carried unanimously.