

**City of Atlanta Board of Ethics Meeting
Minutes of May 17, 2018**

The monthly meeting of the City of Atlanta Board of Ethics was called to order by Board Chair Kate Wasch at 6:05 p.m. in the City Council Committee Room 1, 55 Trinity Avenue, Atlanta, Georgia 30303. Attending the meeting were board members Todd Gray, Nichola Hines, Gerry Neumark and Jessica Stern. Ethics Officer Jabu M. Sengova and staff members Carlos R. Santiago, Sherry H. Dawson, Janet R. Keene and Ibi Onabanjo also attended.

MINUTES

1. Ms. Stern moved to approve the minutes of the March 15, 2018 board meeting which was seconded by Todd Gray. The Board unanimously adopted the minutes.

ENFORCEMENT ACTION

2. CO-17-008. In the Matter of Cortez Carter

Ms. Sengova presented a probable cause report for Case Number CO-17-008 concerning Cortez Carter, former Deputy General Manager Department of Aviation. The Ethics Office investigated a complaint based on potential conflicts of interest regarding Mr. Carter's role with the City and his spouse's interest in the company, AirWorks Group, LLC. The complaint alleged potential violations of Sections 2-812 on participation in contracts and 2-813 on disclosure of interests. Ms. Sengova recommended that the matter be closed because Mr. Carter was no longer serving as Deputy General Manager for the airport and his relationship with AirWorks no longer presented a conflict. Following a discussion, Mr. Gray moved to adopt the recommendation of the Ethics Office to close the matter with no further action. Dr. Neumark moved to adopt the recommendation with the additional stipulation that the probable cause report be included in Mr. Carter's personnel file. Mr. Gray seconded the motion which was approved by the Board. Ms. Hines abstained from the vote.

FINANCIAL DISCLOSURE

3. Recognition of Departments, Boards and Commissions with the Best Filing Records and Adoption of Resolution.

Ms. Wasch announced the 2018 Honor Roll for the Best Filing Records. Mr. Gray moved to adopt the roll as presented. Ms. Hines seconded the motion which was unanimously approved by the Board.

4. Report to Board on 2018 Filing Season

Ms. Dawson delivered the 2018 report to the Board on persons required to file an annual financial disclosure statement, those who complied with the filing requirements, and those who failed to file in 2018 as required by law. Ms. Dawson reported that the percentage of timely filers was 95 percent this year based on a total of 2729 timely filers, a rate comparable to previous years. In 2017 there was a filing rate of 96 percent based on 2622 timely filers; in 2016, 94 percent based on 2384 timely filers; in 2015, 92 percent based on 1910 timely filers; and in 2014, 96 percent based on 1624 timely filers. Ms. Dawson stated

that this year's rate exceeded the expectations of the Ethics Office due to the unexpected cyber incident and an increase in the number of filers.

5. 2018 Roll of Delinquent Filers

Mr. Santiago presented the 2018 Roll of Delinquent Filers. He stated that due to the cyber incident the Ethics Office extended the 2018 filing deadline to April 9 and the grace period to file without penalty was extended to April 23. Ms. Stern moved to adopt the roll as presented. Ms. Hines seconded the motion which was carried by the Board.

FORMAL ADVISORY OPINION

6. Request from Ben Howard, Citizen

Mr. Howard requested that the Board of Ethics issue a Formal Advisory Opinion that clarifies whether City Council Members are acting ethically when they consider legislative recommendations from Neighborhood Planning Units that may be in violation of the Georgia Open Meetings Act. Following a brief discussion Ms. Sengova advised Mr. Howard that the Law Department would be the proper venue to consider his request.

ETHICS OFFICER'S REPORT

7. Status Report on Activities Performed Under the Work Plan

Ms. Sengova reported on activities that support the Ethics Office Work Plan in the following areas: operations, training, advice, public education and outreach, investigations and enforcement actions, and financial disclosure including the electronic disclosure system. Ms. Sengova highlighted the Ethics Office's increased visibility citywide.

8. FY18 Budget Report

Ms. Sengova reported that the Ethics Office was spending as budgeted for the remainder of fiscal year 2018.

9. FY19 Budget Update

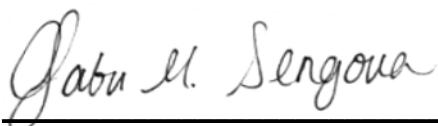
Ms. Sengova reported that the hearing for the FY19 budget has been postponed to June 5 due to the cyber incident.

PUBLIC COMMENTS

10. Ben Howard, Citizen

Mr. Howard addressed the Board on Formal Advisory Opinion 2017-1 Appearance of Impropriety and recommended the creation of a Whistleblower Fund to support open government laws.

Having no further business, the meeting adjourned at 6:53 p.m.



Jabu M. Sengova, Ethics Officer
Approved July 19, 2018.