

Report of Investigation Allegation that Specific City Department Heads and Managers Have Each Received Free Tickets to Jazz Fest

Final Report • March 9, 2018



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FINAL

REPORT OF INVESTIGATION



TITLE: Allegation that Specific City Departments Heads and Managers Have Received Free Tickets to Jazz Fest

LOCATION OF OCCURRENCE: New Orleans, LA

DATE OF OCCURRENCE: April 2017

INVESTIGATED BY: Investigator Michael J. Centola



Louisiana Code of Governmental Ethics

R.S. 42:1111 - Payment from Nonpublic Sources

R.S. 42:1115 - Gifts

Louisiana Constitution

LA Const., Art. 7, §14(A) - Prohibition on Loans/Donations

ACTION TAKEN: Referral for administrative action to the City of New Orleans

EXECUTIVE SUMMARY

Festival Productions, Inc. - New Orleans provided seven (7) different Department Heads, within the City of New Orleans, between 284 to 424 free admission tickets to the Jazz Festival in 2017. The majority of the aforementioned Department Heads and their employees stated they were aware that they could not accept free tickets to the Jazz Festival for personal use. They also said they either did not use the tickets at all or only used the tickets for the purpose of conducting official City business. The Parks and Parkways Department “loaned” three gazebos to the Jazz Festival in 2017 without executing a “Hold Harmless Agreement” nor charging an equipment rental fee.

BASIS FOR INVESTIGATION

In August of 2017, the Office of Inspector General (OIG) received a confidential complaint alleging that the company, which organizes and hosts the Jazz Festival, had routinely provided City of New Orleans employees with free admission tickets to attend the Jazz Festival each year. Quint Davis, the CEO of Festival Productions, Inc. - New Orleans, confirmed that he had provided 144 free admission tickets to the following seven (7) City Hall departments in 2017: Parks and Parkways Department (PPD), Property Management Department (PMD), Chief Administration Office (CAO), Public Works Department (PWD), Finance Department (FD), New Orleans Police Department (NOPD), and the New Orleans Fire Department (NOFD). Mr. Davis also advised that the “Orleans Parish Sheriffs’ Office/Marlin Gusman” received 16 free admission tickets in 2017. This information concerning the Orleans Parish Sheriffs’ Office has been referred to the Louisiana Legislative Auditor. Mr. Davis provided the OIG with a table showing the number

of free admission tickets that had been provided to the above-described departments in 2017. This table is attached as **Exhibit 1**.

The aforementioned City Hall departments were contacted by OIG Investigators in an effort to determine the circumstances surrounding the receipt of the tickets and any possible business relationship that may exist between the City and the Jazz Festival.

BACKGROUND of the Jazz Festival

According to information found on the Neworleansonline.com website, the New Orleans Jazz & Heritage Festival is the celebration of the unique culture and heritage of New Orleans and Louisiana. The website describes the festival as “an endless amount of music, succulent local and regional delicacies, one-of-a-kind handmade arts and crafts, second line parades.”

According to information found on the Jazzandheritage.org website, the festival is the world's premier showcase of Louisiana music, food and culture, and one of the most popular festivals in the world. The website describes the Jazz Fest as “the principal fundraiser for the New Orleans Jazz & Heritage Foundation, which uses the proceeds from the festival for year-round programs in education, economic development and cultural enrichment. As the nonprofit owner of the New Orleans Jazz & Heritage Festival, the Jazz & Heritage Foundation is active all year long with assets and programs in the areas of education, economic development and cultural enrichment.”

According to an article published in the Times Picayune on February 2, 2017, the 2017 New Orleans Jazz & Heritage Festival was held on April 28 to April 30, and from May 4 to May 7. A one-day ticket to the Jazz Fest could be purchased in advance for \$65 through Feb. 14, 2017, while the gate price for the same ticket was \$80.

EXTENT AND RESULTS OF INVESTIGATION

Parks and Parkways

(Parks and Parkways received 60 free admission tickets – See Exhibit 1)

On October 19, 2017, Ann MacDonald, Director (Dir) of the Parks and Parkways Division (PPD), was interviewed by OIG Investigators. Dir MacDonald advised she has been the Director since 2002. Previously, Dir MacDonald served as the Assistant Director of PPD for two years. Dir MacDonald advised that all during her City tenure, since 1988, City departments received tickets to the Jazz Festival. These tickets are provided free of charge to City employees for their personal use. A representative of the Jazz Festival delivers tickets to the PPD Office. Dir MacDonald believes “someone” signs for receipt of the tickets. PPD has approximately 135 employees. Dir MacDonald advised that she personally distributes envelopes containing the tickets to the employees of PPD. Dir MacDonald could not recall the exact number of free tickets she received. Dir MacDonald said that she places two or three tickets in each envelope. Dir MacDonald said that she provides more than one ticket because she feels employees should not attend the festival alone. Usually the tickets are provided to the office staff since “there is never

enough tickets for everyone.” Dir MacDonald advised that she has personally used tickets a few years ago. Dir MacDonald said she distributes them “equally to her employees.”

Dir MacDonald advised that PPD personnel deliver gazebos to Fortier Park located on Esplanade Avenue. There is no assembly or construction to perform. She is unsure how the gazebos are utilized and does not recall seeing them when she attended the Jazz Festival. A photocopy of a photograph of the gazebos is attached as **Exhibit 2**.

Dir MacDonald advised that, “to the best of her knowledge” there is no documentation of the arrangement between the PPD and the Jazz Festival for the use of the gazebos or the receipt of the tickets. Dir MacDonald does not believe the tickets are provided in exchange for the use of the gazebos. The only communication may be a telephone call requesting the delivery of the gazebos. Dir MacDonald did not know of any “Hold Harmless Agreement” regarding the gazebos.

Dir MacDonald has never received any formal directive on how to handle the receipt of the tickets. She is not aware of any other City department that returns the tickets to the Jazz Festival. Dir MacDonald reiterated the tickets are not received for a service provided, but she feels the Jazz Festival has a “partnership” with the City. She thinks it is the City’s responsibility to encourage tourism and the Jazz Festival is a major draw of tourists for the City. A photocopy of the Memorandum of Interview for Dir MacDonald is attached as **Exhibit 3**.

On October 24, 2017, Timothy LaVelle, Assistant Director (AD) of PPD, was interviewed by OIG Investigators. AD LaVelle has worked for PPD since 2003. He has also held various positions in other City Departments since 1987. AD LaVelle advised that he is the primary contact for the gazebos, which PPD delivers to the Jazz Festival each year. PPD does receive Jazz Fest tickets, but they are not addressed to him. AD LaVelle stated, “All tickets received by PPD go to (Director) Ann MacDonald.” AD LaVelle advised that Dir MacDonald, not AD Lavelle, distributes the tickets. AD LaVelle stated that Dir MacDonald gave him eight tickets to the Jazz Fest in 2017. He has also received eight tickets in past years from Dir MacDonald. LaVelle did not know of any directive or instruction on how to handle the receipt of tickets provided to City Departments.

AD LaVelle advised that PPD provided three gazebos to the Jazz Festival in 2017. PPD employees delivered and placed them inside the festival grounds located at the Fair Grounds Racetrack. Steve Meyers is the PPD employee who is responsible for the delivery of the gazebos. AD LaVelle believes there are letters or other correspondence in which the Jazz Festival requested the use of the gazebos. AD LaVelle said that in the past, four gazebos were provided, but one became in such disrepair, AD LaVelle had it dismantled. He could not recall when the practice of loaning the gazebos began, but advised it has been, “for more than a few years.” PPD does not perform any other service for the Jazz Festival until the removal of the gazebos. AD Lavelle advised he did not know of any time where the gazebos are utilized other than for the Jazz Festival. He believes Jazz Festival programs are sold from the gazebos. He recalled PPD painting them when they looked bad. AD LaVelle had no reason for PPD to maintain the gazebos other than to loan them out to the Jazz Festival every year. A photocopy of the Memorandum of Interview for AD LaVelle is attached as **Exhibit 4**.

On October 24, 2017, Steve Meyer, Senior Maintenance Welder (SMW) for PPD was interviewed by OIG Investigators. He is the individual who is responsible for the delivery of the gazebos utilized by the Jazz Festival. He normally receives an email identifying the delivery date and he asks a fellow PPD employee to assist him. The gazebos are delivered to the infield of the Fair Grounds Racetrack. He has been delivering the gazebos for at least the past 20 years. The gazebos have been stored at PPD since 1986 when he came to work at PPD. SMW Meyer described the gazebos as “kind of raggedy.”

After delivering the gazebos, SMW Meyer stated he went to a trailer where a representative of the Jazz Festival gave him two brown envelopes. He believed they contained Jazz Festival tickets. One envelope was addressed to Dir MacDonald and the other to AD LaVelle. SMW Meyer stated that Dir MacDonald distributed the tickets to PPD Supervisors and Administrative Assistants. SMW Meyer said he “normally” receives two tickets from Dir MacDonald. SMW Meyer said he gives the tickets he receives to his daughter. SMW Meyer believes tickets may have been delivered to the PPD office in the past. SMW Meyer did not know of any other festival that provides free tickets to PPD. A photocopy of the Memorandum of Interview for SMW Meyers is attached as **Exhibit 5**.

Property Management Department (PMD)
(Property Management received 18 free admission tickets – See Exhibit 1)

On September 29, 2017, Property Management Department (PMD) Director (Dir) George Patterson, was interviewed by OIG Investigators. Each year shortly after Mardi Gras, the PMD receives a letter from the Jazz Festival Foundation requesting a specific amount of City bleachers to be used at the Jazz Festival. These bleachers are owned and used by the City during Mardi Gras. According to Dir Patterson, the request is exactly the same each year. The letter details how many sections and braces are requested. The letter further details the specific period as to when the equipment is to be picked up and returned by the Jazz Festival personnel from the City warehouse located on Tchoupitoulas Street. A photocopy of the 2017 letter from the Jazz Festival dated January 19, 2017 and DIR Patterson’s response letter dated April 17, 2017 are attached as **Exhibits 6 and 7**. The letter is forwarded to Assistant Chief Administrative Officer (ACAO) Courtney Bagneris, for the CAO’s approval. Dir Patterson advised that to his knowledge, the request has never been denied. The equipment is not transported nor erected by City personnel. Jazz Festival personnel perform both. The Jazz Festival also provides the City with a “Hold Harmless Agreement” concerning the rental of the bleachers. A photocopy of the 2017 “Hold Harmless Agreement” is attached as **Exhibit 8**. When the equipment is returned, an inventory is conducted to ensure all of the equipment is returned undamaged. Dir Patterson stated that the City is paid “maybe a couple thousand dollars” for the use of the bleachers. The check is made payable to the City and is deposited into the City’s General Fund. Dir Patterson feels the money received should be placed into the PMD budget.

According to Dir Patterson, a courier from the Jazz Festival comes to City Hall and distributes tickets to various City Departments, including the PMD. Dir Patterson advised that Cedric Grant, Deputy Mayor (DM) of Facilities, Infrastructure and Community Development, ordered PMD to forward Jazz Festival tickets to his office for return to the Jazz Festival. Dir Patterson’s assistant, Adrienne Recasner, returned the tickets to DM Grant’s Office. DM Grant has recently left City employment. Dir Patterson advised that City departments also receive free admission tickets for the Essence Festival, Mardi Gras stands and other

events. DM Grant had established a policy that no division under his supervision would keep any free admission tickets for the Jazz Festival, or other events, such as the Essence Festival.

Dir Patterson understands that DM Grant forwards any tickets he receives to Scott Hutcheson of the Mayor's Office for return to the Jazz Fest. Dir Patterson does not know if the tickets are returned to the Jazz Festival or not. According to Dir Patterson, "This practice has been going on for decades." The tickets are provided to the Departments and are, "not associated with names, but the titles" of the departments. Dir Patterson believes it is unfair that employees who are earning minimal salaries are not allowed to utilize the tickets provided to the City.

Dir Patterson advised that Adrienne Recasner maintains all documents regarding the agreement between the City and the Jazz Festival Foundation. Dir Patterson advised he was not going to jeopardize his job with the City by going behind Cedric Grant's back and obtain Jazz Festival tickets. Dir Patterson does not attend the festival, but if he chose to, he would purchase his ticket. A photocopy of the Memorandum of Interview for Dir Patterson is attached as **Exhibit 9**.

On October 30, 2017, Adrienne Recasner, PMD Assistant to the Director (ATD) was interviewed by OIG Investigators. She did not have direct knowledge of PMD receiving free tickets for the Jazz Festival. She has in the recent past signed for the receipt of an envelope she assumed contained Jazz Festival tickets. When she received the envelope, she would immediately bring it to the Director of PMD, George Patterson. Dir Patterson would advise her to bring the envelope to his supervisor's office, Deputy Mayor (DM) Cedric Grant. ATD Recasner would deliver the envelope to Sabrina Hill, who accepted the envelope on behalf of DM Grant. ATD Recasner advised that Dir Patterson is adamant that Jazz Festival tickets be returned to the Jazz Festival at the direction of DM Grant.

ATD Recasner is aware that the PMD does provide bleachers to the Jazz Festival. Each year the Jazz Festival sends a letter requesting the use of a specific number of bleachers. Once she receives the request, she forwards it to Assistant Chief Administrative Officer (ACAO) Courtney Bagneris for her approval. Once approved, ATD Recasner forwards a work order to the warehouse located on Tchoupitoulas Street authorizing the release of the bleachers to the Jazz Festival. Theodore Mars is the Jazz Festival point of contact for the delivery of the bleachers. Mr. Mars is also the individual who delivers the envelope possibly containing the tickets. In the past, City employees would deliver and assemble the bleachers. The City has discontinued this practice due to budget restraints.

In return for the use of the bleachers, the Jazz Festival pays the City approximately [REDACTED] along with a [REDACTED] check for deposit. A photocopy of the payment paperwork is attached as **Exhibit 10**. The City deposits the payment into the City General Fund. The City returns the deposit check once the Jazz Festival has brought back all the equipment to the PMD and the PMD has inspected it for any damage. ATD Recasner feels [REDACTED] is too low and nowhere near the current market rate for bleacher rental.

ATD Recasner advised that she did not receive Jazz Festival tickets from PMD but she has obtained Jazz Festival tickets from the City Council Office. ATD Recasner often contacts that office and inquiries about the availability of tickets for events within the City. ATD Recasner believes that the PMD has also in the past received tickets to the Essence Festival and Mardi Gras stands at no cost. Dir Patterson did not want

to have any part in providing the tickets to PMD personnel. Instead, he gives the tickets to ATD Recasner and instructs her to “try and do what you can and accommodate the employees.” A photocopy of the Memorandum of Interview for ATD Recasner is attached as **Exhibit 11**.

On November 7, 2017 Sabrina Hill, Executive Assistant (EA) to the Deputy Mayor (DM) of Operations, was interviewed by OIG Investigators. The Operations Department does not receive Jazz Festival tickets directly from the Jazz Festival. Instead, the Jazz Festival distributed tickets to the PMD in 2017 and in years past. The PMD Director, George Patterson, knew that neither he nor his staff could use the free tickets to attend the Jazz Festival; therefore, he sent them to EA Hill at the direction of DM Grant. According to EA Hill, DM Grant did not receive any free Jazz Festival tickets from the other Departments under his supervision.

In 2017, after EA Hill received an envelope from PMD containing free Jazz Festival tickets, she met with Deputy Chief Administrative Officer (DCAO) Scott Hutcheson and personally delivered the envelope to him. In the years past, EA Hill gave the tickets to DM Grant who left them on his desk where they remained until after the Jazz Festival. EA Hill advised that after the festival, the tickets were thrown away. EA Hill did not open and look inside the envelope from PMD to verify the envelope contained tickets. EA Hill did not know what DCAO Hutcheson did with the tickets she gave him. EA Hill recalled that DM Grant told her “when you get that package get it right to Scott.” The envelope was sealed and to her knowledge, no one opened it. She advised that DCAO Hutcheson knew that tickets to the Jazz Festival were in the envelope.

[REDACTED]
[REDACTED]
[REDACTED] A photocopy of the Memorandum of Interview for EA Hill

is attached as **Exhibit 12**.

On December 11, 2017, Scott Hutcheson, Deputy Chief Administrative Officer (DCAO) was interviewed by OIG Investigators. According to DCAO Hutcheson, the Mayor’s Office purchases Jazz Festival tickets through the New Orleans Tourism Marketing Corporation via a credit card. These tickets are used to staff the Mayor’s Hospitality Tent on site at the Jazz Festival. DCAO Hutcheson advised that approximately 50 tickets are purchased each year. This has been a standard practice, which started when the Mayor was the Louisiana Lt. Governor prior to being elected Mayor.

DCAO Hutcheson advised that he initially purchased the tickets in 2017 from a Jazz Festival representative whose name he could not recall. DCAO Hutcheson was told that the tickets would be delivered along with the other tickets being delivered to City Hall. He questioned the Jazz Festival representative as to what tickets they were referring to and was told the Jazz Festival provides free tickets to various Departments within the City. DCAO Hutcheson stated, “Based on his yearly Ethics Training”, he knew that City employees were unable to accept free tickets to any event. He immediately contacted then Deputy Mayor Cedric Grant to advise him of the pending delivery of free Jazz Fest tickets. DCAO Hutcheson also reminded DM Grant that City employees could not accept tickets to attend the Jazz Festival due to possible ethics violations. In addition, DCAO Hutcheson contacted Director of PMD George Patterson, and advised

him that he could not accept any free tickets as well. He then contacted Rebecca Dietz, the City Attorney, and advised her of the potential ethical issues.

DCAO Hutcheson advised that the Department of Revenue is the only City Department that would have a legitimate reason to be at the Jazz Festival in any official capacity. (OIG Note: The Department of Revenue is also known as the Bureau of Revenue.) Later he came to understand that the PMD did have legitimate work at the Jazz Festival, but is unsure exactly what work that would be and if it required any City employees to enter the Jazz Festival. A photocopy of the Memorandum of Interview for DCAO Hutcheson is attached as **Exhibit 13**.

CAO Office

(Assistant CAO received two free admission tickets – See Exhibit 1)

On December 12, 2017, Assistant Chief Administrative Officer (ACAO) Courtney Bagneris was interviewed by OIG Investigators. ACAO Bagneris understands that each year as many as “several hundred” Jazz Festival tickets are provided to a “centralized person” within City Hall who distributes them to various City Departments. She added that PMD Director George Patterson told her that PMD Deputy Director (DD) Ed Sens was the “hub” who distributed Jazz Festival tickets to employees in the past. Dir Patterson also told ACAO Bagneris that he, Dir Patterson, should be responsible for distributing any Jazz Festival tickets. She said that Dir Patterson was “upset” that DD Sens was distributing Jazz Festival tickets.

