

Ethics Review Board

City of New Orleans

June 14, 2017

4:00 P.M. – 6:00 P.M.

City Council Chambers | 1330 Perdido Street | Orleans, Louisiana 70112

Minutes

Present: Mr. Allen Miller, Chair; Mr. James Brown, Vice Chair; Dr. Joe Ricks; Dr. Michael Cowan; Rev. Boutin; Mr. Howard Rodgers

Staff: Dane Ciolino, General Counsel

Guest: Toni Hackett Antrum, the Hackett Group, Ethics Education Trainers

At 4:04 p.m., a quorum being present, the Chair called the meeting to order. On a motion by Mr. Brown seconded by Dr. Ricks, the board unanimously approved the minutes of the May 17, 2017 meeting.

Inspector General's Report

The Inspector General (IG), Ed Quatrevaux, told the board that the Office of Inspector General (OIG) issued a follow-up report on Motor Vehicle Self Insurance since the ERB's last meeting.

The IG told the board that the OIG found that the City of New Orleans continued to self-insure rather than purchase commercial insurance.

The IG told the board that the original report in 2012 found that the City overpaid a 3rd party administrator \$91,000 for duplicate services. He also told the board that the City did not renew contracts timely and the City did not monitor employees driving records or require employees to complete a defensive driving program.

The IG told the board that the City did not ensure that the employees with take-home vehicles had the required non-owned insurance coverage.

The IG told the board that the follow-up report found that the City had made a number of improvements to the Motor Vehicle Self Insurance Program based on the following OIG recommendations:

- The City resolved several issues when it signed a contract with a new 3rd party administrator in 2012.
- The City is hiring an in-house Adjuster for automobile claims, which should save the City approximately \$100,000 a year.

The IG told the board that the City also made the following revisions to their Vehicle Use Policy:

- The City revised their Vehicle Use Policy three times in 2016 to incorporate components of the Louisiana Driver Safety Program.
- City employees are now required to complete a Defensive Driver Program prior to operating City vehicles.
- The City uses On-The-Job Accident Data to identify high-risk drivers who had been in multiple accidents.

The IG told the board that the follow-up report found that the City does not check employees' official driving records through the Louisiana Office of Motor Vehicles; the City relies on employees to self-report accidents and the loss of their driver's licenses.

The IG told the board that the City now requires departments to report if employees have obtained the required non-owned insurance coverage, but the City did not implement any enforcement mechanisms to ensure compliance.

In response to Dr. Ricks, the IG told the board that the City believes it more economical to self-insure rather than purchase commercial insurance.

In response to Dr. Ricks, the IG told the board that the City did not provide the OIG with any cost savings.

In response to Mr. Miller, the IG told the board that he does not know the City's self-insured limit.

Independent Police Monitor's Report

The Independent Police Monitor (IPM), Susan Hutson, reported the Office of the Independent Police Monitor's (OIPM) year-to-date activities for 2017: 4 case monitoring's, 20 citizen complaints, 4 contacts only, assisting 5 crime victims, 14 disciplinary hearings, 4 uses of force and 2 critical incidents.

The IPM told the board that she would have an update on the year-to-date mediations for the ERB's July 2017 meeting; Sister Alison McCrary has been on leave.

The IPM gave the board the following updates:

- On June 19, 2017, the OIPM will present its Annual Report to the New Orleans City Council's Criminal Justice Committee.
- On June 19, 2017, Tonya McClary will join the OIPM as an attorney that will supervise the attorneys reviewing the use of force cases.
- The OIPM only has the Complaint Intake Specialist position to fill; this is a classified position with the City of New Orleans.

In response to Mr. Miller, the IPM told the board that the OIPM's Annual Report will be presented on June 19, 2017 at the City Council Chambers for 10 A.M.

General Counsel's Report

Mr. Dane Ciolino told the board that there are no new complaints, but there is 1 pending complaint. There are no items to discuss for Executive Session.

Mr. Ciolino told the board that he spoke with Mr. Robert Slavin with Slavin Management Consultants regarding the status of their proposal for the Inspector General Search. Mr. Ciolino advised Mr. Slavin that their proposal was over the limit for the professional services contracts that could be awarded without a Request for Proposal (RFP) process.

Mr. Ciolino told the board that Mr. Slavin has committed to revising the Slavin Management Consultants proposal to \$15,000 or below, which would include all expenses.

In response to Mr. Brown, Mr. Ciolino told the board that the Inspector General opening has been posted on the City of New Orleans website, the City's hiring portal and on the Association of Inspector General's (AIG) website.

In response to Mr. Brown, Mr. Ciolino told the board that a Search Firm would assist the ERB Members in the Inspector General Search by reviewing applications, determining which candidates to interview, which processes to follow, etc.

In response to Dr. Ricks, Mr. Ciolino told the board that there is not a RFP process for contracts that are less than \$15,000.

In response to Mr. Miller, Mr. Ciolino told the board that due to the bidding process, a RFP would take significantly longer.

Ethics Education Report

Ms. Toni Hackett Antrum of the Hackett Group told the board that the Hackett Group has completed 5 ethics education training sessions with approximately 100 employees of City government, which includes the Sewerage & Water Board (S&WB) since the ERB's May meeting.

Ms. Hackett Antrum told the board that the S&WB's Training Director and Ethics Liaison attended an ethics education training session.

Ms. Hackett Antrum told the board that the Hackett Group received a request from the S&WB to conduct another session for 30 more employees.

Ms. Hackett Antrum told the board that she would like to schedule a meeting with the ERB Ethics Education Committee to discuss future ethics education training sessions and the possibility of creating an additional curriculum.

Ms. Hackett Antrum told the board that the Hackett Group will provide a summary to the ERB that will include the year-to-date evaluations, what the Hackett Group has learned and how ethics education training and approaches could be improved.

Ms. Hackett Antrum told the board that the Hackett Group continues to research strategies to get all Departmental Executive staff to attend the ethics education training sessions.

In response to Mr. Brown, Ms. Hackett Antrum told the board that the Louisiana Ethics Code requires each City Agency to have an Ethics Liaison. She also told the board that she is aware of some but not all City Agencies having an Ethics Liaison.

Mr. Brown told the board that the ERB should be aware of the City Agencies that do not have an Ethics Liaison.

Mr. Miller told the board that if needed, the ERB Ethics Education Committee can assist the Hackett Group with crafting communication to remind the City Agencies of the statutory obligations.

Dr. Ricks told the board that the ERB Ethics Education Committee had discussions regarding steps to develop a training for Ethics Liaison's and would like to schedule a meeting soon with the Hackett Group to discuss these steps.

Ms. Hackett Antrum told the board that the Hackett Group invites the ERB to attend any of the ethics education training sessions, and she will update the board on any upcoming sessions.

At 4:37 P.M., Dr. Ricks moved that the meeting adjourn, Mr. Brown seconded. The motion carried unanimously and the meeting adjourned.