

**City of Atlanta Board of Ethics Meeting
Minutes of October 18, 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 Wesley Tharpe. Ethics Officer Jabu M. Sengova and staff members Carlos R. Santiago, Sherry H. Dawson and Janet R. Keene also attended. Board member Jessica Stern and staff member Ibidapo Onabanjo were absent.

MINUTES

1. Mr. Gray moved to approve the minutes of the July 19, 2018 board meeting and August 18, 2018 board retreat. The motion was seconded by Dr. Neumark and unanimously approved by the Board.

FINANCIAL DISCLOSURE ENFORCEMENT

2. 2018 Amended Roll of Delinquent Filers

Mr. Santiago recommended the removal of seven individuals from the existing 2018 Roll of Delinquent Filers. Ms. Hines made a motion to adopt the Amended Roll of Delinquent Filers which was seconded by Mr. Tharpe. The Board unanimously adopted the motion.

3. In the Matter of Charles W. Simmons: FD-18-066

Mr. Santiago presented a consent agreement reached between Ethics Office and Mr. Simmons, a former City of Atlanta employee and a delinquent filer. He filed his statement on August 27, 2018 and owed a fine of \$250 for filing after the grace period. In consideration of Mr. Simmons' timely filing history and his efforts to promptly resolve the matter upon receipt of the Administrative Decision, Mr. Santiago recommended reduction of his fine from \$250 to \$125. Dr. Neumark moved to approve the consent agreement as proposed. The motion was seconded by Mr. Gray and unanimously approved by the Board.

FINANCIAL DISCLOSURE HEARINGS

4. Documentary Evidence and Sanctions Requested

Mr. Santiago presented Exhibits 1 through 5 as documentary evidence of notices sent to persons which provided notice of the requirement to file the City Financial Disclosure Statement. Ms. Hines made a motion to approve Exhibits 1 through 5 as proper notice of the requirements to file under Section 2-814. Mr. Tharpe seconded the motion which was unanimously approved by the Board.

Mr. Santiago presented evidence of persons who violated Section 2-814(e) of the Code of Ethics by failing to file the 2018 City Financial Disclosure Statement by the filing deadline without reasonable cause. He requested that the Board issue a written reprimand and impose a fine of \$50 or more in administrative sanctions and require that the fine be paid prior to any reemployment by the City.

5. Filers Appearing before the Board

FD-18-039 In the Matter of Linda Harris (late filer)

Former City Employee: filed 9/21/18 Sanction originally requested: \$250; request reduced to \$125.

Ms. Harris was present at the meeting. Mr. Santiago reported that Ms. Harris filed an appeal stating that she no longer worked for the City and traveled extensively; therefore, she did not receive the original notice. Mr. Santiago recommended that the fine be reduced to \$125 due to Ms. Harris' record of timely filing while she was employed by the City. Ms. Harris addressed the Board and requested a waiver of the \$250 fine. However, following a brief discussion, Mr. Gray moved to approve Mr. Santiago's recommendation that the fine for Ms. Harris be reduced to \$125. Dr. Neumark seconded the motion and it was unanimously approved by the Board.

FD-18-048 In the Matter of Roy Matthews (nonfiler)

Former City Employee

Attorney Mzekewe appeared before the Board on behalf of Roy Matthews. Mr. Mzekewe addressed the Board and stated that his client understood that he failed to file his disclosure statement and that he was facing sanctions for not filing. Mr. Santiago requested that the matter be held until the next meeting.

