

City of Atlanta Board of Ethics Minutes -- October 27, 2005

The regular monthly meeting of the City of Atlanta Board of Ethics was called to order by Chair John D. Marshall, Jr., on Thursday, October 27, 2005, at 6:05 p.m. in City Council Committee Room 2. Attending the meeting were board members Lawrence Levin, Jacquee Minor, and Kenyatta Mitchell. Leah Janus was absent. Also attending was Ethics Officer Ginny Looney.

Ms. Minor asked that the minutes of the September 22, 2005, meeting be corrected to reflect that she seconded the motion to nominate the officers. With that correction, the board approved the minutes.

After resigning from the position of board secretary, Dr. Levin made a motion to elect Jacquee Minor as secretary of the Board. All board members voted in favor of the motion.

Ms. Looney presented the proposed formal advisory opinion on solicitation of funds for city programs. Ms. Minor moved to adopt Formal Advisory Opinion 2005-6 as drafted, Ms. Mitchell seconded the motion, and the motion passed unanimously. The summary of the opinion states: "City officials and employees may solicit gifts and donations for city programs and projects from any source as part of a broad public appeal, provided that the fund-raising is for an official city purpose and does not target prohibited sources. The gifts may not be calculated to influence the official or employee and must be publicly reported on an online gift report form."

Ms. Mitchell presented the draft of the 2006 City Financial Disclosure Statement for the board's consideration. Mr. Marshall recommended adding the word "only" before "compensation" in the instructions to question 10 (a) and "even" after "answer yes" in the instructions to question 16 (a). Dr. Levin moved to approve the 2006 form as written with the two amendments and Ms. Mitchell seconded the motion. The motion passed.

The board next discussed the ethics officer's proposal to revise Board Rule 7 on the city financial disclosure procedures. Mr. Marshall recommended changes in the table of fines to clarify the penalties for late filing. Ms. Mitchell moved that the board adopt the rule changes with the amendments, Ms. Minor seconded the motion, and the board voted in favor of the motion. As amended, the rule provides for the following fines for filing after the February 15 deadline:

- \$50 if filed by March 1
- \$100 if filed by March 15
- \$150 if filed by April 1
- \$200 if filed by April 15
- At the board's discretion if filed after April 15

Mr. Marshall led a discussion about the City's Code of Ethics and how it applies in municipal elections. The board reached a consensus that a councilmember could use district photographs paid with city funds in campaign literature only if the photographs are publicly available to other candidates, but did not reach agreement on whether a councilmember could hand out a city-financed district newsletter at a political forum. Ms.

Looney was asked to draft a formal advisory opinion addressing the broader issue of the use of city property in campaigns for municipal office.

Ms. Mitchell moved to accept the annual report of the ethics officer. Dr. Levin seconded the motion, which passed.

The next board meeting is scheduled for Thursday, November 17, at 6 p.m. in Council Committee Room 2.

Having no further business, the meeting was adjourned at 6:55 p.m.

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, Ethics Officer
Approved November 17, 2005