

**City of Atlanta Board of Ethics Meeting
Minutes of May 21, 2009**

The monthly meeting of the City of Atlanta Board of Ethics was called to order by Chair John Lewis, Jr., at 6:07 pm in the 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 Daniels; MaryAnne Gaunt; Caroline Johnson Tanner; and Charmaine Ward. Associate Ethics Officer Jabu Sengova also attended; Ethics Officer Ginny Looney was absent.

MINUTES

1. The Board adopted the minutes of the March 19, 2009 meeting subject to an amendment in item eight on a motion by Ms. Crawford and a second by Mr. Crawford. The amendment substituted the language "because the Board did not have a precedent for granting waivers" for the phrase "because the board members had not met the standard for granting waivers, which requires exceptional circumstances based on showing of a compelling need or substantial hardship."

ENFORCEMENT ACTIONS

2. CO-09-002. In the Matter of December Thompson

Ms. Sengova recommended that the Board dismiss for lack of probable cause the ethics complaint against city employee December Thompson concerning a contract she oversees in the Bureau of Housing. Ms. Daniels moved to adopt the associate's ethics officer's recommendation that the complaint be dismissed for lack of probable cause with a second by Ms. Crawford, and the Board adopted it unanimously.

3. CO-09-003. In the Matter of Valerie Fontaine

Ms. Sengova next recommended that the Board dismiss for lack of probable cause the ethics complaint against city employee Valerie Fontaine concerning a contract she oversees and supervises in the Bureau of Housing. Ms. Gaunt moved to adopt the associate ethics officer's recommendation that the complaint be dismissed for lack of probable cause with a second by Ms. Daniels, and the Board adopted it unanimously.

FINANCIAL DISCLOSURE

4. Ms. Sengova presented the annual report to the Board on persons required to file an annual financial disclosure statement, those who complied with the filing requirements, those who filed late, and those who failed to file in 2009 as required by law. She reported that eighty-seven percent of city officials and employees were timely filers.
5. The Board adopted the Roll of Delinquent Filers that lists 29 persons who have not filed a 2009 City Financial Disclosure Statement and 13 persons who filed after the March 31 grace period without reasonable cause.
 - a. Concerning the six nonfilers who are current employees, Ms. Gaunt moved to adopt the ethics officer's recommendation that the Board require the employees to file their statement and pay the fine for late filing and that the

Board issue a letter of reprimand with a copy to the department head recommending that the department consider the reprimand during the employees' performance review. Ms. Ward seconded the motion, which the Board adopted unanimously.

- b. Regarding the 27 former city employees who are delinquent, Ms. Sengova recommended that the former employees be named to the Roll of Delinquent Filers and the Board send a letter of reprimand to their department and the Department of Human Resources recommending that they be considered ineligible for rehiring for one year and must comply with the financial disclosure law before being considered for another job. She further recommended that the Board take no further action seeking a fine against nonfilers or late filers. Following a discussion, the Board unanimously agreed to hold the matter to obtain more information.
- c. For the six current board members and NPU officers who are delinquent, Ms. Sengova recommended and Ms. Gaunt moved that the delinquent filers be named to the Roll of Delinquent Filers, the Board impose no further financial penalties, and the Board issue a letter of reprimand that the Board is disappointed in their failure to comply with the law. Ms. Ward seconded the motion, all members voted in favor, and the motion carried.
- d. Concerning the former board member who is delinquent, Ms. Sengova recommended that he be named to the Roll of Delinquent Filers, and the Board send a letter of reprimand to the board chair and appointing authority recommending that he be considered ineligible for reappointment for one year and must file his statement to be considered for reappointment. The Board approved the recommendation unanimously.

OTHER MATTERS

- 6. The Board had a discussion concerning the reappointment of the ethics officer, and board members agreed to attend the next Committee on Council meeting on July 20, 2009.

Having no further business, the meeting adjourned at 7:08 p.m.



Jabu M. Sengova, Associate Ethics Officer
Approved July 16, 2009