OFFICE OF INSPECTOR GENERAL
JEFFERSON PARISH

PUBLIC AUDIT REPORT

JEFFERSON PARISH COUNCIL ADVERTISING AND COMMUNICATIONS

2017 – 0042

ISSUED 7/14/2020

OFFICE OF INSPECTOR GENERAL
JEFFERSON PARISH

DAVID N. MCCLINTOCK
INSPECTOR GENERAL

Date: 7/14/2020

To: Citizens of Jefferson Parish

From: David McClintock, Inspector General

Re: Audit Report #2017-0042 – Council Advertising and Communications

The Jefferson Parish Office of Inspector General ("JPOIG") performed an audit on councilmember expenditures of public funds for printing services through Jefferson Parish's Central Printing Division and third party vendors.

The objectives of this report were:

- To assess whether councilmember printing expenditures for communications sent to constituents comply with state law;
- To determine if the expenditure of public funds by any of the councilmembers for printing services resulted in the alienation/gratuitous donation of funds; and
- Evaluate any existing Jefferson Parish ("Parish") controls that could prevent the improper expenditure of public funds regarding printing expenditures by public officials.

The results of the audit identified a lack of internal controls, namely written policies and procedures, governing Parish Council expenditures for printing and mailings resulting in questioned costs of $44,553.25 for printing/mailing expenditures.

The two (2) findings are enumerated in "Attachment A" and include specific elements directed to the Parish Council, and Administration.

The draft report dated 10/29/2019 was directed to the Parish President, all Councilmembers, and the Parish Attorney. The JPOIG did receive 1 written response to the audit report:

Recommendations	Response
Finding #1: Implement an internal written policy for printing/mailing expenditures to provide guidance on: 1. Internal and external payment processing. 2. Internal reviews and approval processes. 3. Adequate supporting documentation.	Councilmember Van Vrancken agreed.
Finding #2: Parish Council to maintain records validating the public purpose for printing and mailing expenditures	Councilmember Van Vrancken agreed.

Please see "Attachment M" for the full response.

On 03/16/2020 the JPOIG provided the draft report to two (2) non-parish recipients to allow a chance to respond. The JPOIG received no written responses to the audit report.

The JPOIG would like to thank the management and staff of the Administration and Jefferson Parish Council for their assistance and cooperation throughout this audit.

Sincerely,

David McClintock
Inspector General

JEFFERSON PARISH COUNCIL ADVERTISING AND COMMUNICATIONS
2017-0042

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EXECUTIVE SUMMARY

The Jefferson Parish Office of Inspector General ("JPOIG") has completed a report on Jefferson Parish Council Advertising and Communications. The review was initiated based, in part, on confidential information received. The JPOIG reviewed internal service printing expenditures, well as external vendor services.

Objectives
The JPOIG audit objectives were to:

- Assess whether councilmember printing expenditures for communications sent to constituents comply with state law;
- Determine if the expenditure of public funds by any of the councilmembers for printing services resulted in the alienation/gratuitous donation of funds; and
- Evaluate any existing Jefferson Parish ("Parish") controls that could prevent the improper expenditure of public funds regarding printing expenditures by public officials.

Results
The JPOIG reviewed Jefferson Parish Council printing expenditures and found 45 transactions of a questionable nature. In this instance, the audit revealed that public funds were used to purchase $24,017.50 of printing and mailing services without evidence of a valid public purpose from Jefferson Parish's Central Printing Division. Additionally, public funds were also used to purchase $20,535.75 of printing and mailing services without evidence of a valid public purpose from third-party vendors. The total questioned costs combined are $44,553.25. These facts are overlaid with a lack of adequate internal controls to prevent misuse of public funds, specifically the lack of a written policy and procedure to set limits on Jefferson Parish Council's payments made with public funds regarding printing and mailing.

Recommendations
The JPOIG issued two (2) findings:
1. Lack of Written Policies and Procedures; and
2. Questionable Expenditures.

Finding 1 addresses the lack of written policies and procedures governing Jefferson Parish Council's printing and mailing expenditures. Finding 2 addresses questionable transactions regarding Jefferson Parish Council printing and mailing expenditures.

The JPOIG findings and recommendations follow the report and are found in ***Attachment A.*** A summary of all identified, questioned, and avoidable costs noted is on the next page.

COST EXCEPTIONS					
Finding #	Description of Cost	Amount	Identified	Questioned	Avoidable
1	Lack of Written Policies and Procedures	$0	$0	$0	$0
2	Questionable Expenditures	$44,553.25	$0	$44,553.25	$0
Totals		**$44,553.25**	**$0**	**$44,553.25**	**$0**

All cost questioned categories reflect amounts noted during the JPOIG review. The categories are designed to support various tracking measures for cost exceptions and are defined as follows:

- Identified Amounts: are *unallowable* expenditures that are recoverable.[1]
- Questioned Costs: are *potentially allowable* expenditures that are questioned due to a lack of supporting documentation; a potential legal issue, or are considered unnecessary or unreasonable. Questioned costs may be curable.
- Avoidable Costs: are a *projection of costs over a three year period*, or other term based on existing agreements, if the issue is not modified or corrected.[2]

[1] These unallowable expenditures have been documented as being not supported by law, regulation, contract, grant, agreement, or other document. Identified costs are not curable. Identified amounts may be revenues either not collected, or improperly recorded in the books and records of the agency or department under audit.

[2] Avoidable costs are calculated based upon either identified or questioned costs. This metric reflects the potential three-year savings that could be realized through the recovery of identified costs and/or the discovery of questioned costs that should have been denied.

OFFICE OF INSPECTOR GENERAL
JEFFERSON PARISH

DAVID N. MCCLINTOCK
INSPECTOR GENERAL

Date of Report: 07/14/2020	**PUBLIC AUDIT REPORT**	**Case:** 2017-0042
Period of Audit: 01/01/2015 – 07/31/2018	**Report By:** JPOIG Staff	**Status:** Public
Subject of Audit Council Printing Services		

INTRODUCTION

Pursuant to the Jefferson Parish Code of Ordinances ("JPCO") §2-155.10(11)(a), the Jefferson Parish Office of Inspector General ("JPOIG") initiated an audit on councilmember expenditures of public funds for printing services through Jefferson Parish's Central Printing Division and third party vendors. The JPOIG conducted the audit based, in part, upon confidential information received.

Acronyms

The report utilizes the following acronyms:

JPOIG	Jefferson Parish Office of Inspector General	**Parish**	Jefferson Parish
MPress	MPress New Orleans	**PAO**	Parish Attorney's Office
Central Printing	Jefferson Parish Internal Service Fund within General Services Department	**General Services**	General Services Department

OBJECTIVES

The JPOIG audit objectives were:

- To assess whether councilmember printing expenditures for communications sent to constituents comply with state law;
- To determine if the expenditure of public funds by any of the councilmembers for printing services resulted in the alienation/gratuitous donation of funds; and

- Evaluate any existing Jefferson Parish ("Parish") controls that could prevent the improper expenditure of public funds regarding printing expenditures by public officials.

SCOPE AND METHODOLGY

To accomplish these objectives, the JPOIG performed the following analyses:

- Parish's accounting system expenditure reports for each council district during the audit period to extract printing expenditures made to third party vendors and inter-fund transfers made to the Central Printing Division;
- Billed sales reports, invoices, and job proofs from third party vendors paid for printing services;
- Invoices and job proofs from the Parish's Central Printing Division;
- A memorandums to the Council dated 12/31/2017 from the PAO;
- An interview with a third-party vendor; and
- An interview with a Parish councilmember.

The audit period is 01/01/2015-07/31/2018. The scope of the audit focused on the expenditure of public funds to third party vendors for printing and mailing services involving mass communications to constituents and proper usage of the Parish's Central Printing Division by councilmembers for printing and mass communications services.

Standards

The JPOIG Auditor conducted its audit in accordance with the International Professional Practices Framework (IPPF), promulgated by the Institute of Internal Auditors (IIA) These standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

BACKGROUND

Central Printing Division

The Central Printing Division ("Central Printing") is an internal service fund within Jefferson Parish's General Services Department. Mr. Anthony L. Francis, Jr. is the director of the General Services Department ("General Services"), which is comprised of 4 divisions including Central Printing. The functions of Central Printing are to provide a centralized operation for printing and copier needs for all Parish departments and to continue to increase volume, thus lowering the "cost per copy."

Third Party Vendors

MPress New Orleans ("MPress")

MPress New Orleans is a third party vendor that provides printing services to its clients. MPress offers printing services such as stationery, envelopes, announcements, direct mail, marketing materials, etc.

Pel Hughes

Pel Hughes is a third party vendor located in New Orleans. The company offers services such as print communications, direct mail, campaign management, campaign automation, etc.

Parish Attorney's Office Memorandum

The previous Parish Attorney, Michael J. Power, sent a memorandum dated 12/13/2017 to the Parish Administration and each councilmember's aide informing them that his office's research indicated that statutory law, jurisprudence, and prior interpretations by the Louisiana Attorney General's Office prohibit the use of public funds to send Christmas cards to constituents. The Parish Attorney's Office ("PAO") then concluded that there is no clear and identifiable purpose achieved by purchasing and mailing Christmas cards to the public. Therefore, the expenditure of public funds to purchase and mail Christmas cards to the public would violate Article VII, § 14 of the Louisiana Constitution.[1]

New Council Procurement Policy

In a previous response to the JPOIG report numbered 2016-0028, "Sonny Randon Photography," the Council passed Resolution No. 132058 on 08/29/2018 adopting the Parish's Purchasing Manual for the purchase of goods and services. Through that resolution, the Council reserved the right to decide whether alterations or additions may be made to the Council's processes beyond the current provisions of that manual.[2]

The JPOIG notes that all transactions reviewed during the audit period were processed prior to the adoption of the Parish's Purchasing Manual. However, the nature of the transactions audited and the laws governing their proper expenditure may warrant the need for additional review and additional control processes to ensure compliance from the Council perspective.

DATA ANALYSIS

Jefferson Parish Council is the legislative body of the Parish. The council consists of 7 elected officials with 2 councilmembers at large and 5 district councilmembers. The council collectively levies taxes, special assessments, service charges, and license fees. In order to fulfill their duties, the councilmembers procure necessary materials and services to operate their respective offices through the expenditure of public funds. This audit focuses on the expenditure of public funds involving printing services and whether the purpose of the expenditures were appropriate according to state law.

The audit testing and analysis included the following areas of review:

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[1] Attachment B, *Parish Attorney's Office Memorandums,* p. 1.

[2] Attachment G, *Resolution No. 132058*.

1. Councilmember Printing and Mailing – A review of legal authority concerning printing and mailing expenditures relevant to the Parish Council's process for performing or obtaining such services.
2. Printing and Mailing Expenses – An analysis of printing and mailing services paid with public funds by councilmembers during 01/01/2015-07/31/2018.
3. Written Policies and Procedures – Review and analyze written policies and procedures governing related vendor payments and inter-fund transfers.
4. JPOIG Request for Validation – A review of responses and records given by Parish councilmembers to the JPOIG to validate questionable printing and mailing expenditures.

Councilmember Printing and Mailing

Parish councilmembers utilize third party vendors to provide services that Parish departments cannot provide.[3] One such service is mass printing of certain types of documents and mailing services of those documents to Parish citizens. The purpose of these services can be for various reasons, such as remitting a message to the citizens about the accomplishments of their office's work, information on how citizens may contact them to request services, or to wish citizens a happy holiday.

The processes and controls for printing expenditures are those that are in place for the procurement of goods in general. The Parish's purchasing oversight for printing is established by and through the Parish Purchasing Manual, which is maintained by the Purchasing Department. Although the Parish Council did not formally adopt the Purchasing Manual until 08/29/2018, this review did not reveal any instances where existing policies were circumvented. Rather, it was determined that policy and controls did not, and do not, address the nuances of printing expenditures by elected officials, where it is not the printing process itself, but the message conveyed that tip the scales of propriety.

Understanding the uniqueness of the assessment, the auditor inquired with the PAO to determine if any process exists for a PAO legal review and approval of councilmember printing expenditures before the funds are spent. The PAO confirmed that a formalized process does not exist.