ACAO Bagneris also advised that neither she nor her staff have been the recipient of any tickets distributed to City departments. She advised that she did receive two tickets this year, as she has in the years past, directly from the Jazz Festival. The tickets normally appear in her mailbox located in the CAO’s reception area. She has been receiving two tickets dating back to when she was employed with the New Orleans Police Department (NOPD) in the 1990’s. ACAO Bagneris stated that she knew, through her yearly ethics training that City employees may not accept anything of value. She gave away the tickets she received this year, but could not recall to whom she gave them. ACAO Bagneris added that in the past she has given the tickets to complete strangers. A photocopy of the Memorandum of Interview for ACAO Bagneris is attached as **Exhibit 14**.

Public Works

(Public Works received 33 free admission tickets – See Exhibit 1)

On November 27, 2017, Dani Galloway, Director (Dir) of the Department of Public Works (DPW), was interviewed by OIG Investigators. Dir Galloway has been the Director of the DPW since August of 2017. Prior to her current position, she served as a Special Assistant to then Deputy Mayor (DM) Cedric Grant. In that capacity and at the direction of DM Grant, Galloway contacted Allen Yrle, the Assistant Director (AD) of the DPW, in April 2017 regarding the receipt of Jazz Festival tickets from a representative of the Jazz Festival. Galloway on behalf of DM Grant advised that tickets to attend the Jazz Festival could not be used unless the tickets were provided by the Mayor’s Office.

Dir Galloway did understand that different City Departments received tickets from the Jazz Festival, but no Department was authorized to use them to attend the Jazz Festival. Dir Galloway does understand

that some Departments provide services and equipment to the Jazz Festival. The City maintains a record of some of these arrangements and collects a minimum payment. Dir Galloway is unsure if all City Departments complete a "Hold Harmless Agreement" with the Jazz Festival. She advised that the City Attorney would have this information. A photocopy of the Memorandum of Interview for Dir Galloway is attached as **Exhibit 15**.

On November 2, 2017, Allen Yrle, Assistant Director (AD) for the Department of Public Works (DPW), was interviewed by OIG Investigators. AD Yrle advised that the DPW installs both metal and cardboard traffic signs for the Jazz Festival in the area surrounding the Fair Grounds Racetrack. The DPW does not install any signs inside the Fair Grounds Racetrack where the Jazz Festival is held. Each year the DPW receives a letter from the Jazz Festival requesting the placement of the signs along with maps designating the locations where the City should place the signs. A photocopy of a letter dated March 13, 2017 with attachments concerning the installation of signs for the 2017 Jazz Festival is attached as **Exhibit 16**.

AD Yrle stated that "each year" the DPW office receives envelopes containing free Jazz Festival tickets. AD Yrle believes an Orleans Parish Sheriff's Deputy delivers the tickets. Stephen Giang, an Engineer (Eng) with the DPW, signed for the receipt of the envelopes. Eng Giang gives the envelopes to AD Yrle. AD Yrle believes that DPW receives 18 tickets, but he is unsure since he has never counted the tickets. One envelope is addressed to AD Yrle and the other is addressed to Peter Lollis, who retired from the DPW approximately 2 ½ years ago. AD Yrle knows from the Ethics Training he receives each year that he is unable to accept and use the tickets, free of charge.

AD Yrle recalled this past year, 2017, Dani Galloway called him a day or two prior to receiving the tickets and asked if he had in fact received the tickets. He advised her that he had not. Dir Galloway commented, "You know you can't use them." AD Yrle advised Dir Galloway he understood the tickets could not be used. When he did receive the tickets, he kept them until after the Jazz Festival. After the Jazz Festival, he threw the tickets away. AD Yrle advised that "normally" he would throw them away as soon as he received them. AD Yrle has not received any guidance regarding the receipt of Jazz Festival tickets, other than his Ethics Training. AD Yrle has never used nor given away any Jazz Festival tickets received by the DPW.

AD Yrle stated, "I am appalled at the amount of work we do for Jazz Fest" without compensation. He contends that the City provides a huge and important service to the Jazz Festival free of charge. AD Yrle added that the DPW is reimbursed for work performed on behalf of film crews, movie sets and some Mardi Gras parades. The amounts paid by the groups are determined from a set fee established by the DPW. A photocopy of the Memorandum of Interview for AD Yrle is attached as **Exhibit 17**.

On November 13, 2017, Darren Walker, Sign Shop Supervisor (SSS) for the Department of Public Works (DPW), was interviewed by OIG Investigators. The Jazz Festival sends a written request to the DPW setting out the locations that temporary signs are to be placed. According to SSS Walker, the Sign Shop uses the same signs each year. The signs used for the Jazz Festival are stored in the Sign Shop and are only used for the Jazz Festival. When a sign needs to be replaced or a new sign is required, the City makes it in the Sign

Shop at no cost to the Jazz Festival. SSS Walker did not know if the Jazz Festival pays for the placement and removal of the signs.

In years past, SSS Walker had utilized Jazz Festival tickets given to him by the previous Supervisor, Peter Lollis. Since becoming the Supervisor two years ago, SSS Walker has not used any tickets. SSS Walker stated that he distributed tickets to his employees in 2016. In 2017, he was instructed by AD Yrle not to distribute tickets received from the Jazz Festival. SSS Walker had received an envelope containing approximately 14 tickets. The envelope was addressed to Peter Lollis. SSS Walker recalled giving two tickets to one of his employees and having to retrieve the tickets at the direction of AD Yrle. SSS Walker returned the envelope with the tickets to AD Yrle. SSS Walker is not sure why AD Yrle requested the tickets back.

SSS Walker advised that all the signs placed for the Jazz Festival in the immediate vicinity of the Fair Grounds Racetrack are temporary. Signs are not placed inside the festival site **(See Exhibit 16)**. A photocopy of the Memorandum of Interview for SSS Walker is attached as **Exhibit 18**.

Finance Department
(Finance received 10 free admission tickets – See Exhibit 1)

On February 16, 2018, Norman Foster, former Deputy Mayor, Director of Finance (DIR), City of New Orleans, was interviewed by OIG Investigators. DIR Foster did not recall receiving Jazz Festival tickets in 2017. DIR Foster believes that he was no longer employed by the City when the Jazz Festival tickets were distributed. He recalled leaving in mid-March. He also recalled being on annual leave for two weeks prior to his departure [REDACTED]

[REDACTED] According to DIR Foster, if he had received Jazz Festival tickets, he would have given them to Romy Samuel, Collector of Revenue, to be used by City employees in the course of their official duties, which included the collection of tax revenue from vendors operating at the Jazz Festival. A photocopy of the Memorandum of Interview for DIR Foster is attached as **Exhibit 19**.

Bureau of Revenue
(The Bureau of Revenue is not listed as a recipient of free admission tickets in Exhibit 1; however, the OIG is aware that Revenue received approximately 140 to 280 free admission tickets – See Exhibit 20)

The Jazz Festival did not include the Bureau of Revenue (BOR) in their list of City Departments that received free admission tickets. The Collector of Revenue (COR), Romy Samuel voluntarily provided this information to OIG Investigators.

On December 7, 2017, Romy Samuel, Collector of Revenue (COR) for the Bureau of Revenue (BOR) was interviewed by OIG Investigators. COR Samuel advised that the BOR does receive tickets, at no charge, from the Jazz Festival. She advised that the tickets were used by BOR employees to conduct official business inside the Jazz Festival site as well as around the immediate vicinity of the Festival. COR Samuel stated that employees of the BOR are responsible for ensuring all vendors are properly licensed and

registered with the City and they adhere to its rules and regulations. The BOR's focus is on the concessions and crafts vendors.

COR Samuel advised she received, "enough tickets to allow between 20 and 40" BOR employees to enter the Jazz Festival each day. She advised that the number of tickets needed was discussed with George Wright who coordinates with the vendors on behalf of the Jazz Festival. (OIG Note: George Wright is the Concessions Director at New Orleans Jazz & Heritage Festival and Foundation, Inc.) COR Samuel provided an email documenting this meeting and another email containing a list of BOR employees who were working at the Jazz Festival each day. A photocopy of both emails is attached as **Exhibit 20**. COR Samuel stated that Mr. Wright delivered the tickets to Wendell McCall, Assistant Collector of Revenue, who passed them on to COR Samuel. COR Samuel advised that she retains the tickets until they are to be used by her staff assigned to operate at the Jazz Festival.

Each day the BOR employees distribute flyers to the vendors setting forth the BOR's expectations and the requirement that vendors remit their sales tax collections to the City each day. The BOR collects the sales tax remittances daily on site.

BOR employees also check businesses near the Jazz Festival site to determine if they are operating within the scope of their permitted business. In addition, BOR employees respond to complaints received via the City 311 system concerning unlicensed vendors operating in areas adjacent to the Jazz Festival site. COR Samuel recalls that the Jazz Festival also employs personnel who monitor vendor activity outside the actual festival grounds. A photocopy of the Memorandum of Interview for COR Samuel is attached as **Exhibit 21**.

New Orleans Police Department
(The New Orleans Police Department received 11 free admission tickets – See Exhibit 1)

On January 10, 2018, Chief of Staff (COS) for the Superintendent of the New Orleans Police Department (NOPD) Daniel Cazenave, sent an email to the OIG in which he advised that these tickets were used by the Superintendent for official business in order to access the location of officers and/or supervisors working stage assignments. COS Cazenave added that the Superintendent would sometimes make complimentary tickets available to the clerical and support staff at NOPD headquarters. A former NOPD Police Captain delivered the tickets to the Superintendent's office and the Superintendent signed for them personally. A photocopy of the email from COS Cazenave is attached as **Exhibit 22**.

New Orleans Fire Department
(The New Orleans Fire Department received 10 free admission tickets – See Exhibit 1)

On January 23, 2018, Fire Chief Timothy McConnell, New Orleans Fire Department (NOFD) sent an email to the OIG in which he advised that he received these tickets on behalf of the NOFD at no cost. Additionally, the NOFD received six entry passes and eight parking passes that allowed staff to enter/exit and park on the Jazz Fest grounds. Chief McConnell advised that the tickets were utilized by the NOFD's Chief's Aides, NOFD Deputy Chief Division Heads and Deputy Superintendents who are on-duty NOFD employees assigned to assist Chief McConnell each day as part of their official duties. Chief McConnell

personally received and signed for the tickets from a courier for the Jazz Fest. He also advised that he personally utilized the entry and parking passes assigned to him. He recalls that he gave unused tickets, free of charge, to a woman in the community who is a member of one of the Mardi Gras Indian organizations that performs at the Jazz Fest and who would not have otherwise been able to have family members attend. The NOFD did not purchase any additional tickets. A photocopy of the email from Chief McConnell is attached as **Exhibit 23**.

CONCLUSIONS

Festival Productions, Inc. - New Orleans provided free admission tickets to the 2017 Jazz Festival to the following departments within the City of New Orleans: Parks and Parkways Department (60 tickets), Property Management Division (18 tickets), Chief Administration Office (2 tickets), Public Works Department (33 tickets), Finance Department (10 tickets), New Orleans Police Department (11 tickets), and the New Orleans Fire Department (10 tickets). The Director of Revenue, Romy Samuel voluntarily self-reported to the OIG that the Bureau of Revenue received between 20 to 40 tickets per day, for each of the seven days of the Jazz Festival (20 multiplied by 7 days equals 140, while 40 multiplied by 7 days equals 280 tickets). The City of New Orleans received somewhere between 284 to 424 free admission tickets to the 2017 Jazz Festival based upon above-described manner in which free tickets were distributed.

OIG Investigators conducted interviews of 19 City employees. The majority of employees stated that they were aware that they could not accept free tickets to the Jazz Festival for personal use. The majority of employees said that they either did not use the tickets at all or used the tickets to enter the Jazz Festival to conduct official City business in 2017.

The Director of Property Management, George Patterson advised that Deputy Mayor Cedric Grant had established a policy that no division under his supervision would keep any free admission tickets to the Jazz Festival, or other events.

The Executive Assistant to the Deputy Mayor of Operations, Sabrina Hill advised that Director of Property Management George Patterson was aware that neither he nor his staff could use the free tickets to attend the Jazz Festival so the tickets were returned.

The Deputy Chief Administrative Officer, Scott Hutcheson stated, "Based on my yearly Ethics Training", he knew that City employees were unable to accept free tickets to any event. Deputy CAO Hutcheson also "reminded" Deputy Mayor Grant, and "advised" Director of Property Management Patterson that City employees could not accept free tickets to the Jazz Festival "due to possible ethics violation." He also reported the potential "ethical issues" surrounding the free Jazz Festival tickets to the City Attorney.

The Assistant Chief Administrative Officer, Courtney Bagneris ACAO Bagneris stated that she knew, through her yearly ethics training that City employees may not accept anything of value.

The Director of the Department of Public Works, Dani Galloway recalled having been instructed by Deputy Mayor Grant that tickets to attend the Jazz Festival could not be used unless the tickets were provided by the Mayor's Office. Director Galloway also instructed her Assistant Director that he could not use the free tickets.

The Assistant Director for the Department of Public Works, Allen Yrle recalled knowing from the Ethics Training that he was unable to accept and use the tickets, free of charge.

Ann MacDonald, the Director of Parks and Parkways was the only department head who did not mention that City employees were taught during their yearly ethics training that they could not accept anything of value including free admission tickets. Instead, she advised that she personally distributes envelopes containing two or three tickets to the employees of PPD. Dir MacDonald said that she provides more than one ticket to PPD employees because she feels they should not attend the festival alone. Dir MacDonald also advised that she has personally used tickets a few years ago.

RECOMMENDATIONS

Discontinue the practice of accepting free admission tickets.

The City should discontinue the practice of accepting free admission tickets because City employees may be prohibited from doing so under Louisiana Revised Statute 42:1111 and 42:1115 as shown below:

§1111. Payment from nonpublic sources (See Exhibit 24)

A.(1)(a) Payments for services to the governmental entity. No public servant shall receive anything of economic value, other than compensation and benefits from the governmental entity to which he is duly entitled, for the performance of the duties and responsibilities of his office or position.

§1115. Gifts (See Exhibit 25)

A. No public servant shall solicit or accept, directly or indirectly, anything of economic value as a gift or gratuity from any person or from any officer, director, agent, or employee of such person, if such public servant knows or reasonably should know that such person:

(1) Has or is seeking to obtain contractual or other business or financial relationships with the public servant's agency, or

(2) Is seeking, for compensation, to influence the passage or defeat of legislation by the public servant's agency.

B. No public employee shall solicit or accept, directly or indirectly, anything of economic value as a gift or gratuity from any person or from any officer, director, agent, or employee of such person, if such public employee knows or reasonably should know that such person:

(1) Conducts operations or activities which are regulated by the public employee's agency.

(2) Has substantial economic interests which may be substantially affected by the performance or nonperformance of the public employee's official duty.

City employees who accepted free admission to the Jazz Festival may be also be subject to the following penalties under Louisiana Revised Statute 42:1153 “Penalties” Sections A and B (**See Exhibit 26**):

A. Upon a determination that any elected official or other person has violated any provision of any law within the jurisdiction of the Board of Ethics except violations of the Campaign Finance Disclosure Act which shall be governed by Chapter 11 of Title 18 of the Louisiana Revised Statutes of 1950, the Ethics Adjudicatory Board may censure the elected official or person, or impose a fine of not more than ten thousand dollars, or both.

B. Upon a determination that any public employee or other person has violated any provision of any law within the jurisdiction of the Board of Ethics except violations of the Campaign Finance Disclosure Act which shall be governed by Chapter 11 of Title 18 of the Louisiana Revised Statutes of 1950, the Ethics Adjudicatory Board may remove, suspend, or order a reduction in pay, or demotion of the public employee or other person, or impose a fine of not more than ten thousand dollars, or both.

The City may also wish to confer with the appropriate oversight entity concerning any potential ethics violations.

Discontinuing the practice of accepting free admission tickets is also supported by the following Louisiana Board of Ethics opinions:

Ethics Board Consent Order No. 2014-188B

On January 15, 2016, the Louisiana Board of Ethics issued a consent order finding a parish school board member violated the Louisiana Code of Governmental Ethics by soliciting and receiving tickets provided by an entity who had or was seeking a contractual and business relationship with the parish school board. The Board also levied \$1,000 fine upon the parish school board member who accepted the tickets. A photocopy of decision 2014-188B was obtained from the State of Louisiana Ethics Board website and is attached as **Exhibit 27**.

Ethics Board Advisory Opinion No. 2008-541

In a letter dated July 2, 2008, the Louisiana Board of Ethics concluded that the Louisiana Code of Governmental Ethics prohibits members of the New Orleans City Council from accepting free tickets to a New Orleans Hornets game from business entities or representatives of the New Orleans Hornets that have or are seeking to have a contractual, business or financial relationship with the Council since the Council members would attend the basketball game in their public capacity and the tickets to the Hornets game are things of economic value. A photocopy of decision 2008-541 was obtained from the State of Louisiana Ethics Board website and is attached as **Exhibit 28**.

Discontinue the practice of loaning City property to the Jazz Festival.

The City should instruct the Parks and Parkways Department to discontinue the practice of loaning three gazebos to the Jazz Festival because this practice may be prohibited by Article 7, Section 14(A) of the Louisiana Constitution as shown in the excerpt below:

§14. Donation, Loan, or Pledge of Public Credit (See Exhibit 29)

Section 14.(A) Prohibited Uses. Except as otherwise provided by this constitution, the funds, credit, property, or things of value of the state or of any political subdivision shall not be loaned, pledged, or donated to or for any person, association, or corporation, public or private.

The City should also require Parks and Parkways to follow the protocol established by the Property Management Department. Property Management does not “loan” bleachers to the Jazz Festival. Instead, Property Management executes a “Hold Harmless Agreement” with the New Orleans Jazz & Heritage Festival and charges an equipment rental fee for the bleachers. Property Management also retains a complete set of records and correspondence concerning these transactions.

Establish a Credentialing process rather than rely on the “goodwill” of a vendor.

The City should not rely on the “goodwill” of a vendor, in this instance - Festival Productions, Inc., to provide free admission tickets so that City employees can carry out their official duties.

The City should issue credentials to approved City employees that must enter the Jazz Festival to conduct official City business. This approval process can then be audited/tracked by simply requiring Supervisors/Managers to document the employee’s name, dates requiring entry into the Jazz Festival and the official purpose.

