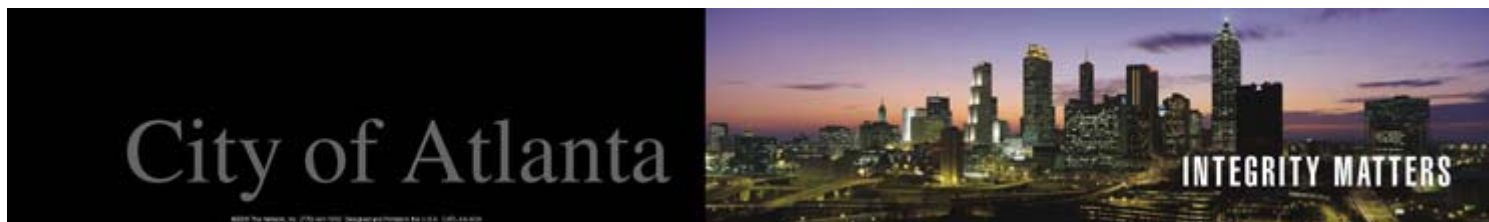


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Ethics Matters

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Board Fines Former Employee \$2,000

At its first enforcement hearing, the Board of Ethics found former employee Kevin Holloway violated the city's one-year cooling-off period. In April and May 2007, Mr. Holloway represented property owners before the planning department in connection with two subdivision applications that he had reviewed while working as a planner for the City. The Board ordered Mr. Holloway to pay a \$1,000 fine for each violation.

Besides Mr. Holloway's case, the Board approved consent orders or settlement agreements in four cases involving misuse of city property. In those cases, Council member Jim Maddox paid a fine for getting city workers to pave his driveway apron on the same day he requested the job, and Chief of Staff Greg Pridgeon paid a \$650 fine for using a city credit card for personal purchases. In the remaining two cases, another department head admitted making personal purchases with a city credit card, and a city employee acknowledged that she permitted city officials to use the atrium for private events without collecting the full rental fee charged to the general public. No fines were imposed in either case.

This year was critical in establishing a strong, comprehensive ethics enforcement program to complement the existing training, advice, and financial disclosure programs. In the 19 ethics cases resolved in 2007, the Board made its first finding of probable cause, issued its first subpoena, found its first ethics violation outside the financial disclosure area, and referred its first case to the solicitor's office for prosecution. In contrast, the Board considered just three formal ethics complaints in the previous four years and dismissed all three for lack of probable cause.

"While none of us takes pleasure in finding violations, the Board takes seriously its role in enforcing the code and works hard to ensure that we are fair but firm in the way we treat everyone who comes before us," says John Lewis, Jr., the board chair.

No violation was found in the 14 other ethics cases closed this year, and the Ethics Office

dismissed another 28 complaints for lack of jurisdiction. Six ethics cases remain open. Each involves allegations that city officials and city employees used city facilities, labor, or services for personal use or private advantage.

For more information on closed cases, go to the Board of Ethics' [Enforcement](#) webpage.

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City Employees May Work for National Airline

The Board of Ethics recently decided that the Code of Ethics does not prohibit certain city employees from being employed by a national airline that is a prohibited source. In an advisory opinion involving off-duty police officers (2007-3), the Board found no conflict of interest because the officers are working in a job that is unrelated to their official duties and they are paid the same salary and benefits as airline employees in comparable positions.

The Board posts all of its formal advisory opinions online and provides two indexes to the opinions: [Index of opinions by subject](#) and [Index of opinions by code section](#).

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Board Requires Travel Disclosure

In a second opinion (2007-2), the Board formally adopted a policy that requires city officials and employees to disclose their travel expenses when paid by a source other than the City of Atlanta. This disclosure rule took effect on December 1, 2007, and requires recipients to file an online *Expense Reimbursement Report* within 30 days of the event or reimbursement.

As a result of the recent rule, a city employee who travels on city business either files an expense report with the finance department when the City is the source of payment or files an online report in the Electronic Filing System when the City is not the source of the payment. If the non-city source is a prohibited source, travel expenses may be paid in four limited situations: a speaking engagement, teaching, participating on a panel, or attending a conference.

The Board will next consider the circumstances under which city departments and agencies may accept gifts of travel from prohibited sources for other city-related travel, such as training, trade missions, or the review of another city's program or project.

To read the full text of the opinions, go to the [Advisory Opinions](#) webpage and click the links to [FAO 2007-2](#) and [FAO 2007-3](#).

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Mayor's Gift Reports Now Available Online

- Mayor Shirley Franklin's gift reports are now available online detailing the gifts she has received each year since 2002. She writes: "All gifts presented to me remain city property and are registered and stored by city staff. . . . I do not take ownership of these gifts. The city will have to determine how to dispose of or store these gifts in 2009 when I leave office."