The JPOIG reviewed the legal authority regarding allowable expenditures of public funds for mass printing and mailing services. The JPOIG found the following relevant laws:

- La. Const. art. VII, § 14, *Donation, Loan, or Pledge of Public Credit;*
- La. Const. art. XI, § 4, *Prohibited Use of Public Funds*;
- La. R.S. 18:1465, *Prohibited Use of Public Funds*; and
- La. R.S. 43:111.1, *Advertisements paid for with public funds, restrictions.*

Considering the aforementioned state constitution articles and laws, public funds cannot be used in whole, or in part, to pay for advertisements containing the name of a public official.[4] Additionally, public funds cannot be spent to urge any elector to vote for or against any

[3] Attachment J, *Examples of Third Party Vendor Invoices & Job Proofs*.
[4] Attachment F, *Louisiana Revised Statute 43:111.1*.

candidate or proposition, or appropriated to a candidate or political organization.[5] However, exceptions to the law are found in instances where public funds may be spent for advertisements or notices authorized by law, advertisements placed by a public agency or body authorized by law to advertise, or for dissemination of factual information relative to a proposition on an election ballot. Any public funds expended contrary to what is allowed is viewed as a gratuitous donation/alienation of public funds.[6] Furthermore, the JPOIG reviewed AG Opinion 06-0119A and AG Opinion 10-0021 for examples of legal applications of the above laws.[7]

As a result, the JPOIG believes the purchasing controls relative to the Parish Council should specifically address and consider the message in addition to the actual printing cost to prevent unauthorized expenditures. As stated previously, the PAO called attention to these types of disbursements through a memorandum on 12/13/2017 declaring that, "Since there is no clear and identifiable public purpose to be achieved by purchasing and mailing Christmas or Seasons Greetings cards to the public, the expenditure of public funds to do so would violate the statute and the provisions of Art. VII, Sec. 14 of the Louisiana Constitution prohibiting the donation of public funds without a legitimate and recognizable public purpose."[8] An example of an effective control could be implemented in the form of an internal policy or "bright-line" rule prohibiting such transactions.[9]

The following is an example of a bright-line rule:

"Public funds should not be used for mass printing and mailing services that meet either of the below conditions:

- Advertisements or notices not required or authorized by law to be published; OR
- Advertisements or notices within 6 months of an upcoming election that are not solely containing factual information relative to a proposition appearing on an election ballot."[10]

Printing and Mailing Expenses

Central Printing Division

Central Printing provides an internal centralized operation for printing and copier needs for all Parish departments. Parish departments can request various services such as the printing of business cards, photocopies, binding, etc. The JPOIG requested proofs, invoices, and budgetary and accounting reports for 01/01/2015 – 07/31/2018.[11] The documents contained purchasing

[5] Attachment D, *Louisiana Constitution Article XI, § 4.*
[6] Attachment C, *Louisiana Constitution Article VII, § 14.*
[7] Attachment H, *Attorney General Opinions.*
[8] Attachment B, *Parish Attorney's Office Memorandums*, p. 1.
[9] A bright-line rule is a clearly defined rule or standard, composed of objective factors, which leaves little or no room for varying interpretation. The purpose is to produce predictable and consistent results in its applications.
[10] The JPOIG provides this rule only as an example. It is up to management to decide what action to take in order to prevent the risk.
[11] JPOIG requested invoices and job proofs from the Central Printing Division for internally generated printing jobs requested by councilmembers. Additionally, JPOIG requested accounting system reports from the Accounting Department for each councilmember regarding charges and supporting documentation recorded to expenditure account numbers ending in 7550 and 7551. Account numbers ending in 7550 represent payments made from Parish

information such as the invoice date, invoice number, job description, funding source, and printing expenses.[12]

Upon review of the documentation received from Central Printing Division, the JPOIG noted the following job proofs as potentially unallowable printing expenditures by councilmembers based upon the legal restrictions and guidance noted previously:

1. Congratulatory cards;
2. Congratulatory inserts;
3. Happy Birthday cards;
4. Happy Birthday note cards; and
5. Sympathy cards.[13]

The possibility of whether the printing expenditures are allowable or unallowable depend upon to whom the printed materials are sent, what accompanies the documents, and the timeframe in which they are sent (i.e. during an election year). For example, a congratulatory card sent to a new property owner with a councilmember's name and logo by itself may violate state law since it is a mailing that is not authorized by law and provides self-promotion. However, a congratulatory card sent to a new property owner *accompanied by* an insert listing departmental telephone numbers for the citizen to contact and request services may not violate state law. Thus, assuring that the subject printing expenditures are allowable require policy and procedure that assesses the message content and provides guidance on the related circumstances that provide more accurate context for assessment.

Without a Parish policy in place enforcing proper controls for tracking such mass printing and mailing activity, the JPOIG is unable to determine specifically which expenditures are fully prohibited or fully allowed based upon Parish records. Consequently, the JPOIG determined $24,017.50 in printing expenditures as questioned costs as the Parish's current controls do not address the issues necessary for a proper determination. See Table 1 below.[14]

Table 1 **Central Printing Questioned Expenditures**

Name	# of Expenditures	Amount
Council-at-Large, Div. A	24	$21,021.00
District 3	9	$2,996.50
Total	**33**	**$24,017.50**

Third Party Vendors

The Parish Administration and Parish Council utilize third party vendors when a need for a service or product arises which cannot be obtained internally. After reviewing the budget and

Departments to third parties for printing services. Account numbers ending in 7551 represent payments made from Parish Departments to General Services Department's Central Printing Division.

[12] Attachment I, *Examples of Central Printing Division Invoices & Job Proofs*.

[13] Attachment K, *Summary Table of Noted Print Jobs*.

[14] Some invoices by third party vendors resulted in more than one charge to a Parish account. The occurrence is the result of Parish accounts designated for specific uses. In some cases, a charge on the account was for the type of documents purchased and another charge to a different account was for postage and mailing of the documents.

accounting entries, the JPOIG was able to identify two third party vendors, Mpress and Pel Hughes, who were paid by 3 councilmembers for their printing and mailing services. The JPOIG obtained copies of invoices, job descriptions, and job proofs for the services requested from the third party vendors.[15] The JPOIG applied the state laws restricting expenditure of public funds for mass mailing and printing services by councilmembers.

The JPOIG noted the following job proofs as potentially unallowable printing expenditures by councilmembers based upon the legal restrictions and guidance noted previously:

1. Christmas Postcards;
2. Postcards;
3. Newsletters;
4. Mailing Services;
5. Print and Mail; and
6. Postage fees for the above job descriptions.[16]

As stated previously, the possibility of whether the printing expenditures are allowable or unallowable depends upon the recipient of the documents, what accompanies the documents, and the timeframe in which they are sent during an election year. Without a Parish policy in place enforcing proper controls for tracking such mass printing and mailing activity, the JPOIG is unable to determine specifically which expenditures are fully allowable based upon Parish records. Consequently, all of the noted expenditures are considered questioned costs. See Table 2 below.

Table 2 **Third Party Vendor Questioned Expenditures**

Name	# of Expenditures	Amount
Council-at-Large, Div. A	0	$0.00
District 3	12	$20,535.75
Total	**12**	**$20,535.75**

Written Policies and Procedures

The JPOIG requested from the Parish Council a written policy pertaining to payment processing by councilmembers. In response, the JPOIG was informed that the Parish Council adopted the Parish's Purchasing Manual via Resolution No. 132058 and abides by the policies and procedures of the Parish's Purchasing Manual.[17] However, as noted above the Parish procurement policies, while certainly providing valuable controls, do not provide controls that support the tests required for a complete assessment.

Per the audit testing results, councilmembers vary in their usage of Central Printing Division and third party vendors for mass printing and mailing services containing possible unallowable printing expenditures. 3 of the 7 councilmembers spend public funds on congratulatory cards, birthday cards, Christmas cards, etc. Of those 3 councilmembers, 1 councilmember's questionable print jobs were purchased through the Parish's internal printing service, Central Printing Division. The other 2 councilmembers' questionable print jobs were through the

[15] Attachment J, *Examples of Third Party Vendor Invoices & Job Proofs*.
[16] Attachment K, *Summary Table of Noted Print Jobs*.
[17] Attachment G, *Resolution No. 132058*.

Central Printing Division and third party vendors. The average expenditure with the third party vendors per print job is greater than the average expenditure per print job with Central Printing Division despite similarities in requesting different types of cards. The disparity in the usage illustrates a lack of uniformity in public funds spent by councilmembers for the same type of service. See Table 3 below

Table 3 Name	Average Cost per Questioned Charge with Central Printing Division	Average Cost per Questioned Charge with Third Party Vendors
Council-at-Large, Div. A	$875.88	N/A
District 3	$332.95	$1,711.31

JPOIG Request for Validation

The possibility of whether the questionable printing expenditures are allowable or prohibited depends upon numerous circumstances such as the recipient of the documents, what accompanies the documents, and when the documents were mailed during an election year. Without a policy and procedure in place regarding mass printing and mailing services, Parish councilmembers may or may not have records for the JPOIG to review providing the needed details or evidence proving their due diligence in assuring their printing expenditures are allowable.

On 08/02/2019, the JPOIG reached out to each councilmember with questionable printing expenditures requesting additional information and any records available for each questioned printing expenditure. The following are the results.

Council-at-Large, Division A (Councilman Chris Roberts)

As of 08/02/2019, Councilman Chris Roberts was no longer in office. As a result, the JPOIG emailed the current interim councilmember serving in his spot, Councilman Keith Conley, requesting additional information and records regarding questionable printing expenditures that Councilman Chris Roberts may have left behind. The Councilman Keith Conley's office responded that they did not any specific details regarding the questionable printing expenditures. A list of recipients was not maintained for the printed mailings that were sent throughout the years. In addition, the office informed the JPOIG that the only person known to review and approve the documents prior to mailing was Councilman Chris Roberts. The only records found and submitted to the JPOIG were various templates of letters and cards printed for mailings.

Without any needed additional information or records, the JPOIG was not able to validate whether any of the questionable printing expenditures by Councilman Chris Roberts are allowable. Hence, Councilman Chris Roberts' questioned costs remain at a total of $21,021.

District 3 (Councilman Mark D. Spears, Jr.)

The only response received by Councilman Mark Spears in regards for more information and records regarding questionable printing expenditures was, "To my knowledge, we have no records of what we sent in the past. Anything we mailed out was associated with my duties as a Councilman and was sent to constituents in my Council District."

The JPOIG reviewed a PAO memorandum dated 12/22/2017. The memorandum was of correspondence between Mark Spears and the PAO copied to all Parish councilmembers. The topic was if there was a clear and identifiable public purpose for the use of public funds to mail birthday cards to constituents. The PAO opined that he does not believe so. The PAO then added that "… it is my understanding that birthday cards are not being sent to constituents but to Parish employees as a way of fostering better working relations with them. Whether that is a legitimate public purpose is a more difficult question for which I have no absolute answer."[18]

Since no additional information or records were submitted, the JPOIG was not able to validate whether any of the questionable printing expenditures by Councilman Mark Spears are allowable. As a result, Councilman Mark Spears' questioned costs remain at a total of $23,532.25.

District 5 (Councilwoman Jennifer Van Vrancken)

After emailing the councilmember's office, the councilmember invited the JPOIG to a meeting regarding the office's printing expenditures. At the meeting, Councilwoman Jennifer Van Vrancken explained that District 5's staff does follow a procedure to assure that printing expenditures are allowable under state law. After viewing a presentation prepared by Council District 5, it was evident that efforts were taken to assure each printing expenditure was allowable.[19]

Council District 5 staff also demonstrated that prior to the initiation of the JPOIG's audit an internal decision was made to reimburse the Parish Central Printing Division for costs associated with the acquisition and mailing of approximately 508 birthday cards to constituents until such time as more complete guidance could be obtained.[20]

Further, it was learned that prior to conducting mailings, District 5's staff used the previous memorandums sent by the Parish Attorney to councilmembers discussing the expenditure of public funds for mailings as guidance. In a memorandum dated 12/15/2017, the PAO concluded, "If not expressly authorized by law to do so, then public funds should not be used."[21] He then states in a following memorandum:

> Paraphrasing AG Opinion No.10-0021 the general rule may be stated as prohibiting the mailings unless the information disseminated furthers the public official's functions and duties of his/her office. That determination must be made on a case-by-case basis after examining certain factors including:
>
> 1. The duties and functions of the political office
> 2. The content of the publication
> 3. Frequency and timing of the publication
> 4. Placement and size of the name of the public official

[18] Attachment B, *Parish Attorney's Office Memorandums*, p. 5-6
[19] Attachment L, *Councilwoman Jennifer Van Vrancken's Presentation*.
[20] Reimbursement via personal check for $411.68 related to Central Printing Division Invoice No. 0411-01.
[21] Attachment B, *Parish Attorney's Office Memorandums*, p. 2.

5. Whether all the facts taken together have the effect of furthering the official's functions and duties.

Thus the final test is fact-driven and must rely on the public official's justification for the mailing. If a clear public purpose can be demonstrated which is in furtherance of the official's functions and duties, then public funds may be used."

Additionally, Council District 5 engaged in the following efforts:

1. Requested guidance from the Parish Attorney's Office on specific mailings to validate expenditure of public funds; and
2. Maintained documents in support of each mailing consisting of a list of recipients and proofs of the mailings.

Relative to the documents presented and submitted by District 5, the JPOIG found the due diligence by Councilwoman Jennifer Van Vrancken's office to be more than satisfactory.

CONCLUSION

The JPOIG determined that overall, the current controls over public funds spent for printing expenditures are insufficient. Possible corrective measures include:

1. Action by the Parish Council to develop written policy that provides parameters for Councilmember printing expenditures funded by public money.
2. The Department of Purchasing revisiting and adjusting the approval process concerning Parish Council printing payment authorizations, which may include an assessment by the Parish Attorney.
3. A process for individual councilmembers to request a specific review by the Parish Attorney of any printed material proofs and mailer contents to assess compliance with existing legal standards and guidance.

The lack of a written policy and the lack of effective controls to flag inappropriate payments resulted in questioned costs totaling $44,553.25. See Table 4 below. The JPOIG's review brought to light possibilities of legal violations under state law as the questioned costs may be considered gratuitous donations/alienation of funds.

Table 4 Name	Total Questioned Costs
Council-at-Large, Div. A	$21,021.00
District 3	$23,532.25
Total	**$44,553.25**

The JPOIG has included 2 findings and recommendations that should serve to remedy non-compliant practices and serve to strengthen the operational controls over payment processing of public funds by councilmembers. Please refer to Attachment A for further detail.

Attachment A

Findings and Recommendations

FINDINGS AND OBSERVATIONS

An observation is the result of looking at a process or procedure being performed by others and is typically founded upon a specific time, or period, during which the observations takes place.

A finding indicates a material or significant weakness in controls or compliance that was not detected or corrected by an entity in the normal course of performing its duties. Findings can be any one or the combination of the following: (1) significant deficiencies in internal controls; (2) fraud and illegal acts; (3) violations of contracts and grant agreements; (4) waste; or (5) abuse.

Finding #1 – Lack of Written Policies and Procedures

Condition:

The Parish Council has not implemented a written policy to govern Parish Council expenditures for printing and mailings.

Criteria:

PAO memorandum dated 12/15/2017 states:

> Paraphrasing AG Opinion No.10-0021 the general rule may be stated as prohibiting the mailings unless the information disseminated furthers the public official's functions and duties of his/her office. That determination must be made on a case-by-case basis after examining certain factors including:
>
> 1. The duties and functions of the political office
> 2. The content of the publication
> 3. Frequency and timing of the publication
> 4. Placement and size of the name of the public official
> 5. Whether all the facts taken together have the effect of furthering the official's functions and duties. [1]

The "Standards for Internal Control in the Federal Government" (the "Green Book") was published by the Comptroller General of the United States to provide an overall framework for establishing and maintaining an effective internal control system. These standards are effective for the Federal Government as of 01/01/2016, and its adoption is encouraged at the state, local, and non-profit agency level. According to the Green Book, Principle 1, 1.01, "The oversight body and management should demonstrate a commitment to integrity and ethical values. The following attributes contribute to the design, implementation, and operating effectiveness of this principle: Tone at the Top; Standards of Conduct; Adherence to Standards of Conduct."

Cause:

Although Parish Council adopted the Parish's Purchasing Manual via Resolution No. 132058 on 08/29/2018, and abides by the policies and procedures of the Parish's Purchasing Manual, the Parish Council has not implemented a written policy governing the review and approval of payments made with public funds for printing and mailing expenditures.[2]

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[1] Attachment B, *Parish Attorney's Office Memorandums*, p. 3-4.

[2] Attachment G, *Resolution No. 132058*.

Exposure:
Public funds spent by councilmembers on certain services and materials whether by Central Printing Division or a third party lack uniformity, specifically with respect to review and approval of all transactions. The lack of a written policy increases the risk that funds may be spent inappropriately resulting in a gratuitous donation of public funds.

Recommendation to Administration and Parish Council:
The JPOIG recommends that Parish Council implement an internal written policy for printing/mailing expenditures that provides guidance which includes any or all of the following:

1. Procedures for processing vendor payments and internal service work orders for goods and services that meet the qualifications of a valid public expenditure.
2. Internal reviews and approval processes within the Council's office staff, Department of Purchasing, and the Parish Attorney's Office, if applicable.
3. A requirement for adequate supporting documentation that validates the public purpose of the expenditure.

Finding #2 – Questionable Expenditures

Condition:
A review of Parish Council expenditures recorded to the Parish's accounting system revealed that Parish accounts were charged with 45 transactions of a questionable nature. The transactions are summarized as follows:

Table 4 Name	Total Questioned Costs
Council-at-Large, Div. A	$21,021.00
District 3	$23,532.25
Total	**$44,553.25**

Criteria:
Louisiana Revised Statute 43:111.1 states, "No public funds shall be used in whole or in part for the payment of the cost of any advertisement containing therein the name of any public official whether elected or appointed; provided, however, that the provisions of this section shall in no case be construed to apply to advertisements or notices required or authorized by law to be published or to any advertisements placed by any public agency or body authorized by law to advertise in the furtherance of its functions and duties."[3]

Further, the PAO memorandum dated 12/13/2017 states, "Since there is no clear and identifiable public purpose to be achieved by purchasing and mailing Christmas or Seasons Greetings cards to the public, the expenditure of public funds to do so would violate the statute and the provisions of Art. VII, Sec. 14 of the Louisiana Constitution prohibiting the donation of public funds without a legitimate and recognizable public purpose."[4]

[3] Attachment F, *Louisiana Revised Statute 43:111.1*.
[4] Attachment B, *Parish Attorney's Office Memorandums*, p. 1.

Cause:
The Parish Council has not implemented adequate internal controls to prevent the misuse of public funds.

Exposure:
Lack of controls over Parish Council payments have resulted in questioned printing/mailing costs totaling $44,553.25. The operational nature of the Council offices and the fact that councilmembers are elected officials elevates the risk that payments made from these sources may be considered inappropriate.

Recommendation to Parish Council:
The JPOIG recommends that Parish Council follow the recommendation from Finding #1 and maintain records validating the public purpose for any expenditures with public funds regarding printing and mailing.

Attachment B

Parish Attorney's Office Memorandums

Memorandum

To: **Hon. Christopher L. Roberts, Council Chairman**
Hon. Cynthia Lee-Sheng, Councilwoman At Large, Div. B
Hon. Ricky J. Templet, Councilman, District 1
Hon. Paul D. Johnston, Councilman, District 2
Hon. Mark D. Spears, Jr., Councilman, District 3
Hon. Dominick F. Impastato, III, Councilman, District 4
Hon. Jennifer Van Vrancken, Councilwoman, District 5

From: Michael J. Power, Parish Attorney _____

Date: December 13, 2017

Re: Opinion/Christmas Cards & Public Funds

Councilman Roberts has requested a legal opinion from my office in regard to the propriety of councilmembers' use of public funds to send Christmas cards to their constituents. Our research indicates that such use of public funds is prohibited by statutory law, jurisprudence, and prior interpretation thereof by the Attorney General's Office for the following reasons.

Louisiana Revised Statute 43:111.1 provides in part that no public funds shall be used in whole or in part for the payment of the cost of any advertisement containing the name of any public official. There are a number of AG opinions which all generally agree that the information being published or transmitted must further the public official's functions and duties. If the public official is not expressly required or authorized by law to provide notice or information to the public, then public funds may not be used to do so. In support of this proposition the AG's office has opined that there is a clear distinction between "public information" and "public relations".

Since there is no clear and identifiable public purpose to be achieved by purchasing and mailing Christmas or Seasons Greetings cards to the public, the expenditure of public funds to do so would violate the statute and the provisions of Art. VII, Sec. 14 of the Louisiana Constitution prohibiting the donation of public funds without a legitimate and recognizable public purpose.

cc: Hon. Michael S. Yenni, Parish President
Mr. Keith Conley, COO
Ms. Natalie Newton, Deputy COO
Mr. Deano Bonano, Councilmanic Aide
Mr. Brett Lawson, Councilmanic Aide
Mr. Greg Giangrosso, Councilmanic Aide
Mr. Steven Lachute, Councilmanic Aide
Mr. Terry Talamo, Councilmanic Aide
Mr. Bryan St. Cyr, Councilmanic Aide
Mr. Casey Jumpiere, Councilmanic Aide
Mr. Michael Quigley, Councilmanic Aide
Mr. Jason Ural, Councilmanic Aide
Mr. Jeffrey Simno, Councilmanic Aide

Memorandum

To: **Hon. Christopher L. Roberts, Council Chairman**
Hon. Cynthia Lee-Sheng, Councilwoman At Large, Div. B
Hon. Ricky J. Templet, Councilman, District 1
Hon. Paul D. Johnston, Councilman, District 2
Hon. Mark D. Spears, Jr., Councilman, District 3
Hon. Dominick F. Impastato, III, Councilman, District 4
Hon. Jennifer Van Vrancken, Councilwoman, District 5

From: Michael J. Power, Parish Attorney _____

Date: December 15, 2017

Re: Opinion/Greeting Cards & Public Funds

As a follow-up to the opinion issued yesterday in regard to Christmas cards, I have received a request by another member of the Council to address the propriety of councilmembers' use of public funds to send other forms of greeting cards such as birthday cards, graduation congratulations, and similar communications to constituents and other residents of Jefferson Parish.

In accordance with the analysis previously stated, the applicable test is whether the communication is being done in furtherance of the public official's functions or duties. If not expressly authorized or required by law to do so, then public funds should not be used.

cc: Hon. Michael S. Yenni, Parish President
Mr. Keith Conley, COO
Ms. Natalie Newton, Deputy COO
Mr. Deano Bonano, Councilmanic Aide
Mr. Brett Lawson, Councilmanic Aide
Mr. Greg Giangrosso, Councilmanic Aide
Mr. Steven Lachute, Councilmanic Aide
Mr. Terry Talamo, Councilmanic Aide
Mr. Bryan St. Cyr, Councilmanic Aide
Mr. Casey Jumpiere, Councilmanic Aide
Mr. Michael Quigley, Councilmanic Aide
Mr. Jason Ural, Councilmanic Aide
Mr. Jeffrey Simno, Councilmanic Aide

Memorandum

To: Hon. Christopher L. Roberts, Council Chairman
Hon. Cynthia Lee-Sheng, Councilwoman At Large, Div. B
Hon. Ricky J. Templet, Councilman, District 1
Hon. Paul D. Johnston, Councilman, District 2
Hon. Mark D. Spears, Jr., Councilman, District 3
Hon. Dominick F. Impastato, III, Councilman, District 4
Hon. Jennifer Van Vrancken, Councilwoman, District 5

From: Michael J. Power, Parish Attorney _____

Date: December 15, 2017

Re: Christmas, Birthday and Greeting Card Mailings

Following dissemination of two legal opinions by the Parish Attorney's Office (December 13 and December 15, 2017) dealing with the subject of mailings to constituents and/or Parish employees, I have been asked to further clarify and elaborate.

As previously stated, the only available guidance is provided by statute (R.S. 43:111.1), Attorney General Opinion Nos. 92-127 and 10-0021, and the over-riding Constitutional provisions dealing with gratuitous donation of public property (La. Const. Art VII Sec. 14). Although the statute specifically addresses advertisements containing the name of any public official, whether elected or appointed, it can logically be extended to mass mailings to the electorate or any substantial subset thereof.

Paraphrasing AG Opinion No.10-0021 the general rule may be stated as prohibiting the mailings unless the information disseminated furthers the public official's functions and duties of his/her office. That determination must be made on a case-by-case basis after examining certain factors including:

1. The duties and functions of the political office
2. The content of the publication
3. Frequency and timing of the publication
4. Placement and size of the name of the public official
5. Whether all the facts taken together have the effect of furthering the official's functions and duties.

Thus the final test is fact-driven and must rely on the public official's justification for the mailing. If a clear public purpose can be demonstrated which is in furtherance of

the official's functions and duties, then public funds may be used. As always, however, the final arbiter of the applicability of the facts to the action taken would fall to judicial interpretation.

cc: Hon. Michael S. Yenni, Parish President
Mr. Keith Conley, COO
Ms. Natalie Newton, Deputy COO
Mr. Deano Bonano, Councilmanic Aide
Mr. Brett Lawson, Councilmanic Aide
Mr. Greg Giangrosso, Councilmanic Aide
Mr. Steven Lachute, Councilmanic Aide
Mr. Terry Talamo, Councilmanic Aide
Mr. Bryan St. Cyr, Councilmanic Aide
Mr. Casey Jumpiere, Councilmanic Aide
Mr. Michael Quigley, Councilmanic Aide
Mr. Jason Ural, Councilmanic Aide
Mr. Jeffrey Simno, Councilmanic Aide

Memorandum

To: Hon. Christopher L. Roberts, Council Chairman
Hon. Cynthia Lee-Sheng, Councilwoman At Large, Div. B
Hon. Ricky J. Templet, Councilman, District 1
Hon. Paul D. Johnston, Councilman, District 2
Hon. Mark D. Spears, Jr., Councilman, District 3
Hon. Dominick F. Impastato, III, Councilman, District 4
Hon. Jennifer Van Vrancken, Councilwoman, District 5

From: Michael J. Power, Parish Attorney _____

Date: December 22, 2017

Re: Christmas, Birthday and Greeting Card Mailings

Dear Councilmembers:

The following legal opinion was issued on December 19, 2017 at the request of Councilman Mark Spears, who has requested that all members of the Council be copied:

"Councilman Spears,

My responses to the questions presented in your email of Dec. 15 regarding the applicability of the guidelines I presented in my Memo earlier that day are as follows.

First, you asked if there is a clear and identifiable public purpose which justifies the use of public funds to mail birthday cards to constituents, and I would agree that the answer is no. I hasten to add, however, that it is my understanding that birthday cards are not being sent to constituents but to Parish employees as a way of fostering better working relations with them. Whether that is a legitimate public purpose is a more difficult question for which I have no absolute answer.

Secondly, I agree that use of public funds to send cards to constituents which are not informational or in any way related to a public purpose would violate R.S. 43:111.1 and the AG opinions interpreting the statute.

Third, there are no laws expressly authorizing or requiring public officers to use public funds to send birthday cards or other congratulatory cards to anyone for any reason.

Lastly (and with the possible exception noted in answer to the first question) it is my opinion that the mailing of birthday or other congratulatory cards to constituents does not further the functions and duties of any elected official."

cc: Hon. Michael S. Yenni, Parish President
Mr. Keith Conley, COO
Ms. Natalie Newton, Deputy COO
Mr. Deano Bonano, Councilmanic Aide
Mr. Brett Lawson, Councilmanic Aide
Mr. Greg Giangrosso, Councilmanic Aide
Mr. Steven Lachute, Councilmanic Aide
Mr. Terry Talamo, Councilmanic Aide
Mr. Bryan St. Cyr, Councilmanic Aide
Mr. Casey Jumpiere, Councilmanic Aide
Mr. Michael Quigley, Councilmanic Aide
Mr. Jason Ural, Councilmanic Aide
Mr. Jeffrey Simno, Councilmanic Aide

Attachment C

Louisiana Constitution, Article VII, § 14

La. Const., Art. VII, § 14

§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; (13) the investment of public funds to capitalize a state infrastructure bank and the loan, pledge, or guarantee of public funds by a state infrastructure bank solely for transportation projects; or (14) pursuant to a written agreement, the donation of the use of public equipment and personnel by a political subdivision upon request to another political subdivision for an activity or function the requesting political subdivision is authorized to exercise.

(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.

Attachment D

Louisiana Constitution, Article XI, § 4

La. Const., Art. XI, § 4

§4. Prohibited Use of Public Funds

Section 4. No public funds shall be used to urge any elector to vote for or against any candidate or proposition, or be appropriated to a candidate or political organization. This provision shall not prohibit the use of public funds for dissemination of factual information relative to a proposition appearing on an election ballot.

Attachment E

Louisiana Revised Statute 18:1465

La. R.S. 18:1465

§1465. Prohibited use of public funds

A. No public funds shall be used to urge any elector to vote for or against any candidate or proposition, or be appropriated to a candidate or political organization. This provision shall not prohibit the use of public funds for dissemination of factual information relative to a proposition appearing on an election ballot.

B. Whoever violates any provision of this Section shall be fined not more than one thousand dollars or be imprisoned, with or without hard labor, for not more than two years, or both.

Attachment F

Louisiana Revised Statute 43:111.1

La. R.S. 43:111.1

§111.1. Advertisements paid for with public funds, restrictions

No public funds shall be used in whole or in part for the payment of the cost of any advertisement containing therein the name of any public official whether elected or appointed; provided, however, that the provisions of this section shall in no case be construed to apply to advertisements or notices required or authorized by law to be published or to any advertisements placed by any public agency or body authorized by law to advertise in the furtherance of its functions and duties.

Attachment G

Resolution No.
132058

On motion of **Mr. Roberts,** seconded by **Ms. Lee-Sheng,** the following resolution s offered:

RESOLUTION NO. 132058

A resolution establishing a policy that the offices of the members of the Jefferson Parish Council; and the offices of the Chief of Staff of the Parish Council, the Research and Budget Analysis Staff of the Parish Council, and the Office of the Parish Clerk shall adhere to the policies and procedures in the Parish's Purchasing Manual as such manual is currently written and promulgated. (Parishwide)

WHEREAS, the policies and procedures that are found in the Parish's Purchasing Manual were formulated and promulgated by the Parish President as a supplement to the Uniform Purchasing Procedures found in Chapter 2, Article VII, Division 2 of the Jefferson Parish Code of Ordinances; and

WHEREAS, the administrative policies in the Parish's Purchasing Manual do not have the force of law, and are not binding on the employees who work for the Jefferson Parish Council, as any policies and procedures promulgated by the Parish President are binding only on the employees under his administration and supervision; and

WHEREAS, nevertheless, the Jefferson Parish Council finds that, as a matter of policy, adherence to the procedures found in the Parish Purchasing Manual, as such manual is currently written and promulgated, by the offices of the Council members and by the offices under the Council's supervision would assist in the enforcement of the provisions found in the Uniform Purchasing Procedures; and

NOW, THEREFORE, BE IT RESOLVED by the Jefferson Parish Council, Jefferson Parish, Louisiana, acting as governing authority of said Parish:

SECTION 1. That this Council does hereby establish a policy that the offices of the members of the Jefferson Parish Council; and the offices of the Chief of Staff of the Parish Council, the Research and Budget Analysis Staff of the Parish Council, and the Office of the Parish Clerk shall adhere to the policies and procedures in the Parish's Purchasing Manual, as such manual is currently written and promulgated, for all purchases of goods or services made by these offices.

SECTION 2. That this Council reserves the right to decide whether any alterations, additions, amendments or changes that may be made to the current provisions of the Parish's Purchasing Manual shall be binding upon the offices of its members or upon the offices under the Council's supervision.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: 7 **NAYS: None** **ABSENT: None**

This resolution was declared to be adopted on this the **29th day of August, 2018.**

THE FOREGOING IS CERTIFIED
TO BE A TRUE & CORRECT COPY

Eula A. Lopez

EULA A. LOPEZ
PARISH CLERK
JEFFERSON PARISH COUNCIL

Attachment H

Attorney General Opinions

State of Louisiana
DEPARTMENT OF JUSTICE
P.O. BOX 94005
BATON ROUGE
70804-9005

JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL

NOV 12 2008

OPINION 06-0119A

90-1-A Public Funds & Contracts
1-A-1 Advertising

La. Const. Art. XI, § 4
La. R.S. 18:1465
La. R.S. 43:111.1

Public funds may be used to disseminate factual, unbiased information which contains a public official's name and/or picture(s) if the advertisement falls under one of the exceptions listed in La. R.S. 43:111.1.

Mr. Anthony "Tony" Falterman
District Attorney
23rd Judicial District
P.O. Drawer 279
Napoleonville, LA 70390

Dear Mr. Falterman:

This office is in receipt of your request of July 31, 2008 for reconsideration and clarification of Attorney General Opinion 06-0119. Your concerns and the Attorney General's responses to those concerns are presented as follows:

Original Opinion Request

In 2006, Mr. Lane A. Carson, Chief Civil Division of the District Attorney's Office in St. Tammany Parish, requested an opinion from this office concerning the publishing of an information report to inform the public about the duties, functions and program offerings that are available through the District Attorney's Office.[1] The District Attorney was contemplating disseminating an informational report that would be a twelve page color publication. It would specifically include information about victim assistance, domestic violence, juvenile, non-support, elderly abuse, worthless checks and civil and criminal responsibilities of the District Attorney's Office. In addition, it would also provide pictures, names, office addresses, telephone numbers, facsimile, e-mail and website addresses of the District Attorney, Assistant District Attorneys and various employees supplying valuable resources to the community. An opinion was requested on the following:

1. May a District Attorney publish and disseminate an informational report regarding the operations of the District Attorney's Office bearing the photographs and names of the District Attorney and some of his employees to the citizens of his district with public funds?

[1] Attached hereto.

2. Are there any restrictions as to the method of dissemination used, i.e. newspaper insert, direct mail, business news stands placement, or door to door, etc.?

Original Response to Request

In La. Atty. Gen Op. 06-0119, this office pertinently opined that, "...the District Attorney may not use public funds to publish and disseminate an informational report bearing the photographs and names of the District Attorney and his employees," because "[s]uch a use of public funds would be a violation of La. R.S. 43:111.1, La. Const. Art. XI, Section 4 and R.S. 18:1465."[2]

Governing Statutory Authority

La. Const. Art. XI, § 4 prohibits the use of public funds to urge the electorate to vote for any candidate or proposition, as cited below:

> No public funds shall be used to urge any elector to vote for or against any candidate or proposition, or be appropriated to a candidate or political organization. This provision shall not prohibit the use of public funds for dissemination of factual information relative to a proposition appearing on an election ballot.

La. Const. Art. XI, §4 (1974) has been reviewed in *Godwin vs. East Baton Rouge Parish*, 372 So. 2d 1060 (La. App. 1st Cir. 1979); *writ den.* 373 So.2d 527 (La. 1979). In *Godwin*, the court concluded the following:

> [La. Const. Art. XI, §4] was obviously intended to protect the public fisc by prohibiting expenditure of public funds for expressly proscribed purposes, namely, to promote or oppose any candidate for office, to promote or oppose the cause of any political organization, or to promote or oppose passage of any proposition submitted to the electorate. Additionally, the provision is designed to prevent public officials from using public funds to support or oppose candidates, parties or propositions. *Godwin, supra*, at page 1063.

La. R.S. 18:1465, contained within Louisiana's Election Code, adopts the language of La. Const. Art. XI, § 4, and provides penalties for a violation of the provision, as stated below:

> A. No public funds shall be used to urge any elector to vote for or against any candidate or proposition, or be appropriated to a candidate or political organization. This provision shall not prohibit the use of public funds for

[2] Atty. Gen. Op. 06-0119, p. 3

> dissemination of factual information relative to a proposition appearing on an election ballot.
>
> B. Whoever violates any provision of this Section shall be fined not more than five hundred dollars or be imprisoned for not more than six months, or both. On a second offense or any succeeding offense, the penalty shall be a fine of not more than one thousand dollars or imprisonment for not more than one year, or both.

Further statutory restrictions that prohibit advertisements being paid for with public funds are located in La. R.S. 43:111.1, which state as follows:

> No public funds shall be used in whole or in part for the payment of the cost of any advertisement containing therein the name of any public official whether elected or appointed; provided, however, that the provisions of this section shall in no case be construed to apply to [1] advertisements or notices required or authorized by law to be published or [2] to any advertisements placed by any public agency or body authorized by law to advertise in the furtherance of its functions and duties.[3]

Response to request

La. R.S. 43:111.1 clearly provides that an advertisement containing the name of a public official may not be paid for with public funds unless the advertisement falls under one of the two exceptions listed therein, which state as follows: (1) if the advertisement is one required or authorized by law to be published or (2) if the public agency or body is allowed by law to advertise in the furtherance of its functions and duties.

Initially, it is important to define the meaning of the word "advertisement" as used in La. R.S. 43:111.1. Since no definition is offered in La. R.S. 43:111.1, this office believes that the statute, read in conjunction with the constitutional and other statutory provisions dealing with the same subject matter, indicates that the intended definition of "advertise" is "to give notice to, inform or notify, give public notice of".[4] Accordingly, we believe the term advertisement, as it appears in La. R.S. 43:111.1, refers to informational and factual publications and not to promotional or advocacy publications.

Moreover, the appearance of a picture of a public official on a publication is not specifically addressed in either La.R.S. 43:111.1 or in La. Const. Art. XI, §4 or La. R.S. 18:1465. This office has previously rendered opinions treating a picture the same as a

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[3] The language indicates that the propriety of disseminating publications primarily depends on whether the advertisement is authorized by law or furthers the public official's functions and duties.

[4] See Black's Law Dictionary.

name for purpose of applying the provisions of La. R.S. 43:111.1.[5] Those portions of those opinions are recalled and vacated. Since La. R.S. 43:111.1 prohibits only the use of a name, the use of a picture cannot, by itself, serve as a basis for a violation of this statute. A publication which does not contain a picture(s) and/or name of a public official can of course, based on its content alone, violate the proscriptions of La. Const. Article XI §4 and La. R.S. 18:1465.[6] However, a publication which does not contain a picture(s) and/or name of a public official and which, by content alone, does not violate La. Const. Article XI §4 or La. R.S. 18:1465, could conceivably be converted to a prohibited publication by the adding of a picture(s) or name of a public official. Because there is no automatic violation of these provisions by the use of a name or a picture, a determination of whether the addition of such item(s) to a publication is a violation would be made on a case by case basis considering a totality of the circumstances surrounding the publication.[7] For example, a public official should consider the following factors before disseminating a publication: the duties and functions of the political office; the content of the publication and picture(s); frequency and timing of the publication; placement and size of the name and/or picture(s) of the public official; the form of the publication; and whether all the facts taken together have the effect of furthering the official's functions and duties.[8]

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[5] See Atty. Gen. Ops. 07-0028, 83-179 and 75-75-589, which interpret La. R.S. 43:111.1 as prohibiting the use of public funds to pay for any advertisement that contains the name of any public official. We note that these prior opinions, including 06-0119, take a categorical approach inconsistent with the statutory provisions and other prior opinions in that they fail to consider the weighing of factors necessary to determine if an advertisement at issue falls under one of the exceptions provided in La. R.S. 43:111.1.

[6] This office has consistently recognized the distinction between the valid governmental function of providing the public information and the *ultra vires* activity of public relations. Atty. Gen. Op. 06-0196, 03-0319, 92-127. Our opinions have determined that the use of public funds to disseminate advertisements that promote or defeat any candidate or proposition, or to manipulate public opinion is prohibited. Atty. Gen. Op. 05-0154, 03-0319 and 05-0154.

In Attorney General Opinion 90-126A, we stated: "Without specific, express authorization from the legislature by statute (i.e. drug education, economic development, etc.), the use of public funds to finance public relation techniques to manipulate public opinion on public issues to create a body of public opinion favorable to a public official or entity, is *ultra vires*. The use of public funds to provide a public information function to a state office [or other public entity] is integral to its constitutional and/or statutory power and function, and is lawful if its intent is to be factually informative to the public... It is the purpose for which the public funds are spent, and the intent of the public agency or official which makes the expenditure, which controls the legal character of the expenditure."

[7] It is important to note that this office is not a finder of fact, and cannot make a determination as to whether an advertisement is in violation of the applicable law; such a determination could only be made by the courts in their role as factfinders. Atty. Gen. Op. 04-0370.

[8] The type of advertisement should be carefully chosen to determine the best method of relaying factual information to the public in order to avoid *ultra vires* activity.

Attorney General Opinion No. 91-634, which considered the legality of correspondence a Parish Councilman proposed to send to the residents of his district with public funds, notes that the distinction between what is and is not prohibited under these provisions of law is not always clear. Specifically, the opinion states that, "Relevant factors that may be considered to determine the propriety of a particular

However, the addition of a name (but not a picture) to an advertisement is a violation unless the advertisement falls under the two specified exceptions set forth in La. R.S. 43:111.1. These exceptions clearly rely upon the existence of legal authority either to place the ads or to advertise in the furtherance of the functions and duties of the public agency or body. Application of the second exception depends in part on a determination as to whether the advertisement in question furthers the functions and duties of the office. This office has previously opined that dissemination of purely informational publications to the public regarding the functions and services of a public agency or body and access thereto is "integral to its constitutional and/or statutory power and functions."[9] We believe, therefore, that a public official's office has legal authority to advertise in the furtherance of the functions and duties of that office. A public official may use public funds to disseminate purely factual, unbiased information about projects and programs to the citizenry, in the furtherance of his/her functions and duties.[10] As a result, the inquiry as to whether an ad furthers the functions and duties of the agency or body, just like the inquiry as to a possible violation of La. Const. Article XI §4 and La. R.S. 18:1465, would be determined on a case by case basis, and consideration would have to be given not only to the content of the publication but the totality of the circumstance surrounding its publication.

Based upon the facts originally presented this office in Attorney General Opinion 06-0119, the proposed report would be a twelve page color publication which would specifically include information about victim assistance, domestic violence, juvenile, non-support, elderly abuse, worthless checks and civil and criminal responsibilities of the District Attorney's Office, and would also provide pictures, name, addresses, telephone numbers, facsimile, e-mail and website addresses of the District Attorney, Assistant District Attorneys and various employees supplying valuable resources of the community, it is the opinion of this office that the report, itself, would not violate La. Const. Art. XI, §4, La. R.S. 18:1465 or La. R.S. 43:111.1.

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expenditure include an examination of the purpose for the expenditure of public funds, the intent of the public agency and the reasonable effect such expenditure would have upon the electors." Atty. Gen. Op. 76-307, 79-1191, 89-418 and 90-126A.

Accordingly, this office has consistently opined that whether a particular advertisement document containing the name and/or picture of any public official is prohibited should be determined by (1) the purpose of the expenditure of public funds, (2) the intent of the public agency, and (3) the reasonable effect of the publication on the general public. Atty. Gen. Ops. 05-0154, 91-634, 76-307, 79-1191, 89-418 and 90-126A.

[9] Atty. Gen. Op. 05-0154, p.3, quoting Opinion No. 90-126A, p.3.

[10] See Att. Gen. Op. 06-0196 and 04-0370. The prohibitions of La. Const. Art. XI, § 4, La. R.S. 18:1465 and La. R.S. 43:111.1 against advertisements paid for with public funds does not apply to the dissemination of purely factual information which does not have the intent to manipulate public opinion. See Atty. Gen. Op. 06-0196, 93-78, 92-484 and 92-127.

In addition, while the constitutional provision and statutes cited do not specifically address the methods of dissemination of a facially acceptable publication, they do address the concepts of promotion and opposition of candidate and propositions (La. Const. Art. XI § 4, La. R.S. 18:1465) and furtherance of functions and duties of a public body (La. R.S. 43:111.1). The method of dissemination as well as its frequency and timing are factors which can affect a determination of these concepts. Accordingly, the method of dissemination as well as frequency and timing can be, and should be, considered in the totality of circumstances surrounding a publication to determine if it is a violation of the cited constitutional and statutory provisions, e.g. repeated door to door canvassing with printed material in close proximity to an election of a public official might convert an otherwise acceptable publication into a prohibited publication urging support for a candidate, while such activity performed the day after an election might not. These factors cannot be weighed independent of each other and since the request did not provide information on these particular circumstances we cannot opine as to the impact which they may have on the legality of the proposed publication.

In view of the above, it is therefore our opinion that a public official may advertise and/or disseminate a publication to inform the public about activities, duties, functions, projects, programs, etc., of the public entity or office, if the advertisement falls under one of the two exceptions described in La. R.S. 43:111.1. In addition, the advertisement must be purely factual, informative and unbiased, and not attempt to promote or oppose a political candidate, political organization, or proposition submitted to the electorate. The official's name, picture and contact details may be included on the publication in order to inform the public of the individual and public office disseminating the information, and to provide contact information if such is in furtherance of his/her functions and duties. Nevertheless, if a publication has the effect of promoting or opposing a political candidate, political organization, or proposition submitted to the electorate, the advertisement would be *ultra vires* and the public official would be subject to penalties.

We hope this sufficiently answers your inquiry, but if we can be of further assistance, please do not hesitate to contact us.

Yours very truly,

JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL

BY: M. Trahant
Meridith J. Trahant
Assistant Attorney General

JDC: MJT

State of Pennsylvania

APR 0 7 2010

Attachment I

Examples of Central Printing Division Invoices & Job Proofs

CENTRAL PRINTING DIVISION
INVOICE

Invoice No. 1114-02 Invoice Date 11-14-16 Req. No.

Department Council / Roberts

Address 6013 GGB

Account No. 10010-0010-306-7551

Date of Req. Date Received Ordered By Brandy/Claire

	Description	Quantity	Price
Offset Printing	Letterhead 8½x11 ☐ 8½x14 ☐ Monarch ☐		
	Envelopes - 9 ☐ 10 ☐ 11 ☐ Other ☐		
	Window Envelopes ☐		
	Form A ☐ B ☐ C ☐ D ☐ CS ☐		
	NCR/Carbonless ☐		
	Certificates ☐ Personals ☐		
	Business Cards ☐ Other ☐		
	Negatives ☐ Plates ☐		
Item Name -	400 cards + env. 4 bxs		356.00
Copying	Photo Copies ☐		
	Printed Coverstock ☐		
	Unprinted Stock, Paper, Etc. ☐		
	Padding ☐ Cutting ☐		
	Laminating ☐		
	Folding & Saddle Stitch ☐		
Item Name -	400 Tal #		32.00
Binding	cards Spiral ☐		
	Comb ☐		
	Coil ☐		
	Plastic Covers ☐		
	Assembly Charges ☐		
Desktop	Typesetting ☐ 3½ Disk ☐		
	Color Prints ☐		
	Black/White Prints ☐		
		Total ↓	388.00

Received By [signature] Date 11-14-16

PLEASE SIGN AND RETURN WHITE ORIGINAL TO:

TOTAL COPY CENTER
SUITE 3300 – GENERAL GOVERNMENT BUILDING
200 DERBIGNY STREET – GRETNA, LA 70058
504-364-2675

Acct. #: 1001-0010-336-7577

Request #: CP- 85176

CENTRAL PRINTING REQUEST FORM

Central Printing Division
Joseph S. Yenni Building, 1221 Elmwood Park Boulevard, Suite 501, Harahan, LA 70123

DEPARTMENT: Council	DATE: 10/31/16
ORDERED BY: Kim Claesen	CONTACT PHONE #: 736-6617
SHIP TO: Councilman Roberts GGB 6th FL Ste. 6200	DATE NEEDED: A.S.A.P
	EST. COST: $ 890.00
	ATTACH SAMPLE OF WORK REQUESTED

QTY. UNIT	DESCRIPTION
1000	Councilman At Large Chris Roberts Sympathy Cards & Envelopes Size A (see attached ex.)
	"Please Deliver to" "Yenni Bldg for" Kim Liberto Ste. 1016 It has WB address but deliver to EB

Department Head Approval: Danielle Martinez Date: 10/31/16

White Copy - Central Printing Yellow Copy - Central Printing Pink Copy - Department Record

Our Deepest
Sympathy

May those
beautiful yesterdays
help to ease
the sadness of today.

COUNCILMAN AT LARGE CHRIS ROBERTS
DIV. "A"

Envelope

Chris Roberts
P.O. Box 9
Gretna, Louisiana 70054

CENTRAL PRINTING DIVISION
INVOICE

Invoice No. 11-23-01 Invoice Date 11-23-16 Req. No.