EXHIBITS ATTACHED

- Exhibit 1: Photocopy of a table showing the number of free admission tickets distributed to City Hall departments and the Orleans Parish Sheriffs' to attend the 2017 Jazz Festival (1 page)
- Exhibit 2: A photocopy of the photograph of the gazebos (1 page)
- Exhibit 3: A photocopy of the Memorandum of Interview for Dir MacDonald dated October 19, 2017 (2 pages)
- Exhibit 4: A photocopy of the Memorandum of Interview for AD LaVelle dated October 19, 2017 (1 page)
- Exhibit 5: A photocopy of the Memorandum of Interview for SMW Meyers dated October 19, 2017 (1 page)
- Exhibit 6: A photocopy of the 2017 the Jazz Festival Foundation letter requesting a specific amount of City bleachers to be used at the Jazz Festival dated January 19, 2017 (1 page)
- Exhibit 7: A photocopy of DIR Patterson's response letter dated April 17, 2017 (2 pages)
- Exhibit 8: A photocopy of the Hold Harmless Agreement dated April 18, 2017 (2 pages)
- Exhibit 9: A photocopy of the Memorandum of Interview for Dir Patterson dated September 29, 2017 (2 pages)
- Exhibit 10: A photocopy of payment paperwork concerning the sums paid by the Jazz Festival to rent the bleachers (4 pages)
- Exhibit 11: A photocopy of the Memorandum of Interview for ATD Recasner dated October 30, 2017 (2 pages)
- Exhibit 12: A photocopy of the Memorandum of Interview for EA Hill dated November 7, 2017 (1 page)
- Exhibit 13: A Photocopy of the Memorandum of Interview for DCAO Hutcheson dated December 11, 2017 (2 pages)
- Exhibit 14: A photocopy of the Memorandum of Interview for ACAO Bagneris dated December 12, 2017 (1 page)
- Exhibit 15: A photographic the Memorandum of Interview for Dir Galloway dated November 27, 2017 (1 page)
- Exhibit 16: A photocopy of a letter dated March 13, 2017 with attachments concerning the installation of signs for the 2017 Jazz Festival (12 pages)

- Exhibit 17 A photocopy of the Memorandum of Interview for AD Yrle dated November 2, 2017 (2 pages)
- Exhibit 18 A photocopy of the Memorandum of Interview for SSS Walker dated November 13, 2017 (1 page)
- Exhibit 19 A photocopy of the Memorandum of Interview for DIR Foster dated February 16, 2018 (1 page)
- Exhibit 20 A photocopy of the email documenting COR Samuel's meeting with George Wright and another email containing a list of BOR employees who were working at the Jazz Festival each day (3 pages)
- Exhibit 21 A photocopy of the Memorandum of Interview for COR Samuel dated December 7, 2017 (1 page)
- Exhibit 22 A photocopy of the January 10, 2018 email from COS Cazenave (2 pages)
- Exhibit 23 A photocopy of the January 23, 2018 email from Chief McConnell (2 pages)
- Exhibit 24 A photocopy of pages five (5) through seven (7) of the Code of Governmental Ethics obtained from the Louisiana Secretary of State website, which covers La. R.S. 42 §1111 (3 pages)
- Exhibit 25 A photocopy of page nineteen (19) of the Code of Governmental Ethics obtained from the Louisiana Secretary of State website, which covers La. R.S. 42 §1115 (1 page)
- Exhibit 26 A photocopy of page sixty-nine (69) of the Code of Governmental Ethics obtained from the Louisiana Secretary of State website, which covers La. R.S. 42 §1153 (1 page)
- Exhibit 27 A photocopy of the consent order in Ethics Board Consent Order No. 2014-188B dated January 15, 2016 (7 pages)
- Exhibit 28 A photocopy of the decision in Ethics Board Advisory Opinion No. 2008-541 dated July 2, 2008 (2 pages)
- Exhibit 29 A photocopy of Article 7, Section 14(A) of the Louisiana Constitution (2 pages)

CITY OF NEW ORLEANS - NEW ORLEANS JAZZ & HERITAGE FESTIVAL

PERSON / DEPARTMENT		GAD	Satins Good for All Days	Wheel	Mystery Tix	Parking All Days	Belfort Tix
1	Department of Finance - Norman Foster	10	0	0	0	0	0
	New Orleans Fire Department / Superintendent Tim McConnell	10	0	0	0	0	0
	New Orleans Police Dept / Superintendent Michael Harrison	0	4	0	7	1	0
	Orleans Parsih Sheriff / Marlin Gusman	0	2	0	14	2	0
	Parks & Parkways / Ann MacDonald, Director	14	0	0	0	0	0
	Parks & Parkways / Tim LaVelle, Chief of Operations	14	0	0	0	0	0
2	Property Management / George Patterson, Director	18	0	1	0	2	0
3	Parkways Gazebo Crew	32	trade admittance tickets				
4	Public Works / Allen Yrle, Traffic Engineer	18	0	1	0	1	0
5	Public Works / Peter Lollis	15					
	Assistant CAO / Courtney Bagneris	2					

NOTES

- 1 Revenue officers checking sales of vendors and artists.
- 2 Trade for use of three (3) gazebos.
- 3 Delivery and installation of gazebos
- 4 Allen Yrie & assistant, inspect Festival traffic and flow multiple times a day.
- 5 Installation of street signs (no parking, direction change, etc.)

TICKET / PASS DESCRIPTIONS

GAD - Festival gate admission ticket, good any day festival day.

Satin-All Days - Stage guest area pass, not good for festival admittance.

Wheel - Festival gate admittance for staff & participants (vendors, artists, musicians).
Not sold to public for festival gate admission.

Mystery Tix - Musician festival gate admission. Not sold to public.
Each ticket admits two people to the festival.

Parking All Days - Not good for festival gate admission.
Sold to only ADA & VIP Program patrons.
Limited numbers set aside for VIP purchase.

Belfort Tix - Personnel festival gate admittance. Not sold to public.



MEMORANDUM OF INTERVIEW

On October 19, 2017, Ann MacDonald, Director of Parks and Parkways, City of New Orleans was interviewed by Investigators Michael J. Centola and Terrence Barrett, City of New Orleans (City), Office of Inspector General (OIG). MacDonald was advised of the official identities of the Investigators and the nature of the interview. MacDonald voluntarily provided the following information:

MacDonald advised she has been the Director of the Parks and Parkway Division (P&P) since 2002. Previously MacDonald served as the Assistant Director of P&P for two years. She has been employed by the City since 1988. She has had a short break in service. Prior to working for P&P, MacDonald worked for the New Orleans Recreation Department and the New Orleans Housing Department, which was later, renamed the Community Development Department. MacDonald advised that all during her City tenure, those departments received tickets to the Jazz Festival. These tickets are provided free of charge to CNO employees for their personal use.

Tickets are delivered to the P&P Office by a representative of the Jazz Festival. MacDonald believes someone signs for the receipt of the tickets. The tickets are given to MacDonald who distributes them "equally to her employees." She may have signed for the tickets in the past. She equated the receipt of Jazz Festival tickets to that of receiving a package; whoever is available at the moment of delivery will sign for the delivery.

When asked how many tickets were received, MacDonald was unsure. When advised that P&P receives a total of 62 tickets, MacDonald stated "that sounds more than what Parks and Parkways receives." According to MacDonald, the tickets are normally delivered in a manila envelope, but each year can be different. She is sure someone in her office signs for the tickets.

P&P has approximately 135 employees. MacDonald herself places two or three tickets in an envelope and distributes the tickets to the employees of P&P. She provides more than one ticket because she feels employees should not attend the festival alone. Usually the tickets are given to the office staff since "there is never enough tickets for everyone." She has personally used tickets a few years ago. She added that she can also obtain tickets for herself from her relative, Norman Francis, who is on the Board of Directors for the Jazz Festival.

According to McDonald, the practice of receiving Jazz Festival tickets is "just done." It is a long-standing practice among various departments within the City. P&P does not contact nor is contacted by the Jazz Festival, "the tickets just show up." P&P does provide three or four gazebos to the Jazz Festival. The gazebos were previously used by the City in Joe Brown Park located in New Orleans East. Currently the City does not use them. They are made of steel and are somewhat in disrepair. MacDonald offered to show the Investigators the gazebos since they are located near her office.

P&P personnel deliver the gazebos to Fortier Park located on Esplanade Ave., near the Jazz Festival site held at the Fair Grounds Racetrack. There is no assembly or construction to perform. She is unsure how the gazebos are utilized and does not recall seeing them when she attended the Jazz Festival. Steve Meyer is the P&P employee who is responsible for the delivery and return of the gazebos.

To MacDonald's knowledge, there is no documentation of the arrangement between the P&P and the Jazz Festival for the use of the gazebos or the receipt of the tickets. MacDonald does not

believe the tickets are provided in exchange for the use of the gazebos. No documentation regarding the use of the gazebos exist to her knowledge. The only communication may be a telephone call requesting the delivery of the gazebos. When asked if a Hold Harmless Agreement was in place for the use of the gazebos, MacDonald did not know of one.

The tickets addressed to Tim LaVelle are also distributed by MacDonald. He does not personally receive tickets. The tickets delivered in his name are included in the tickets distributed by MacDonald. All tickets received by the P&P are received at the same delivery. MacDonald described these tickets as "restricted tickets" meaning they are only useable on certain days. MacDonald advised the tickets are not useable on days when "headline acts" perform.

MacDonald has never received any formal directive on how to handle the receipt of the tickets. She is not aware of any other City department that returns the tickets to the Jazz Festival. MacDonald reiterated the tickets are not received for a service provided, but she feels the Jazz Festival has a "partnership" with the City. She thinks it is the City's responsibility to encourage tourism and the Jazz Festival is a major draw of tourist for the City.

MacDonald advised a letter may exist requesting the use of either Fortier Park and/or Stallings Playground for use as a taxi cab and bus staging areas. She cannot recall a time when P&P has not provided the gazebos to the Jazz Festival since she has been Director.

(OIG Note: MacDonald then accompanied the Investigators to the warehouse area of P&P where the gazebos are stored. Pictures were taken of the three gazebos and will be maintained in the investigative case file. MacDonald was asked to perform a search of her office files to definitively determine no documents between her office and the Jazz Festival exist.)

[REDACTED]

MEMORANDUM OF INTERVIEW

On October 24, 2017, Timothy LaVelle Assistant Director of Parks and Parkways (P&P), City of New Orleans was interviewed by Investigators Michael J. Centola and Terrence Barrett, City of New Orleans (City), Office of Inspector General (OIG). LaVelle was advised of the official identities of the Investigators and the nature of the interview. LaVelle voluntarily provided the following information:

LaVelle has worked for P&P since 2003. He has also held various positions in other City departments since 1987 including the Public Library and the New Orleans Recreation Department (NORD). LaVelle advised that he is the primary contact for the gazebos, which P&P delivers to the Jazz Festival each year. In addition, P&P does receive Jazz Fest tickets, but they are not addressed to him. LaVelle stated, "All tickets received by P&P go to Ann MacDonald." McDonald is the Director of P&P. LaVelle is not aware of tickets being delivered to P&P until MacDonald shows them to him. Lavelle further stated, "She gets all of them." MacDonald, not Lavelle, distributes the tickets. She gave him eight tickets to 2017 the Jazz Festival. He has also received eight tickets in past years from MacDonald. LaVelle recalls that he also received Jazz Festival tickets when he worked for NORD. Oscar McKinney was the contact person at NORD who received the tickets from the Jazz Festival. McKinney has since retired from the CITY.

P&P provided three gazebos to the Jazz Festival in 2017. P&P employees delivered and placed them inside the festival grounds located at the Fair Grounds Racetrack. Steve Meyers is the P&P employee who is responsible for the delivery of the gazebos. Jerry Ursin is the contact person for the Jazz Festival. LaVelle believes there are letters or other correspondence in which the Jazz Festival requested the use of the gazebos. Currently three gazebos are provided. In the past, four were provided, but one became in such disrepair, LaVelle had it dismantled. LaVelle stated, "Dealing with the gazebos is a hassle." LaVelle could not recall when the practice of loaning the gazebos began, but advised it has been for more than a few years. Once the gazebos are delivered, P&P does not perform any other service for the Jazz Festival until the removal of the gazebos. Lavelle advised he did not know of any time where the gazebos are utilized other than Jazz Festival. He believes programs are sold from the gazebos. He recalled P&P painting them when they looked bad. LaVelle had no reason for P&P to maintain the gazebos other than to loan them out to the Jazz Festival every year.

The distribution of tickets to P&P employees began prior to LaVelle working at P&P. P&P received approximately 20 to 30 tickets. In recent years, the number of pickets provided had dwindled. LaVelle contends this may be due to the high cost of tickets. MacDonald distributes these tickets to P&P employees. The Jazz Festival tickets received are not for specific dates, but may limit attendance on a particular date. This date will be printed on the ticket.

LaVelle did not know of any directive or instruction on how to handle the receipt of tickets provided to City departments. LaVelle did not know of any other festival that provided tickets to P&P.

Meyer may pick up the tickets when he delivers the gazebos from a work trailer located on the festival grounds. LaVelle recalls once seeing any envelope with the writing "Parks and Parkways" on it. The envelope is given to MacDonald. [REDACTED]

MEMORANDUM OF INTERVIEW

On October 24, 2017, Steve Meyer, Sr. Maintenance Welder, Parks and Parkways (P&P), City of New Orleans was interviewed by Investigators Michael J. Centola and Terrence Barrett, City of New Orleans (CNO), Office of Inspector General (OIG). Meyer was advised of the official identities of the Investigators and the nature of the interview. Meyer voluntarily provided the following information:

Meyer has worked for P&P for the past 30 years. He has received Jazz Festival tickets from Ann MacDonald, Director P&P. He is the individual who is responsible for the delivery of the gazebos utilized by the Jazz Festival. He normally receives an email identifying the delivery date and he asks a fellow P&P employee to assist him. The gazebos are delivered to the infield of the festival ground located at the Fair Grounds Racetrack. He has been delivering the gazebos for at least the past 20 years. The gazebos have been stored at P&P since 1986 when he came to work at P&P. Meyer described the gazebos as "kind of raggedy."

Once the gazebos are delivered, Meyer goes to a work trailer where he is given two brown envelopes by Rene (LNU) which he understands to contain Jazz Festival tickets. He does not count them. One envelope is addressed to MacDonald and the other to Tim LaVelle, Assistant Director of P&P. MacDonald distributes the tickets to employees of P&P. Meyer normally receives two tickets from MacDonald. Meyer gives the tickets he receives to his daughter. Normally, Field Supervisors and Administrative Assistants receive tickets from MacDonald. Meyer did not know of any other festival that provides free tickets to P&P. He has no knowledge of tickets being returned to the Jazz Festival. Meyer believes tickets may have been delivered to the P&P office in the past.



January 19, 2017

George A. Patterson, Director
Department of Property Management - City of New Orleans
1300 Perdido St.
ROOM # 5W08
New Orleans, La. 70112

Dear Mr. Patterson,

Thank you for the Department of Property Management's continued support of the New Orleans Jazz and Heritage Festival. The Festival is approaching fast, and as always, we turn to the City of New Orleans for our bleacher needs. Please find the enclosed manifest from our 2016 return of the bleacher steel and components.

We are requesting the following: 26 – sections of 7 rows 7' X 15'. Delivery may start on Tuesday April 11th and should be completed by Wednesday, April 19th. Removal should begin on Monday, May 8th. A fee of [REDACTED] will be paid directly to the Department of Property Management – City of New Orleans to cover the costs of:

Rental of the materials: [REDACTED]

Damage deposit: [REDACTED]

Jazz Fest will provide transport and staff to retrieve the materials, build the structures and return the materials to the City of New Orleans. A certificate of insurance will be submitted with the above mentioned fees.

Please let us know if you can accommodate the needs of the Festival this year. The bleacher units supplied by the City are truly an asset. I can be reached at [REDACTED] or at [REDACTED].

Thank you again for your support and we look forward to hearing from you soon.

Sincerely,


George Rucker
Site Business Manager

Cc: Jeff Hebert / Deputy Mayor

GR/tem

DEPARTMENT OF PROPERTY MANAGEMENT
CITY OF NEW ORLEANS

MITCHELL J. LANDRIEU
MAYOR

GEORGE A. PATTERSON
DIRECTOR OF PROPERTY MANAGEMENT

CEDRIC S. GRANT
DEPUTY MAYOR

April 17, 2017

New Orleans Jazz & Heritage Festival
George Rucker, Site Business Manager
336 Camp Street, Suite 250
New Orleans, La. 70130

Re: Bleachers Request

Dear Mr. Rucker

It is a pleasure for the Department of Property Management on behalf of the City of New Orleans to partake in another exciting year of the New Orleans Jazz & Heritage Festival. We are please to honor your request consisting of **26 – Sections of 7 rows 7'x15'** of bleachers.

Bleacher Manifest

Total Bleacher Sets Needed: 26		
	Per Set	Total Needed
Frames	3	78
Side	1	26
Back	1	26
Braces X (Small) (Red)	2	52
Braces X (Medium) (White)	2	52
Braces (Large) (Black or Blue)	2	52
Benches (Boards)	13	338
Total Double Bleacher Sets Needed: 13		
	Per Set	Needed
Coupling (Sleeves)	3	12
Elbows		66
90s (Half Ts)		5
Ts (Full)		32
Corner		1
Total		116

1300 PERDIDO STREET | SUITE 5W08 | NEW ORLEANS, LOUISIANA | 70112
PHONE 504.658.3600 | FAX 504.658.3648



Note: Ts can be used in lieu of 90s

Additional Material Needed
39 Sleeper Boards (2X6) for 14' Bleachers Sets

As per our last meeting on 2-25-16, It was decided by both parties that the City will forklift boards and handrails and will make (1) modifications of banding the boards together. Jazz Fest will band boards together and transport by flatbed truck. The City will provide the x braces Jazz Fest will provide the clips.
The City's charges are as follow:

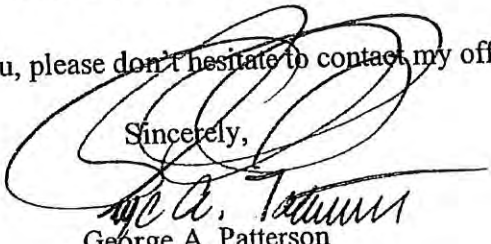
- Bleacher Rental [REDACTED]
- Damage Deposit [REDACTED] (refundable if procedures are followed)
- TOTAL [REDACTED]

Upon receipt of payment to the City of New Orleans in the amount of [REDACTED]; Proof of Liability insurance, a \$600 Damage Deposit, One Stop Permit and completion of the City's Hold Harmless Agreement, we will adhere to the following:

- Jazz Fest will provide transport and staff to retrieve materials commencing on Wednesday, April 19, 2017
- Jazz Fest to build the structures and return the materials to the warehouse beginning Monday, May 8, 2017 with a completion date of May 10, 2017.
- City will provide Jazz Fest with a sign-in/out list and procedures for pick-up and drop-off
- City will provide at their facility an Inventory List and Annual Breakdown of equip
- Jazz Fest to purchase clips, nuts and bolts not CNO
- City to provide assistance to Jazz Fest in properly stacking Return Boards

If we can be of further assistance to you, please don't hesitate to contact my office.

