

**BEFORE THE CITY OF ATLANTA
BOARD OF ETHICS**

In the Matter of:)	
)	
Ronald Stephens)	Case No. CO-14-012
)	
Respondent)	
)	

SETTLEMENT AGREEMENT

This settlement agreement is made between Nina R. Hickson, the Ethics Officer for the City of Atlanta, and Ronald Stephens, a city employee charged with violating the Code of Ethics.

The parties agree and consent to the following terms to resolve this matter prior to an enforcement hearing before the City of Atlanta Board of Ethics. The Board of Ethics is responsible for administering, implementing, and enforcing the Standards of Conduct contained in the Atlanta Municipal Code.

FINDINGS OF FACT

1. Ronald Stephens, the Respondent, is a Wastewater Collections Specialist with the Department of Watershed Management in the Office of Linear Infrastructure Operations, and has been employed with the city for 24 years. As a Wastewater Collections Specialist, Mr. Stephens is tasked with responding to customer complaints pertaining to the backup of sewer systems and other plumbing issues.
2. On May 28, 2014, the Ethics Office was notified about a complaint concerning Baraka Shawarma restaurant located at 68 Walton Street in Atlanta, Georgia. The restaurant reported that Mr. Stephen's crew responded to its service request related to sewage where it was backing up into its establishment. When the crew arrived at the Walton street location, Mr. Stephens determined that the problem was on the restaurant's side and not a city issue; and advised the restaurant owner that he needed to hire a plumber. According to the complainant, Mr. Stephens then provided the restaurant's phone number to Galon Presley of Value Jetting Plumbing; who contacted the restaurant to offer his services.
3. The Ethics Office conducted a preliminary investigation and determined that Mr. Stephens and a female crew member responded to a service request at Baraka Shawarma restaurant on April 16, 2014. During the service call, Mr. Stephens' crew made the determination that the problem was on the customer's side and not a city issue. Thereafter, Mr. Stephens advised the restaurant owner that he needed to hire a plumber.

4. The Ethics Office interviewed the restaurant owner, Mr. Tamer. According to Mr. Tamer, the male employee on the crew referred a plumber to the restaurant and that plumber was Galon Presley of Value Jetting Plumbing. Mr. Tamer says he used the information provided by the male employee to contact the plumber Galon Presley. However, Mr. Presley was unable to fix the problem and Mr. Tamer hired another plumber. Mr. Stephens was the male on crew that responded to the service request and provided the name of the plumber to Mr. Tamer.
5. Mr. Stephens has cooperated with the investigation of this matter.

CONCLUSIONS OF LAW

6. Ronald Stephens is a Wastewater Collections Specialist with the Department of Watershed Management, Office of Linear Infrastructure Operations, who is subject to the Code of Ethics found in section 2-801 to 2-824 in the City's Code of Ordinances.
7. Section 2-819 of the Code of Ethics states: "No official or employee shall... use confidential information acquired in an official capacity to advance the financial interest or personal interest of the official, employee or others in any instance where such would conflict with the best interest of the city".
8. The referral of a private plumber to a customer to advance the financial interest of another is a violation of section 2-819 and conflicts with the best interests of the city.
9. Mr. Stephens misused confidential information when he referred a private plumber to a customer while he was responding to a service request as part of his official duties as a Water Collections Specialist with the City of Atlanta.

PENALTY

10. In proposing a penalty, the Ethics Office has considered both mitigating and aggravating circumstances.

AGREEMENT

11. Mr. Stephens acknowledges that he violated the city's ethical standards by referring a private plumber to a customer while responding to a service request as part of his official duties as a Water Collections Specialist with the City of Atlanta
12. He agrees to pay the City of Atlanta a civil penalty of \$150; and will pay from personal funds. The assessed fine must be paid in full by December 30, 2014.

13. The parties agree to enter this settlement agreement to resolve all factual and legal issues raised in this matter and to reach a final disposition without the necessity of an evidentiary hearing before the Board to determine Respondent's liability.
14. Respondent understands and voluntarily waives all procedural rights under the Code of Ordinances, including the right to personally appear before the Board, subpoena witnesses to testify, confront and cross-examine all witnesses, and have the Board hear the matter at any enforcement hearing.
15. Respondent acknowledges that this agreement is not binding on any other law enforcement or governmental agency and does not preclude the Board of Ethics from referring this matter to, cooperating with, or assisting any other law enforcement or government agency on this or any other related matter.
16. The Ethics Officer will submit this settlement agreement for consideration by the Board of Ethics at its next regularly scheduled meeting, and the Board must enter an order approving the agreement before it becomes the final decision and order in the case.
17. The parties agree that this agreement shall become null and void in the event that the Board refuses to accept it. Respondent further agrees that no member of the Board of Ethics or its staff shall be disqualified from participating in any hearing before the Board because of prior consideration of this settlement agreement.
18. The failure of Respondent to comply with this agreement may result in initiation of an enforcement action for violation of its terms.



Ronald Stephens
Respondent

9-30-2014
Date



Nina R. Hickson
Ethics Officer

16 Oct 2014
Date