

**City of Atlanta Board of Ethics Meeting
Minutes of September 15, 2016**

The monthly meeting of the City of Atlanta Board of Ethics was called to order by Board Chair Kate Wasch at 6:10 p.m. in the City Council Committee Room 1, 55 Trinity Avenue, Atlanta, Georgia 30303. Attending the meeting were board members Brent Adams, Riah Greathouse, Nichola Hines and Jessica Stern. Associate Ethics Officer Jabu M. Sengova and staff members Carlos R. Santiago and Sherry H. Dawson also attended. Board members Carol Snype Crawford and Todd Gray were absent.

MINUTES

1. Mr. Greathouse moved to approve the minutes of the July 21, 2016 board meeting with a second by Ms. Stern. The Board unanimously adopted the minutes.

ENFORCEMENT ACTIONS

2. CO-16-006. In the Matter of Bernard Burns.

Mr. Santiago presented evidence and recommended approval of a settlement agreement with city employee Bernard Burns. Mr. Burns acknowledges that he violated Section 2-811 of the City of Atlanta Code of Ethics by using his assigned city vehicle for private purposes and not official city business. The Ethics Office recommended that a civil penalty of \$500 be imposed and that Mr. Burns agree to abide by the City's ethical standards regarding the use of city property and time. Mr. Greathouse moved to adopt the settlement agreement as presented by Mr. Santiago. The motion was seconded by Ms. Stern and unanimously adopted by the Board.

3. CO-16-001. In the Matter of Lanette Moore.

Mr. Santiago presented evidence and testimony that City Court Clerk, Lanette Moore, violated Section 2-816 of the City of Atlanta Code of Ethics when she accepted complimentary tickets to a Hawks Basketball Game from National Basketball Association Representative Joe Dallas, who appeared at Ms. Moore's window at the Atlanta Municipal Court.

Ms. Moore was in attendance at the hearing and presented herself as both witness and her own representative. Ms. Moore asserted that there was no evidence that she attended a Hawks Basketball game. She also stated that she did not know Mr. Dallas and believes that he may have confused her for someone else.

Following a lengthy discussion regarding the evidence and testimony presented and whether the tickets had actually been received and whether but for Ms. Moore's position with the City this would have occurred, Ms. Stern made a motion to dismiss the case based on the Ethics Office not presenting sufficient evidence that Ms. Moore violated Section 2-816. Mr. Greathouse seconded the motion which was unanimously adopted by the Board.

FINANCIAL DISCLOSURE HEARINGS

Ms. Sengova requested that of the eleven late filers, two persons, Burt Mason IV and Danielle Washington, be removed from the Roll of Delinquent Filers for just cause. Mr. Adams moved that the two persons named be removed from the Roll of Delinquent Filers. Mr. Greathouse seconded the motion which was unanimously approved by the Board. Ms. Sengova further stated that the Ethics Office had administratively closed the matter involving filer Gary Harris. Of the remaining late filers, the Ethics Office has received payments totaling \$100 from two late filers and payments totaling \$250 from a current board member.

4. No Appeals Filed - Late Filers

FD-16-002 In the Matter of Garrett Terrill Bell

Ms. Sengova presented evidence that Terrill Bell violated Section 2-814(e) of the Code of Ethics by failing to file the 2016 City Financial Disclosure Statement by the filing deadline without reasonable cause; and requested that the Board impose a fine of \$50 in administrative sanctions, issue a written reprimand and require that Mr. Bell pay the fine owed prior to any reemployment by the City. Ms. Stern moved to accept the recommendation as presented which was seconded by Mr. Adams and unanimously approved by the Board.

FD-16-015 In the Matter of Wylon D. Johnson

Ms. Sengova presented evidence that Wylon Johnson violated Section 2-814(e) of the Code of Ethics by failing to file the 2016 City Financial Disclosure Statement by the filing deadline without reasonable cause; and requested that the Board impose a fine of \$250 in administrative sanctions, issue a written reprimand and require that Mr. Johnson pay the fine owed prior to any reemployment by the City. Ms. Stern moved to accept the recommendation as presented which was seconded by Ms. Hines and unanimously approved by the Board.

