



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS
P. O. BOX 4368
BATON ROUGE, LA 70821
(225) 219-5600
FAX: (225) 381-7271
1-800-842-6630
www.ethics.la.gov

September 27, 2016

CONFIDENTIAL

Mr. Donald Pate
516 Beau Chene Drive
Mandeville, Louisiana 70471

The Golf Club of New Orleans, LLC
Through its Registered Agent:
Mr. Donale Pate
5690 Eastover Drive
New Orleans, Louisiana 70128

CONFIDENTIAL
Pursuant to
LSA-R.S. 42:1141.4K

RE: Ethics Board Docket No. 2015-883

Dear Mr. Pate:

The Louisiana Board of Ethics, at its September 16, 2016 meeting, considered a confidential investigation report regarding you, in your capacity as a member of the Lake Forest Elementary Charter School Board, having a part ownership in a company that manages a landfill that provided dirt to a subcontractor on a project involving the Lake Forest Elementary Charter School.

La. R.S. 42:1111C(2)(d) provides that no public servant and no legal entity in which the public servant exercises control or owns an interest in excess of twenty-five percent, shall receive any thing of economic value for or in consideration of services rendered, or to be rendered, to or for any person during his public service unless such services are: (d) Neither performed for nor compensated by any person or from any officer, director, agent, or employee of such person, if such public servant knows or reasonably should know that such person has or is seeking to obtain contractual or other business or financial relationships with the public servant's agency; conducts operations or activities which are regulated by the public employee's agency; or has substantial economic interests which may be substantially affected by the performance or nonperformance of the public employee's official duty.

La. R.S. 42:1113B prohibits an appointed member of any board or commission, member of his immediate family, or a legal entity in which he has a substantial economic interest, from bidding on or entering into or being in any way interested in any contract, subcontract, or other transaction which is under the supervision or jurisdiction of the agency of such appointed member.

The investigation determined that Lake Forest Elementary Charter School entered into a contract with Utility Constructors, Inc. Utility Constructors, Inc., purchased fill from Eastover Excavators, LLC, who in turn pays a royalty to The Golf Club of New Orleans, LLC, for each yard of material it digs, processes, and loads out of a dirt pit located on property owned by The Golf Club of New Orleans, LLC. The investigation report also determined that you are the 100% owner of Eastover

September 27, 2016
Mr. Donald Pate
Ethics Board Docket No. 2015-883
Page 2

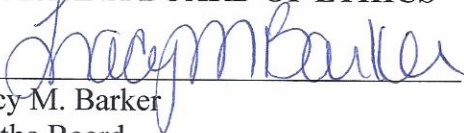
Development Corporation and President of East New Orleans Properties, Inc., both of whom manage The Golf Club of New Orleans, LLC. The investigation report determined that neither you, Eastover Development Corporation nor East New Orleans Properties, Inc., received any compensation for the management services provided to The Golf Club of New Orleans, LLC.

After careful review and based upon the totality of the circumstances, including that neither you, Eastover Development Corporation nor East New Orleans Properties, Inc., received any compensation for the management services provided to The Golf Club of New Orleans, LLC, the Board directed me to close the file. In addition, the Board directed me to caution you to be mindful of the prohibitions contained in La. R.S. 42:1111C(2)(d) and R.S. 42:1113B. See above. Also, in the future, you can request an advisory opinion; and, by seeking advice, you can prevent violations before they occur.

If you have any questions, please feel free to contact me at 225-219-5600 or 1-800-842-6630.

Sincerely,

LOUISIANA BOARD OF ETHICS



Tracy M. Barker
For the Board