Sincerely,


George A. Patterson
Director

GAP:ADR

cc: Courtney Bagneris, Asst. Chief CAO

HOLD HARMLESS AGREEMENT
BETWEEN THE CITY OF NEW ORLEANS AND
N.O. JAZZ & HERITAGE FESTIVAL 2017

In consideration for the City of New Orleans' granting the use of

26 City Bleachers

on April 19, 2016 thru May 10, 2017 for The Annual New Orleans Jazz & Heritage Festival

I, Heather Smith as the official representative of the organization listed above, agree to indemnify and hold harmless the City of New Orleans, its agents, officials and employees from all claims and actions that may be brought against them by reason of injury to property or person or death of any person, other than those resulting from the negligence of the City of New Orleans, its agents, officials and employees, arising from or incidental to the use of the item(s), property, and/or equipment listed above.

The The New Orleans Jazz & Heritage Festival further agrees to SECURE the item(s), property, and /or equipment against theft and any and all damages until such item(s), property, and/or equipment is/are again in the possession of the City of New Orleans.

Security will be provided by the following means: NOPD / Festival Security.

The The New Orleans Jazz & Heritage Festival further agrees to indemnify the City of New Orleans against the expenses incurred by it in the defense of the above claims or actions.

Theodore M...
Signature of Grantee Official

Site Administrator
Title of Grantee Official

336 CAMP ST, Suite 250 NOLA 70130
Address of Organization

(504) 410-4100
Telephone of Organization

Date 4-18-17

Mrs. Catherine P...
Signature of Official for the
City of New Orleans



April 17, 2017

City of New Orleans
Department of Property Management
1300 Perdido St, Room SW08
New Orleans, LA 70112

Dear Sir or Madam:

I authorize Theodore Mars to sign the Hold Harmless Agreement between The New Orleans Jazz & Heritage Festival and the City of New Orleans on my behalf.

Thanks,

Heather M. Smith
Associate Producer

MEMORANDUM OF INTERVIEW

On September 29, 2017, George A. Patterson, Director Property Management, City of New Orleans, telephone [REDACTED] was interviewed by Investigators Michael J. Centola and Terrence Barrett, City of New Orleans (CNO), Office of Inspector General (OIG). Patterson was advised of the official identities of the Investigators and the nature of the interview. Patterson voluntarily provided the following information:

Patterson advised he has been the Director of the Property Management Division since 2010. Starting in 2006 he served as the Assistant Director of Property Management. He has been employed by the CNO for 32 years. As the Director of Property Management, he is responsible for 10 different divisions. The previous Director of Property Management was Pamela Sims-Smith.

Each year shortly after Mardi Gras, the Property Management Division receives a letter from the Jazz Festival Foundation requesting a specific amount of CNO bleachers to be used at the Jazz Festival. These bleachers are owned and used by the CNO during the Mardi Gras. According to Patterson, the request is exactly the same each year. He is unsure to whom the requests addressed, it probably is him as Director of the Property Management Division, but not him personally. The letter details how many sections and braces are requested. The letter further details the specific time frame as to when the equipment is to be picked up and returned by the Jazz Festival personnel from the CNO warehouse located on Tchoupitoulas Street. He referred to it as a "boiler plate" type of letter.

When the letter is received, it is forwarded to Assistant Chief Administrative Officer Courtney Bagneris for the Chief Administrative Officer's (CAO) approval. The letter is forwarded by Patterson's assistant, Adrienne Recasner. Recasner follows up to ensure the COA approves the request or not. Patterson advised to his knowledge the request has never been denied.

The equipment is not transported nor erected by CNO personnel. Both are performed by Jazz Festival personnel. When the equipment is returned, an inventory is conducted to ensure all of the equipment is returned undamaged. Patterson recalled approximately two years ago a few of the X braces were not initially returned. After the inventory noted the braces missing, they were located at the Fairgrounds, the location of the Jazz Festival, and returned to the CNO warehouse.

Patterson stated that the CNO is paid "maybe a couple thousand dollars" for the use of the bleachers. The check is made payable to the CNO and is deposited into the CNO general fund. Patterson feels the money received should be placed into the Property Management Division budget. Patterson has personally made an attempt to identify and then charge the Jazz Festival a "market rate" for the stands. He and his office performed a market rate analysis. This did not receive approval from either the Mayor's Office or the CAO.

A courier from the Jazz Festival comes to City Hall and distributes tickets to the Jazz Festival. This individual walks to each department distributing envelopes containing tickets from a plastic bin. Each division signs acknowledging the receipt of the tickets. According to Patterson, Property Management Division does not receive any tickets. When questioned further, he explained that tickets are received by the Property Management Division, but Cedric Grant required the tickets received by Property Management to be forwarded to Grant's office for return to the Jazz Festival. The policy of Grant is that no division under his supervision will keep any tickets, Jazz Festival or others, [REDACTED]

Recasner returns the tickets to Sabrina Hill, who worked as Grant's assistant. Grant has recently left CNO employment.

It is Patterson's understanding that Grant forwards any tickets received to Scott Hutchinson of the Mayor's Office for return to the Jazz Fest. Patterson does not know if the tickets are returned to the Jazz Festival or not.

Patterson has heard that other divisions, specifically NORDC, provide tickets received from the Jazz Festival to the division employees as a reward of sorts. Patterson advised employees of Property Management complain to him that employees of other divisions are provided tickets and are allowed to attend the Jazz Festival. Patterson has never personally received or used a ticket to the Jazz Festival.

According to Patterson, "This practice has been going on for decades." The tickets are provided to departments and "not associated with names, but the titles" of the departments. Patterson commented that he is sure of this since the envelope for Property Management was addressed to "Greg Patterson" not George.

Patterson believes it is unfair that employees who are earning minimal salaries aren't allowed to utilize the tickets provided to the CNO. Patterson advised that the CNO also receives tickets for [REDACTED] Mardi Gras stands and other events. Patterson feels especially since the Property Management Division erects stands for these events this creates resentment among the Property Management employees.

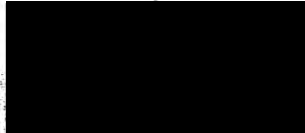
Patterson advised all documents regarding the agreement between the CNO and the Jazz Festival Foundation are maintained by Recasner. Recasner is out sick but upon her return will provide the documents to the OIG.

Patterson advised he was not going to jeopardize his job with the CNO by going behind Cedric Grant's back and obtain Jazz Festival tickets. Patterson does not attend the festival, but if he chose to he would purchase his ticket.



New Orleans Jazz & Heritage Festival

336 Camp St. Ste 250
New Orleans, LA 70130



Pay to the Order of CITY OF NEW ORLEANS (PROP MGNT)

4/17/2017

CITY OF NEW ORLEANS (PROP MGNT)

Exactly

***** Dollars

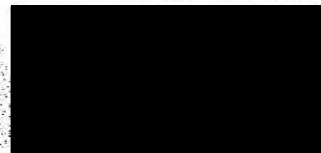
Heather M Self
Donald K. Marshall

Memo:



New Orleans Jazz & Heritage Festival

336 Camp St. Ste 250
New Orleans, LA 70130



Pay to the Order of CITY OF NEW ORLEANS (PROP MGNT)

4/17/2017

CITY OF NEW ORLEANS (PROP MGNT)

Exactly

***** Dollars

Heather M Self
Donald K. Marshall

Memo:



RECEIVING
WARRANT NO.

DATE 4/20/17

DESCRIPTION OF FUNCTION(S) FOR WHICH FUNDS WERE RECEIVED	CREDIT CODE FOR FUNDS RECEIVED					AMOUNT RECEIVED
	ORGN.	ACCOUNT	ACTIVITY	OPTION	CHARGE	
N.O. Jazz Heritage Fest			:			
N.O. Jazz Heritage Fest						
5-4-16						
Refundable Deposit Check was						
Deposited in error)						
Requesting Warrant reversal						
as soon as possible.						
AIR						

TOTAL FUNDS REMITTED

(THIS SPACE FOR TREASURY VALIDATION)

**ORGANIZATIONAL CODE OF
REMITTING ORGANIZATION:**

SIGNATURE OF REMITTER

REMITTING ORGANIZATION'S
WARRANT CONTROL NUMBER:

CITY OF NEW ORLEANS

No.

DEPARTMENT OF...

BUREAU OF -

NEW ORLEANS, LA.

RECEIVED FROM -

THE SUM OF

BEING FOR.

BY:



Classics Jazz & Heritage Festival

Ste 250

336 Camp St. Ste. 100
New Orleans, LA 70130

EUROPEANS (PROP MGNT)

Pay to the Order of

... COUNTEANS (PROP MGNT)


Exactly

Dollars

Heather M. Zell
David K. Mendenhall



4/17/2017

 Security features included. Details on back.

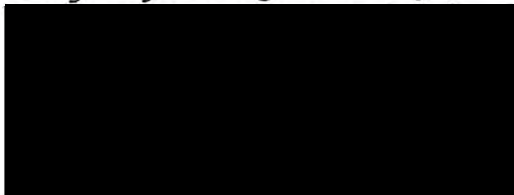
Adrienne D. Recasner

From: Sonja D. Brunious
Sent: Thursday, June 01, 2017 3:45 PM
To: Adrienne D. Recasner
Cc: Deline Williams
Subject: N.O. Jazz Fest

Adrienne,

Check # [REDACTED] has been mailed to The New Orleans Jazz & Heritage Fest Camp Street address as of May 24, 2017.
Should you need further assistance please let me know.

Sonja Brunious
Property Management Dept.



MEMORANDUM OF INTERVIEW

On October 30, 2017, Adrienne D. Recasner, Assistant to the Director, Property Management Division (PMD), City of New Orleans was interviewed by Investigators Michael J. Centola and Terrence Barrett, City of New Orleans (City), Office of Inspector General (OIG). Recasner was advised of the official identities of the Investigators and the nature of the interview. Recasner voluntarily provided the following information:

Recasner has been employed by the City for approximately 30 years. As the Assistant to the Director, she is responsible for the daily administrative operation of the PMD, as well as several additional duties which include being the Parking Coordinator for all City vehicles and handling any request for the use of City property or locations under the control of the PMD. These requests come from the organizers of various festivals held in the City and from various non-profit organizations that hold special events. She is also the liaison person for Cox Cable.

She did not have direct knowledge of PMD receiving free tickets for the Jazz Festival. She has in the recent past signed for the receipt of an envelope she assumed contained Jazz Festival tickets. When she received the envelope, she would immediately bring it to the Director of Property Management, George Patterson. Patterson would advise her to bring the envelope to his supervisor's office, Cedric Grant, who has recently separated from the City. Recasner would deliver the envelope to Sabrina Hill, another employee who worked in Grant's office who accepted the envelope on behalf of Grant. Recasner advised that Patterson is adamant that Jazz Festival tickets be returned to the Jazz Festival at the direction of Grant. Recasner did recall on two or three occasions that the Jazz Festival tickets from PMD arrived in a gold colored envelope. Recasner reiterated that the PMD does not keep any Jazz Festival tickets provided by the festival and she has never received Jazz Festival tickets provided to the PMD.

Recasner is aware that the PMD does provide bleachers to the Jazz Festival. Each year the Jazz Festival sends a letter requesting the use of a specific number of bleachers. Once she receives the request, she forwards it to Assistant Chief Administrative Officer Courtney Bagneris for her approval. Once approved, Recasner forwards a work order to the warehouse located on Tchoupitoulas Street authorizing the release of the bleachers to the Jazz Festival. Theodore Mars is the Jazz Festival point of contact for the delivery of the bleachers. Mars is also the individual who delivers the envelope possibly containing the tickets. Prior to this year, Recasner dealt with a Mr. Hunter rather than Mars. In the past, City employees would deliver and assemble the bleachers. The City has discontinued this practice due to budget restraints.

In return for the use of the bleachers, the Jazz Festival pays the City approximately [REDACTED] along with a [REDACTED] check for deposit. The City deposits the payment into the City General Fund. The City returns the deposit check once the Jazz Festival has brought back all the equipment to the PMD and the PMD has inspected it for any damage. Recasner feels [REDACTED] is too low and nowhere near the current market rate for bleacher rental.

According to Recasner, a meeting is held each year in order to determine if the Jazz Festival request is the same as the previous year's request. This meeting is attended by employees of PMD including Recasner, Patterson, Ed Sens, who is the Assistant Director of PMD, Herman Hogues and Louise Gray-Brumfeild. Any potential problems are addressed as well. The date of the last meeting was February

25, 2017. Once this meeting is completed and all issues are addressed, Recasner then forwards the Jazz Festival request to Bagneris. Recasner advised she documents the process.

Although Recasner did not receive Jazz Festival tickets from PMD, she has obtained Jazz Festival tickets from the City Council Office. Recasner often contacts that office and inquiries about the availability of tickets for events within the city. Often she is required to place her name on a waiting list for tickets. She has also requested Jazz Festival tickets from Scott Hutcheson, Office of Cultural Diversity. Recasner is uncertain, but believes that all City departments receive tickets from the Jazz Festival at no cost. Recasner stated the practice of receiving free tickets to the Jazz Festival "has been going on since the beginning of time."

Recasner believes that the PMD has also in the past received tickets [REDACTED] for seats in the Mardi Gras stands at no cost. Patterson gives the tickets to Recasner for distribution to PMD employees. Patterson instructs her to "try and do what you can and accommodate the employees." Patterson did not want to have any part in providing the tickets to PMD personnel. Recasner advised this was difficult due to the limited number of tickets received and the high demand for tickets. Recasner would send an email to PMD employees asking who may be interested in receiving tickets. Employees would respond and Recasner would provide the tickets to interested employees. The tickets for seats in the Mardi Gras were not particularly desirable because these tickets were for parades early in the season that are not well attended. PMD would receive six to eight tickets, Recasner stated "Its hit and miss, whatever shows up, there is no set amount" of tickets being received.

MEMORANDUM OF INTERVIEW

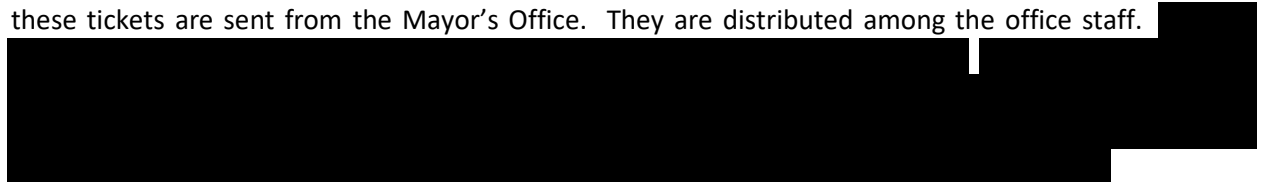
On November 7, 2017, Sabrina Hill, Executive Assistant to Deputy Mayor of Operations, City of New Orleans (City) was interviewed by Investigators Michael J. Centola and Terrence Barrett, CNO, Office of Inspector General (OIG). Hill was advised of the official identities of the Investigators and the nature of the interview. Hill voluntarily provided the following information:

Hill has been employed in her current position as Deputy Mayor of Operations since June 2010. She reports directly to Chief Administrative Officer Jeff Hebert. The Departments within the Operations Division are Capital Projects, Department of Public Works, Property Management, the City Planning Commission, and the Canal Street Development Corporation. No one has been appointed to fill the position of the Deputy Mayor of Operations since the departure of Cedric Grant.

The Operations Department does not received Jazz Festival tickets directly from the Jazz Festival. Instead, the Jazz Festival distributed tickets to the Property Management Division (PMD) in 2017 and in years past. The PMD Director, George Patterson, knew that neither he nor his staff could use the free tickets to attend the Jazz Festival; therefore, he sent them to Hill at the direction of Grant. According to Hill, Grant did not receive any free Jazz Festival tickets from the other departments under his supervision. When asked specifically if the Department of Public Works sent an envelope with tickets to Hill, she responded "no."

In 2017 when she received an envelope from PMD containing free Jazz Festival tickets, Hill met with Scott Hutcheson and personally delivered the envelope to him. In the years past, Hill gave the tickets to Grant who left them on his desk where they remained until after the Jazz Festival. After the festival they would be thrown away. Hill did not open and look inside the envelope from PMD to verify the envelope contained tickets. Hill did not know what Hutcheson did with the tickets she gave him. Hill recalled that Grant told her "when you get that package get it right to Scott." The envelope was sealed and to her knowledge, no one opened it. Hutcheson knew that tickets to the Jazz Festival were in the envelope.

Hill acknowledged that she has also received free tickets for the Mardi Gras stands. She believes these tickets are sent from the Mayor's Office. They are distributed among the office staff.



MEMORANDUM OF INTERVIEW

On December 11, 2017, Scott Hutcheson, Deputy Director (DD), Chief Administrative Office (CAO), City of New Orleans (City) was interviewed by Investigators Michael J. Centola and Terrence Barrett, Office of Inspector General (OIG). DD Hutcheson was advised of the official identities of the investigators and the nature of the interview. DD Hutcheson voluntarily provided the following information:

Due to the recent departures of several members of the Mayor's Executive Staff, DD Hutcheson not only serves in the CAO's Office but also holds the title of Director of Cultural and Economic Diversity. In this position he routinely works with and in association with the New Orleans Tourism Marketing Corporation (NOTMC) which serves as the City's leisure travel promotion agency. NOTMC is a private economic development corporation created under Louisiana State Law to foster jobs and economic growth by developing the tourism industry in New Orleans. The NOTMC is funded through hotel taxes and the City's general fund.

The Mayor's Office purchases Jazz Festival tickets through the NOTMC via a credit card. These tickets are used to staff the Mayor's Hospitality Tent on site at the Jazz Festival. DD Hutcheson advised that approximately 50 tickets are purchased each year. This has been a standard practice which begun when the Mayor was the Louisiana Lt. Governor prior to being elected Mayor.

When DD Hutcheson was initiating the purchase of the tickets in 2017, with a Jazz Festival representative whose name he could not recall, he was told that the tickets would be delivered with the other tickets being delivered to City Hall in the near future. DD Hutcheson questioned the Jazz Festival representative as to what tickets he/she was referring to and was told the Jazz Festival provides free tickets to various departments within the City. DD Hutcheson, knowing that the City and its employees were unable to accept free tickets to any event based on his yearly Ethics Training, immediately contacted then Deputy Mayor Cedric Grant to advise him of the pending delivery. DD Hutcheson also reminded Grant that the City and its employees could not accept tickets to attend the Jazz Festival due to possible ethics violations. In addition, he contacted Director of Property Management, George Patterson, and advised him that he could not accept any free tickets as well. DD Hutcheson then contacted Rebecca Dietz, the City Attorney, and advised her of the potential ethics issue.

According to DD Hutcheson, the Department of Revenue is the only city department that would have a legitimate reason to be at the Jazz Festival in any official capacity. (OIG Note: The Department of Revenue is also known as the Bureau of Revenue.) Later he came to understand that the Department of Property Management did have legitimate work at the Jazz Festival, but is unsure exactly what work that would be and if it required any city employees to enter the Jazz Festival.

During a hurricane preparation meeting, possibly in May 2017, DD Hutcheson learned from Ann McDonald, Parks and Parkways Director, that her department had received tickets and that the department "always has received tickets."

