

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: February 17, 2022

CALENDAR NO. 33,637

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER MORENO

AN ORDINANCE to amend Article VII of Chapter 2 of the Code of the City of New Orleans (Code of Ethics) to amend and reordain Section 2-784 of the Code of the City of New Orleans and to ordain Sec. 2-785 and Sec. 2-786 of the Code of the City of New Orleans to prohibit a campaign contribution or other financial benefit from a utility provider or other entity that is regulated or contracted by the New Orleans City Council; and otherwise to provide with respect thereto.

WHEREAS, Section 9-402(2) of the Home Rule Charter sets forth that “[t]he City Council, upon recommendation from the Ethics Review Board, shall by ordinance establish ethical rules governing the conduct of City employees, elected officials, contractors, and other persons who are the recipients of public funds, who are engaged in the performance of a governmental function, or who are in a position to influence the conduct of City employees or officials”; and

WHEREAS, the Ethics Review Board, after holding public meetings on July 21, 2021 and August 9, 2021, unanimously adopted language provided in Appendix A in the subsection entitled *Vote on Motion Regarding Campaign Finance Reform* found on pages 3-5 regarding the prohibition on campaign contributions or other financial benefits as a text amendment to the City Code of Ethics that was proposed by the Greater New Orleans Interfaith Climate Coalition; and

WHEREAS, amending the City Code of Ethics Board to prohibit a campaign contribution or other financial benefit from either a utility provider regulated by the City Council or an entity contracted by the City Council to provide a professional service would establish accountability and promote the public interest goals set forth in Resolution R-21-268, approved by the City Council on

July 15, 2021, which affirm the importance of “public confidence in the Council’s role as the regulator of utilities operating in the City of New Orleans” and recognize that “political campaign contributions to Councilmembers or candidates by participants in the Council’s utility regulatory process imposes the specter of undue influence, creates negative perceptions, and/or undermines the public’s confidence in the Council’s impartiality” **NOW THEREFORE**

SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS, That Sec. 2-784 of the Code of the City of New Orleans is hereby amended and reordained to read as follows:

“DIVISION 3. Code of Ethics

Section 2-784. – Prohibited campaign contributions and financial benefits.

No Councilmember or candidate seeking the office of Councilmember shall accept or otherwise receive a campaign contribution or any other financial benefit of any value from:

- 1) Any entity that provides an electric or gas utility, cable, telecommunications or technology service regulated by the City Council;
- 2) Any political action committee, director or executive staff person of a corporation or entity regulated by the City Council as defined in 2-784(1);
- 3) Any person, firm or entity with a professional service contract awarded by the City Council;
- or
- 4) Any person, firm or entity with a professional service contract awarded by the New Orleans Sewerage and Water Board.”

SECTION 2. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS, That Sec. 2-785 and Sec. 2-786 of the Code of the City of New Orleans are hereby ordained to read as follows:

“Section 2-785. – Required disclosures.

No later than 30 days from the deadline of qualifying as a candidate seeking the office of

6 Councilmember, the candidate shall submit an affidavit to the Ethics Review Board and the City of
7 New Orleans Law Department that affirms or denies the following:

- 8 1) Acceptance of compensation or financial benefit of any value from an entity regulated by the
9 City Council or contracted to provide a service to the City Council in the previous five years;
10 and/or
- 11 2) Any time served on the board of a corporation or entity that is either regulated by the City
12 Council or contracted to provide a service to the City Council in the previous five years.

13 **Section 2-786. – Filing of complaints.**

- 14 (a) Any person may file a complaint concerning violations of this article with the ethics review
15 board or municipal court.
- 16 (b) Complaints concerning violations of this subdivision involving the mayor shall follow the
17 same procedure as for those involving a councilmember, as authorized under section 3-124
18 of the Charter, except that a majority vote of the elected membership of the council shall
19 be required to call a public hearing and to adopt a resolution of censure for violations under
20 this subdivision.”

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS _____

PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON _____

APPROVED:
DISAPPROVED: _____

MAYOR

RETURNED BY THE MAYOR ON _____ **AT** _____

CLERK OF COUNCIL

ROLL CALL VOTE:
YEAS:
NAYS:
ABSENT:
RECUSED: