

**City of Atlanta Board of Ethics Meeting  
Minutes of October 23, 2014**

The monthly meeting of the City of Atlanta Board of Ethics was called to order by Board Chair Caroline Johnson Tanner at 6:08 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, Patricia Upshaw-Monteith, Kai Williamson and Kate Wasch. Staff members Nina R. Hickson, Jabu M. Sengova, Sherry H. Dawson also attended.

**MINUTES**

1. Mr. Adams moved to approve the minutes of the July 17<sup>th</sup> board meeting with a second by Ms. Wasch. The Board unanimously adopted the minutes.

**FINANCIAL DISCLOSURE HEARINGS**

Ms. Sengova requested that three financial disclosure matters be moved to the November board meeting. The first case, In the matter of Tommy Reid, 14-FD-021, was moved to the November meeting following a motion by Ms. Crawford which was seconded by Mr. Adams. The next matter, case 14-FD-023 regarding Carrie Salvary, was also moved to the November meeting following a motion by Ms. Wasch and a second by Ms. Millender. Finally, Ms. Sengova requested that the Matter of Michele Walker be moved to the November meeting. Ms. Walker was present at the meeting. Ms. Millender made a motion to move the matter which was seconded by Ms. Wasch.

**2. No Appeals Filed – Late Filers**

14-FD-007: In the Matter of Tonya Green

Ms. Sengova presented evidence that Ms. Green failed to file the 2014 Financial Disclosure Statement by the filing deadline without reasonable cause and requested that the Board impose an administrative sanction of \$250, issue a public reprimand, and recommend that the City consider her ineligible for rehire for one year and require her to pay the fine owed prior to her reemployment by the City. Ms. Sengova also presented evidence to the Board that the warning letter mailed to Ms. Green was returned to the Ethics Office; however, no other mailings were returned. Mr. Adams move to adopt the recommendation of the Ethics Office with a second Ms. Millender. However, Ms. Wasch found that the Administrative Decision issued by the Ethics Office did not reflect the returned mailing and requested that it be amended to reflect the accuracy of that having been returned. The amendment was so noted and the motion passed unanimously.

14-FD-014: In the Matter of James Montgomery

Ms. Sengova presented evidence that Mr. Montgomery failed to file the 2014 Financial Disclosure Statement by the filing deadline without reasonable cause and requested that the Board impose an administrative sanction of \$100, issue a public reprimand, recommend that the City consider him ineligible for rehire for one year and require him to pay the fine owed prior to his reemployment by the City. Ms. Millender moved to accept the recommendation which was seconded by Ms. Wasch, and the motion passed unanimously.

14-FD-022: In the Matter of Don Lee Rosenthal

Ms. Sengova presented evidence that Mr. Rosenthal failed to file the 2014 Financial Disclosure Statement by the filing deadline without reasonable cause and requested that the Board impose an administrative sanction of \$200, issue a public reprimand, recommend that the City consider him ineligible for rehire for one year and require him to pay the fine owed prior to his reemployment by the City. Mr. Adams moved to accept the recommendation which was seconded by Ms. Wasch, and the motion passed unanimously.

**3. No Appeals Filed - Nonfilers**

14-FD-001: In the Matter of Beverly Brookins

Ms. Sengova presented evidence that Ms. Brookins violated section 2-814(e) of the Code of Ethics by failing to file the 2014 Financial Disclosure Statement by the filing deadline without reasonable cause and requested that the Board impose an administrative sanction of \$500, issue a public reprimand, recommend to the City that it consider her ineligible for rehire for one year and require her to file her statement and pay the fine owed prior to any reemployment by the City. Ms. Sengova also recommended referral of the case to the City Solicitor's Office. Mr. Adams moved to accept the recommendation which was seconded by Ms. Wasch, and the motion passed unanimously.