Department Council / Spears

Address 6th FL. GGB

Account No. 10010 - 0010 - 303 - 7551

Date of Req. Date Received Ordered By Chavonne

	Description	Quantity	Price
Offset Printing	Letterhead 8½x11 ☐ 8½x14 ☐ Monarch ☐		
	Envelopes - 9 ☐ 10 ☐ 11 ☐ Other ☐		
	Window Envelopes ☐		
	Form A ☐ B ☐ C ☐ D ☐ CS ☐		
	NCR/Carbonless ☐		
	Certificates ☐ Personals ☐		
	Business Cards ☐ Other ☐		
	Negatives ☐ Plates ☐		
Item Name - 500 Cards +			445.00
Copying	Photo Copies ☐		
	Printed Coverstock ☐		
	Unprinted Stock, Paper, Etc. ☐		
	Padding ☐ Cutting ☐		
	Laminating ☐		
	Folding & Saddle Stitch ☐		
Item Name -			
Binding	Spiral ☐		
	Comb ☐		
	Coil ☐		
	Plastic Covers ☐		
	Assembly Charges ☐		
Desktop	Typesetting ☐ 3½ Disk ☐		
	Color Prints ☐		
	Black /White Prints ☐		
		Total ▸	445.00

env. (Birthday)

Received By Date 11-23-16

PLEASE SIGN AND RETURN WHITE ORIGINAL TO:

TOTAL COPY CENTER
SUITE 3300 – GENERAL GOVERNMENT BUILDING
200 DERBIGNY STREET – GRETNA, LA 70058
504-364-2675

CENTRAL PRINTING REQUEST FORM

Central Printing Division
Joseph S. Yenni Building, 1221 Elmwood Park Boulevard, Suite 501, Harahan, LA 70123

Request #: CP-0010-1108 | Acct. #: 10010-0010-303-7551

DEPARTMENT: Council Offices	DATE: 11/18/16
ORDERED BY: Charonne	CONTACT PHONE #: 364-2603
SHIP TO: J.P. Council Offices Councilman Mark Spears, Dist 3 6th floor 1GBB	DATE NEEDED: ASAP EST. COST: $ 445.00 ATTACH SAMPLE OF WORK REQUESTED

QTY. UNIT	DESCRIPTION
500	Happy Birthday Cards + Envelopes, Dist 3. @ $89.00 per 100
	Please Note: Sample Attached

2016 NOV 21 AM 8:51
CITY OF NEW ORLEANS
CENTRAL SERVICES

Department Head Approval: [signature] Date:

CENTPRIN.FRM/Revised: October 9, 1996/jmg

Yellow Copy - Central Printing Pink Copy - Department Record

Parish of Jefferson

Mark D. Spears Jr.
Councilman, District 3

Happy Birthday

I hope you have a wonderful
day and that the year ahead
is filled with joy.

Attachment J

Examples of Third Party Vendor Invoices & Job Proofs

JEFFERSON PARISH REMITTANCE ADVICE

CHECK NO. 1145536

VENDOR'S INVOICE DATE	VENDOR'S INVOICE NUMBER	INVOICE - ITEM DESCRIPTION	DISCOUNT	NET AMOUNT
4/24/2015	75178	JEFF62 NEWSLETTER COPIES JOB# 313140		8,052.17

JEFFERSON PARISH

P.O. Box 9
GRETNA, LOUISIANA 70054
GENERAL FUND

14-345/650

1145536

Capital One

5/05/2015

VOID AFTER 6 MONTHS

PAY*******8052 DOLLARS AND 17 CENTS

AMOUNT
******8,052.17

TO THE ORDER OF

MPRESS
4100 HOWARD AVE
NEW ORLEANS LA 70125-1325

205007

NON-NEGOTIABLE

057

1145536

MPress
4100 Howard Avenue
New Orleans, LA 70125-1325
Phone: (504) 524-8248
Fax: (504) 262-0696
Email: kliemann@mpressnow.com

WE MAKE YOU LOOK GOOD ON PAPER.
PRESS It's what we do!

INVOICE

Invoice #	75178
Invoice Date	04/24/15
Date Shipped	
Ship Via	USPS
Salesperson	CONNIE JOHNSON
Terms	Net 30 Days
P.O. Number	15-0004664
Job Number	313140

JEFFERSON PARISH PURCHASNG DIV
SUSAN BOUDREAUX
200 DERBIGNY ST ROOM #4400
GRETNA, LA 70053

Quantity	Description	Unit Price	UM	Amount
20,751	Councilman Spears Marrero/Harvey 8 page Newsletter	2,945.020000		2,945.02
20,751	Marrero/ Harvey Mailing	1,266.740000		1,266.74
6,373	Councilman Spears Eastbank District 8 page Newsletter	1,372.150000		1,372.15
6,373	Eastbank District Mailing	461.830000		461.83
7,425	Councilman Spears Westbank 8 page Newsletter	1,485.480000		1,485.48
7,425	Westbank Mailing	520.950000		520.95
SC CoC Certificate # RA-COC-003606		Subtotal		8,052.17
		TAX EXEMPT		0.00
		Total Due		8,052.17

Customer Code : JEFF62
Invoice Number : 75178
Invoice Date : 04/24/2015
Invoice Amount : $ 8,052.17
Amount Paid : _____

Remit To:

MPress
First Bank & Trust, P.O. Box 1830
Covington, LA 70434

Remitter:

JEFFERSON PARISH PURCHASNG DIV
SUSAN BOUDREAUX
200 DERBIGNY ST ROOM #4400
GRETNA, LA 70053

Mark D. Spears Jr.
Councilman District 3
General Government Bldg.
200 Derbigny St., Suite 6500
Gretna, LA 70053

markspears@jeffparish.net
www.jeffparish.net

HELPFUL NUMBERS

ASSESSOR
362-4100

CODE ENFORCEMENT
364-3500

DRAINAGE
437-4939

GARBAGE
736-6102

PARISH PRESIDENT
364-2700

PUBLIC WORKS
364-2616
Nights/Weekends
736-6006

REGISTRAR OF VOTERS
349-5690

SEWERAGE
437-4811

SHERIFF
363-5500

STREET LIGHTS
736-6940
Nights/Weekends
838-1150

WATER
437-4978
After Hours
349-5081

CIVIC ASSOCIATION MEETINGS

- **Lincoln Shire Organization**
  lincolnshirecc@gmail.com
  1st Monday-700pm
  2001 Lincoln Shire Dr. – Headstart Center
- **Old Harvey**
  cmepraise@cox.net
  1st Thursday-700pm
  Harvey Community Center
- **Woodmere Civic Association**
  fredcableman@hotmail.com
  fourpost1@cox.net
  2nd Thursday-700pm
  Winn Dixie in front of Woodmere Subdivision
- **Westminster**
  4th Monday of every month
  westminsterpark79@gmail.com

COUNCILMAN
MARK D. SPEARS JR.
DISTRICT 3
MARRERO / HARVEY
APRIL 2015
VOLUME 1, ISSUE 1

UPCOMING EVENTS

- **Councilman Spears Annual Senior Luncheon**
  May 5 (Tuesday)
- **Night Out Against Crime**
  October (TBA)

STAFF

Casey, *Aide*
Chavonne, *Secretary*
Marian, *Secretary*
Jhade, *Clerk*
Nelson, *Clerk*

OFFICE NUMBERS

PHONE
(504) 364-2603

FAX
(504) 364-3704

COUNCILMAN'S THOUGHTS

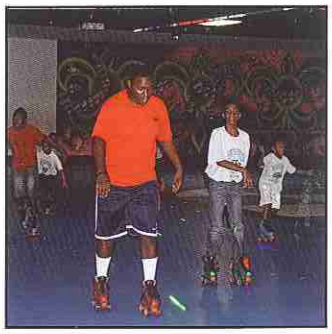
Councilman Spears and staff would like to welcome you to the District 3 newsletter. Our mission is to keep our constituents informed and involved in the constant progression of their district.

We encourage your feedback, questions, and concerns. We hope this newsletter is informative and exciting to you all. We look forward to serving you and bringing exciting new ideas to your area.

PARKS AND RECREATION

SUMMER ENRICHMENT

Councilman Spears sponsors summer camps, at Johnny Jacobs Park and Woodmere Playground. Participants enjoy various enrichment activities and field trips. Since Councilman Spears has been in office he has invested approximately $ 265,053.00 in Jefferson Parish youth. Participants enjoy various enrichment activities and field trips.



JEFFERSON PARISH REMITTANCE ADVICE CHECK NO. 1173515

VENDOR'S INVOICE DATE	VENDOR'S INVOICE NUMBER	INVOICE - ITEM DESCRIPTION	DISCOUNT	NET AMOUNT
12/23/2015	81153	CHRISTMAS CARD MAIL OUT		2,665.00

JEFFERSON PARISH

14-345/650

P.O. Box 9
GRETNA, LOUISIANA 70054
GENERAL FUND

Capital One

1173515

6/28/2016

VOID AFTER 6 MONTHS

PAY *******2665 DOLLARS AND 00 CENTS

AMOUNT
******2,665.00

TO THE ORDER OF
MPRESS
FIRST BANK & TRUST
PO BOX 1830
COVINGTON LA 70434

205007

NON-NEGOTIABLE

061

1173515

FINANCIAL MANAGEMENT
RECEIPT POST LISTING

DESCRIPTION	VENDOR NAME	P/O NUMBER	INVOICE #	REC'D DATE	U/M	REC'D QTY
RECEIPTS PROCESSED BY BPALMIS . :						
0001 Christmas Card Mailout	205007 MPRESS	15-0033217	81153	6/21/2016	BA	1.0000
DAMAGED DELIVERY: NO	BACK ORDERED: NO	CORRECTING ENTRY/REASON: NO				
0002 Mailing Services	205007 MPRESS	15-0033217	81153	6/21/2016	BA	1.0000
DAMAGED DELIVERY: NO	BACK ORDERED: NO	CORRECTING ENTRY/REASON: NO				
0003 Postage for Christmas Cards	205007 MPRESS	15-0033217	81153	6/21/2016	BA	1.0000
DAMAGED DELIVERY: NO	BACK ORDERED: NO	CORRECTING ENTRY/REASON: NO				

TOTAL RECEIPTS PROCESSED BY BPALMIS . : 3

TOTAL RECEIPTS PROCESSED . . . . . : 3

RMIT

* Invoiced amount for postage cost was lower than postage amount quoted.
BP

JUN22 '16 9:10A

MPress
4100 Howard Avenue
New Orleans, LA 70125-1325
Phone: (504) 524-8248
Fax: (504) 262-0696
Email: kliemann@mpressnow.com

WE MAKE YOU LOOK GOOD ON PAPER.
PRESS
It's what we do!

INVOICE

Invoice #	81153
Invoice Date	12/23/15
Date Shipped	
Ship Via	USPS
Salesperson	CONNIE JOHNSON
Terms	Net 30 Days
P.O. Number	15-0033217
Job Number	318922

JEFFERSON PARISH PURCHASNG DEPARTMENT
SUSAN BOUDREAUX
200 DERBIGNY ST ROOM #4400
GRETNA, LA 70053

Quantity	Description	Unit Price	UM	Amount
7,000	Christmas Postcard for Mark Spears	$798.00		$798.00
7,000	Mailing Services	$310.00		$310.00

