

City of Atlanta Board of Ethics Meeting Minutes of May 17, 2007

The regular monthly meeting of the City of Atlanta Board of Ethics was called to order by Chair John Marshall at 6:07 p.m. in City Council Committee Room 2. Attending the meeting were board members MaryAnne Gaunt, Susan Housen, John Lewis, Jacquee Minor, and Kenyatta Mitchell and staff members Ginny Looney, Claudia Janka, and Trina Nkhazi. Board member Larry Levin was absent.

Adoption of Minutes

1. The Board adopted the minutes of the March 15, 2007, meeting based on a motion by Ms. Gaunt and a second by Mr. Lewis.

Enforcement efforts

2. Raines Carter, the city solicitor, described the process for civil enforcement of violations of the City's Code of Ordinances and expressed his office's commitment to enforcing the Ethics Code.

3. Susan Housen reported that the Committee on Complaints and Enforcement makes the following recommendations to the Board:

- The Board should look at each contested hearing on a case-by-case basis to determine whether the Law Department has a conflict, and outside counsel is needed to advise the Board
- All letters to persons who fail to file a financial disclosure statement or pay a fine should set forth all the penalties that can be assessed against them
- The Board should not distinguish between enforcement actions against current employees and former employees
- A department's disciplining of an employee should not preclude the Board of Ethics from considering an ethics complaint
- The Ethics Office should send elected officials notice of anonymous complaints and give them the opportunity to respond

4. Mr. Marshall announced that a specially called meeting has been scheduled for Tuesday, May 22, 2007, to hold a probable cause hearing. Ms. Housen moved, with a second by John Lewis, to seek the assistance of Rob Remar to advise the Board of Ethics in the future hearing related to CO-06-006, In re James Maddox, Sr. The Board unanimously adopted the motion.

5. Following a report on enforcement efforts in financial disclosure cases, Board members agreed that Ms. Looney should send out another letter and invoice in early June to all persons who haven't filed or paid their fine and notify them that their case shall be referred to the solicitor's office for prosecution, if they continue to be in violation. The Board will review the cases at its June meeting for possible referral.

Motion for Reconsideration of FAO 2007-1

6. After considering a motion for reconsideration filed by George Howell, who is chair of the Atlanta Renewal Community Coordinating Responsible Authority, Ms. Housen made a motion that the Board reconsider Formal Advisory Opinion 2007-1 and affirm the opinion of the Board. Ms. Gaunt seconded the motion, which the Board adopted unanimously. Ms. Looney will send a letter to Mr. Howell explaining the Board's jurisdiction over city-appointed members of the authority's board.

Request for advisory opinion concerning a personal interest

7. Concerning a request for a formal advisory opinion from Tangee Allen, Ms. Minor moved, with a second by Mr. Lewis, that the Board give Ms. Looney authority to write an informal advisory letter stating that at this time the Board does not see Ms. Allen's role as a violation of the Code of Ethics. The Board approved the motion.

Outside employment request from court administrator under section 2-820 (d)

8. John Lewis moved to approve the request from Doug Mincher in a letter dated May 1, 2007, and to make it retroactive, allowing him to receive compensation from the City of Bellevue, Washington, for work as set forth in the letter, and to enter the other engagement for consulting services with the National Center of State Courts, as set forth in his letter. Ms. Mitchell seconded the motion, which the full Board adopted.

Having no further business, the meeting was adjourned.



Ginny Looney, Ethics Officer
Approved on June 21, 2007