

**City of Atlanta Board of Ethics and Independent Compliance**  
**Meeting Minutes of October 17, 2019**

The monthly meeting of the City of Atlanta Board of Ethics was called to order by Board Vice Chair Nichola Hines at 6:08 p.m. in the City Council Committee Room 1, 55 Trinity Avenue, Atlanta, Georgia 30303. Attending the meeting were board members Chris Gilmore, Todd Gray, Matt Grosvenor, Gerry Neumark, Wesley Tharpe, and Chair Kate Wasch (who arrived after the meeting was called to order). City Ethics Officer Jabu M. Sengova and staff members Carlos R. Santiago, Sherry H. Dawson, Janet R. Keene, Larry Mason and Ibi Onabanjo also attended. Board member Lisa Liang was absent.

**MINUTES**

1. Mr. Gray moved to approve the minutes of the September 19, 2019 board meeting. The motion was seconded by Mr. Gilmore and unanimously approved by the Board.

**FINANCIAL DISCLOSURE ENFORCEMENT**

**2. 2019 Enforcement Update**

Mr. Santiago outlined the appeals procedure available to delinquent filers who had been found in violation of the Code of Ethics. Mr. Santiago stated that following the September 2019 Board meeting, one additional nonfiler had filed his financial disclosure statement and, to date, for the year 2019, the Ethics Office has received \$1650 in fine payments related to the financial disclosure.

Mr. Santiago provided an update on two cases in which a resolution has been reached between the Respondent and the Ethics Office. In the Matter of Deborah Harris, FD-19-012, a former employee with the Department of Public Works, Mr. Santiago stated that an agreement had been reached in which Ms. Harris would pay a de minimis sum of \$50 to resolve her case. In the Matter of Marvin Taylor, FD-19-096, a current employee in the Department of Watershed Management, Mr. Santiago stated that pursuant to the reduced fine established by the Board at the September meeting, Mr. Taylor agreed to pay \$125 through payroll reduction arrangements.

**3. Motion to Vacate – FD-19-038: In the Matter of Daisy Yu**

Mr. Santiago recommended that the Board vacate the Final Order in this case. Mr. Santiago stated that after the Final Order of the Board was issued, the Respondent's Notice of Enforcement Hearing letter was returned as undeliverable to the Ethics Office. Mr. Santiago stated that pursuant to Board Rule 8.4, the presumption is that the Respondent did not receive proper notice of the enforcement hearing as required by Section 2-806(3)(b) of the Code of Ordinances. Ms. Hines made a motion to adopt Mr. Santiago's recommendation to vacate the Final Order and Public Reprimand in this case which was seconded by Mr. Gray. The Board unanimously approved the motion.

**4. Motion to Vacate – FD-19-045: In the Matter of Daniel Burroughs**

Mr. Santiago recommended that the Board vacate the Final Order in this case. Mr. Santiago stated that after the Final Order of the Board was issued, the Respondent's Notice of Enforcement Hearing letter was returned as

undeliverable to the Ethics Office. Mr. Santiago stated that pursuant to Board Rule 8.4, the presumption is that the Respondent did not receive proper notice of the enforcement hearing as required by Section 2-806(3)(b) of the Code of Ordinances. Mr. Gray made a motion to adopt Mr. Santiago's recommendation to vacate the Final Order and Public Reprimand in this case which was seconded by Dr. Neumark. The Board unanimously approved the motion.

**5. Motion to Vacate – FD-19-056: In the Matter of Nathan Gibson**

Mr. Santiago recommended that the Board vacate the Final Order in this case. Mr. Santiago stated that after the Final Order of the Board was issued, the Ethics Office discovered that the Respondent had been dealing with a health-related matter and other personal matters during the filing period which caused him to file the 2019 Statement in an untimely manner. Mr. Santiago stated that the Ethics Office reviewed the Respondent's filing record and found he had filed in a timely manner in the previous three years in which he was required to file the Statement. Mr. Tharpe made a motion to adopt Mr. Santiago's recommendation to vacate the Final Order and Public Reprimand in this case which was seconded by Ms. Hines. The Board unanimously approved the motion.

**6. 2019 Amended Roll of Delinquent Filers**

Mr. Santiago recommended the removal of 28 individuals from the existing 2019 Roll of Delinquent Filers. He stated that for reasons that have come to the attention of the Ethics Office after the adoption of the 2019 Roll, and upon further review, these individuals should not be found in violation of the Code of Ordinances under the reasonable cause standard. Mr. Gilmore made a motion to adopt the Amended Roll of Delinquent Filers which was seconded by Ms. Hines. The Board unanimously adopted the motion.

## **BOARD OPERATIONS**

**7. Personnel Matter (Executive Session)**

At 6:40 p.m. Mr. Gilmore moved to recess into Executive Session to discuss a personnel matter. Dr. Neumark seconded the motion and it was unanimously approved by the Board. At 6:55 p.m. Mr. Gilmore made a motion for the Board Members to come out of Executive Session. The motion was seconded by Ms. Hines and unanimously approved by the Board. After the Executive Session adjourned, Ms. Wasch executed an affidavit stating the topic discussed included personnel matters.

## **ETHICS OFFICER'S REPORT**

**8. 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.

Ms. Sengova reported that four employees from the Ethics Office attended the SCCE conference held in Maryland and that she and Mr. Santiago had an opportunity to conduct a presentation at the conference. Ms. Sengova also highlighted that the Ethics Office is preparing for its annual lunch and learn which

will be held November 19 and that the Ethics Office is diligently working on expanding its training efforts within the City.

**9. FY2020 Budget Report**

Ms. Sengova reported that the Ethics Office was spending as budgeted for the 2020 fiscal year.

Having no further business, the meeting adjourned at 7:01 p.m.

A handwritten signature in cursive script that reads "Jabu M. Sengova". The signature is written in dark ink on a light background.

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Jabu M. Sengova, City Ethics Officer  
Approved November 21, 2019.

EXECUTIVE SESSION AFFIDAVIT

CITY OF ATLANTA  
BOARD OF ETHICS AND INDEPENDENT COMPLIANCE  
AFFIDAVIT OF CHAIRPERSON KATE WASCH

Kate Wasch, Chairperson of the City of Atlanta Board of Ethics and Independent Compliance, states under oath that the following is true and accurate to the best of her knowledge and belief:

1.

The City of Atlanta Board of Ethics met in a duly advertised meeting on October 17, 2019.

2.

During such meeting, the Board voted to go into executive session.

3.

The executive session was called to order at 6:40 p.m.

4.

The subject matter of the executive session portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law:

personnel matters

This 17<sup>th</sup> day of October, 2019.

KA Wasch, Chair, City of Atlanta Board of Ethics and Independent Compliance.

Sworn to and subscribed before me this 17<sup>th</sup> day of October, 2019.

Sherry H. Dawson, Notary Public

SHERRY HALSEY DAWSON  
NOTARY PUBLIC  
DEKALB COUNTY, GEORGIA  
MY COMM. EXPIRES APRIL 30, 2020

My commission expires: April 30, 2020