

City of Atlanta



Ethics Matters

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Board Finds Employees Violated Ban on Gratuities

The Board of Ethics in July found a senior assistant city attorney violated the Code of Ethics when he accepted two dinners paid for by a law firm suing the City. In only its second contested case, the Board rejected Robert Godfrey's arguments that a prohibited source is limited to a person seeking business from the City and does not include a firm that has an adversarial relationship with the City. Instead, the Board determined that the Martin & Jones law firm was a prohibited source because it represented persons seeking official action from the City and had interests that may be substantially affected by how the city attorney performed his official duties. The Board ordered Mr. Godfrey to repay \$175 to the City for the violation.

In a second ethics case, the Board approved a settlement agreement in which the former director of the Office of General Services admitted that she violated the city's ethical standards by hosting her daughter's wedding at City Hall without paying the rental fee customarily charged to the general public and by granting a waiver of rental fees for other private events not sponsored by the City. Former director Deborah Scott Brooks agreed to pay \$250 for the violation; she had paid the \$1,050 rental fee for use of the facilities prior to leaving city employment.

The Board in May found two former Department of Information Technology employees,

Anthony James and Stacy Goree, violated the Code of Ethics when they accepted an all-expense-paid trip to Las Vegas from a city vendor. The men flew on the company's corporate jet to Las Vegas for a weekend trip, attended a three-hour briefing on the company's products, and received two nights of lodging, meals, hospitality, and a round of golf. The department terminated the employees in December 2007 after the Department of Law found they accepted illegal gifts, and the vendor repaid the illegal gratuities, valued at \$8,398, to the City. The Board dismissed a third complaint against Brian Dennis, an independent contractor, for lack of jurisdiction, but voted to adopt a policy that clarifies when consultants, independent contractors, and contract employees are subject to the Code of Ethics.

For more information about ethics cases, visit the [Closed Ethics Cases](#) webpage.

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Board Sanctions 19 Delinquent Filers

At enforcement hearings in July, the Board of Ethics found 19 persons violated the financial disclosure laws and ordered administrative sanctions ranging from \$50 to \$500. Seven active employees who filed late and owed a \$50 fine for their late filing were sanctioned \$400 for their failure to pay the late fine. The Board ordered the following employees to appear in person at the next meeting in September to receive a public reprimand: Tyrone Burke, Bryan Dodson, Keith Duffey, Justin Kabota, Frederick Mitchell, Anthony Ogato, and Henry West.

The Board publicly reprimanded seven former employees who failed to file their 2010 City Financial Disclosure Statement and ordered them to pay the maximum fine of \$500 for their violation. The nonfilers are James Brown, Derrick Cannon, Leslie Ford, Antrell Gales, Henry Gibson, Semethia Grier, and Lizzie Summers. In addition, four former employees and one board member who filed late and did not pay their fine received a public reprimand and were ordered to pay their late fine. They include former employees Carlos Banda, Joshua Farcarlun, Wayne Wilson, and Rabeka Doss and current board member Sharyl Chatman. Finally, the Board recommended that the City consider all of the former employees ineligible for rehiring for one year and, if rehired, that they be required to file their statement and pay their fine as a condition of their reemployment.

To learn more about ethics enforcement, visit the [Enforcement](#) webpage.

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Ethics News in Brief

- The Ethics Officer has asked the Board of Ethics to address the definition of a "personal interest" in a formal advisory opinion to provide guidance on when an official or employee is precluded from participating in a decision or vote due to a personal

interest. The code defines a personal interest as “any interest arising from relationships with immediate family or from business, partnership or corporate associations, whether or not any financial interest is involved.”

- The presidents of the six major universities and colleges have reappointed Cathy Daniels to a second three-year term. Ms. Daniels is the Chief of Staff and Secretary of the College at Spelman College.
- The members of four new tax allocation district advisory committees will be required to file the city financial disclosure statement beginning in 2011. The boards are the Campbellton Road TAD Advisory Committee, Hollowell/MLK TAD Advisory Committee, Metropolitan Parkway TAD Advisory Committee, and Stadium Neighborhoods TAD Advisory Committee.
- The next ethics workshops for city employees will be held on Wednesday, September 1 and Friday, October 29 from 9 a.m. to noon in the Historic City Council Chambers. The next workshop for volunteer board members is from 9 a.m. to 11:30 a.m. on Saturday, October 16. The Ethics Office also provides workshops for individual offices on request.

To request or register for an ethics workshop, call 404.330.6286 or write ethicsofficer@atlantaga.gov.

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Efiling System Expands Search Options

Recent upgrades to the Electronic Disclosure System have expanded the public’s ability to search financial disclosure reports and provide more detailed information about answers disclosed on forms. The Public Search tool now enables searches by the individual filer’s name or by one of four reports: City Financial Disclosure Statement, Conflict of Interest Disclosure Report, Gift to City Report, and Travel Disclosure Report.

The system permits a basic and advanced search of the financial disclosure statements filed since 2009. A basic search enables the user to review who has filed, the date they filed, and their department or board. An advanced search enables the user to review specific information that filers disclose related to potential conflicts of interest, including sources of income, business with the City, family member’s employment with the City, property ownership, and stock ownership. Results may be exported to an Excel spreadsheet for sorting and further analysis.

A new feature in 2010 permits the public to easily search the disclosures made in the conflict, gift, and travel reports. The public may now search conflict disclosure reports for specific financial and personal interests that city officials and employees have in proposed legislation or decisions that came before them. A search of all gift reports shows the offices receiving gifts, a gift description, the gift’s purpose, the donor, the gift’s value, and the date of the gift. Similarly, searches of all travel reports display expense reimbursements that city officials and employees receive from a non-city source for travel or training done in an official capacity. The search results list the travel sponsor, the reason for the travel, the destination, and the

travel dates.

To conduct a search of reports filed since 2005, go to the [Public Search](#) webpage in the [Electronic Disclosure System](#).

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Ask the Ethics Officer: Can We Hire a City Employee?

Our department solicited and received three bids from local companies for a contract that is under \$20,000. The lowest bid is from a company that a city employee owns. Can we award the contract to the employee's company?

No. Active city employees cannot own a company that does business with the City, unless the business is conducted through a sealed competitive bid process. Since the department is awarding its contract based on quotes from three companies, it is prohibited from entering into a contract with the city employee or the employee's company.

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

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A Matter of Fact -- Top Three Ethics Subjects

- Of the 164 requests for advice received in 2009:
 - 28 (17%) involved questions about gratuities
 - 28 (17%) involved questions on the use of city property
 - 24 (15%) involved conflict-of-interest questions

- Of the 11 ethics complaints filed in 2009:
 - 2 (18%) alleged illegal gratuities were given or accepted
 - 3 (27%) alleged misuse of city property
 - 6 (55%) alleged a conflict of interest

To locate the formal advisory opinions on these subjects, go to the [Index of Opinions by Subject](#) webpage.

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Ethics Matters is produced by the City of Atlanta Ethics Office.

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