14-FD-004: In the Matter of Talmadge Dixon

Ms. Sengova presented evidence that Mr. Dixon violated section 2-814(e) of the Code of Ethics by failing to file the 2014 Financial Disclosure Statement by the filing deadline without reasonable cause and requested that the Board impose an administrative sanction of \$500, issue a public reprimand, recommend to the City that it consider him ineligible for rehire for one year and require him to file his statement and pay the fine owed prior to any reemployment by the City. Ms. Sengova also recommended referral of the case to the City Solicitor's Office. Mr. Adams moved to accept the recommendation which was seconded by Ms. Wasch, and the motion passed unanimously.

14-FD-012: In the Matter of Labriah Lee

Ms. Sengova presented evidence that Ms. Lee violated section 2-814(e) of the Code of Ethics by failing to file the 2014 Financial Disclosure Statement by the filing deadline without reasonable cause and requested that the Board impose an administrative sanction of \$500, issue a public reprimand, and recommend referral to the City Solicitor's Office. Ms. Millender moved to adopt the recommendation of the Ethics Office which was seconded by Ms. Wasch. Following a brief discussion, Ms. Millender made a friendly amendment to the motion with the addition that Ms. Lee be ineligible for reappointment to the Citizen Review Board for one year and until she pays the \$500 administrative sanction. The amendment was seconded by Ms. Wasch and it passed unanimously.

14-FD-016: In the Matter of Asha Palmer

The next matter brought before the Board was deferred because two board members, Ms. Upshaw-Monteith and Ms. Williamson personally know Ms. Palmer and provided information pertinent to the hearing. According to Ms. Upshaw-Monteith and Ms. Williamson, Ms. Palmer had moved to Abu Dhabi in the Middle East approximately two years ago and had not served on the Civil Service Board

since that time. The Board unanimously agreed to defer the matter to the November board meeting for the Ethics Office to investigate the information provided.

14-FD-017: In the Matter of David E. Palmer

Ms. Sengova presented evidence that Mr. Palmer violated section 2-814(e) of the Code of Ethics by failing to file the 2014 Financial Disclosure Statement by the filing deadline without reasonable cause and requested that the Board impose an administrative sanction of \$500, issue a public reprimand, recommend to the City that it consider him ineligible for rehire for one year and require him to file his statement and pay the fine owed prior to any reemployment by the City. Ms. Sengova also recommended referral of the case to the City Solicitor's Office. Mr. Adams moved to accept the recommendation which was seconded by Ms. Wasch, and the motion passed unanimously.

14-FD-025: In the Matter of Teresa C. Smith

Ms. Sengova presented evidence that Ms. Smith violated section 2-814(e) of the Code of Ethics by failing to file the 2014 Financial Disclosure Statement by the filing deadline without reasonable cause and requested that the Board impose an administrative sanction of \$500, issue a public reprimand, recommend to the City that it consider her ineligible for rehire for one year and require her to file her statement and pay the fine owed prior to any reemployment by the City. Ms. Sengova also recommended referral of the case to the City Solicitor's Office. Ms. Wasch moved to adopt the recommendation which was seconded by Mr. Adams, and the motion passed unanimously.

14-FD-028: In the Matter of Freddie Styles

In the last matter before the Board, Ms. Sengova presented evidence that Mr. Styles violated section 2-814(e) of the Code of Ethics by failing to file the 2014 Financial Disclosure Statement by the filing deadline without reasonable cause and requested that the Board impose an administrative sanction of \$500, issue a public reprimand, and recommend referral to the City Solicitor's Office. Mr. Adams moved to adopt the recommendation of the Ethics Office which was seconded by Ms. Upshaw-Monteith. Following a brief discussion, Mr. Adams made a friendly amendment to the motion with the addition that Mr. Styles be ineligible for reappointment to the People TV Board for one year and until he pays the \$500 administrative sanction. The amendment was seconded by Ms. Millender and it passed unanimously.

