

City of Atlanta Board of Ethics Meeting Minutes of November 16, 2006

The regular monthly meeting of the City of Atlanta Board of Ethics was called to order by Chair John Marshall at 6:05 p.m. in City Council Committee Room 2. Attending the meeting were board members MaryAnne Gaunt, Lawrence Levin, John Lewis Jr., Jacquee Minor, and Kenyatta Mitchell and staff members Ginny Looney, Claudia Janka, and Trina Nkhazi. Board member Susan Housen was absent.

1. Ms. Minor made a motion to approve the minutes of the September 21, 2006, meeting, with a second by Ms. Mitchell. The motion was adopted.

2. Proposed Formal Advisory Opinion 2006-3 on board members doing business with the city was presented for consideration. The opinion summary states: "A city board member is prohibited from doing business with the board on which the individual serves, except through a sealed competitive bid process; a board member may do business with other unrelated city agencies, but must disclose the contract, business, or financial interest on the annual city financial disclosure statement." Ms. Minor moved, with a second by Mr. Lewis, that the board approve Proposed Formal Advisory Opinion 2006-3 as drafted. The motion was adopted unanimously.

3. The Board considered Proposed Formal Advisory Opinion 2006-4 on board members representing private interests before related city agencies. The opinion concludes that city officials who serve as board members "may not appear on behalf of their business, clients, or other private interests before the city agency that is regulated by or related to the public board on which they serve." The opinion does not prohibit members of the city official's firm from appearing before the board or related agencies on behalf of private interests, but the board member cannot be involved in the matter within the firm or while serving as a city official. Mr. Lewis moved to approve proposed opinion 2006-4, Ms. Mitchell seconded the motion, and the board adopted the motion unanimously.

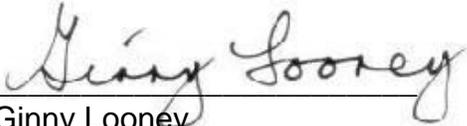
4. The Board next discussed code section 2-808 on representing private interests before city agencies and a board member's question concerning whether board members may appear on behalf of private interests before a city agency that is unrelated to their official duties as a city official. There was a consensus that board members would like to discuss the issue again in January, and Ms. Looney was asked to research and provide information on how other cities address the issue.

5. During the discussion on the proposal for mandatory electronic filing, it was agreed that the date for the mailing of the 2007 City Financial

Disclosure Statement be moved to early January, the Ethics Office would provide help with electronic filing on request after the regular work day hours, and Ms. Gaunt suggested that a post card or other notice be sent to persons who do not file. Dr. Levin made a motion, with a second by Ms. Mitchell, to adopt the mandatory e-filing requirement with the over-65 opt-out provision. The motion passed unanimously.

6. Following a discussion on a proposal to revise Board Rule 7 on financial disclosure, Ms. Mitchell made a motion that the Board accept all the rule changes in Board Rule 7, and Dr. Levin seconded the motion, which passed unanimously.

Having no further business, the meeting was adjourned at 7:11 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

Adopted January 18, 2007