DD Hutcheson has not discussed the receipt of tickets by city departments with the Mayor, only the City Attorney. Along with Property Management and Parks and Parkways, DD Hutcheson knows that members of the City Council receive Jazz Festival tickets [REDACTED]

[REDACTED]

DD Hutcheson does not know of any Jazz Festival tickets received that were forwarded to the COA's Office. He could not imagine why the CAO would be receiving them.

MEMORANDUM OF INTERVIEW

On December 12, 2017, Courtney Bagneris, Assistant Chief Administrative Officer (ACAO), City of New Orleans (City) was interviewed by Investigators Michael J. Centola and Terrence Barrett, Office of Inspector General (OIG). ACAO Bagneris was advised of the official identities of the Investigators and the nature of the interview. ACAO Bagneris voluntarily provided the following information:

ACAO Bagneris understands that each year as many as "several hundred" Jazz Festival tickets are provided to a "centralized person" within City Hall who distributes the them to various city departments. She added that Property Management Director George Patterson told her that Property Management Deputy Director Ed Sens was the "hub" who distributed Jazz Festival tickets to employees in the past. Patterson also advised ACAO Bagneris that he, Patterson, should be responsible for distributing any Jazz Festival tickets. Patterson was upset that Sens distributing Jazz Festival tickets.

ACAO Bagneris also advised that neither she nor her staff have been the recipient of any tickets distributed to city departments. However, she did received two tickets this year as she has in the years past directly from the Jazz Festival. The tickets normally appear in her mailbox located in the CAO's reception area. She has been receiving two tickets dating back to when she was employed with the New Orleans Police Department (NOPD) in the 1990's. ACAO Bagneris knows through her yearly ethics training that city employees may not accept anything of value. She gave away the tickets she received this year, but could not recall to whom she gave them. ACAO Bagneris added that in the past she has given the tickets to complete strangers.

ACAO Bagneris was asked if she knew of any city departments that have responsibilities related to the Jazz Festival. She advised she believes Safety and Permits/Taxi Cab Bureau oversees the cab stands, the New Orleans Fire Department and the NOPD handle safety issues, the Department of Sanitation collects debris outside the festival grounds, the Finance Department collects any taxes due to the City and the Mayor's Office staffs the Mayor's Hospitality tent. She is unsure if these departments receive tickets from the Jazz Festival.

[REDACTED]

MEMORANDUM OF INTERVIEW

On November 27 2017, Dani Galloway, Director, Department of Public Works (DPW), City of New Orleans (City) was interviewed by Investigators Michael J. Centola and William Bonney, Office of Inspector General. Galloway was advised of the official identities of the Investigators and the nature of the interview. Galloway then voluntarily provided the following information:

Galloway has been the Director of the DPW for approximately the past 90 days. Prior to her current position, she served as a Special Assistant to then Deputy Mayor Cedric Grant. In that capacity and at the direction of Grant, Galloway contacted Allen Yrle, the Assistant Director of the DPW, in April 2017 regarding the receipt of Jazz Festival tickets from a representative of the Jazz Festival. Galloway on behalf of Grant advised that tickets to attend the Jazz Festival could not be used unless the tickets were provided by the Mayor's Office.

Galloway did understand that different City Departments received tickets from the Jazz Festival, but no department was authorized to use them to attend the Jazz Festival. Galloway does understand that some departments provide services and equipment to the Jazz Festival. The City maintains a record of some of these arrangements and collects a minimum payment. Galloway is unsure if all City Departments complete a "Hold Harmless Agreement" with the Jazz Festival on behalf of the City. The City Attorney would have this information.

Galloway made the telephone call to Yrle while discussions were occurring within Grant's Office regarding the fees charged by the City to the Jazz Festival for the use of City property. Galloway understands the City does not charge the Jazz Festival, nor other events, for the erection of street signs in conjunction with an event. According to Galloway, the signs erected by the City consists mostly of No Parking signs and signs designating streets as One Way.

Galloway believes the Property Management Department (PMD) also received tickets from the Jazz Festival. She was unsure what happened to the tickets provided to PMD.



March 13, 2017

Mr. Mark Jernigan
Director
Department of Public Works
1300 Perdido Street, City Hall, Room 6W03
New Orleans, LA. 70112

Dear Mr. Jernigan:

With the preparations under way for the 47th annual New Orleans Jazz & Heritage Festival presented by Shell, again we ask for assistance from the Department of Streets with the traffic control signage. The dates of the Festival for this year are **April 28, 29, 30, and May 4, 5, 6, 7, 2017**. The Festival has finalized a recommended 2016 Traffic Plan. Over the last few months the New Orleans Police Department; Jerry Ursin, Public Safety & Operations Liaison, Quint Davis, Festival Producer; and Dixie Rubin, Fair Operations Director, have been involved in each step of this process.

The early installation of signage will assure a smooth flow of traffic around the Fair Grounds during the entire festival. As in the past, the **NO PARKING** signs should be clearly marked with the days and times of the Festival, while **SPECIAL EVENT** signs are to be used on the other streets.

We request installation of all signage to be completed by the close of the business day Friday, April 21, 2017 to comply with the wishes of the surrounding neighborhoods and their associations.

If you have any questions concerning this year's request, please contact Jerry Ursin at [REDACTED]

We appreciate the assistance and cooperation your department affords this grand community event.
Thank you.

Sincerely,

Jerry Ursin
Public Safety & Operations Liaison
New Orleans Jazz & Heritage Festival
Presented by Shell
[REDACTED]

cc: Mr. Jeff Hebert, CAO
Ms. Dixie Rubin, Fair Operations Director
Mr. Allen Yrle, Chief Traffic Engineer

The New Orleans Jazz & Heritage Festival

2017 Proposed Traffic Plan

Sign List and Position (See MAP A)

1.	NO PARKING ANYTIME	On Gentilly Blvd. extending from in front on Fair Grounds side of the Fair Grounds from DeSaix Circle to Grand Rt. St. John
2.	ONE WAY TRAFFIC	To be placed at Mystery St. and Grand Rt. St. John in the direction of Esplanade (to convert what is 2-way for one block)
3.	NO PARKING ANYTIME	On the Lakeside of Fortin Street from Gentilly to Mystery St.
4.	NO PARKING ANYTIME	On both sides of Mystery St. from Esplanade Ave. to the back entrance of the Fair Grounds at Fortin Street
5.	NO PARKING ANYTIME	On both sides of North Lopez St. from Esplanade Ave. to Fortin St. Making this street clear for turning buses, emergency and vehicle traffic at the North Lopez Street gate
6.	ONE WAY TRAFFIC	To be placed on Fortin St. between Mystery St. and Lopez St. (to convert what is 2-way for one block)
7.	ONE WAY TRAFFIC	On Maurepas St. between Mystery St. and Esplanade Ave. (to cover what is 2-way for one block)
8.	DO NOT ENTER (PORTABLE TYPE-2 REQUESTED)	To be placed at Maurepas St. and Mystery St., two portable types at entrance.
9.	DO NOT ENTER	To be placed on Maurepas St. at Esplanade Ave., on each side of street. To be placed by Fortier Park on each side of Mystery St. at Esplanade Ave.
10.	DO NOT ENTER (EXCEPT RESIDENTS)	To be placed on Maurepas St. at Lopez St. and Ponce De Leon St. at Lopez St and at Lopez St. and Esplanade Ave. Place signs facing south.
12a.	DO NOT ENTER (EXCEPT RESIDENTS)	To be placed on Grand Rte. St. John at Lopez St.
12b.	DO NOT ENTER (EXCEPT RESIDENTS)	To be placed on Grand Rte. St. John at Sauvage St.
12c.	DO NOT ENTER (EXCEPT RESIDENTS)	To be placed on Grand Rte. St. John at Crete St.
13.	NO PARKING ANYTIME	Both sides on Belfort St. from Gentilly St. to the end of Belfort St.

14.	NO LEFT TURN (EXCEPT RESIDENTS)	To be placed on Ponce De Leon at Sauvage St.
15.	NO LEFT TURN (EXCEPT RESIDENTS)	To be placed on Ponce De Leon at Crete St.
16.	NO PARKING ANYTIME	Along North side of Belfort St. from 3257 Belfort St. to the fenced area at Lopez St.
17.	ONE WAY TRAFFIC	On North Lopez St. going one way from Belfort St. to Castiglione St.
17a.	ONE WAY TRAFFIC	On Crete St. going one way from Belfort St. to Trafalgar St.
18.	NO PARKING ANYTIME	No parking on both sides of Crete St. between the Fair Grounds and Belfort St.
19.	NO PARKING ANYTIME	On North Lopez St. going one way from Belfort Street to Castiglione St.
20.	NO PARKING ANYTIME	To be placed on the west side of Romulus St. between Castiglione St. and Belfort St..
21.	NO PARKING ANYTIME	To be placed on the west side of Saltus St. between Trafalgar St. and Derby St.
22.	NO PARKING ANYTIME	To be placed on the east side of Salcedo St. between Castiglione St. and Trafalgar St.
23.	NO PARKING ANYTIME	To be placed on the east side of N. Romulus St. between Trafalgar St. and dead end.
24.	NO PARKING ANYTIME	To be placed on the west side of North Lopez St. between Trafalgar St. and dead end.
25.	NO PARKING ANYTIME	To be placed on the east side of N. Rendon St. between Castiglione St. and Trafalgar St.
26.	NO PARKING ANYTIME	To be placed on the Fair Grounds side of Castiglione St. between N. Rendon St. and Gentilly Blvd.
27.	NO PARKING ANYTIME	To be placed on the north side of Trafalgar St. from Gentilly Blvd. to DeSaix St.
28.	NO PARKING ANYTIME	To be placed on both sides of Trafalgar St. at the corner where Trafalgar turns toward DeSaix St.
29.	LOCAL TRAFFIC ONLY	To be placed at Trafalgar St. and DeSaix St.
30.	LOCAL TRAFFIC ONLY	To be placed at Derby St. and Gentilly Blvd.
31.	LOCAL TRAFFIC ONLY	To be placed at Belfort St. and Gentilly Blvd.

Pedestrian Mall

Over the years increased attendance at the New Orleans Jazz and Heritage Festival has affected the traffic logistics surrounding entrance to the Festival. There are large numbers of pedestrians not only entering at the main Gentilly gate, but also at the Sauvage St. pedestrian entrance on Fortin Street from the Esplanade Avenue area.

For the safety and well being of our pedestrian patrons, we created a “pedestrian mall” in 1996. The “pedestrian mall” is on Fortin Street for three blocks from Mystery Street to Sauvage Street. To facilitate this, the Festival would like to request to continue limiting traffic on **Sauvage Street, Lopez Street and Mystery Street to local residents and Festival production traffic only (with the proper credentials)**. Traffic on Maurepas will be monitored by N.O.P.D. and Festival Staff to prohibit non-resident vehicular traffic from entering the pedestrian mall. Sauvage Street at Maurepas will be barricaded and monitored on the Fair Grounds side. Lopez Street and Mystery Street will be monitored. Neighborhood Residential Access Passes will be issued (as they have for the past number of years) and be honored for residents affected in these blocks. (Many residents have off street parking). The Festival has worked with the Faubourg St. John Neighborhood Association for approval of this plan.

School Day

Thursday, May 4, 2017 the Foundation outreach program for elementary school children involves field trips necessitating over 60 school buses. We would like to implement the plan developed over the past years. The buses will enter the Fair Grounds through Aubry St gate beginning at 9:00 in the morning. They begin leaving at 2:00 pm by N. Crete St. To monitor this, additional N.O.P.D. officers will be in place at the intersections of Aubry St. and Gentilly Blvd. during the hours of 8:30 a.m. – 2:00 p.m. to control traffic.

Taxi Stands

We are proposing to leave the taxi stands in the same place and operate the same way as they did last year. We will coordinate with the NOPD to stage and load the taxis at two parks located near the Fair Grounds - Fortier (on Esplanade at Grand Route St. John) and Stallings (on Gentilly at Lapeyrouse) Parks.

TAXI STAND SIGNAGE-FORTIER PARK

32.	NO PARKING ANYTIME	To be placed at park side of Mystery Street from Esplanade to Grand Route St. John
33.	DO NOT ENTER (EXCEPT RESIDENTS)	To be placed one way on Esplanade at Mystery St.
34.	DO NOT ENTER (EXCEPT RESIDENTS)	To be placed at the entrance of Ponce De Leon St. at Esplanade Ave.
35.	DO NOT ENTER (EXCEPT RESIDENTS, and BUSES)	To be placed at the entrance of Grand Rte St. John at Esplanade St.
36.	DO NOT ENTER (EXCEPT RESIDENTS)	To be placed at the entrance of Grand Rte St. John at Gentilly Blvd.
37.	DO NOT ENTER (EXCEPT RESIDENTS)	To be placed at the entrance of Maurepas St. at Gentilly Blvd.
38.	NO RIGHT TURN (EXCEPT RESIDENTS)	To be placed one way on Esplanade at Mystery Street (Fair Grounds side)
39.	NO PARKING	On Esplanade from Mystery Street to Grand Route St. John
40.	NO PARKING ANYTIME (TAXI STAND) 9am to 9pm	On Moss Street from St. Phillip St. to Grand Rte. St. John
41.	DO NOT ENTER (EXCEPT RESIDENTS AND TAXIS)	2 signs to be placed on both sides of Moss St. at Grand Rte. St. John
42.	DO NOT ENTER (EXCEPT RESIDENTS)	2 signs to be placed on both sides of Grand Rte. St. John at Esplanade Ave.
44.	NO LEFT TURN (EXCEPT RESIDENTS)	To be placed at North Rendon and Grand Rte. St. John

Aubry Street Gate

48.	NO RIGHT TURN (EXCEPT RESIDENTS)	To be placed on Broad and Aubry St. on lakeside side of the street
49.	NO LEFT TURN (EXCEPT RESIDENTS and BUSES)	On the neutral ground on Broad at Aubry St. facing East bound traffic.
50.	NO LEFT TURN (EXCEPT RESIDENTS)	On Paul Morphy on the West side on Aubry St.
51.	NO RIGHT TURN (EXCEPT RESIDENTS)	On North Dupry on the East side of Aubry St.
52.	NO LEFT TURN (EXCEPT RESIDENTS)	On North Gayoso at Aubry St.
53.	NO PARKING	On West side of Aubry St. from Broad to Gentilly Blvd.
54.	NO LEFT TURN	Both directions on Gentilly at Aubry to be placed on neutral ground.
55.	NO U TURN	Both directions on Gentilly at Aubry to be placed on neutral ground.
56.	4 ADDITIONAL PORTABLE SIGNS THAT READ— DO NOT ENTER (EXCEPT RESIDENTS)	These will be given to NOPD to install as needed.

We will issue Resident Passes for Aubry Street, Grand Rte. St. John, North Rendon, and Vignaud Street.

RTA BUS ROUTE PROPOSAL

We suggest service at certain stops adjacent to the Fair Grounds Race Course on Gentilly Blvd. We will help direct the Festival patrons to these locations at O'Reilly and Gentilly Blvd. and Grand Route St. John and Gentilly Blvd.

We will also direct patrons to the Canal Streetcar line.

OVER-THE-ROAD CARRIERS UNLOADING ZONE

We are requesting use of the existing bus zone on the 1400 block of Esplanade Avenue in front of St. Louis #3 Cemetery for the of unloading of over-the-road carriers.

