

City of Atlanta Board of Ethics Minutes – July 21, 2005

The regular monthly meeting of the City of Atlanta Board of Ethics was called to order by Chuck Barlow, vice-chairperson, on Thursday, July 21, 2005, at 6:07 p.m. in City Council Committee Room 2. Attending the meeting were board members Leah Janus, Kenyatta Mitchell, and Lawrence S. Levin; John Marshall and Rob Remar were absent. Also attending was Ginny Looney, the ethics officer.

The board approved the minutes from the May 19, 2005, meeting as presented.

The board first reviewed proposed Formal Advisory Opinion 2005-4 which addresses when board members may file an appeal and appear as a litigant before the board on which they serve. The opinion concludes that city board and commission members may not file an appeal or appear before their own board on behalf of other entities or in the public's interest, but may appear only when they have a specific property interest directly affected by the appeal. Dr. Levin moved, with a second by Ms. Mitchell, to adopt the proposed opinion as written. The motion carried.

The board next considered a proposed formal advisory opinion on the application of the post-employment rule to a former deputy city attorney. The summary of the opinion states: "A former deputy city attorney generally may not, for a period of one year after leaving the city, appear before any city agency or represent a client that has a claim against the City of Atlanta unless that claim involves a new matter about which the deputy gained no knowledge or information while employed with the city." Ms. Mitchell moved to adopt the proposed formal advisory opinion on restrictions on the post-employment activities of the former employee for one year, and Dr. Levin seconded the motion. The motion passed unanimously.

Concerning the financial disclosure enforcement actions, Ms. Looney reported that written letters of reprimand have been issued to nine non-filers and eight late filers and that she had sent another letter to Arkiethon Harden seeking payment of his fine.

In re 05FD001. In the Matter of Arkiethon Harden. Ms. Mitchell moved to authorize the Ethics Officer to take action to enforce the full fine of \$500 and to issue a second letter of reprimand for Mr. Harden's failure to pay the fine originally imposed on him. Dr. Levin seconded the motion, which carried.

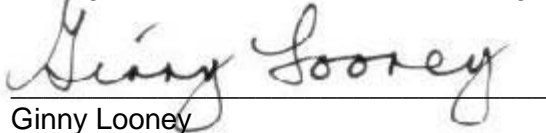
In re 05FD003. In the Matter of Arthur Earley. Ms. Mitchell moved, with a second by Ms. Janus, to seek the full \$150 fine previously imposed by the Board and to issue a letter of public reprimand. The motion carried.

In re 05FD007. In the Matter of Charles Graves. Ms. Mitchell moved to seek collection of the \$250 fine previously imposed against Mr. Graves and to send a public reprimand to him and to the Mayor. Dr. Levin seconded the motion, which passed.

Ms. Looney gave a budget report showing that the Ethics Office has expended \$103,505.42 through June 30, 2005, and has a remaining balance of \$133,274.58. She also briefly described the city's procurement procedures related to requests for proposals, the status of the ethics e-filing system, and the hotline project.

The board will next meet at a board retreat on Wednesday, August 24, 2005, from 4 p.m. to 8 p.m. with the next regular monthly meeting scheduled for September 15, 2005, at 6 p.m. in City Council Committee Room 2.

Having no further business, the meeting was adjourned.

A handwritten signature in cursive script that reads "Ginny Looney". The signature is written in black ink and is positioned above a horizontal line.

Ginny Looney
Approved September 22, 2005