6. Late Filers – No Appeals Filed

FD-18-024 In the Matter of Kaskaskius Battle

Current City Employee: filed 8/23/18 Sanction requested: \$250

FD-18-003 In the Matter of LaShundra Cotton

Former City Employee: filed 6/26/18 Sanction requested: \$250

FD-18-006 In the Matter of Shanta Garrett

Current City Employee: filed 4/24/18 Sanction requested: \$50

FD-18-009 In the Matter of Lester Kimpson

Current City Employee: filed 4/26/18 Sanction requested: \$50

FD-18-011 In the Matter of Graydon Leake

Former City Employee: filed 4/26/18 Sanction requested: \$50

FD-18-050 In the Matter of Richard McDowell

Former City Employee: filed 10/08/18 Sanction requested: \$250

FD-18-014 In the Matter of Leanne Patterson

City Board Member: filed 4/24/18 Sanction requested: \$50

FD-18-018 In the Matter of Charlie Stanford

City Board Member: filed 4/24/18 Sanction requested: \$50

FD-18-020 In the Matter of Michael Williams

Current City Employee: filed 4/25/18 Sanction requested: \$50

FD-18-021 In the Matter of Homer Williams

Current City Employee: filed 6/18/18 Sanction requested: \$100

FD-18-023 In the Matter of Gabriel Yombe

Current City Employee: filed 4/25/18 Sanction requested: \$50

Mr. Tharpe moved to find the former city employees who were late filers in violation of Section 2-814 and to adopt sanctions as presented by Mr. Santiago. Ms. Hines seconded the motion and it was unanimously approved by the Board.

FD-18-004 In the Matter of Rukiya Eaddy

City Board Member: filed 4/24/18 Sanction requested: \$50

Ms. Hines moved to find Rukiya Eaddy, city board member, in violation of Section 2-814 of the Ethics Code and to adopt sanctions as presented. Mr. Gray seconded the motion and it was approved by the Board. Dr. Neumark abstained from the vote.

7. Late Filer – Appeal Filed

FD-18-070 In the Matter of Tony Turman

Current City Employee: filed 8/28/18 Sanction requested: \$250

Mr. Santiago reported that Mr. Turman filed an appeal asserting that his electronic filing was lost due to the cyber incident. Mr. Santiago recommended denying the appeal and requested that the Board assess the \$250 fine. Dr. Neumark moved to find Mr. Turman in violation of Section 2-814 and to adopt the sanctions as presented. Mr. Gray seconded the motion and it was unanimously approved by the Board.

8. Nonfilers – Current Employees

FD-18-026 In the Matter of Tranis Borders

Current City Employee Sanction requested: \$500 and Issue Subpoena

FD-18-054 In the Matter of Commodus Morgan

Current City Employee Sanction requested: \$500 and Issue Subpoena

FD-18-072 In the Matter of Dante Wheeler

Current City Employee Sanction requested: \$500 and Issue Subpoena

Mr. Santiago requested that the nonfilers who are current employees be issued subpoenas and assessed \$500 sanctions. Mr. Gray moved to issue subpoenas and fines for the three respondents listed as requested. Ms. Hines seconded the motion and it was unanimously approved by the Board.

9. Nonfilers – No Appeals Filed

Mr. Santiago presented evidence that the nonfilers as listed violated Section 2-814 of the Code of Ethics by failing to file the 2018 Financial Disclosure Statement without reasonable cause. Having no opposition, Mr. Santiago submitted that the facts as stated in the administrative decisions should be admitted as evidence and form the basis for penalties imposed in the cases. Mr. Santiago proposed penalties for each case as follows: administrative sanctions of \$500, issuance of a written public reprimand, recommendation that for those who are former employees the City consider them ineligible for rehire for one year and for those who are board members the City consider them ineligible to serve on a City Board for one year, and the requirement to pay any fines owed prior to reemployment by the City or reappointment to a City Board.