FSC CoC Certificate # RA-COC-003606

Subtotal	$1,108.00
TAX EXEMPT	$0.00
Postage	$1,557.00
Total Due	$2,665.00

Wishing You & Your Family a Happy Holiday

From Councilman Mark Spears

Dr. Rachel Spears, Natalie and Mark "Trey" Spears

Councliman Mark Spears
200 Derbigny Street, Suite 6500
Gretna, LA 70053

Prsrt Std
U.S. Postage
PAID
New Orleans, LA
Permit No. 33

Attachment K

Summary Table of Noted Print Jobs

Invoice Date	Invoice Number	Councilmember	Job Descriptions as Written on the Request Form	Funding Source	Printing Expense	3rd Party Vendor	Central Printing Division
2/20/2015	73831	Mark Spears	Mpress: 6,530 Postcards 2 versions Meet & Greet 3669 - Johnny Jacobs Playground 2861 - Nicholson Playground	10010-0010-303-7550	$830 00	✓	
4/24/2015	75178	Mark Spears	Mpress: 20,751 Councilman Spears Marrero/Harvey 8 age Newsletter; 20,751 Marrero/Harvey Mailing; 6,373 Councilman Spears Eastbank District 8 page Newsletter; 6,373 Eastbank District Mailing; 7,425 Councilman Spears Westbank 8 page Newsletter; 7,425 Westbank Mailing	10010-0010-303-7550	$8,052 17	✓	
4/30/2015	75406	Mark Spears	Mpress: 2,200 Councilman Spears Sr Luncheon Postcard Printing, Mail Services + Postage Using our Bulk Rate Permit	10010-0010-303-7550	$953 00	✓	
6/9/2015	76392	Mark Spears	Mpress: 1,006 Councilman Spears Woodmere Grand Opening Postcards - Print and mail (1st mail out); 1,548 Councilman Spears Woodmere Grand Opening Postcards - Print and mail (2nd mail out)	10010-0010-303-7550	$1,000 00	✓	
8/6/2015	0806-01	Mark Spears	2 boxes of sympathy cards and envelopes; 2 boxes of congratulations property owner cards and envelopes	10010-0010-303-7551	$356 00		✓
12/23/2015	81153	Mark Spears	Mpress: 7,000 Christmas Posctard for Mark Spears; 7,000 Mailing Services	10010-0010-303-7210 (Postcards)	$798 00	✓	
12/23/2015	81153	Mark Spears	Mpress: 7,000 Christmas Posctard for Mark Spears; 7,000 Mailing Services	10010-0010-303-7210 (Mailing Services)	$310 00	✓	
12/23/2015	81153	Mark Spears	Mpress: 7,000 Christmas Posctard for Mark Spears; 7,000 Mailing Services	10010-0010-303-7210 (Postage)	$1,557 00	✓	
2/22/2016	82432	Mark Spears	Mpress: 960 Ribbon Cutting Ceremony Postcards Print & Mail	10010-0010-303-7550 (Postcards)	$373 00	✓	
2/22/2016	82432	Mark Spears	Mpress: 960 Ribbon Cutting Ceremony Postcards Print & Mail	10010-0010-303-7211 (Postage)	$221 79	✓	
2/24/2016	0224-01	Mark Spears	Thank you cards for Councilman Mark Spears, Dist 3	10010-0010-303-7551	$89 00		✓
9/14/2016	0914-01	Mark Spears	100 congratulations cards & envelopes for Dist 3; 100 thank you cards and envelopes for Dist 3	10010-0010-303-7551	$237 50		✓
10/27/2016	1027-02	Mark Spears	300 Happy birthday cards and envelopes for Dist 3	10010-0010-303-7551	$267 00		✓
11/23/2016	1123-01	Mark Spears	500 happy birthday cards & envelopes, Dist 3	10010-0010-303-7551	$445 00		✓
12/20/2016	89573	Mark Spears	Mpress: 21,229 Councilman Spears Christmas Postcard Print; 21,228 Mailing Services	10010-0010-303-7550 (Postcards)	$1,265 89	✓	
12/20/2016	89573	Mark Spears	Mpress: 21,229 Councilman Spears Christmas Postcard Print; 21,228 Mailing Services	10010-0010-303-7550 (Mailing Services)	$695 99	✓	
12/20/2016	89573	Mark Spears	Mpress: 21,229 Councilman Spears Christmas Postcard Print; 21,228 Mailing Services	10010-0010-303-7211 (Postage)	$4,478 91	✓	
1/19/2017	0119-04	Mark Spears	100 personalized "thank you" cards with envelopes; 100 personalized "congratulations"' cards with envelopes for Councilman Mark Spears, Dist 3	10010-0010-303-7551	$178 00		✓
4/26/2017	0426-03	Mark Spears	600 birthday cards and envelopes for Councilman Spears, Dist 3	10010-0010-303-7551	$534 00		✓
6/22/2017	0622-01	Mark Spears	600 birthday cards and envelopes for Councilman Spears, Dist 3	10010-0010-303-7551	$534 00		✓
11/20/2017	1120-01	Mark Spears	300 birthday cards and envelopes for Mark Spears, District 3; 100 congratulations cards and envelopes for Mark Spears, District 3	10010-0010-303-7551	$356 00		✓
					Total		
					$23,532 25		

Invoice Date	Invoice Number	Councilmember	Job Descriptions as Written on the Request Form	Funding Source	Printing Expense	3rd Party Vendor	Central Printing Division
1/7/2015	0107-02	Christopher Roberts	500 congratulatory phone number inserts	10010-0010-306-7551	$116 00		✓
3/17/2015	0317-01	Christopher Roberts	500 birthday cards and envelopes; 500 sympathy cards and envelopes; 500 congratulatory cards and envelopes	10010-0010-306-7551	$1,335 00		✓
4/17/2015	0417-01	Christopher Roberts	2 boxes of the real estate congratulations cards and envelopes; 500 informational compliments cards	10010-0010-306-7445	$218 00		✓
5/14/2015	0514-01	Christopher Roberts	500 birthday cards and envelopes; 500 congratulatory cards and envelopes	10010-0010-306-7551	$890 00		✓
5/19/2015	0519-01	Christopher Roberts	500 congratulatory phone number inserts	10010-0010-306-7551	$40 00		✓
6/23/2015	0623-02	Christopher Roberts	3 boxes of congratulations cards & envelopes; 3 boxes of Councilman At Large Chris Roberts complimentary cards	10010-0010-306-7445	$291 00		✓
6/25/2015	0625-01	Christopher Roberts	1000 congratulatory phone number inserts	10010-0010-306-7551	$80 00		✓
8/6/2015	0806-02	Christopher Roberts	1000 birthday cards and envelopes; 1000 congratulatory cards and envelopes	10010-0010-306-7551	$1,780 00		✓

9/22/2015	0922-01	Christopher Roberts	4 boxes of congratulation cards & envelopes; 4 boxes of informational cards	10010-0010-306-7445	$388 00		✓
12/8/2015	1208-01	Christopher Roberts	1000 birthday cards and envelopes; 1000 congratulatory cards and envelopes; 1000 congratulatory phone number inserts	10010-0010-306-7551	$1,860 00		✓
2/19/2016	0219-01	Christopher Roberts	4 boxes of complimentary cards for Councilman Robert's WB office	10010-0010-306-7551	$32 00		✓
3/9/2016	0309-02	Christopher Roberts	2 boxes of "Our Deepest Sympathy" cards for Councilman Chris Roberts, Div A	10010-0010-306-7551	$178 00		✓
5/9/2016	0509-01	Christopher Roberts	1000 congratulatory cards and matching envelopes; 1000 congratulatory phone number inserts; 1000 birthday cards and matching envelopes; 1000 inserts	10010-0010-306-7551	$1,860 00		✓
5/17/2016	0517-04	Christopher Roberts	4 boxes of congatulations cards & envelopes; 4 boxes of informational cards	10010-0010-306-7551	$388 00		✓
9/23/2016	0923-01	Christopher Roberts	1500 birthday cards with envelopes	10010-0010-306-7551	$1,335 00		✓
10/10/2016	1010-01	Christopher Roberts	1000 congratulatory cards and envelopes; 1000 congratulatory phone number inserts	10010-0010-306-7551	$970 00		✓
11/1/2016	1101-01	Christopher Roberts	4 boxes of 100 congratulation cards with envelopes and inserts	10010-0010-306-7551	$890 00		✓
11/14/2016	1114-02	Christopher Roberts	1000 Councilman At Large, Chris Roberts sympathy cards & envelopes, Div A	10010-0010-306-7551	$388 00		✓
2/16/2017	0216-01	Christopher Roberts	1000 congratulatory cards and envelopes; 1000 birthday cards and envelopes; 1000 inserts	10010-0010-306-7551	$1,860 00		✓
5/31/2017	0531-01	Christopher Roberts	4 boxes of congratulation cards & envelopes with phone number contact card inserts	10010-0010-306-7551	$388 00		✓
7/17/2017	0717-01	Christopher Roberts	2000 birthday cards and envelopes; 500 congratulatory inserts	10010-0010-306-7551	$1,820 00		✓
11/7/2017	1107-02	Christopher Roberts	2000 congratulatory cards and envelopes, 2000 inserts	10010-0010-306-7551	$1,940 00		✓
4/13/2018	0413-01	Christopher Roberts	2000 birthday cards and matching envelopes	10010-0010-306-7551	$1,780 00		✓
7/2/2018	0702-01	Christopher Roberts	2 boxes of congratulations cards with phone number contact cards	10010-0010-306-7551	$194 00		✓
					Total		
					$21,021 00		

Attachment L

Councilwoman Jennifer Van Vrancken's Presentation

Documentation Supporting Public Purpose of District 5 Mailings

Parish Attorney's General Guidance on Mailings

Attorney-Client Communication/Work Product Confidential

Memorandum

To: **Hon. Christopher L. Roberts, Council Chairman**
Hon. Cynthia Lee-Sheng, Councilwoman At Large, Div. B
Hon. Ricky J. Templet, Councilman, District 1
Hon. Paul D. Johnston, Councilman, District 2
Hon. Mark D. Spears, Jr., Councilman, District 3
Hon. Dominick F. Impastato, III, Councilman, District 4
Hon. Jennifer Van Vrancken, Councilwoman, District 5

From: **Michael J. Power, Parish Attorney** MJP

Date: **December 15, 2017**

Re: **Christmas, Birthday and Greeting Card Mailings**

Following dissemination of two legal opinions by the Parish Attorney's Office (December 13 and December 15, 2017) dealing with the subject of mailings to constituents and/or Parish employees, I have been asked to further clarify and elaborate.

As previously stated, the only available guidance is provided by statute (R.S. 43:111.1), Attorney General Opinion Nos. 92-127 and 10-0021, and the over-riding Constitutional provisions dealing with gratuitous donation of public property (La. Const. Art VII Sec. 14). Although the statute specifically addresses advertisements containing the name of any public official, whether elected or appointed, it can logically be extended to mass mailings to the electorate or any substantial subset thereof.

Paraphrasing AG Opinion No.10-0021 the general rule may be stated as prohibiting the mailings unless the information disseminated furthers the public official's functions and duties of his/her office. That determination must be made on a case-by-case basis after examining certain factors including:

1. The duties and functions of the political office
2. The content of the publication
3. Frequency and timing of the publication
4. Placement and size of the name of the public official
5. Whether all the facts taken together have the effect of furthering the officia functions and duties.

Thus the final test is fact-driven and must rely on the public official's justification for the mailing. If a clear public purpose can be demonstrated which is in furtherance of

1

Paraphrasing AG Opinion No.10-0021 the general rule may be stated as prohibiting the mailings unless the information disseminated furthers the public official's functions and duties of his/her office. That determination must be made on a case-by-case basis after examining certain factors including:

1. The duties and functions of the political office
2. The content of the publication
3. Frequency and timing of the publication
4. Placement and size of the name of the public official
5. Whether all the facts taken together have the effect of furthering the official's functions and duties.

District 5 Mailings
Reviewed and/or Approved by:

1) Office of the Parish Attorney
2) Office of the Chief of Staff
3) Office of Council District 4
4) Department of Purchasing
5) Department of Budgeting
6) Department of Finance
7) Department of Information Technology
8) Office of Public Information
9) MPress Printing
10) Office of Central Printing
11) Pel Hughes Print and Digital Marketing
12) Office of Council District 5

Annual Postcards to District 5 Constituents

Request for Specific Legal Review

From: Jennifer VanVrancken
Sent: Thursday, February 8, 2018 9:50 AM
To: Michael Power <MPower@jeffparish.net>
Cc: Jeremy Dwyer <JDwyer@jeffparish.net>
Subject: FW: Post Card Proof

Mr. Power,

In anticipation of mailing our annual communication to our constituents, can you please review the attached with regard to previously disseminated guidance from the Attorney General.

We would like to mail the communication in short order as we would like our constituents to provide us their thoughts on Bucktown Harbor (survey open until Feb 26) and Short Term Rentals (potentially on Feb 21 agenda).

Thank you in advance,
Jennifer

JENNIFER VAN VRANCKEN
COUNCILWOMAN
1221 Elmwood Park Blvd, Suite 1014
Jefferson, LA 70123

District5@jeffparish.net
facebook.com/JVVJP
(504) 736-6634

Communication is key!

In 2017, you shared the ideas we helped bring to life. These pictures are just a sample!

In 2018, the conversation continues with updates to Bucktown Harbor, changes to Carnival, a decision on Short Term Rentals, and more. We want your participation and valuable feedback!

Join the neighborhood discussion:
www.JeffParish.net/Metairie

Thanks for your partnership!

Yours for a better Jefferson Parish,

Jennifer Van Vrancken, Councilwoman District 5

PAO Response and Approval

From: Michael Power <MPower@jeffparish.net>
Sent: Friday, February 9, 2018 2:10 PM
To: Jennifer VanVrancken <JennVanv@jeffparish.net>
Subject: RE: 2018 Post Card

Jennifer,

I have reviewed the attached mailer and find it to comply with the general criteria required for use of public funds to produce and mail for informational purposes. It provides information which may be useful to the general public and does not appear to be "self-promotional".

Please let me know if you need any further elaboration.

Mike

Annual Postcard 2017

Factors Supporting Functions and Duties of Office

Picture introduces new staff.

