

**City of Atlanta Board of Ethics Meeting
Minutes of September 19, 2013**

The monthly meeting of the City of Atlanta Board of Ethics was called to order by Chair Caroline Johnson Tanner at 6:17 p.m. in the City Council Committee Room 2, 55 Trinity Avenue, Atlanta, Georgia 30303. Attending the meeting were board members Brent Adams, Carol Snype Crawford, Shukura Ingram Millender, and Kate Wasch. Board members De'Lonn Brown and Kai Williamson were absent. Staff members Nina R. Hickson, Jabu M. Sengova and Sherry H. Dawson also attended.

MINUTES

1. The Board approved the minutes of the July 18, 2013 meeting on a motion by Ms. Millender seconded by Mr. Adams.

ENFORCEMENT ACTIONS

2. CO-13-004. In the Matter of Tonya Battle

Ms. Sengova presented and recommended approval of a settlement agreement with city employee Tonya Battle. Ms. Battle acknowledged that she violated the Code of Ethics by accepting funds from permit expeditors for her daughter's participation in the People to People Ambassador Program. However, there was no evidence that Ms. Battle used the funds for her personal benefit or sought to bestow any special benefit on the expeditors. Following a brief discussion, the Board recommended ethics training for employees in the Office of Buildings. Ms. Wasch moved to adopt the settlement agreement, with a second by Ms. Millender and the Board approved the settlement unanimously.

3. CO-13-007. In the Matter of Natalyn Archibong

Ms. Hickson presented and recommended approval of a settlement agreement with Councilmember Natalyn Archibong concerning her failure to disclose on her annual financial disclosure statements that certain pass through payments were made to her brother's company, HSI Systems and Consulting, in 2007 and 2008. There was no evidence that her brother's company received any financial benefits or that Ms. Archibong had a financial interest in HSI or any other entity for which HSI processed invoices for services to her office. Ms. Archibong acknowledged that she violated the Code of Ethics and agreed to pay a fine of \$250. Following a brief discussion, Mr. Adams moved to approve the settlement agreement, with a second by Ms. Millender, and the Board approved the agreement unanimously.

FINANCIAL DISCLOSURE

4. Settlement Agreements

13-FD-009 Consent Agreement: In the Matter of David Holder – Ms. Sengova presented a consent order recommending that the Board assess a fine of \$150 and suspend the balance of the \$250 fine. Ms. Wasch made a motion to accept the consent order, which was seconded by Mr. Adams, and it passed unanimously.

13-FD-001 Consent Agreement: In the Matter of Brian Justin Aaron – Ms. Sengova presented a consent order recommending that the Board assess a fine of

\$100 and suspend the balance of the \$100 fine. Ms. Crawford made a motion to accept the consent order, which was seconded by Ms. Millender, and it passed unanimously.

5. Enforcement Action - Late filer

13-FD-014 In the Matter of John Kennedy

Former employee, Mr. Kennedy was not present at the hearing and had not provided justifiable cause for filing late. Because there was no opposition, Ms. Sengova submitted that the facts as stated in the administrative decision should be admitted as evidence and formed the basis for the Board to impose penalties in the case concerning John Kennedy. Ms. Sengova requested that the Board impose the assessed fine of \$250, issue a reprimand, and recommend to the Department of Human Resources that Mr. Kennedy pay the fine prior to any re-employment by the City. Mr. Adams moved to accept Ms. Sengova's recommendation which was seconded by Ms. Millender, and the motion passed unanimously.

6. Motion to Vacate Final Order

13-FD-021 In the Matter of Rodney Simon

Ms. Crawford moved to accept Ms. Sengova's recommendation that the final order and public reprimand be vacated in this case because the filer had been deployed during the 2013 financial disclosure filing season. Ms. Sengova reported that the Ethics Office was only notified of these facts shortly after the July board meeting when Mr. Simon contacted the office. After a discussion on the circumstances concerning this matter, Mr. Adams seconded the motion, and it passed unanimously.

TRAINING

7. Associate Ethics Officer's report on Marine Corps Ethics Training

Ms. Sengova provided a report to the Board on her visit to Parris Island with other professionals to learn how ethics and value-based training make Marine recruits. The Marine Corps believe in the process of transformational leadership through value based training. Ms. Sengova explained that she and other professionals were given a tour of the facilities which included observing a class of recruits, participating in drill exercises, and meeting with high level Marine personnel for a question and answer session. At the conclusion of the visit, the Marines leaders encouraged the group to consider the transformational leadership model in their respective organizations.

ETHICS OFFICER'S REPORT

8. FY14 Budget Report

Ms. Hickson presented the approved FY14 Budget which allocates \$344,729 in personnel expenses and \$58,832 in operating expenses for a total budget of \$403,561. She also reported that the Ethics Office had submitted its explanation to the Finance Department regarding any variances.

9. 2012-2013 Work Plan

Ms. Hickson reported on activities that support the 2013-2014 Work Plan in the following areas: operations, training, activities, advice, public education and outreach, investigation and enforcement actions, financial disclosure, and legislation.

10. Proposed Formal Advisory Opinion 2013-1 on Tickets Provision of New Stadium Project Memorandum of Understanding (draft)

Ms. Hickson presented a draft formal advisory opinion which addresses whether specific language contained in the Tri-Party Memorandum of Understanding for Succession Facility to the Georgia Dome violates the Atlanta Code of Ethics. The opinion concludes that the subject contract language violates the Ethics Code because the Code prohibits the City or any entity acting as its agent from requiring that passes, tickets or gratuities be paid to officials or employees in connection with the execution or performance under a contract or lease. Ms. Tanner stated that the opinion was well articulated and reasoned. Ms. Hickson requested that the Board hold a vote on the opinion until its next board meeting and allow Ms. Brown and Ms. Williamson the opportunity to provide any comments.

Having no further business, the meeting adjourned at 6.59 p.m.



Jabu M. Sengova, Associate Ethics Officer
Approved October 17, 2013