5. No Appeals Filed - Nonfilers

Ms. Sengova presented evidence that the former employees listed below violated section 2-814(e) of the Code of Ethics by failing to file the 2016 Financial Disclosure Statement without reasonable cause. Having no opposition, Ms. Sengova submitted that the facts as stated in the administrative decisions should be admitted as evidence and form the basis for penalties imposed in the cases. Ms. Sengova proposed penalties for each case as follows: administrative sanctions of \$500, issuance of a written public reprimand, recommendation that the City consider the employee ineligible for rehire for one year, and payment of any fines owed prior to reemployment by the City. Motions for each case were made, seconded and adopted by the Board as follows:

FD-16-004 In the Matter of Bernard Best

Motion: Mr. Brent Adams

Second: Ms. Nichola Hines

Unanimously adopted by the Board

FD-16-005 In the Matter of Jeffery Blair

Motion: Mr. Brent Adams
Second: Ms. Nichola Hines
Unanimously adopted by the Board

FD-16-006 In the Matter of Nicholas Marco Browner

Motion: Mr. Brent Adams
Second: Ms. Nichola Hines
Unanimously adopted by the Board

FD-16-009 In the Matter of Olufemi O. Fayemi

Motion: Ms. Jessica Stern
Second: Ms. Nichola Hines
Unanimously adopted by the Board

FD-16-018 In the Matter of Hee Seung Lee

Motion: Ms. Jessica Stern
Second: Ms. Nichola Hines
Unanimously adopted by the Board

FD-16-019 In the Matter of Preston G. Martin

Motion: Mr. Brent Adams
Second: Ms. Nichola Hines
Unanimously adopted by the Board

FD-16-023 In the Matter of Johnny J. Neal, III

Motion: Ms. Jessica Stern
Second: Ms. Nichola Hines
Unanimously adopted by the Board

FD-16-024 In the Matter of Joseph Ngi

Motion: Mr. Brent Adams
Second: Ms. Nichola Hines
Unanimously adopted by the Board

FD-16-027 In the Matter of Keedra Raines

Motion: Ms. Jessica Stern
Second: Mr. Brent Adams
Unanimously adopted by the Board

FD-16-031 In the Matter of Parett Smith

Motion: Mr. Brent Adams
Second: Ms. Jessica Stern
Unanimously adopted by the Board

FD-16-034 In the Matter of Michael Burl Swain

Motion: Mr. Brent Adams
Second: Ms. Nichola Hines
Unanimously adopted by the Board

FD-16-035 In the Matter of William Vining, III

Motion: Mr. Brent Adams
Second: Ms. Nichola Hines
Unanimously adopted by the Board

FD-16-036 In the Matter of Lawrence E. Waring, III

Motion: Ms. Jessica Stern
Second: Mr. Brent Adams
Unanimously adopted by the Board

ETHICS OFFICER'S REPORT

6. Status Report on Activities Performed Under Work Plan

Ms. Sengova reported on activities that support the Ethics Office Work Plan in the following areas: operations, training, advice, public education and outreach, investigation and enforcement actions and financial disclosure / electronic disclosure system. In the area of operations, Ms. Sengova reported that the Ethics Office staff appeared before the Finance Executive Committee and the Committee on Council in regard to proposed changes to the Financial Disclosure and Post-employment Laws.

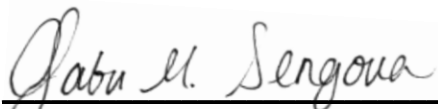
7. FY17 Budget Report

Ms. Sengova reported that the Ethics Office was spending as budgeted for FY17.

PUBLIC COMMENTS

8. Ms. Elba Mickle appeared before the Board and commented on matters unrelated to the business of the Board.

Having no further business, the meeting adjourned at 7:50 p.m.



Jabu M. Sengova, Associate Ethics Officer
Approved November 17, 2016