

City of Atlanta Board of Ethics Retreat Minutes of June 8, 2013

The June retreat of the City of Atlanta Board of Ethics was held at the law offices of Holland & Knight, 1201 West Peachtree Street, N.E., One Atlantic Center, Suite 2000, Atlanta, Georgia, 30309. Attending the retreat were Caroline Johnson Tanner, Brent Adams, De'Lonn Brown, Carol Snype Crawford, Shukura Ingram Millender, Kate Wasch and Kai Williamson. Also attending were staff members Nina R. Hickson, Jabu M. Sengova and Sherry H. Dawson. Ms. Hickson facilitated the retreat.

Board Chair, Caroline Johnson Tanner, opened the retreat by welcoming board members. Ethics Officer, Ms. Hickson, started the discussion with a review and follow-up to matters from the December 2012 retreat.

A. Review and Follow-up to December 2012 Retreat

1. City Council staff training – Ms. Hickson reported that the Ethics Office successfully conducted ethics training for City Council staff on April 23, 2013; however, additional training was needed. Ms. Tanner asked what efforts could be taken to schedule the additional training for Council Staff. Ms. Hickson suggested seeking legislation which would mandate training for all city employees who work for City Council.
2. Completion of E-learning course – Ms. Sengova presented a status on the e-learning course. She reported that the production of the videos for the course is scheduled for June and July, and the hardware and software needed to meet the technical requirements had been purchased.
3. Executive Order for mandatory ethics training – Ms. Hickson reported that she was in discussion with the Mayor's Office regarding the execution of the Order.
4. Written reports to City Council - Ms. Hickson reported that she had provided written reports to City Council regarding tasks accomplished in 2012.
5. Scheduled participation on political candidate workshop – A training session is tentatively scheduled for July.
6. Vendor training – Ms. Hickson advised that she had made contact with the Chief Procurement Officer, Adam Smith, on scheduling ethics training for vendors. Mr. Smith proposed that the Ethics Office staff attend vendor expos and distribute ethics materials.
7. City Solicitor and enforcement actions – Ms. Hickson reported that she had met with the City Solicitor, Raines Carter, regarding ethics enforcement actions. She stated that Mr. Raines appeared reluctant to handle prosecutions of these cases because of a possibility that his office may have to prosecute the Mayor or city officials. Ms Hickson has retained private counsel to opine on the City's Solicitor's position regarding prosecution of ethics cases.
8. Record retention policy – Ms. Hickson reminded the Board again about retaining emails related to their activities on the Ethics Board and recommended a four year retention period.
9. Strategy for auditing disclosure statements – Ms. Hickson stated that she had met with Amanda Noble, Deputy City Auditor, to discuss and develop a strategy for auditing financial disclosure statements.
10. Advocacy for Ethics Office budget - Ms. Hickson has been advocating for the amount restored to the budget that was reduced by the Administration.

B. Activities requiring Board Discussion

1. Discussion regarding Committee Structure
 - a. Operations Committee – This committee will focus on Human Resources and operations related to the Ethics Office. The Board agreed that the Board Chair and Vice-Chair should sit on this committee.
 - b. Advice Committee – Following a discussion regarding past roles and responsibilities of the committee, the Board and Ethics Officer determined that there was no need for an advice committee.
 - c. Enforcement Committee – Following a discussion regarding past roles and responsibilities of the committee, the Board and Ethics Officer determined there was no need for this committee at this time.

In conclusion, the Board determined that there would be one committee, namely the Operations Committee, which will consist of three members; the Board Chair, Vice-Chair, and two other board members. The two other committee members would be appointed during a regular board meeting.

2. Consideration of joint “Status of Ethics in Atlanta” event – Ms. Hickson presented for consideration a possible event in 2014 in which different stakeholders would discuss ethics issues in a non-adversarial setting. She requested that the Board give this some thought this year and how the event would be structured.
3. Discussion of office strategy (proactive, reactive, investigatory, education). Ms. Hickson stated that the Ethics Office needs to retain an investigator on a contractual basis and handle investigations in a more timely manner. Board Chair Tanner recommended instituting a formal meeting with the City Auditor in which ethics issues which might surface in their audits would be communicated to the Ethics Office.
4. Review of informal advisory opinions – The Board next discussed possible areas of interest that were ripe for opinions. Some of the areas that the Board reviewed were tickets, outside employment, solicitation of vendors and city contractors, defining a prohibited source and conflicts of interest for NPUs.
5. Legislative initiatives - Ms. Hickson recommended seeking legislative action changing the deadline to file city disclosure statements and granting discretion to the Board to determine who should file each year.
6. Succession planning for Board membership – Ms. Hickson stated that it was very important for the Board to look at how it would identify persons to replace members leaving the Board. The Board recommended that the retiring member seek to identify a replacement for his or her position. It is also important that the leadership of each appointing authority be actively involved in the reappointment process.

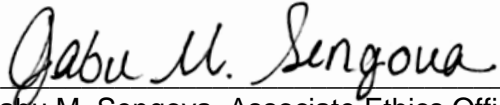
C. Discussion of Formal Advisory Opinion regarding Tickets

The Board and the Ethics Officer discussed the Memorandum of Agreement regarding the New Stadium Project and whether it violated the Ethics Code as well as the Code’s applicability to INVEST Atlanta. A proposed opinion on the issue is forthcoming.

D. 2013 Winter Board Retreat

The Board determined that the winter board retreat would be moved from Saturday, December 7, 2013 to Saturday, December 14, 2013.

Having no further business, the meeting adjourned

A handwritten signature in black ink that reads "Jabu M. Sengova". The signature is written in a cursive style with a horizontal line underneath the name.

Jabu M. Sengova, Associate Ethics Officer
Approved July 18, 2013