

City of Atlanta Board of Ethics Minutes – September 22, 2005

The regular monthly meeting of the City of Atlanta Board of Ethics was called to order by John D. Marshall, Jr., chairperson, on Thursday, September 22, 2005, at 6:08 p.m. in City Council Committee Room 2. Attending the meeting were board members Leah Janus, Jacquee Minor, Kenyatta Mitchell, and Robert B. Remar. Lawrence S. Levin was absent. Also attending was Ginny Looney, the ethics officer.

The board approved the minutes from the July 21, 2005, meeting as presented.

Mr. Remar nominated the following persons as officers, with a second by Jacquee Minor: John Marshall, chairperson; Kenyatta Mitchell, vice chairperson; and Lawrence Levin, secretary/treasurer. The Board voted unanimously in favor of the nominations.

Ms. Looney presented her final report on the 2005 financial disclosure process and made three recommendations:

1. The Board of Ethics should require online filing of the 2006 Financial Disclosure Statement by all elected city officials and all city employees.
2. The City Council should appropriate sufficient funds to enable additional improvements in the online financial disclosure statement and to enhance the public search function of the City's e-filing system.
3. The City's human resources information system, part of the new Oracle system now being implemented, should identify all city positions or employees required to file a financial disclosure statement each year.

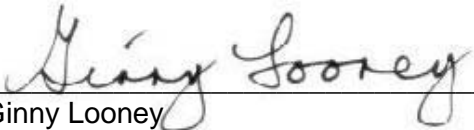
Mr. Remar made a motion, with a second by Ms. Mitchell, that the Board adopt the report's recommendations as the recommendations of the Board, provided the ethics officer takes the necessary steps to ensure that all city employees who do not have computers as part of their job will have access to them during regular working hours to complete their filing online.

As part of the budget discussions for 2006 and 2007, Mr. Marshall presented three proposed personnel changes for the Ethics Office: creation of an administrative analyst position, creation of an investigator position to be shared with the Office of Internal Auditor, and a pay grade adjustment for the ethics officer's position. Following a brief discussion, Ms. Janus moved, with a second by Ms. Minor, to approve the abolition of the Administrative Assistant, Senior, position, and the creation of the Administrative Analyst, Senior, position. The motion passed unanimously. After another discussion, Ms. Janus moved to accept the recommendation to establish a new position for an Ethics and Fraud Investigator at pay grade 21. Ms. Minor seconded the motion, and the board adopted it. Mr. Marshall presented the reasons for the proposed change in the Ethics Officer's position from a Pay Grade 41 to a Pay Grade 45. Mr. Remar moved to adopt the change in pay grade, Ms. Mitchell seconded the motion, and the board adopted the motion. On a motion by Mr. Remar, which was seconded by Ms. Mitchell, the board adopted a proposed budget of \$189,809.76 for January 1 to July 1, 2006, and a budget of \$330,718.49 from July 1, 2006 to June 30, 2007.

The board next discussed a request for a formal advisory opinion from the Mayor's Chief of Staff, Greg Pridgeon, concerning solicitation of donations by city officials on behalf of programs that benefit citizens. There was a consensus among board members that a solicitation of funds for long-standing city programs, such as the Mayor's Cup, the Mayor's Senior Ball, and the Dream Jamboree, was permissible under the Code of Ethics. The solicitation must be for a city purpose, it cannot be calculated to influence any city official or employee, and the gift must be reported on a Gift Report form. The ethics officer was asked to draft an opinion addressing these events. The Board did not reach any decision on a separate example involving a city councilmember's solicitation of funds for a senior citizen event, but asked the ethics officer to obtain more information about the event and its sponsor.

The Ethics Officer presented her workplan for the next two years concerning public education, training, rendering advice, investigations, enforcement, legislation and lobbying, and disclosure statements. Mr. Marshall noted that there is no requirement within the city code that lobbyists register or wear identification badges. Ms. Minor moved, with a second by Mr. Remar, that the Board recommend to the City Council that it adopt legislation requiring any lobbyist at City Hall to register as part of the city's ethics disclosure system. Mr. Marshall asked Ms. Looney to send the Board's recommendation to the City Council.

Having no further business, the meeting was adjourned at 7:25 p.m.



Ginny Looney
Approved October 27, 2005