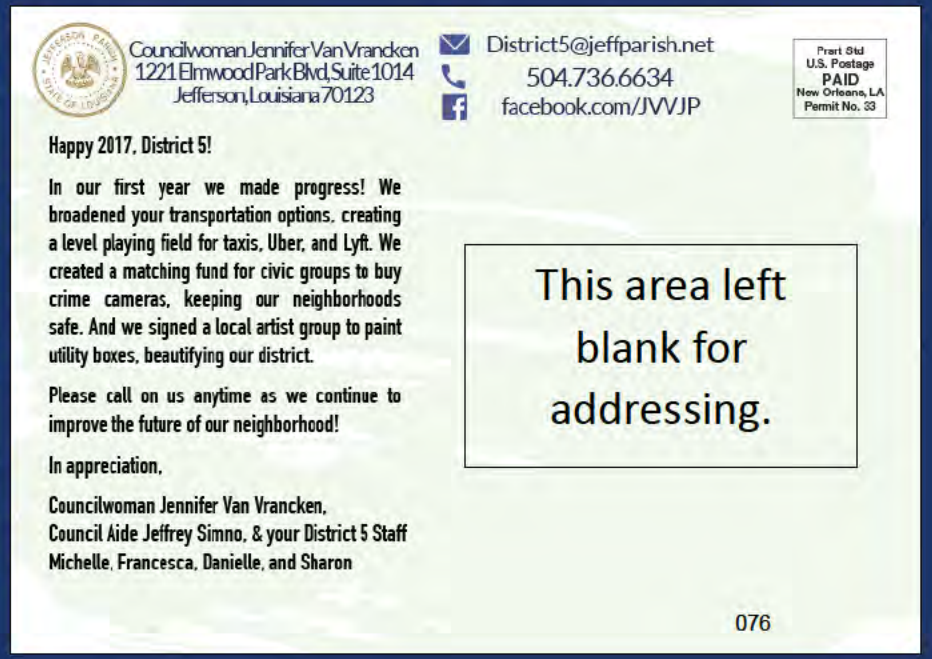
Discreet size/placement of official's name.

Info: Provides constituents multiple methods to contact office.

Content: Alerts constituents to new legislation and opportunities to participate.

Call to action: Encourages constituents to contact office to address needs.

Introduce new staff names & functions.



Councilwoman Jennifer Van Vrancken
1221 Elmwood Park Blvd, Suite 1014
Jefferson, Louisiana 70123

District5@jeffparish.net
504.736.6634
facebook.com/JVVJP

Prsrt Std
U.S. Postage
PAID
New Orleans, LA
Permit No. 33

Happy 2017, District 5!

In our first year we made progress! We broadened your transportation options, creating a level playing field for taxis, Uber, and Lyft. We created a matching fund for civic groups to buy crime cameras, keeping our neighborhoods safe. And we signed a local artist group to paint utility boxes, beautifying our district.

Please call on us anytime as we continue to improve the future of our neighborhood!

In appreciation,

Councilwoman Jennifer Van Vrancken,
Council Aide Jeffrey Simno, & your District 5 Staff
Michelle, Francesca, Danielle, and Sharon

This area left blank for addressing.

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Annual Postcard 2018

Factors Supporting Functions and Duties of Office

Pictures convey major district projects, improvements, programs, and events.

Text conveys value in engagement with office.

Discreet size/placement of official's name.

Info: Provides constituents multiple methods to contact office.

Content: Shows value in constituent communication to achieve office action.

Call to action: Seeks input on time-sensitive community issues.

Call to action: Register for ongoing updates.

Familiarize constituents with district.

JENNIFER VAN VRANCKEN
COUNCILWOMAN
1221 Elmwood Park Blvd, Suite 1014
Jefferson, LA 70123

District5@jeffparish.net
facebook.com/JVVJP
(504) 736-6634

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In 2018, the conversation continues with updates to Bucktown Harbor, changes to Carnival, a decision on Short Term Rentals, and more. We want your participation and valuable feedback!

Join the neighborhood discussion:
www.JeffParish.net/Metairie

Thanks for your partnership!

Yours for a better Jefferson Parish,

Jennifer Van Vrancken, Councilwoman District 5

This area left blank for addressing.

077

Sample Response to Postcard and Action Taken

From: Byron Almquist [mailto:byron@canoeandtrail.com]
Sent: Thursday, February 22, 2018 10:51 AM
To: Jennifer VanVrancken <JennVanv@jeffparish.net>
Subject: Bucktown man marsh

Jennifer,

I received your card "Communications is key!" w
manmade marsh and the oncoming spring. So,
marsh. There are dozens of heathy looking wil
believe there were two irises.) The medium si
leaves. (According to one study, red mulberry i
source by song birds.) And the ten foot high cy
dead. All of these desirable growths have occ

This brings me to the point is that is so frustrati
ever been made. One wonders what the mars
each year for the past decade. There could now be hundreds of flowering native plants, a dozen trees favored by migratory birds, several cypresses scattered along the higher dryer edges, a butterfly garden with squadrons of insects flitting about, a wading bird rookery, a utility pole with platform for osprey, plus who knows what else. None of these enhancements would have cost the taxpayers very much but would have created an educational exhibit that would have been attractive to Jefferson Parish residents plus out of parish viewers. The reason that none of these enhancements was done is that the marsh is an orphan – out of sight and out of mind.

Jennifer,

I received your card "Communications is key!" which made me think about the Bucktown manmade marsh and the oncoming spring.

From: Jennifer VanVrancken [mailto:JennVanv@jeffparish.net]
Sent: Thursday, February 22, 2018 3:30 PM
To: Byron Almquist <byron@canoeandtrail.com>
Subject: RE: Bucktown man marsh

Byron,

I am delighted that you got the post card and that you took the time to send me your thoughts.

ly correct!

ndeavor agreement with LPBF that
tification groups involved.

Let me reach out to Dr. Lopez to see if we can sign a cooperative endeavor agreement with LPBF that would allow us to start enhancing the marsh and getting our beautification groups involved.

Sincerely,

Jennifer Van Vrancken

Birthday Cards to District 5 Employees

Parish Attorney's Guidance on Birthday Card Mailings to Parish Employees

From: Michael J. Power, Parish Attorney _____

Date: December 22, 2017

Re: Christmas, Birthday and Greeting Card Mailings

Dear Councilmembers:

The following legal opinio
Councilman Mark Spears,
copied:

"Councilman Spears,

My responses to the questio
applicability of the guideline

First, you asked if there is a
use of public funds to mail b
answer is no. I hasten to add
cards are not being sent to c
better working relations with
more difficult question for w

Secondly, I agree that use of
informational or in any way
and the AG opinions interpr

Third, there are no laws exp
public funds to send birthday
reason.

Memorandum

To: Hon. Christopher L. Roberts, Council Chairman
Hon. Cynthia Lee-Sheng, Councilwoman At Large, Div. B
Hon. Ricky J. Templet, Councilman, District 1
Hon. Paul D. Johnston, Councilman, District 2
Hon. Mark D. Spears, Jr., Councilman, District 3
Hon. Dominick F. Impastato, III, Councilman, District 4
Hon. Jennifer Van Vrancken, Councilwoman, District 5

From: Michael J. Power, Parish Attorney _____

Date: December 15, 2017

Re: Opinion/Greeting Cards & Public Funds

As a follow-up to the opinion issued yesterday in regard
received a request by another member of the Council t
councilmembers' use of public funds to send other forms
birthday cards, graduation congratulations, and sim
constituents and other residents of Jefferson Parish.

In accordance with the analysis previously stated, the ap
communication is being done in furtherance of the pu
duties. If not expressly authorized or required by law t
should not be used.

I hasten to add, however, that it is my understanding that birthday cards are not being sent to constituents but to Parish employees as a way of fostering better working relations with them. Whether that is a legitimate public purpose is a more difficult question for which I have no absolute answer.

In accordance with the analysis previously stated, the applicable test is whether the communication is being done in furtherance of the public official's functions or duties.

Duty to be Responsive to Constituents

Council District 5 is the <u>ONLY</u> district exclusively reliant on Parish workers

<u>ALL</u> other districts are also served by 1-3 municipalities

Birthday Card Sent Annually to Employees in Metairie

Factors Supporting Functions and Duties of Office

(Exterior)

(Interior)

- Promote Positive Workplace
- Foster Comradery & Communication
- Discreet Identification of Councilmember
- Conservatively-Tailored Mailing List

From: Sami Khalil <SKhalil@jeffparish.net>
Sent: Tuesday, February 12, 2019 1:29 PM
To: Jennifer VanVrancken <JennVanv@jeffparish.net>
Subject: Birthday Card

Ms. Jennifer,

I'm humbled and grateful for your birthday card. Your thoughtfulness is a gift I will always treasure.

Best regrads,

Sami Khalil
Storm Water Management Supervisor
Jefferson Parish Dept. of Environmental Affairs
834 S. Clearview Pkwy., Elmwood, LA 70123
(504)-731-4612

Sample Response to Birthday Card

Shows Value in Team-Building to Better Serve Constituents

2017 End of Year Payment from Personal Funds
2018 Payment from Public Funds, per PAO Guidance

From: Timothy Palmatier
Sent: Friday, December 29, 2017 11:37 AM
To: Michelle Gonzales <MGonzales@jeffparish.net>; Sharon Anderson <SAnderson@jeffparish.net>
Subject: Reimbursement to Acct. No. 10010-0010-305-0010

The Finance Department is in receipt of Councilwoman Jennifer Van Vrancken's personal check # 938, in the amount of $411.68, for the sole purpose of reimbursement for notecards and envelopes purchased from the Central Printing Division, Invoice No. 0411-01, dated April 11, 2017, and postage used throughout the year of 2017 commencing from April 2017 on five hundred and eight (508) pieces of mail at a postage rate of $0.46 per piece.

Additional Documentation Provided to OIG

- Invoice Nos. 0411-01, 0426-01, & 0713-01
  - Notecard and Copy
  - Envelope and Copy
  - Lists of addresses
  - Mailing at end of each month beginning April 2017 - November 2019
- Invoice No. 90284
  - Actual Postcard and Paper Photocopy
  - Lists of addresses
  - Mailing in week of January 23, 2017
- Invoice Nos. 20043988P & I0067320
  - Actual Postcard and Paper Photocopy
  - Lists of addresses
  - Mailing in week of February 19, 2018

Total Estimated Cost and Volume of Report

- Volume of Report:
  - 927 pages
- # of District 5 Office Employees Involved:
  - 5
- # of Man-Hours Involved:
  - 73
- Cost of Man-Hours:
  - $2,073
- Miscellaneous Cost (Materials):
  - $75
- Total Estimated Cost:
  - $2,148

Attachment M

Councilwoman Jennifer Van Vrancken's Response

JENNIFER VAN VRANCKEN

COUNCILWOMAN, DISTRICT 5

JEFFERSON PARISH

David McClintock, Inspector General
Office of the Inspector General
990 N. Corporate Drive, Suite 300
Elmwood, LA 70123

December 10, 2019

Re: Audit Report #2017-0042 Council Advertising and Communications

Dear Mr. McClintock,

I appreciate your draft report examining Council Communications, which as it relates to those sent by my Council District 5 office, positively concludes:

- **"District 5's staff does follow a procedure to assure printing expenditures are allowable under state law"**
- **"Council District 5 requested guidance from the Parish Attorney's Office on specific mailings to validate expenditure of public funds"**
- **"Council District 5 maintained documents in support of each mailing consisting of a list of recipients and proof of the mailings"**
- **"JPOIG found the due diligence by Councilwoman Jennifer Van Vrancken's office to be more than satisfactory"**

I respectfully request one correction be made to page 10, paragraph 4 of the draft report to change the word "constituents" to "employees". In the original documentation provided by my office to your examiners, we submitted the names and addresses of all birthday card recipients under the title "Monthly Mailout of Birthday Notecards to Parish Employees Living in Metairie". The list from which all our birthday card recipients are drawn comes exclusively from a list comprised of only parish employees. Therefore, all birthday card recipients are parish employees. This fact is material because guidance provided by the Parish Attorney concludes birthday cards sent to constituents is not a valid use of public funds, while birthday cards sent to employees may be a legitimate way of fostering improved working relations and comradery. I would respectfully request the JPOIG correct this term, as supported by documentation previously provided by my office and attached hereto, prior to issuing a final report.

By way of this letter, I am requesting the Parish Attorney and Director of Research and Budget collaborate on developing a written policy and review process for Councilmember printing expenditures paid for with public funds. I humbly submit the internal procedure utilized by my office, as detailed in Attachment L of the draft report, may serve to assist in developing such a policy and review process and ensure maintenance of adequate documentation to support the public purpose and expenditure of funds.

Sincerely,

Jennifer Van Vrancken

1221 ELMWOOD PARK BOULEVARD - SUITE 1014 - JEFFERSON, LOUISIANA 70123
OFFICE (504) 736-6634 FAX (504) 736-6632
JENNIFERVANVRANCKEN@JEFFPARISH.NET