## **ENFORCEMENT ACTIONS**

### **4. CO-14-015. In the Matter of Pamela Lockett**

Ms. Sengova next presented and recommended approval of a settlement agreement with former city employee Pamela Lockett. Ms. Lockett acknowledges that she violated Section 2-811 of the Ethics Code when she conspired with another city employee, Mernena Henderson, using city property and resources during city work hours, to produce illegal GED certificates and City of Atlanta pay stubs, which were sold to city employees and citizens. Ms. Sengova advised the Board that the matter involving Henderson was still open. The Ethics Office recommended a penalty of \$1,500; to be paid in monthly installments of \$100 which must be paid in full by December 31, 2015. Ms. Sengova submitted that the penalty was consistent with the benefit derived by Lockett for the period of time in which the violations occurred. Following a brief

discussion, Ms. Crawford moved to approve the settlement agreement which was seconded by Ms. Williamson. The motion passed unanimously.

**5. CO-14-012. In the Matter of Ronald Stephens**

Ms. Sengova presented and recommended approval of a settlement agreement with city employee Ronald Stephens. Mr. Stephens acknowledges that he violated Section 2-819 of the Ethics Code when he referred a private plumber to restaurant owner while he was performing his city job. The Ethics Office recommended a penalty of \$150 for the violation. Ms. Williamson moved to approve the proposed settlement which was seconded by Mr. Adams. Following a brief discussion, the Board unanimously approved the agreement.

**6. CO-13-013. Fire Inspectors investigation**

Ms. Sengova reported on the Ethics Office's investigation into allegations stemming from a 2013 Fox 5 media story that fire marshals and inspectors within the City of Atlanta Fire Rescue Department were providing private services to establishments where they conduct city inspections. The investigation found that there was sufficient evidence that Fire Rescue employee, Edward Buford, violated Section 2-820(b) of the Ethics Code when he conducted a city inspection at an Atlanta nightclub for which he was also providing private services through his private business, Events Management Group. Consistent with prior ethics cases, the Ethics Office recommended a written reprimand and sanction of \$500 against Mr. Buford and that his department develop and employ a better process concerning outside employment forms submitted by its fire inspectors. Ms. Millender moved to approve the recommendation of the Ethics Office to issue the \$500 sanction and a public reprimand which was seconded by Ms. Upshaw-Monteith. Having no opposition, the motion carried.

**ETHICS OFFICER'S REPORT**

**7. Work Plan**

Ms. Hickson reported on activities that support the Ethics Office Work Plan in the following areas: operations, training, activities, advice, public education and outreach, investigation and enforcement actions, financial disclosure, and legislation and lobbying. Ms. Hickson reported that the Ethics Office held a kick-off event for the 2015 Financial Disclosure season which was very successful and well attended.

**8. FY15 Budget Report**

Ms. Hickson presented the approved FY15 budget which allocates \$390,482 in personnel expenses and \$110,154 in operating expenses for a total budget of \$500,636. She also reported that the Ethics Office was spending as budgeted for fiscal year 2015.

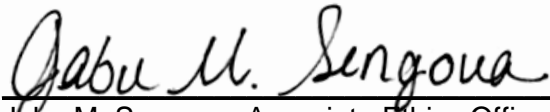
**PUBLIC COMMENTS**

**9. Request from Ben Howard**

Mr. Howard appeared before the Board to request that it render a formal advisory opinion concerning an action that was previously taken by City Council in which Council rejected the individual selected by the Atlanta Planning Advisory Board as its representative for Invest Atlanta. Mr. Howard also requested that the Board consider as to whether a state representative may ethically be appointed to the Board for

Invest Atlanta. Ms. Tanner recommended that Mr. Howard's request be referred to the Ethics Office for consideration and brought back before the Board at its November meeting.

Having no further business, the meeting adjourned at 7:21 p.m.

A handwritten signature in black ink that reads "Jabu M. Sengova". The signature is written in a cursive style with a horizontal line underneath it.

Jabu M. Sengova, Associate Ethics Officer  
Approved November 20, 2014