FD-18-025 In the Matter of Savannah Benton
Former City Employee Sanction requested: \$500

FD-18-030 In the Matter of Robbie Burr
City Board Member Sanction requested: \$500

FD-18-031 In the Matter of Dustin Christianson
Former City Employee Sanction requested: \$500

FD-18-032 In the Matter of Erika Colaiacomo
Former City Employee Sanction requested: \$500

FD-18-034 In the Matter of Jerry Daniel
Former City Employee Sanction requested: \$500

FD-18-035 In the Matter of Anthony Davis
Former City Employee Sanction requested: \$500

FD-18-036 In the Matter of Arvetta Fulton
Former City Employee Sanction requested: \$500

FD-18-038 In the Matter of Anthony Gilley, Jr.
Former City Employee Sanction requested: \$500

FD-18-040 In the Matter of Vernon Harris, Jr.
Former City Employee Sanction requested: \$500

FD-18-043 In the Matter of William Kirkland
Former City Employee Sanction requested: \$500

FD-18-044 In the Matter of Calvin Lamar
Former City Employee Sanction requested: \$500

FD-18-045 In the Matter of Paul Latham
Former City Employee Sanction requested: \$500

FD-18-047 In the Matter of Raynal Marshall
Former City Employee Sanction requested: \$500

FD-18-048 In the Matter of Roy Matthews
Former City Employee Sanction requested: \$500

FD-18-051 In the Matter of Brian McIntosh
Former City Employee Sanction requested: \$500

FD-18-056 In the Matter of Aiah Pessima
Former City Employee Sanction requested: \$500

FD-18-057 In the Matter of Rodney Reid
Former City Employee Sanction requested: \$500

FD-18-058 In the Matter of Arnechia Ringer
Former City Employee Sanction requested: \$500

FD-18-059 In the Matter of Misty Robinson
Former City Employee Sanction requested: \$500

FD-18-060 In the Matter of Samir Saini
Former City Employee Sanction requested: \$500

FD-18-061 In the Matter of Alieu Sanyang
Former City Employee Sanction requested: \$500

FD-18-062 In the Matter of Lamont Sawyer
Former City Employee Sanction requested: \$500

FD-18-063 In the Matter of Horace Scott, II
Former City Employee Sanction requested: \$500

FD-18-064 In the Matter of Cletina Sellers
Former City Employee Sanction requested: \$500

FD-18-067 In the Matter of Michele Smith
Former City Employee Sanction requested: \$500

Ms. Hines made a motion to find the nonfilers as presented in violation of Section 2-814 and to adopt the penalties as proposed by Mr. Santiago. The motion was seconded by Mr. Gray and unanimously approved by the Board.

FD-18-042 In the Matter of Russell Hopson
City Board Member Sanction requested: \$500

Ms. Hines moved to find Mr. Hopson, city board member, in violation of Section 2-814 and to adopt sanctions as presented. Dr. Neumark seconded the motion and it was approved by the Board. Mr. Gray and Mr. Tharpe abstained from the vote.

FD-18-069 In the Matter of Mitchell Todman
Former City Employee Sanction requested: \$500

Mr. Gray moved to find Mr. Todman, former city employee, in violation of Section 2-814 of the City of Atlanta Code of Ordinances and to adopt the sanctions as presented by Mr. Santiago. Dr. Neumark seconded the motion and it was approved by the Board. Ms. Hines abstained from the vote.

ETHICS OFFICER'S REPORT

10. Status Report on Activities Performed under the Work Plan

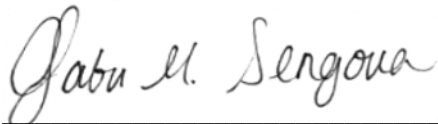
Ms. Sengova reported on activities that support the Ethics Office Work Plan in the following areas: operations, training, advice, public education and outreach, investigations and enforcement actions, and financial disclosure. She also reported that the Ethics Office had hired two new staff members.

Ms. Sengova reported that the Ethics Office was working with City Council on ethics reform proposals concerning entities doing or seeking to do business with the City. Ms. Sengova reported that the Ethics Office conducted training for 113 employees in the Office of Fleet Services, and training for the Department of Procurement with a total of 60 attendees.

11. FY2019 Budget Report

Ms. Sengova reported that the Ethics Office was spending as budgeted for the 2019 fiscal year.

Having no further business, the meeting adjourned at 7:27 p.m.



Jabu M. Sengova, Ethics Officer
Approved November 15, 2018.