- Reports on gifts received by the City and its agencies in 2007 are due by December 31, 2007. The *Gift to City of Atlanta Report* is filed in the Electronic Filing System when a city official or employee accepts a gift on behalf of the City of Atlanta from a prohibited source, as a result of soliciting a donation or receiving an honorarium in an official capacity, or for addition to the general fund or city's inventory of property.
- The holiday gift rule is an exception to the code's ban on personal gifts. City officials and employees may accept gifts of food and flowers on behalf of their agency when the gift is perishable, has a nominal market value, and is impractical to return. The gift must be placed in a public area where other employees or the general public can share it.

To review Mayor Franklin's gift reports, visit the [Gifts](#) webpage.

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Integrity Matters Program Launches New Message

Look for the new poster, *Stand Up for Our Values*, in City Hall. The message is the latest in the Integrity Matters program to remind city officials and employees that they need to be honest and fair in their dealings with citizens and coworkers.



The City has an ethics and compliance hotline, the Integrity Line, to enable the reporting of unethical, fraudulent, or illegal conduct by city officials or employees. The Integrity Line's toll-free number is 1.800.884.0911.

To order posters for your office, call the Ethics Office or write ethicsofficer@atlantaga.gov.

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Ask the Ethics Officer: May I Accept a Lunch Invitation?

I am having a business lunch with outside counsel for Beltline, Inc. She wants to buy my lunch. We are on the same side of a transaction. I assume this is okay, as long as I disclose and keep it under \$25. Correct?

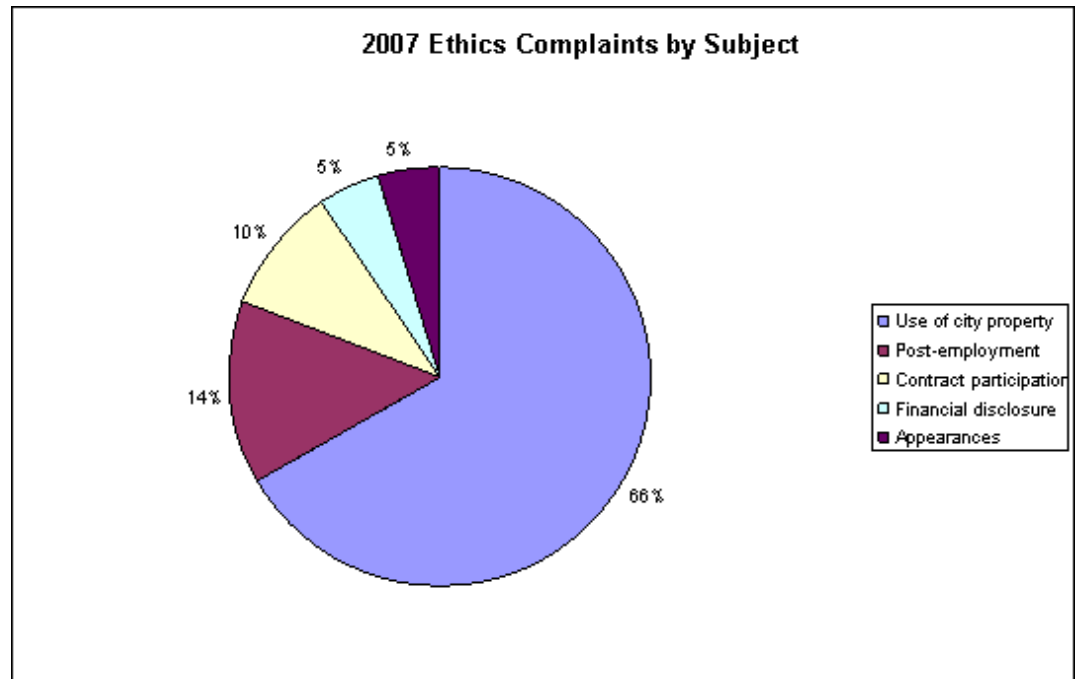
No. The City has no exception for personal gifts of meals. The ban on gratuities prohibits employees from accepting things of value from a prohibited source, which includes law firms that represent city agencies. There are three exceptions for food: (1) meals and refreshments provided at a public event, (2) hospitality extended for a social or business purpose unrelated to official city business, and (3) meals provided as part of travel in connection with a speech or a conference.

Visit the [Ask the Ethics Officer](#) webpage to review previously asked questions.

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A Matter of Fact - 66% of Complaints Allege Misuse of City Property

- 66% (14 of 21) of the ethics complaints filed in 2007 allege personal use of city property
- 3% (5 of 150) of the requests for advice in 2007 involve questions about use of city property



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