

**BEFORE THE CITY OF ATLANTA  
BOARD OF ETHICS**

In the Matter of:	)	
	)	
Natalyn Archibong	)	
	)	Case No. CO-13-007
Respondent	)	
	)	

**DECISION AND ORDER**

This matter came before the City of Atlanta Board of Ethics for a decision on September 19, 2013, prior to a probable cause determination. Having considered the attached settlement agreement, the City Board of Ethics approves the agreement and orders that Respondent Natalyn Archibong pay a fine of \$250 for her violation of section 2-814 of the City's Code of Ethics. The total sum of \$250 is due to the City of Atlanta from personal funds within ten days of the date of this decision.

So ordered this 19<sup>th</sup> day of September, 2013.

For the City of Atlanta Board of Ethics

  
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Caroline Johnson Tanner  
Chair, Board of Ethics

BEFORE THE CITY OF ATLANTA  
BOARD OF ETHICS

In The Matter of:

NATALYN ARCHIBONG

Respondent

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CASE NO. CO-13-007

**SETTLEMENT AGREEMENT**

This Settlement Agreement is made between Nina Hickson, the Ethics Officer of the City of Atlanta, and Natalyn Archibong, a City Official against whom a complaint has been filed alleging the violation of section 2-814 of the Code of Ethics.

The parties agree and consent to the following terms to resolve this matter prior to a probable cause determination by the City of Atlanta Board of Ethics. The Board of Ethics is responsible for administering, implementing and enforcing the Standards of Conduct contained in the Atlanta Municipal Code.

**FINDINGS OF FACT**

1. Natalyn Archibong is a City Official who began serving on the Atlanta City Council on January 1, of 2002, and since that date has continuously held said Seat.
2. In 2007 and 2008, Councilmember Archibong authorized the payment of invoices to HSI Systems and Consulting (HSI), a company wholly owned by her brother, Warren Mosby, for printing/consulting services provide by others.
3. HSI served as a pass through entity to facilitate constituency services for the residents and stakeholders of Council District 5.
4. At no time relevant to the subject transactions did HSI receive a monetary benefit from the City and as such, these pass through payments were not reflected in Councilmember Archibong's financial disclosures during the relevant dates of this accusation.
5. HSI billed for printing/consulting services in 2007 in the amount of \$7,855.00, and in 2008 in the amount of \$3,158.46.

6. In 2007 and 2008, Councilmember Archibong answered “No” on her City Financial Disclosure Statement to the following question: “Has your spouse, registered domestic partner, father, mother, brother, sister or child derived any benefit from any transaction with the City directly or through a business in which they have a majority or controlling interest?”.
7. Councilmember Archibong has no financial interest in HSI or in any entity for which HSI processed invoices for services provided to her office.
8. Ms. Archibong has fully cooperated with this investigation and had no intent to violate Section 2-814(a) (3) of the Code of Ordinances.

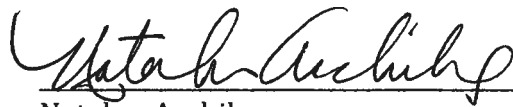
### **CONCLUSIONS OF LAW**

9. Ms. Archibong is a City Official subject to the Code of Ethics found in Sections 2-801-824 of the Code of Ordinances.
10. Section 2-814 (a) (3) makes it a violation where any benefit, whatever its nature, of such official’s or employee’s immediate family derived from transactions with the City or Agency, by employment, contract or otherwise, either directly or through a business in which such immediate family member has a majority or controlling interest.
11. The Code of Ethics’ definition of immediate family includes “brother”.
12. Ms. Archibong failed to disclose on her annual financial disclosure statements that payments (albeit for pass through purposes), were made to her brother’s company in 2007 and 2008.
13. Because said pass through payments could be construed as a “benefit” as contemplated by Section 2-814 (a) (3), Archibong should have reported these transactions on her Financial Disclosures for 2007 and 2008.


### **AGREEMENT**

14. Ms. Archibong acknowledges that she failed to disclose said benefit to her brother’s company and as such has arguably violated the City’s ethical standards.
15. Ms. Archibong states that she did not intentionally violate the Code of Ethics, but acknowledges that her actions may have violated the spirit of the Code. She further states that she wants to take responsibility for her actions.

16. Ms. Archibong agrees to pay the City of Atlanta a civil penalty of \$250.00 from personal funds within 10 days of approval of this agreement by the Ethics Board.
17. The parties agree to enter into this settlement agreement to resolve all factual and legal issues raised in this matter and to reach a final disposition without the necessity of an evidentiary hearing before the Board to determine Respondent's liability.
18. The Respondent understands and voluntarily waives all procedural rights under the Code of Ordinances, including the determination of probable cause and the right to personally appear before the Board, subpoena witnesses to testify, confront and cross-examine witnesses and to have the Board hear the matter at any enforcement hearing.
19. The Respondent acknowledges that this agreement is not binding on any other law enforcement or governmental agency and does not preclude the Board of Ethics from cooperating with or assisting any other law enforcement or government agency or any other related matter.
20. The Ethics Officer will submit this settlement agreement for consideration by the Board of Ethics at its next regularly scheduled meeting, and the Board must enter an order approving the agreement before it becomes the final decision and order in the case.
21. This Settlement Agreement shall become null and void in the event that the Board refuses to enter an Order approving same. The Respondent further agrees that no member of the Board of Ethics or its staff shall be disqualified from participating in any hearing before the Board because of prior consideration of this settlement agreement.

  
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Natalyn Archibong  
Respondent

9-13-2013  
Date

  
\_\_\_\_\_  
Nina Hickson  
Ethics Officer

13 Sept 2013  
Date