

City of Atlanta Board of Ethics Retreat Minutes of December 5, 2015

The winter retreat of the City of Atlanta Board of Ethics was held at the Georgia Institute of Technology Office of Legal Affairs, 760 Spring Street, N.W., Suite 324, Atlanta, Georgia, 30308. Attending the retreat were Kate Wasch, Brent Adams, Carol Snype Crawford, Riah Greathouse and Jessica Stern. De'Lonn Brown attended via phone conference. Also attending were staff members Nina R. Hickson, Jabu M. Sengova, Carlos R. Santiago and Janet Keene. Board member Kai Williamson and staff member Sherry Dawson were absent. Ms. Hickson facilitated the retreat.

Board Chair Kate Wasch opened the meeting at 9:13 a.m. by presenting the agenda which was unanimously adopted.

DISCUSSION OF ANNUAL FINANCIAL DISCLOSURE PROCESS

1. Report from City Auditor's Office: The City Auditor's Office has been working on an audit of the 2014 financial disclosure process; however, the report is not ready for public release. That office is proposing several recommendations concerning the efile system, the process and criteria for filing, and review of financial disclosure statements for potential conflicts of interest. The Board discussed the recommendations from the City Auditor's Office and provided recommendations to be communicated to that office regarding the final report.

2. Proposed New Code Language:
The Ethics Office is proposing revisions to Section 2-814 of the Ethics Code which governs disclosure of income and financial interests. Many of the relevant parts of the Ethics Code need to be revised; specifically, many of the functions originally delegated to the Municipal Clerk's office. Further, Council did not contemplate the creation or abolishment of entities which are equivalent to those outlined in the original writing and lacks a "catch-all" provision which would require any official or employee with a potential conflict to file a disclosure statement. The Board also recommended additional changes in regards to the creation of positions which are equivalent to those required to file pursuant to the Code to ensure that these persons file a disclosure statement.

3. New E-file System: The Board next discussed the Ethics Office's proposal for a new e-file system and budgetary concerns. The current e-file developer, Tom Derenthal, will no longer be with the Ethics Office as of 2018. Mr. Derenthal has agreed to assist the Ethics Office with developing a proposal for a new system. The cost is estimated to be between \$100,000 and \$150,000 and will take approximately six to nine months to complete.

FY2017 BUDGET GOALS AND ADVOCACY

Ms. Hickson next discussed budget goals and advocacy for fiscal year 2017. She stated that she is seeking another position primarily for review of financial disclosure statements. Ms.

Hickson advised the Board that budget meetings with the Department of Finance would commence in January. Ms. Hickson advised the Board that she would seek their support in regards to the budget requests for the Ethics Office.

DISCUSSION ABOUT ETHICS BOARD TERMS

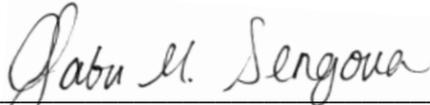
Kai Williamson's term has ended and she may not serve a second term. Ms. Williamson has agreed to assist the Board and Ethics Office with identifying a person to replace her if she does not serve a second term. Carol Snype Crawford's term is scheduled to end in 2016 and she will not be serving any additional terms.

DISCUSSION OF POST EMPLOYMENT ACTIVITIES

Ms. Hickson presented proposed language to submit to Council to amend Formal Advisory Opinion 2005-5 which governs the post-employment rule. The Board discussed whether the opinion should remain as written or be amended.

Ms. Crawford suggested that the language be simplified removing the absolute prohibition against former officials and employees having contact with the City for one year after leaving city service. She stated that the opinion should provide a prohibition against working with the same department on similar projects which a person was formerly involved with for a period of one year. The Board also agreed that when a former employee leaves the City to work for another public entity, the presumption is that there is no requirement for a cooling off period. However, those cases will be reviewed on a case by case basis to guard against any person having an unfair advantage. The Ethics Board also requested that the Ethics Office review the practices of other jurisdictions regarding the post-employment rule.

Having no further business, the meeting adjourned.



Jabu M. Sengova, Associate Ethics Officer
Approved January 21, 2016