

City of Atlanta Board of Ethics Meeting Minutes of July 17, 2008

The monthly meeting of the City of Atlanta Board of Ethics was called to order by Chair John Lewis Jr. at 6:05 p.m. in City Council Committee Room 2, 55 Trinity Avenue, Atlanta, Georgia 30303. Attending the meeting were board members Carol Snype Crawford, Charles B. Crawford Jr., Cathy R. Daniels, MaryAnne F. Gaunt, Susan Housen, and Charmaine Ward (arriving at 6:30 p.m.). Also present were staff members Ginny Looney and Nasceas Timms.

MINUTES

1. The Board approved the minutes of the May 15, 2008 meeting on a motion by Ms. Housen and a second by Ms. Gaunt.

SETTLEMENT AGREEMENTS

2. CO-07-001. In the Matter of Robert Bush
Ms. Daniels made a motion to approve the settlement agreement involving an employee in the Department of Watershed Management who accepted a meal from a city contractor. Ms. Crawford seconded the motion, which the Board passed unanimously.
3. CO-08-002. In the Matter of Levi, Ray & Shoup
Ms. Daniels moved to approve a settlement agreement with a city vendor whose employees gave illegal gratuities to city employees. Ms. Gaunt seconded the motion, and the Board unanimously passed it.

FINANCIAL DISCLOSURE CASES

4. 08-FD-004. In the Matter of Alexander Keeney
The Board heard evidence and arguments from Mr. Keeney in this appeal of an administrative decision finding him in violation of section 2-814 of the Code of Ethics for his failure to timely file his 2008 City Financial Disclosure Statement. Ms. Gaunt made a motion to ratify the administrative decision and deny the appeal, Ms. Housen seconded the motion, and it passed unanimously. (Ms. Ward joined the meeting at this point.)
5. 08-FD-001. In the Matter of Conchita Dillon
Ms. Gaunt moved to dismiss the enforcement action, contingent on Ms. Dillon making full payment of the \$450 administrative sanction through four payroll deductions. Ms. Housen seconded the motion, and it passed unanimously.
6. 08-FD-002. In the Matter of Paul Latham
Following the presentation of evidence, Ms. Gaunt moved to accept Ms. Looney's recommendation to find Mr. Latham violated section 2-814 of the Code of Ethics by failing to timely file the 2008 City Financial Disclosure Statement without reasonable cause and to impose a \$100 penalty for filing late and an additional \$250 sanction for failing to pay the late filing penalty. Mr. Crawford seconded the motion. After a discussion on aggravating circumstances, Ms. Gaunt moved to amend the motion to increase the amount of the total fine to \$500 -- \$100 for the failure to file in a timely manner and \$400 for the failure to pay the fine. Ms. Daniels seconded the amended motion, and it passed unanimously. Ms. Gaunt next moved to reprimand the employee in a public manner by requiring him to appear before the Board at its next meeting. Ms.

Ward seconded the motion, and it passed unanimously. Ms. Gaunt then moved to refer this matter immediately to the city solicitor for enforcement of the financial penalties, Mr. Crawford seconded the motion, and the motion carried unanimously. Finally, Ms. Housen moved to recommend that the City take disciplinary action against Mr. Latham, and Mr. Crawford seconded the motion. The motion passed by a 5-2 vote, with Ms. Gaunt and Ms. Ward voting no.

7. 08-FD-006. In the Matter of Allen Moore
Ms. Daniels made a motion to uphold the administrative decision and find that Mr. Moore violated section 2-814 of the Code of Ethics by failing to timely file the annual disclosure statement without reasonable cause and ordering him to pay a total of \$500 in administrative sanctions for his violations. Mr. Crawford seconded the motion, and it passed unanimously. (Ms. Daniels left the meeting at this point.)
8. 08-FD-008. In the Matter of Millie Walker
Mr. Crawford moved to uphold the administrative decision and find that Ms. Walker violated section 2-814 of the Code of Ethics by failing to timely file the annual disclosure statement without reasonable cause and ordering her to pay a total of \$500 in administrative sanctions for her violations. Ms. Gaunt seconded the motion, and the Board passed it unanimously.
9. 08-FD-005. In the Matter of Mark Mensah
Mr. Crawford moved that the Board rescind its earlier finding that Mr. Mensah was a delinquent filer and conclude that he had reasonable cause for his failure to timely file the annual disclosure statement. Ms. Ward seconded the motion, and it passed unanimously.
10. 08-FD-009. In the Matter of Pat Williams
Ms. Housen moved to approve the settlement agreement based on the condition that Ms. Williams pay the \$250 fine. The motion was seconded by Ms. Crawford. No vote was taken on the motion. (Ms. Crawford left the meeting at this point.)

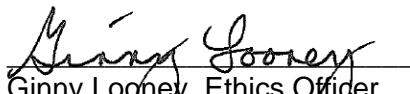
FORMAL ADVISORY OPINIONS

11. Ms. Housen moved to adopt proposed Formal Advisory Opinion 2008-5 on use of city property in political campaign endorsements. Ms. Gaunt seconded the motion, which was adopted unanimously. The opinion concludes: "City employees may not endorse candidates, participate in political advertisements, or engage in political activity while on duty, wearing an official uniform, or using a city vehicle."

ETHICS OFFICER REPORT

12. The mandated 3% budget cut in the FY2009 budget will be met by delaying the hiring of the Director of Enforcement until September 2008.

Having no further business, the meeting was adjourned at 7:30 p.m.


Ginny Looney, Ethics Officer
Approved October 16, 2008