NUMBERED TRAFFIC ROUTING PLAN
NEW ORLEANS JAZZ & HERITAGE FESTIVAL



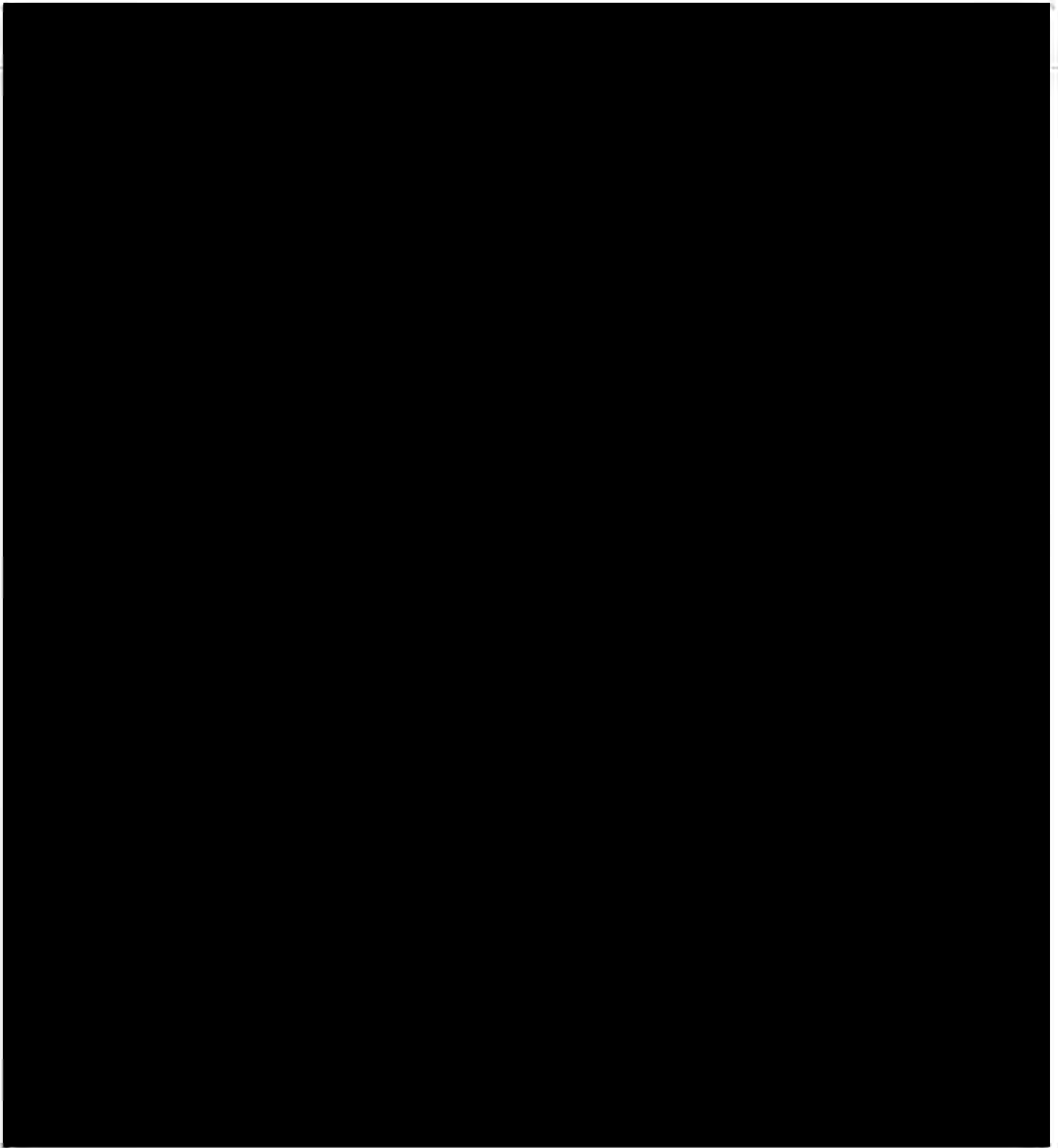
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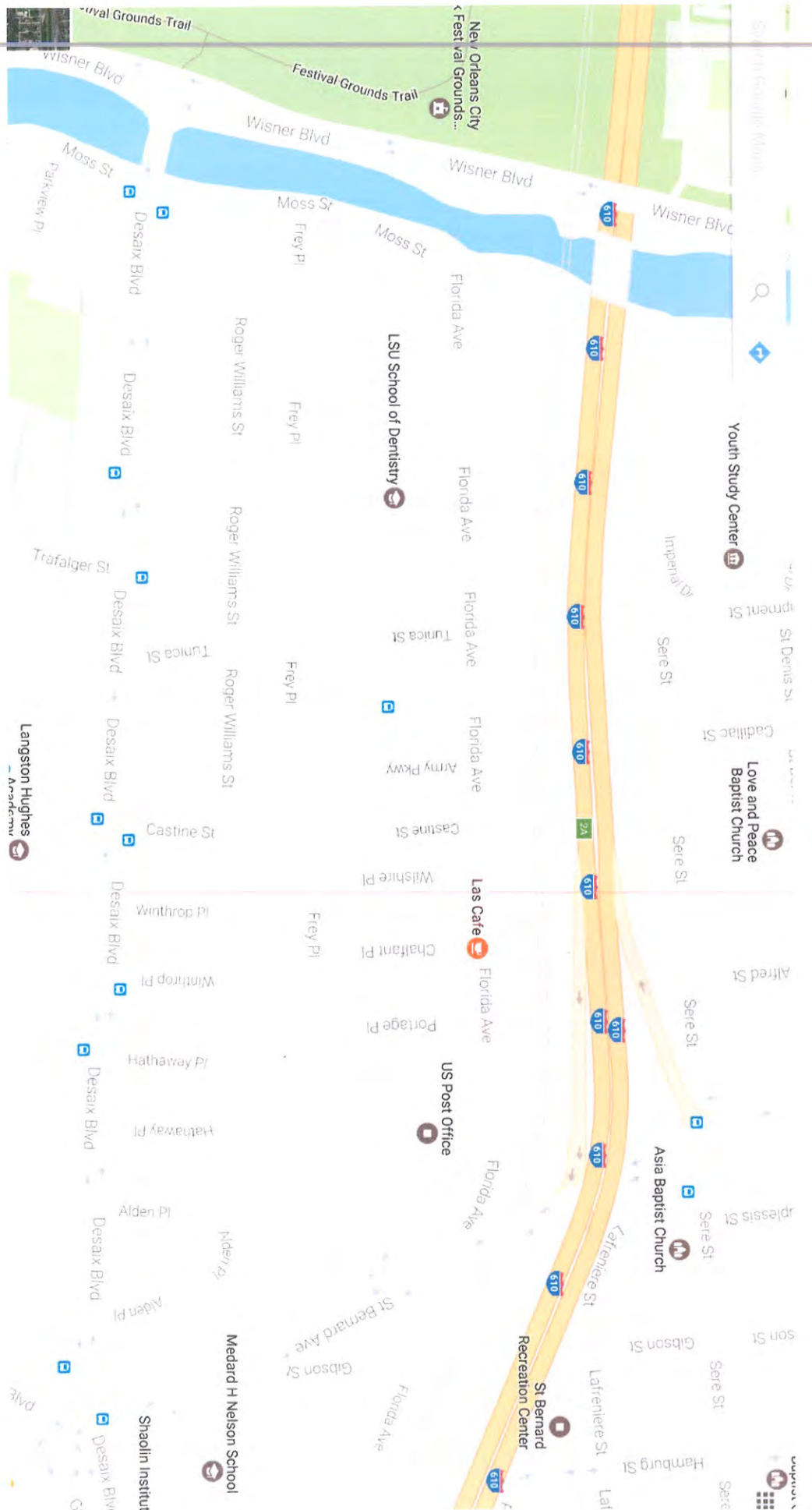
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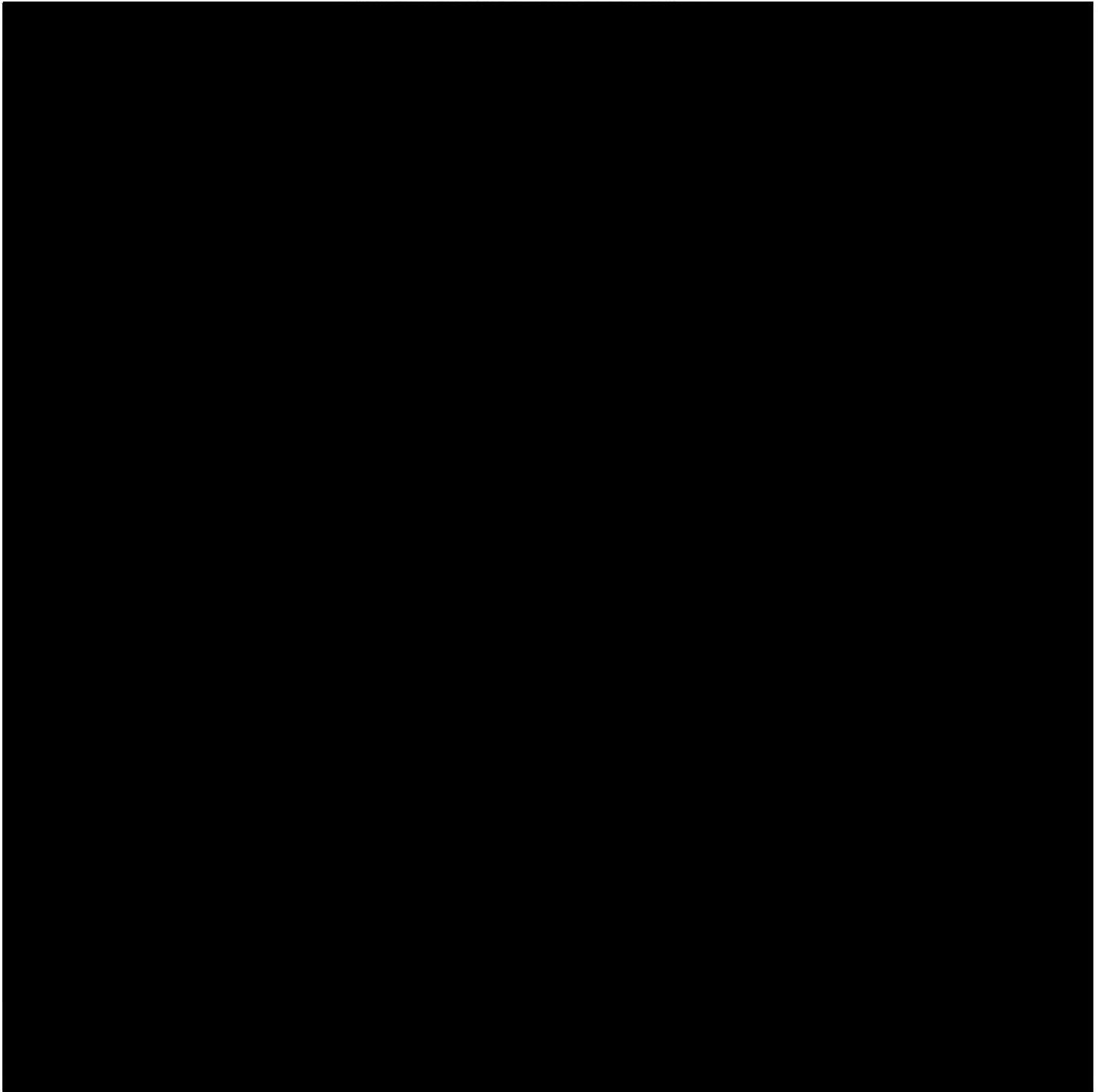
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NEW ORLEANS JAZZ AND HERITAGE FESTIVAL
TRAFFIC PATTERN AND LOGISTICS





NUMBERED TRAFFIC ROUTING PLAN
NEW ORLEANS JAZZ & HERITAGE FESTIVAL



RTA KEPT
RTA DELETED

See Back Of Document For Prohibitions

NEW ORLEANS JAZZ AND HERITAGE FESTIVAL
TRAFFIC PATTERN AND LOGISTICS

NUMBERED TRAFFIC ROUTING PLAN
NEW ORLEANS JAZZ & HERITAGE FESTIVAL

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NEW ORLEANS JAZZ AND HERITAGE FESTIVAL
TRAFFIC PATTERN AND LOGISTICS

MEMORANDUM OF INTERVIEW

On November 2, 2017, Allen M. Yrle, Assistant Director, Department of Public Works (DPW), City of New Orleans (City) was interviewed by Investigators Michael J. Centola and Terrence Barrett, Office of Inspector General (OIG). Yrle was advised of the official identities of the Investigators and the nature of the interview. Yrle voluntarily provided the following information:

Yrle has been employed by the City for the past 26 ½ years, all with the DPW. The DPW installs both metal and cardboard traffic signs for the Jazz Festival in the area surrounding the Fair Grounds Racetrack. The DPW does not install any signs inside the Fair Grounds Racetrack where the Jazz Festival is held. Each year the DPW receives a letter from the Jazz Festival requesting the placement of the signs along with map designating the locations where the City should place the signs. This document also notes any change from the previous year. After this letter is received, the DPW holds a meeting and the locations for the signs are discussed in attempts to identify any issue(s) which may be encountered during the placement of the signs.

The Jazz Festival requests signs for traffic and parking control. Some streets become one way streets instead of two way. Areas in which the City normally allows parking become no parking zones. When the signs are placed, a notation on the back of the sign lists the date and location the sign is placed. The signs are covered with a heavy paper until the first day of the Jazz Festival. A DPW crew removes the paper. Darren Walker is the Manager in charge of the sign shop and handles the placement of the signs. During the Jazz Festival, the signs are checked each day to ensure they remain in place and are not covered with graffiti. Approximately 100 sign are placed by the DPW at the request of the Jazz Festival. Many of the signs that are reused each year and stored in the City Sign Shop located at 2600 Lafite Street.

The City pays for the metal signs and any cardboard signs used for the Jazz Festival. Yrle considers the signs to be the property of the City. He has never seen an invoice for the purchase or installation of the signs. The only event that provides the City with signs to be installed is the Crescent City Classic road race. Some of the Mardi Gras krewes do reimburse the DPW for the cost incurred by the City for removing traffic signals. This is rare, but does happen. As far as Yrle understands, the City, particularly the DPW is not reimbursed for the placement of the signs by anyone including the Jazz Festival.

Each year the DPW office receives envelopes containing free Jazz Festival tickets. Yrle believes an Orleans Parish Sheriff's Deputy makes the delivery. Stephen Giang, an Engineer with the DPW, signed for the receipt of the envelopes. Giang gives the envelopes to Yrle. Yrle believes that DPW receives a total of 18 tickets, but he is unsure since he has never counted the tickets. One envelope is addressed to Yrle and the other is addressed to Perter Lollis, who retired from the DPW approximately 2 ½ years ago. Yrle knows from the Ethics Training he receives each year that he is unable to accept and use the tickets, free of charge.

Yrle recalled this past year, 2017, a day or two prior to receiving the tickets, Dani Galloway called him and asked if he had in fact received the tickets. He advised her that he had not. Galloway commented, "You know you can't use them." Yrle advised Galloway he understood the tickets cannot be used. When he did receive the tickets, he kept them until after the Jazz Festival. After the Jazz Festival, he threw the tickets away. Normally he throws them away once he receives them. Yrle has not received any guidance regarding the receipt of Jazz Festival tickets, other than his Ethics Training. Yrle has never used nor given away any Jazz Festival tickets received by the DPW.

Yrle found it unusual that Galloway had called him regarding the receipt of the tickets. This caused him to contact Walker to determine if he had received an envelope with tickets also. Walker advised he had received an envelope and he had distributed the tickets to employees assigned to the sign shop. Yrle advised Walker to collect the tickets and give them to him. When Walker gave the envelope to Yrle, Yrle noticed the envelope was addressed to Lollis.

When asked why the Jazz Festival tickets were being provided to the DPW, Yrle advised he has no idea as to the reason. Yrle does not know of any other festival or event providing tickets to the DPW. The DPW does receive Mardi Gras stand tickets through City Hall for stands controlled by the City.

Yrle stated, "I am appalled at the amount of work we do for Jazz Fest" without compensation. He contends that the City provides a huge and important service to the Jazz Festival free of charge. Yrle added that the DPW is reimbursed for work performed on behalf of film crews, movie sets and some Mardi Gras parades. The amounts paid by the groups are determined from a set fee established by the DPW.

MEMORANDUM OF INTERVIEW

On November 13, 2017, Darren Walker, Sign Shop Supervisor, Department of Public Works (DPW), City of New Orleans (City) was interviewed by Investigators Michael J. Centola and Terrence Barrett, Office of Inspector General. Walker was advised of the official identities of the Investigators and the nature of the interview. Walker then voluntarily provided the following information:

Walker has been employed by the City for the past 19 years within the Sign Shop. For the past two years he has been the Supervisor. He supervises eight or nine employees and is the point of contact for the City regarding the installation and removal of temporary street signs for all major events within the City, including the Jazz Festival. He is supervised by Allen Yrle, who he keeps informed about what needs to be done at the request of the Jazz Festival. Walker completes the work orders documenting and tracking the work performed.

The Jazz Festival sends a written request to the DPW setting out the locations that temporary signs are to be placed. According to Walker, the Sign Shop uses the same signs each year. A few years ago, Walker began writing the location each sign is to be placed in order to speed up the installation process. The signs used for the Jazz Festival are stored in the Sign Shop and are only used for the Jazz Festival. When a sign needs to be replaced or a new sign is required, the City makes it in the Sign Shop at no cost to the Jazz Festival. Walker did not know if the Jazz Festival pays for the placement and removal of the signs.

The entire Sign Shop crew assists in the installation and removal of the signs. The process takes between two and three weeks. The crew works full time until the project is completed. The Sign Shop is responsible for the placement of temporary signs for all special events held in the City. Walker advised the Essence Festival, the Crescent City Classic and the Jazz Festival are major events, but Mardi Gras is the biggest event requiring the installation of the most signs and taking the longest amount of time to complete. Walker is unsure of the exact number of signs placed each year for the Jazz Festival. The removal of the signs are done within a week.

In years past, Walker had utilized Jazz Festival tickets given to him from the previous Sign Shop Supervisor, Peter Lollis. Since becoming the supervisor two years ago, Walker has not used any tickets. He did distribute tickets to his employees in 2016. In 2017, he was instructed by Yrle not to distribute tickets received from the Jazz Festival. Walker had received an envelope containing approximately 14 tickets. The envelope was addressed to Lollis. Walker recalled giving two tickets to one of his employees and having to retrieve the tickets on the direction of Yrle. Walker returned the envelope with the tickets to Yrle. Walker is not sure why Yrle requested the tickets back.

All signs placed for the Jazz Festival in the immediate vicinity of the Fair Grounds Racetrack where the Jazz Festival is held are temporary. Signs are not placed inside the festival site.

MEMORANDUM OF INTERVIEW

On February 16, 2018, Norman Foster, former Deputy Mayor, Director of Finance (DIR), City of New Orleans, telephone number [REDACTED] telephonically contacted Investigator Michael J. Centola, City of New Orleans, Office of Inspector General (OIG). DIR Foster was returning Investigator Centola's earlier telephone call. DIR Foster was advised as to the identity of the interviewing investigator. He was also told that the purpose of the interview was to determine if he accepted free tickets to the 2017 Jazz Festival, while he was employed as the Director of Finance. DIR Foster then voluntarily provided the following information:

DIR Foster did not recall receiving Jazz Festival tickets in 2017. DIR Foster believes that he was no longer employed by the City when the Jazz Festival tickets were distributed. He recalled leaving in mid-March. He also recalled being on annual leave for two weeks prior to his departure. (OIG Note: A review of a City of New Orleans Employee Roster shows Foster's separation date as March 26, 2017.) According to DIR Foster, if he had received Jazz Festival tickets, he would have given them to Romy Samuel, Collector of Revenue, to be used by City employees in the course of their official duties, which included the collection of tax revenue from vendors operating at the Jazz Festival.

From: George Wright [REDACTED]
Sent: Tuesday, March 31, 2015 1:56 PM
To: Romy S. Samuel [REDACTED] >
Cc: [REDACTED] Wendell McCall [REDACTED] >; Heather Roberts
[REDACTED] >
Subject: Re: Bureau of Revenue

Thanks Romy

Sent from my iPhone
George Wright

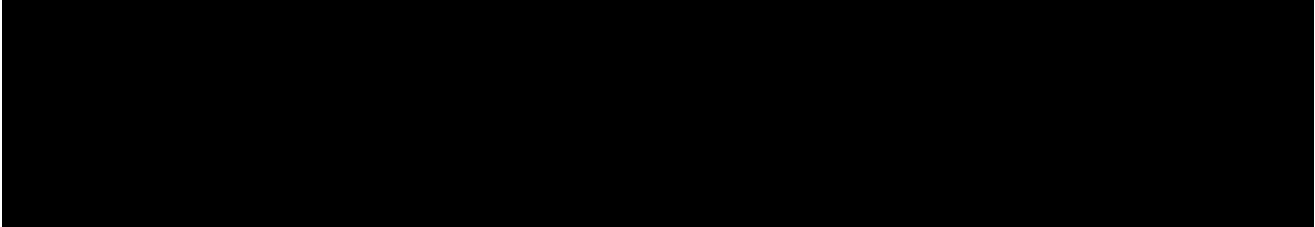
On Mar 31, 2015, at 1:45 PM, Romy S. Samuel [REDACTED] > wrote:

Hi George,

Per our conversation at our annual planning meeting, the Bureau of Revenue should receive two (2) ticket packages for staff assigned to work each day and weekend of the fest, Revenue and Tax Collection. If you have any additional questions, please contact me at your earliest convenience. Thank you for your attention to this matter.

Romy S. Samuel
Collector of Revenue
City of New Orleans
Department of Finance

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



Subject: 2017 Jazz Fest Employees

Listed below is a list of all Revenue employees scheduled to work Jazz Fest 2017, from Week 1, April 28th thru April 30th **and** Week 2, May 4th thru May 7th.

The daily assignment schedule will be forwarded on tomorrow.

