

City of Atlanta Board of Ethics Retreat Minutes of December 14, 2013

The December 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 and Kate Wasch. Board member Kai Williamson was absent. Also attending were staff members Nina R. Hickson, Jabu M. Sengova and Sherry H. Dawson. Ms. Hickson facilitated the retreat.

Ethics Officer, Ms. Hickson, started the discussion with an overview of topics to be covered during the retreat.

Office Updates

Change in Financial Disclosure Deadline – Ms. Dawson provided a brief overview of the changes and important dates for the 2014 filing year. The new filing deadline was April 3, 2014 and the Transparent Diamond Awards Ceremony would now be held on May 15, 2014.

Status of E-learning Project – Ms. Sengova provided an overview of the e-learning project which included a brief presentation of the e-learning site and viewing of one of the ethics videos. The Board discussed the format thereafter, and requested additional changes be made to the course. Specifically, the Board wished to see pass/fail metrics captured at the end of the course in order to determine which employees needed additional ethics training.

Discussion Regarding the “Status of Ethics in the City of Atlanta” - Council President Ceasar Mitchell and Common Cause Executive Director William Perry were present for the discussion. Mr. Mitchell provided the initial comments. He believes that there should be some revisions to the Ethics Code, but says he was reluctant to bring to the Ethics Board. Mr. Mitchell expressed that the lesson he learned from his prior ethics violation was to always err on the side of complete transparency. He also discussed how the ethics function has been at times used as a political weapon and misused by some; a great concern for elected officials. Mr. Adams asked Mr. Mitchell whether he believed that the relationship between the Ethics Board and City Council had improved. Mr. Mitchell responded that the Board appeared to be reasonable and have real life experiences, and he had not heard much of the negativity that was expressed in the past. Ms. Tanner asked Mr. Mitchell if ethics training was accessible to that office. In his response he stated that ethics training was readily available; however, what Council needed was a checklist of day to day ethics issues that may arise which would be readily available to every staff member as a resource.

Mr. Perry joined the discussion at this point. He stated that Common Cause was amenable to revisions to the Ethics Code, and would like to be involved in any proposed revisions. Mr. Perry advised that the role of Common Cause was to push for stronger ethics laws; taking a proactive rather than reactive stance. According to Mr. Perry, Atlanta has one the most independent boards in the country, and he was uncomfortable with the Council's role in the approval process for the new ethics officer. He believes that the Board's independence should be strengthened by Council to avoid any perception of undue influence.

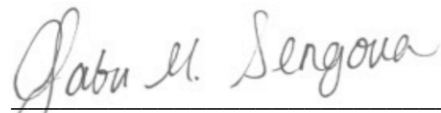
The discussion then turned to ethics complaints filed during the election process. Mr. Perry stated that Common Cause would like to see the Ethics Board and Office set up discretionary measures to handle frivolous complaints during the election process. Because of the increase

in ethics complaints during elections, Ms. Tanner recommended possibly hiring extra staff for the next election cycle. Ms. Hickson advised that during the election period, the Ethics Office worked on quickly moving ethics cases through and weeding out the frivolous matters. Mr. Perry suggested that the Ethics Office conduct a case study of the 2013 ethics complaints received during the election cycle and make this report available to the public and media. Mr. Mitchell's final words were that the City of Atlanta was in a better position with having a strong and independent Ethics Board than it was 10-12 years ago.

Other Discussion Topics

1. Election Debriefing – Ms. Hickson stated that the Ethics Office had a more active season arising from several complaints that were filed. She recommended that the Board develop a process to address frivolous complaints. Ms. Tanner advised that there should not be statute of limitations on complaints because this limits the discretionary power of the Board. Regarding stay of proceedings in ethics complaints, the general consensus from the Board was to leave as it is with discretion.
2. Budget Approach - Ms. Hickson stated that she was preparing for the 2015 budget year, and was requesting a minimum amount for the Ethics Office budget. She believed that city law should be revised to allow for the office budget to be set at a minimum percentage of the General Fund, which would demonstrate a commitment to the City's ethics program. Further, Ms. Hickson was seeking additional funding from the Watershed/Airport (Enterprise) Fund and requested the Board's support.
3. Proposed Formal Advisory Opinions – Ms. Hickson advised that the Ethics Office was reviewing different areas to opine on. She stated that clarity was needed on gifts of tickets because there was some confusion in that area.
4. Education Initiatives - Ms. Hickson stated that the Office would continue to work on its education initiatives.

Having no further business, the meeting adjourned.



Jabu M. Sengova, Associate Ethics Officer
Approved January 16, 2014