

RESOLUTION

NO. R-21-268

CITY HALL: July 15, 2021


BY: COUNCILMEMBER MORENO

SECONDED BY:

WHEREAS, it is imperative that the New Orleans City Council institute best practices to instill public confidence in the Council's role as the regulator of public utilities operating within the City of New Orleans; and

WHEREAS, the regulatory function of the Council involves and impacts various participants within the regulatory system; and

WHEREAS, the ultimate goal of the Council is the best interest of utility ratepayers; and

WHEREAS, the Council has the authority to award certain professional services contracts, to engage in various RFP and RFQ processes, and to render decisions and rulings – all in connection with its regulatory functions; and

WHEREAS, 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; and

WHEREAS, the Council firmly intends that there be maximum public confidence in its utility regulatory process, which intent has been previously expressed by the Council in Resolutions R-06-404 (as amended), R-07-185, R-10-253, and R-16-132; and

WHEREAS, the Council believes that reaffirming previous prohibitions will emphasize to the public that this Council is dedicated to creating an environment where politics have no place in the utility regulatory responsibilities of the Council; and

WHEREAS, there is precedent for the Council to renounce campaign contributions as prior Councils approved Resolution 07-185 and Resolution 10-253, which banned accepting campaign contributions from ENPAC (Entergy's Political Action Committee) and/or persons or firms with professional services contracts related to the Council's regulatory authority over public utilities in New Orleans; **NOW THEREFORE**

BE IT RESOLVED, That Councilmembers shall not accept any campaign contributions from: 1) ENPAC; 2) any of the Council's Utility Advisors or any other consultant with a professional services contract to assist the Council in its regulation of public utilities; and 3) any

proposers or respondents to any RFQ or RFP, from the time the RFQ or RFP is issued by the Council in connection with its utility regulatory authority pursuant to Section 3-130 et seq. of the Home Rule Charter of the City of New Orleans until the conclusion of the RFQ or RFP process; or 4) any employees of Entergy, System Energy Resources, Inc (SERI), Entergy New Orleans.

BE IT FURTHER RESOVLED, That each Councilmember shall not accept campaign contributions from any person(s), firm(s), or entities with professional services contracts awarded by or pertaining to the Council of the City of New Orleans provided; however, contributions made before the passage of this resolution shall not disqualify any proposer or responder.

BE IT FURTHER RESOLVED, That qualified candidates for City Council are encouraged not to accept any campaign contributions from 1) ENPAC, 2) any of the Council's Utility Advisors with professional services contracts to assist the Council in its regulation of public utilities; and 3) any employees of Entergy, SERI, Entergy New Orleans.

BE IT FURTHER RESOLVED, That the Clerk of Council transmit certified copies of this resolution to all current Councilmembers and qualified candidates for all City Council seats in the October 9, 2021 Open Primary/Orleans Municipal Parochial Primary Election. The qualifying period for candidates is July 14-16, 2021.

THE FOREGOING RESOLUTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, THE RESULT WAS AS FOLLOWS:

YEAS:

NAYS:

ABSENT:

AND THE RESOLUTION WAS ADOPTED.