Lauren Muse
Blake Donald
Torrie Jakes
Karen Fortuna
Todd Ecker
Ernesto Carcamo
Gary Joseph
William Gasquet
Michele Sigur
Javon Williams
Lushana Pleasant
Patricia Washington
Renata Lewis
Jasmine Williams
Toshana Williams
Kawanda Williams
Deborah Early
Maranda Jones
Alnita Brown

Below are those scheduled to work the 1st weekend:

10 Employees working Friday, April 28th: Lauren Muse, Blake Donald, Torrie Jakes, Karen Fortuna, Todd Ecker, Ernesto Carcamo, Gary Joseph, William Gasquet, Michele Sigur, Javon Williams.

18 Employees working Saturday, April 29th: Lauren Muse, Blake Donald, Torrie Jakes, Karen Fortuna, Todd Ecker, Ernesto Carcamo, Gary Joseph, William Gasquet, Michele Sigur, Javon Williams, Renata Lewis, Jasmine Williams, Toshana Williams, Maranda Jones, Alnita Brown, Lushana Pleasant, Patricia Washington, Deborah Early.

17 Employees working Sunday, April 30th: Lauren Muse, Blake Donald, Torrie Jakes, Karen Fortuna, Todd Ecker, Ernesto Carcamo, Gary Joseph, William Gasquet, Michele Sigur, Javon Williams, Renata Lewis, Jasmine Williams, Maranda Jones, Alnita Brown, Lushana Pleasant, Patricia Washington, Deborah Early.

MEMORANDUM OF INTERVIEW

On December 7, 2017, Romy Samuel, Collector of Revenue (CR), City of New Orleans (City) Bureau of Revenue (BOR) was interviewed by Investigators Michael J. Centola and Terrence Barrett, Office of Inspector General (OIG). Samuel was advised of the official identities of the Investigators and the nature of the interview. Samuel voluntarily provided the following information:

CR Samuel advised that the BOR does receive tickets from the Jazz Festival. These tickets are used in conjunction with official duties performed by city employees of the BOR inside the Jazz Festival site as well as around the immediate vicinity of the festival. Employees of the BOR are responsible for ensuring all vendors are properly licensed and registered with the City and adhere to its rules and regulations. The BOR's main focus is on the concessions and crafts vendors.

CR Samuel advised she received enough tickets to allow between 20 and 40 BOR employees to enter the Jazz Festival for each day the festival is held. The number of tickets needed is discussed with George Wright who coordinates with the vendors on behalf of the Jazz Festival. (OIG Note: George Wright is the Concessions Director at New Orleans Jazz & Heritage Festival and Foundation, Inc.) According to CR Samuel, there should be an email documenting this meeting and a list of BOR employees working each day. CR Samuel agreed to provide copies of these documents to the OIG. Wright delivers the tickets to Wendell McCall, Assistant Collector of Revenue, who passes them on to CR Samuel. CR Samuel retains the tickets until they are to be used by her staff assigned to operate at the Jazz Festival.

Each day the BOR employees distribute flyers to the vendors setting forth the BOR's expectations and the requirement that vendors remit their sales tax collections to the City each day. The BOR collects the sales tax remittances daily on site. CR Samuel stated dealing with the vendors is at times challenging, as some vendors only work one weekend of the Jazz Festival.

BOR employees also check businesses near the Jazz Festival site to determine if they are operating within the scope of their permitted business. In addition, BOR employees respond to complaints received via the CITY 311 system concerning unlicensed vendors operating in areas adjacent to the Jazz Festival site. CR Samuel recalls that the Jazz Festival also employs personnel who monitor vendor activity outside the actual festival grounds.

CR Samuel contends that her department is very successful in its sales tax collections. Vendors are willing to pay the taxes owed, which will allow them to return the following year. According to CR Samuel, the Jazz Festival also does a good job policing and keeping the vendors in line. Jazz Festival personnel also address any issues the BOR employees experience with problem vendors.

CR Samuel was asked if she knew if the former Director of Finance Norman Foster personally received tickets to the Jazz Festival. CR Samuel did not know if he did, but neither Foster nor his office provided the tickets utilized by her staff. She does recall that Foster did visit the Jazz Festival to observe the operation.

From: Daniel V. Cazenave [REDACTED]
Sent: Wednesday, January 10, 2018 4:12 PM
To: Howard Schwartz [REDACTED]
Cc: Michael S. Harrison [REDACTED]
Subject: RE: Jazz Fest tickets

Asst. Inspector General Schwartz,

Per your request, the following accounting is based on a conversation I had recently with the Superintendent:

- *“Four (4) Satin-All Day Tickets – stage quest area pass, not good for festival admittance”* These tickets were used by the Superintendent for official business in order to access the location of officers and/or supervisors working stage assignments. The particular tickets described here had a peel and stick backing and were required to be displayed on his shirt for days when the Superintendent was in plainclothes.
- *“Seven (7) Mystery Tickets – Musician festival gate admission. Not sold to the public. Each ticket admits two people to the festival.”* The Superintendent would sometimes make these complimentary tickets (no face value) available to the clerical and support staff in headquarters for personal use. He does specifically recall Jane Varnado, Tyler Gamble and Brendon Lyman accepting. Ms. Varnado was the Supt’s former Executive Assistant who retired in early 2016 with 38 years of service; Mr. Tyler was the former Director of Communications for NOPD who resigned in 2016 for a new position; and Mr. Lyman is the current Executive Assistant to the Superintendent. The Superintendent does not have a specific recollection of other NOPD staff members who may have been offered or accepted these tickets; but for the most part believes the majority these tickets, as well as the *Satin-All Day Tickets*, went unused.
- *“One (1) Parking All Days – Not good for festival gate admission. Sold to only ADA & VIP Program patrons. Limited numbers set aside for VIP purchase.”* Pass was used for official business by Superintendent for display on windshield of his unmarked City vehicle to access Fairgrounds site parking area.

Relative to the remaining items, the tickets were delivered to the Superintendent’s office by former NOPD Police Captain Bernadine Kelly and signed for by him personally. It should be noted that Captain Kelly, who retired from the Police Department on March 8th, 2014, had a long time affiliation with Jazz Fest organizers and was close friends with his former assistant Ms. Varnado. The Superintendent does not know the specifics of any request made on his behalf for these items and assumes the breakdown of tickets as presented above would be correct.

I’ll be back next Thursday if questions, thanks...

Daniel V. Cazenave, Chief of Staff
Superintendent's Office
New Orleans Police Department

[REDACTED]

[REDACTED]

[REDACTED]

From: Timothy A. McConnell [REDACTED] >
Sent: Tuesday, January 23, 2018 6:14 PM
To: William Bonney
Subject: RE: 2017 Jazz & Heritage Festival tickets

Bill,

Please see my response below in red.
I apologize for not getting this to you sooner (Been a little hectic!)

Please do not hesitate to call me if you have any questions.

Thank you,

Chief Tim McConnell
Superintendent
New Orleans Fire Department
[REDACTED]



From: William Bonney [REDACTED]
Sent: Thursday, January 11, 2018 2:04 PM
To: Timothy A. McConnell
Subject: 2017 Jazz & Heritage Festival tickets

Chief-

According to Jazz & Heritage Festival, they sent the following tickets for the 2017 Jazz & Heritage Festival (the words in quotes are directly from the Jazz Fest), at no cost, to: "New Orleans Fire Department / Superintendent Tim McConnell"

—

"Ten (10) Festival gate admission ticket(s), good any festival day"

Would you please:

1. Confirm that NOFD received a total of 10 tickets from Jazz Fest, at no cost,
Yes, I received these tickets on behalf of the NOFD at no cost.
2. Or please list the actual number of tickets your department received if it differs;
Additionally, the NOFD received six entry passes and eight parking passes that allowed staff to enter/exit and park on the Jazz Fest grounds.
3. Who from the Jazz Fest provided them and who at NOFD accepted them;
I received and signed for the tickets from a courier for the Jazz Fest. I do not know the individual's name.
4. Please provide the names of NOFD personnel who actually used said tickets and the purpose (official business/ working a Detail / personal, etc.)
The tickets were utilized by the NOFD's Chief's Aides, who are on-duty NOFD employees assigned to assist and drive me each day as part of their duties (official business). Those employees are Operator Stan Reed, Operator Norman Randall, Operator Kenneth Butler and Firefighter Cornell Meredith.

I personally utilized the entry and parking passes assigned to me. The NOFD Deputy Chief Division Heads and Deputy Superintendents utilized their passes to enter and park during the Jazz Fest as part of their official duties. They are Deputy Chief of Fire Prevention Paul DeGrange, Deputy Chief of Special Operations Joseph Wheeler, Deputy Superintendent of Planning Roman Nelson, Deputy Superintendent of Operations Robert Eiserloh and Deputy Superintendent of Administration Elbert Thomas.

I gave unused tickets, free of charge, to a woman in the community who is a member of one of the Mardi-Gras Indian organizations that performs at the Jazz Fest and who would not have otherwise been able to have family members attend.

5. Did the NOFD purchase any additional tickets
The NOFD did not purchase any additional tickets.

As a side note- I personally purchased three (3) "Gala Passes" from The New Orleans Jazz & Heritage Festival and Foundation Inc., which allow unlimited access and re-entry to the event each day. I also purchased eight additional tickets to the Jazz Fest for my personal use.

Please provide this information by 01/23.

Any questions, please call me.

Thank you



William A. Bonney
Deputy Inspector General for Investigations

O. [REDACTED]

nolaoig.gov



PART II. ETHICAL STANDARDS FOR PUBLIC SERVANTS

§1111. Payment from nonpublic sources

A.(1)(a) Payments for services to the governmental entity. No public servant shall receive anything of economic value, other than compensation and benefits from the governmental entity to which he is duly entitled, for the performance of the duties and responsibilities of his office or position.

(b) Any supplementary compensation or benefits provided to an employee of a public higher education institution, board, or system from funds or property accruing to the benefit of the institution, board, or system as approved by the appropriate policy or management board, through an alumni organization recognized by the management board of a college or university within the state or through a foundation organized by the alumni or other supportive individuals of a college or university within the state the charter of which specifically provides that the purpose of the foundation is to aid said college or university in a philanthropic manner shall be deemed for purposes of this Subsection as compensation and benefits from the government to which he is duly entitled.

(c) Any supplementary compensation or benefits provided to the director of the Louisiana State Museum as approved by the board of directors of the Louisiana State Museum through the board or a foundation organized to support any particular museum under the jurisdiction of the Louisiana State Museum whose charter specifically provides that the purpose of the foundation is to aid the museum in a philanthropic manner shall be deemed for purposes of this Subsection as compensation and benefits from the government to which he is duly entitled.

(2) Any supplementary compensation or benefits provided to the commissioner of higher education or to an employee of the Board of Regents from funds or property accruing to the benefit of the board as approved by appropriate policy through a foundation organized to support higher education, including the Board of Regents, the charter of which specifically provides that the purpose of the foundation is to aid higher education in a philanthropic manner shall be deemed for purposes of this Subsection as compensation and benefits from the government to which he is duly entitled.

(3) Any supplementary compensation or benefits provided to a member of the faculty, administration, or staff of the New Orleans Center for Creative Arts from funds or property accruing to the benefit of the center pursuant to the approval of the board of directors for use as provided in R.S. 17:1970.27 through a foundation organized to support the center which is chartered specifically to provide aid to the center in a philanthropic manner shall be deemed for purposes of this Subsection as a supplement to his compensation to which he is duly entitled. Such a supplement shall not, however, be considered as regular compensation from his governmental employer nor shall it form any basis for governmentally supported benefits.

(4) Up to five thousand dollars per year to be credited against qualified student loan debt that is provided to a former law student who is an attorney and a public employee through a bona fide Loan Repayment Assistance Program established as a qualified program under the federal Internal Revenue Code and administered by any law school using funds or property accruing to the benefit of the law school or from a foundation which is organized specifically to aid and support the programs of the law school and the charter

of which specifically provides that the purpose of the foundation is to aid the law school in a philanthropic manner shall be deemed for purposes of this Subsection as a supplement to his compensation to which he is duly entitled. However, such a supplement shall not be considered regular compensation from the governmental entity which employs him, nor shall it be the basis for governmentally supported benefits.

(5) Any compensation paid to any public school teacher or administrator, including kindergarten through the twelfth grade and postsecondary education instructional faculty and administrators, for proctoring and assisting a bona fide non-profit testing organization in the administration of standardized tests either for student evaluation or for use in admission to college or other educational programs shall be deemed for purposes of this Part as compensation from his governmental entity to which he is duly entitled. Such compensation shall not, however, be considered as regular compensation from his governmental entity nor shall it form any basis for governmentally supported benefits. Moreover, such services shall be deemed for purposes of this Part to be performed for the benefit of his governmental entity, although the time spent in such matters shall not be deemed as hours worked for his governmental entity.

B. Finder's fees. No public servant shall receive any thing of economic value from a person to whom the public servant has directed business of the governmental entity.

C. Payments for nonpublic service. (1) No public servant shall receive any thing of economic value for any service, the subject matter of which:

(a) Is devoted substantially to the responsibilities, programs, or operations of the agency of the public servant and in which the public servant has participated; or

(b) Draws substantially upon official data or ideas which have not become part of the body of public information.

(2) No public servant and no legal entity in which the public servant exercises control or owns an interest in excess of twenty-five percent, shall receive any thing of economic value for or in consideration of services rendered, or to be rendered, to or for any person during his public service unless such services are:

(a) Bona fide and actually performed by the public servant or by the entity;

(b) Not within the course of his official duties;

(c) Not prohibited by R.S. 42:1112 or by applicable laws or regulations governing nonpublic employment for such public servant; and

(d) Neither performed for nor compensated by any person from whom such public servant would be prohibited by R.S. 42:1115(A)(1) or (B) from receiving a gift.

(3)(a) Notwithstanding any other provision of the law to the contrary, and specifically the provisions of this Section, an employee of the office of the clerk of court may research public records, prepare chains of title, or perform any other title abstract related work, for compensation from nonpublic sources, with the approval of the clerk of court, provided such services are not performed during the employee's assigned working hours, and does not interfere with the performance of his assigned duties.

(b) No clerk of court shall receive any compensation or any portion of compensation received by any employee from nonpublic sources for the performance of any services related to the preparation of chains of title or any other title abstract related work approved by the clerk of court to be done by an employee during his nonworking hours.

(c) A willful violation of this Paragraph shall subject the clerk of court to a conviction of a misdemeanor and a fine of not less than five hundred dollars nor more than two thousand dollars.

(d) The clerk of court of each parish in conjunction with the parish governing authority shall promulgate rules and regulations for the use of its facilities, records, and equipment by all abstractors, including deputy clerks, regarding availability, costs, and procedures.

(4) Notwithstanding the provisions of Subparagraph (d) of Paragraph (2) of this Subsection, an elected official shall not be prohibited for a period of not more than ninety days following the first day of his initial term of office from receiving compensation from a person from whom he would be prohibited by R.S. 42:1115(A)(1) from receiving a gift for the completion while in office of any contract or subcontract which was entered into prior to his initial election to office, provided that such contract or subcontract is written and includes established terms for compensation and completion and that such contract or subcontract shall not be renewed after his initial election. Within thirty days of taking office, the elected official shall file a written notice of such contract or subcontract with his governmental entity and the Board of Ethics, setting forth the nature of the contract or subcontract, the established completion date, and the established compensation therefor.

D. Payments for future services. No public servant shall receive, directly or indirectly, any thing of economic value during the term of his public service in consideration of personal services to be rendered to or for any person subsequent to the term of such public service; however, a public servant may enter into a contract for prospective employment during the term of his public service unless otherwise prohibited by R.S. 42:1116.

E. Payments for rendering assistance to certain persons. (1) No public servant, and no legal entity of which such public servant is an officer, director, trustee, partner, or employee, or in which such public servant has a substantial economic interest, shall receive or agree to receive any thing of economic value for assisting a person in a transaction, or in an appearance in connection with a transaction, with the agency of such public servant.

(2)(a) No elected official of a governmental entity shall receive or agree to receive any thing of economic value for assisting a person in a transaction or in an appearance in connection with a transaction with the governmental entity or its officials or agencies, unless he files a sworn written statement with the board prior to or within ten days after initial assistance is rendered.

(b) For purposes of this Paragraph, "transaction" shall not include a ministerial transaction. "Ministerial transaction" means a transaction that involves routine, administrative communications intended to obtain service, information, or assistance from a public employee whose duties are established in plain and unmistakable terms by law, rule, or regulation.

(c) The contents of the sworn written statement required by this Subsection shall be prescribed by the board, and such statement shall be a public record.

(d) The board shall review all sworn statements filed in accordance with this Subsection. If the board determines that any such sworn statement is deficient or may suggest a possible violation of this Part, it shall, within ten days of the receipt of such statement, notify the elected official filing the statement of its findings. Such notification shall be deemed confidential and privileged and shall be made public only in connection with a public hearing by the board for an alleged violation of this Part where such would be relevant to the alleged violation for which the elected official is being investigated.

Acts 1979, No. 443, §1, eff. April 1, 1980; Acts 1983, No. 403, §1; Acts 1983, No. 697, §1; Acts 1986, No. 359, §1; Acts 1992, No. 1123, §1; Acts 1995, No. 74, §1, eff. June 12, 1995; Acts 2004, No. 722, §1; Acts 2006, No. 517, §1, eff. June 22, 2006; Acts 2006, No. 773, §1, eff. June 30, 2006; Acts 2008, No. 245, §1; Acts 2008, No. 690, §1; Acts 2010, No. 525, §4, eff. June 24, 2010; Acts 2014, No. 227, §1, eff. May 28, 2014; Acts 2015, No. 263, §2, eff. Jan. 12, 2016.

§1112. Participation in certain transactions involving the governmental entity

A. No public servant, except as provided in R.S. 42:1120, shall participate in a transaction in which he has a personal substantial economic interest of which he may be reasonably expected to know involving the governmental entity.

B. No public servant, except as provided in R.S. 42:1120, shall participate in a transaction involving the governmental entity in which, to his actual knowledge, any of the following persons has a substantial economic interest:

§1115. Gifts

A. No public servant shall solicit or accept, directly or indirectly, any thing of economic value as a gift or gratuity from any person or from any officer, director, agent, or employee of such person, if such public servant knows or reasonably should know that such person:

(1) Has or is seeking to obtain contractual or other business or financial relationships with the public servant's agency, or

(2) Is seeking, for compensation, to influence the passage or defeat of legislation by the public servant's agency.

B. No public employee shall solicit or accept, directly or indirectly, anything of economic value as a gift or gratuity from any person or from any officer, director, agent, or employee of such person, if such public employee knows or reasonably should know that such person:

(1) Conducts operations or activities which are regulated by the public employee's agency.

(2) Has substantial economic interests which may be substantially affected by the performance or nonperformance of the public employee's official duty.

Acts 1979, No. 443, §1, eff. April 1, 1980; Acts 1983, No. 403, §1; Acts 1987, No. 730, §1.

