

**City of Atlanta Board of Ethics Meeting
Minutes of May 20, 2010**

The monthly meeting of the City of Atlanta Board of Ethics was called to order by Chair John Lewis, Jr. at 6:13 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 Daniels; MaryAnne Gaunt; Caroline Tanner; and Charmaine Ward. Staff members Ginny Looney, Jabu M. Sengova, and Sherry Dawson also attended.

MINUTES

1. The Board adopted the minutes of the March 18, 2010 meeting on a motion by Ms. Daniel and a second by Ms. Crawford.

ENFORCEMENT ACTIONS

2. CO-07-006. In the Matter of Deborah Scott Brooks

The Board conducted a probable cause hearing in Case Number CO-07-006 concerning former city employee, Deborah Scott Brooks. Ms. Scott filed no written responses to the Probable Cause Report; she has moved to South Carolina, and was not present at the hearing. Ms. Looney presented evidence that Ms. Scott was given written notice of the hearing and failed to contact the Ethics Office concerning this case. Ms. Looney presented the case that Ms. Scott violated the Code of Ethics when she requested a waiver of the City Hall Atrium and Historic City Council Chambers for her daughter's wedding and waived the rental fees for use of City Hall facilities on behalf of other city employees and friends. She argued that Ms. Scott personally benefited from the waiver of rental fees. Ms. Looney recommended that the Board find probable cause that Ms. Scott violated sections 2-811 of the Code of Ethics, include the probable cause report in her city personnel file, and set the matter down for an enforcement hearing in July. Following a discussion, Ms. Gaunt made a motion to accept the ethics officer's recommendation to find that sufficient probable cause existed that Ms. Scott violated the Code of Ethics, which Mr. Crawford seconded, and the motion passed unanimously. The matter was set down for a full evidentiary hearing at the next regularly scheduled monthly meeting on July 15, 2010.

**3. CO-07-031. In the Matter of Anthony James
CO-07-032. In the Matter of Stacy Goree
CO-07-033. In the Matter of Brian Dennis**

The Board next conducted a probable cause hearing in three cases: Case Numbers CO-07-031 and CO-07-032 involving two former city employees, Anthony James and Stacy Goree, and Case Number CO-07-033 involving a city contract employee and consultant, Brian Dennis. Ms. Sengova presented evidence that Mr. James, Mr. Goree, and Mr. Dennis accepted an all-expenses paid trip from Levi, Ray & Shoup, a city contractor and prohibited source, on the weekend of October 26 through 28, 2007. The three men received travel on a corporate jet, lodging, meals, hospitality, golf outings, car race tickets, and a car rental. Ms. Sengova initially recommended dismissal of the ethics complaints against Mr. James and Mr. Goree without further action because the two men were terminated as a result of their actions, and she recommended dismissal of the complaint against Mr. Dennis for lack of jurisdiction

because he did not fall within the Ethics Code's definition of a person employed or retained by the City; she further recommended that the Board adopt a policy that requires consultants, independent contractors, and contract employees hired by third parties to be subject to the Code of Ethics. Ms. Daniels made a motion to accept the recommendations, with a second by Ms. Ward. Following a discussion, Ms. Ward withdrew her second.

Ms. Gaunt then made a motion to adopt the ethics officer's recommendation that the Board dismiss the ethics complaint against Brian Dennis for lack of jurisdiction, which Ms. Crawford seconded, and the Board adopted the motion unanimously. Ms. Gaunt next moved that the Board accept the ethics officer's recommendation that the City adopt a policy that clarifies when consultants, independent contractors, and contract employees are subject to the Code of Ethics, which was seconded by Ms. Daniels, and the Board unanimously adopted the motion. Finally, Ms. Tanner made a motion that the Board adopt a finding that Anthony James and Stacey Goree violated the Code of Ethics, and that this probable cause finding be placed in their city personnel files. Ms. Ward seconded the motion, and it passed unanimously.

ADVISORY OPINIONS

4. FAO2010-2 on Conflicts of Interest Based on a Personal Interest

The Board considered the ethics officer's request for a formal advisory opinion that addresses when an official or employee has a personal interest that requires recusal in a matter or vote. The Board requested that Ms. Looney draft a proposed opinion identifying the relevant factors to consider in determining when an official is disqualified due to a conflict of interest.

FINANCIAL DISCLOSURE

5. Proposal to Adopt a Dead Docket Rule

The Board discussed the proposal to adopt a dead docket rule for certain cases. It decided to take no action until further review was done on the effect of the policy.

ETHICS OFFICER'S REPORT

6. Ms. Looney presented a monthly report on activities being performed under the 2010-2011 Work Plan and a year-to-date report on advice given. Ms. Sengova reported on complaints.

Having no further business, the meeting adjourned at 7:56 p.m.



Jabu M. Sengova, Associate Ethics Officer
Approved July 15, 2010