§1115.1. Limitation on food, drink, and refreshment

A. No person from whom a public servant is prohibited by R.S. 42:1111 or 1115(A) from receiving a thing of economic value shall give to such a public servant any food, drink, or refreshment the total value of which exceeds fifty dollars for a single event at which food, drink, or refreshment is given. The total value of the food, drink, or refreshment given to a public servant at any single event shall not exceed fifty dollars

§1153. Penalties

A. Upon a determination that any elected official or other person has violated any provision of any law within the jurisdiction of the Board of Ethics except violations of the Campaign Finance Disclosure Act which shall be governed by Chapter 11 of Title 18 of the Louisiana Revised Statutes of 1950, the Ethics Adjudicatory Board may censure the elected official or person, or impose a fine of not more than ten thousand dollars, or both.

B. Upon a determination that any public employee or other person has violated any provision of any law within the jurisdiction of the Board of Ethics except violations of the Campaign Finance Disclosure Act which shall be governed by Chapter 11 of Title 18 of the Louisiana Revised Statutes of 1950, the Ethics Adjudicatory Board may remove, suspend, or order a reduction in pay, or demotion of the public employee or other person, or impose a fine of not more than ten thousand dollars, or both.

Acts 1979, No. 443, §1, eff. April 1, 1980; Acts 1996, 1st Ex. Sess., No. 64, §6, eff. Jan. 1, 1997; Acts 1996, 1st Ex. Sess., No. 66, §3, eff. Jan. 1, 1997; Acts 2012, No. 608, §1, eff. June 7, 2012.

NOTE: *See Acts 2012, No. 608, §3, relative to the prospective application of Act.*

§1154. Civil penalties for illegal payments

When the results of an investigation conducted pursuant to this Part indicates that a violation of R.S. 42:1117 has occurred, and after an adjudicatory hearing on the matter, the Ethics Adjudicatory Board may order the payment of a penalty by any person who violates R.S. 42:1117. The penalty shall be limited to an amount not in excess of ten thousand dollars. Any appeal of such final decision by the Ethics Adjudicatory Board shall be to the Court of Appeal, First Circuit, pursuant to R.S. 42:1142.

Acts 1979, No. 443, §1, eff. April 1, 1980; Acts 1996, 1st Ex. Sess., No. 66, §§3, 5, eff. Jan. 1, 1997; Acts 2012, No. 608, §1, eff. June 7, 2012.

NOTE: *See Acts 2012, No. 608, §3, relative to the prospective application of Act.*

§1155. Penalties for illegal gain; forfeiture of gifts, payments

A. If an investigation conducted pursuant to this Part reveals that any public servant or other person has violated any law within the jurisdiction of the Board of Ethics to his economic advantage, and after an adjudicatory hearing on the matter, the Ethics Adjudicatory Board may order the payment of penalties. Recovery may include, in addition to an amount equal to such economic advantage, penalties not to exceed one half of the amount of the economic advantage. Any appeal of such final decision by the Ethics Adjudicatory Board shall be to the Court of Appeal, First Circuit, pursuant to R.S. 42:1142.

B. The Ethics Adjudicatory Board is authorized to order the forfeiture of any gifts or payments made in violation of this Chapter.

Acts 1979, No. 443, §1, eff. April 1, 1980; Acts 1996, 1st Ex. Sess., No. 64, §6, eff. Jan. 1, 1997; Acts 1996, 1st Ex. Sess., No. 66, §3, eff. Jan. 1, 1997; Acts 2012, No. 608, §1, eff. June 7, 2012.

NOTE: *See Acts 2012, No. 608, §3, relative to the prospective application of Act.*

LOUISIANA BOARD OF ETHICS

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DOCKET NO. 2014-188B

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**IN THE MATTER OF
MARK COCKERHAM**

CONSENT ORDER

The Louisiana Board of Ethics (the "Board"), pursuant to the authority contained in La. R.S. 42:1141, conducted a confidential investigation concerning Mark Cockerham:

1.

The Tikia Consulting Group, Inc. was organized under the laws of the state of Louisiana in May 1995.

2.

Rina Tikia owns 100% of the Tikia Consulting Group, Inc.

3.

In 2013, the Lafayette Parish School Board issued a Request for Proposals for an insurance consultant.

4.

The Tikia Consulting Group, Inc. submitted a bid to the Lafayette Parish School Board in response to the Request for Proposal.

5.

Subsequent to the Lafayette Parish School Board interviewing various insurance consultants, the Tikia Consulting Group, Inc., was awarded the contract by the Lafayette Parish School Board.

6.

On June 5, 2013, the Lafayette Parish School Board voted to select the Tikia Consulting Group, Inc., for a contract award for consulting services for management of self-funded group health plan.

7.

In September 2013, a consulting agreement between the Tikia Consulting Group, Inc., and the Lafayette Parish School Board was proposed, but not executed. The proposed consulting agreement stated that Tikia Consulting Group, Inc., was to provide independent advisory and consulting services to assist placement of the school board's employee healthcare benefit plan; with compensation set at a flat fee of \$200,000 or \$2.00 per employee per month plus \$.50 per script and additional compensation for ancillary coverage to be paid by commission, as well as \$10,000 for an on-site audit, and \$5,000 to assist in setting up an on-site clinic.

8.

Contract negotiations continued which resulted in the Tikia Consulting Group, Inc., being terminated as insurance consultant by the Lafayette Parish School Board on December 31, 2013.

9.

During the Tikia Consulting Group, Inc.'s, time as insurance consultant, Rina Tikia attended school board meetings, receives bids from insurance providers, evaluated the bids, and made recommendations to the Lafayette Parish School Board regarding such bids.

10.

During Tikia Consulting Group, Inc.'s, time as insurance consultant, Rina Tikia exchanged numerous electronic communications regarding the employee health plan with members of the school.

11.

Mark Cockerham has continuously served as a member of the Lafayette Parish School Board since April 3, 2007, until he resigned from the school board in October 2014.

12.

If called to testify, Rina Tikia would state that on or about August 9, 2013, Mark Cockerham sent Rina Tika a text message stating: "Hey this is mark, curious if u still have those saints tickets?" Rina Tikia responded: "So sorry! Gave them away last night since your weren't sure ab going. Will let you know about future games! Have a great weekend." Mark Cockerham responded: "No problem :)."

13.

If called to testify, Mark Cockerham would state that he has no recollection of the text message referenced above or any discussion with Rina Tikia concerning the purchase or other use of the tickets that were apparently referenced in the text messages.

14.

Subsequently, following a Lafayette Parish School Board meeting, during which Rina Tikia as Tikia Consulting Group, Inc., gave a presentation to the Lafayette Parish School Board, Rina Tikia gave Mark Cockerham two (2) admission tickets to the November 17, 2013 New Orleans Saints vs. San Francisco 49ers game, a face value of \$300 per ticket.

15.

If called to testify, Mark Cockerham would state that the tickets were contained in an envelope and that he was unaware of the contents of the envelope when it was given to him. He would further state that he believed the envelope contained documents related to the insurance program being proposed by Rina Tikia. He would further state that he attempted to return them to Ms. Tikia but she refused to accept them, and that he subsequently reported the incident to the Louisiana State Police ("LSP"), giving one of the tickets to an LSP investigator as part of the investigation and throwing the other one away.

16.

Mark Cockerham did not attend the Saints vs. 49ers game on November 17, 2013.

17.

La. R.S. 42:1115 provides with respect to prohibited gifts:

A. No public servant shall solicit or accept, directly or indirectly, any thing of economic value as a gift or gratuity from any person or from any officer, director, agent, or employee of such person, if such public servant knows or reasonably should know that such person:

(1) Has or is seeking to obtain contractual or other business or financial relationships with the public servant's agency.

18.

La. R.S. 42:1153 provides with respect to penalties:

B. Upon finding that any public employee or other person has violated any provision of any law within the jurisdiction of the board . . . , the board by a majority vote of the membership, may remove, suspend, or order a reduction in pay, or demotion of the public employee or other person, or impose a fine of not more than ten thousand dollars, or both.

La. R.S. 42:1155 provides with respect to penalties:

- A. If an investigation pursuant to R.S. 42:1141 reveals that any public servant or other person has violated any law within the jurisdiction of the board to his economic advantage, the board may order the payment of penalties. Recovery may include, in addition to an amount equal to such economic advantage, penalties not to exceed one half of the amount of the economic advantage. . .

19.

As evidenced by his signature below, Mark Cockerham knowingly and of his own free will (a) agrees that the violations are factually supported by stated facts herein; (b) agrees that he violated La. R.S. 42:1115; (c) acknowledges that upon his signature being affixed to this consent decree, this document will be available to the public as a public record; (d) agrees that this order and decree is final, waives his right of appeal or to otherwise seek a return of the payment of the penalty; and (e) agrees to pay the penalty assessed herein and otherwise to comply with any other term or condition in the following order and decree.

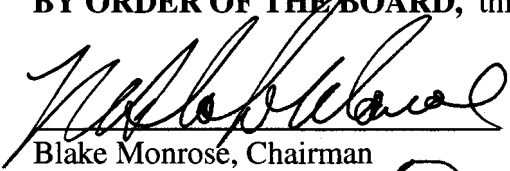
ORDER

FOR THE FOREGOING REASONS:


IT IS ORDERED that Mark Cockerham, in his capacity as a member of the Lafayette Parish School Board, violated **La. R.S. 42:1115** of the Code of Governmental Ethics by soliciting New Orleans Saints tickets from and receiving tickets to the New Orleans Saints vs. San Francisco 49ers November 17, 2013 game from Rina Tikia at a time when her wholly owned company, Tikia Consulting Group, Inc., had or was seeking to have a contractual and business relationship with the Lafayette Parish School Board.


IT IS FURTHER ORDERED that a civil penalty of \$1,000, payable to the Treasurer of the State of Louisiana, is hereby assessed upon Mark Cockerham and that in the event of a failure to pay, the Board may file suit to compel immediate payment of any balance due.

BY ORDER OF THE BOARD, this 15TH day of January, 2016.


Blake Monroe, Chairman

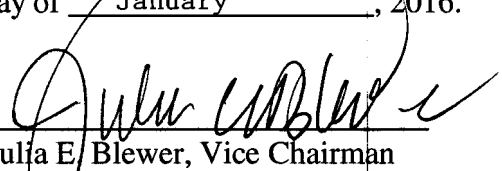

Charles Emile Bruneau Jr.


William J. Tarzeler, Jr.


Dr. Louis W. Leggio


Kay H. Michiels


Ashley K. Shelton


Julia E. Blewer, Vice Chairman


Jean M. Ingrassia


Very Rev. Jose I. Lavastida


Robert V. McAnelly


C. Wade Shaddock, Jr.

APPROVED AND AGREED AS TO FORM AND CONTENT:

BEFORE ME, the undersigned Notary Public, in the Parish of Lafayette, State of Louisiana, personally came and appeared Mark Cockerham, who executed this document in the presence of the undersigned competent witnesses, after a due reading of the whole, this 20th day of November, 2015.

WITNESSES:

Mandie Stelly
Printed Name: Mandie Stelly

Katie Champagne
Printed Name: Katie Champagne

By: [Signature]
Mark Cockerham

[Signature]

Notary Public

Printed Name: Jonathan V. Allen

Notary Public No. or Bar Roll No. 34136

Commission expires at death



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS
P. O. BOX 4368
BATON ROUGE, LA 70821
(225) 763-8777
FAX: (225) 763-8780
1-800-842-6630
www.ethics.state.la.us

July 2, 2008

Ronald J. Pursell
City Council Chief of Staff
City Hall, Suite 1E06
New Orleans, LA 70112

RE: Ethics Board Docket No. 2008-541

Dear Mr. Pursell:

The Louisiana Board of Ethics, at its June 26, 2008 Board meeting, considered your request for an advisory opinion concerning whether members of the New Orleans City Council (Council) may 1) accept suite tickets from a representative of the New Orleans Hornets basketball team to an NBA second round play-off game to be held in the New Orleans Arena, or 2) accept tickets to a sporting event from business entities other than those teams or organizations participating in the event, or 3) accept tickets to a sporting event where tickets are given to members by family and friends. You stated that the members of the Council have been offered tickets to an NBA New Orleans Hornets play-off game. You stated that the offer included admission to the game for up to 22 individuals at no cost to the Council members or their designated guest. Any concessions would be the responsibility of the individual attendees at full cost. Suite tickets to an NBA play-off game held at the New Orleans Arena cost over \$4,000. The proposed tickets to a sporting event from family members and friends are purchased by the family members at face value. The family members do not have business relationships or contracts with the Council. Some of the friends have come before the Council on zoning matters.

The Board concluded, and instructed me to advise you, that the Code of Governmental Ethics would prohibit the members of the Council from receiving tickets to sporting events from business entities or from a representative of the New Orleans Hornets. However, the Code would not prohibit members of the Council from receiving tickets to sporting events from family members or friends. Section 1111A prohibits a public servant from receiving compensation other than those to which he is duly entitled for the performance of his duties. Section 1115 of the Code prohibits a public servant from receiving, as a gift or gratuity, a thing of economic value from a person that has or is seeking to have a contractual, business or financial relationship with the public servant's agency. Section 1102(22) defines a thing

EB Docket No. 2008-541

July 2, 2008

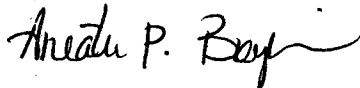
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of economic value as money or any other thing having economic value. Since the Council members would receive the tickets and attend the basketball game in their public capacity, and the tickets to the Hornet's game are things of economic value, receipt of the tickets by the Council members from business entities or a representative of the Hornets is prohibited. However, as long as there is no business or contractual relationship between the family members or friends and the Council, and the friends or family members pay the fair market value for the ticket, there appears to be no violation of the Ethics Code if a family member or friend gives a Council member a ticket to a sporting event.

The Board issues no opinion as to past conduct or laws other than the Code of Governmental Ethics. If you have any questions, please contact me at (225) 763-8777 or (800) 842-6630.

Sincerely,

LOUISIANA BOARD OF ETHICS



Aneatra P. Boykin

For the Board

§14. Donation, Loan, or Pledge of Public Credit

Section 14.(A) Prohibited Uses. Except as otherwise provided by this constitution, the funds, credit, property, or things of value of the state or of any political subdivision shall not be loaned, pledged, or donated to or for any person, association, or corporation, public or private. Except as otherwise provided in this Section, neither the state nor a political subdivision shall subscribe to or purchase the stock of a corporation or association or for any private enterprise.

(B) Authorized Uses. Nothing in this Section shall prevent (1) the use of public funds for programs of social welfare for the aid and support of the needy; (2) contributions of public funds to pension and insurance programs for the benefit of public employees; (3) the pledge of public funds, credit, property, or things of value for public purposes with respect to the issuance of bonds or other evidences of indebtedness to meet public obligations as provided by law; (4) the return of property, including mineral rights, to a former owner from whom the property had previously been expropriated, or purchased under threat of expropriation, when the legislature by law declares that the public and necessary purpose which originally supported the expropriation has ceased to exist and orders the return of the property to the former owner under such terms and conditions as specified by the legislature; (5) acquisition of stock by any institution of higher education in exchange for any intellectual property; (6) the donation of abandoned or blighted housing property by the governing authority of a municipality or a parish to a nonprofit organization which is recognized by the

Internal Revenue Service as a 501(c)(3) or 501(c)(4) nonprofit organization and which agrees to renovate and maintain such property until conveyance of the property by such organization; (7) the deduction of any tax, interest, penalty, or other charges forming the basis of tax liens on blighted property so that they may be subordinated and waived in favor of any purchaser who is not a member of the immediate family of the blighted property owner or which is not any entity in which the owner has a substantial economic interest, but only in connection with a property renovation plan approved by an administrative hearing officer appointed by the parish or municipal government where the property is located; (8) the deduction of past due taxes, interest, and penalties in favor of an owner of a blighted property, but only when the owner sells the property at less than the appraised value to facilitate the blighted property renovation plan approved by the parish or municipal government and only after the renovation is completed such deduction being canceled, null and void, and to no effect in the event ownership of the property in the future reverts back to the owner or any member of his immediate family; (9) the donation by the state of asphalt which has been removed from state roads and highways to the governing authority of the parish or municipality where the asphalt was removed, or if not needed by such governing authority, then to any other parish or municipal governing authority, but only pursuant to a cooperative endeavor agreement between the state and the governing authority receiving the donated property; (10) the investment in stocks of a portion of the Rockefeller Wildlife Refuge Trust and Protection Fund, created under the provisions of R.S. 56:797, and the Russell Sage or Marsh Island Refuge Fund, created under the provisions of R.S. 56:798, such portion not to exceed thirty-five percent of each fund; (11) the investment in stocks of a portion of the state-funded permanently endowed funds of a public or private college or university, not to exceed thirty-five percent of the public funds endowed; (12) the investment in equities of a portion of the Medicaid Trust Fund for the Elderly created under the provisions of R.S. 46:2691 et seq., such portion not to exceed thirty-five percent of the fund; or (13) the investment of public funds to capitalize a state infrastructure bank to be utilized solely for transportation projects.

(C) Cooperative Endeavors. For a public purpose, the state and its political subdivisions or political corporations may engage in cooperative endeavors with each other, with the United States or its agencies, or with any public or private association,

corporation, or individual.

(D) Prior Obligations. Funds, credit, property, or things of value of the state or of a political subdivision heretofore loaned, pledged, dedicated, or granted by prior state law or authorized to be loaned, pledged, dedicated, or granted by the prior laws and constitution of this state shall so remain for the full term as provided by the prior laws and constitution and for the full term as provided by any contract, unless the authorization is revoked by law enacted by two-thirds of the elected members of each house of the legislature prior to the vesting of any contractual rights pursuant to this Section.

(E) Surplus Property. Nothing in this Section shall prevent the donation or exchange of movable surplus property between or among political subdivisions whose functions include public safety.

Amended by Acts 1983, No. 729, §1, approved Oct. 22, 1983, eff. Nov. 23, 1983; Acts 1990, No. 1099, §1, approved Oct. 6, 1990, eff. Nov. 8, 1990; Acts 1995, No. 1320, §1, approved Oct. 21, 1995, eff. Nov. 23, 1995; Acts 1996, 1st Ex. Sess., No. 97, §1, approved Nov. 5, 1996, eff. Dec. 11, 1996; Acts 1998, No. 75, §1, approved Oct. 3, 1998, eff. Nov. 5, 1998; Acts 1999, No. 1395, §1, approved Oct. 23, 1999, eff. Nov. 25, 1999; Acts 1999, No. 1396, §1, approved Oct. 23, 1999, eff. Nov. 25, 1999; Acts 1999, No. 1402, §1, approved Nov. 20, 1999, eff. Dec. 27, 1999; Acts 2006, No. 856, §1, approved Sept. 30, 2006, eff. Oct. 31, 2006; Acts 2006, No. 857, §1, approved Sept. 30, 2006, eff. Oct. 31, 2006; Acts 2015, No. 471, §1, approved October 24, 2015, eff. November 26, 2015.