



Ethics Matters

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City Stiffens Ethics Laws and Mandates Electronic Filing

The Atlanta City Council recently strengthened the city's ethics laws related to conflicts of interest. Expanding the definition of "immediate family" in the Code of Ethics, the council adopted a law that prohibits city officials and employees from voting or participating in contracts that affect their spouse, registered domestic partner, mother, father, sister, brother, daughter, and son. The code already banned officials from voting on matters involving their own finances, business, or prospective employer.

In other changes, the council mandated electronic disclosure of these conflicts of interest. Affected officials and employees must now publicly disclose online:

- Financial or personal interests in proposed legislation or pending decisions
- Expense reimbursements for city-related travel paid by a source other than the City

- Relatives of council members who are employed by the City

In addition, the Board of Ethics has voted to impose mandatory online filing of the annual financial disclosure statement by all elected officials and current city employees who are required to file.

Electronic filing has the advantage of making disclosure statements immediately accessible and widely available to the public. The disclosure forms enable the public to review the financial interests of city officials and employees for potential conflicts of interest. All city financial disclosure statements filed since 2005 may be found at <https://apps.atlantaga.gov/efile/search.asp>

In adopting a uniform definition of "immediate family" throughout the Code of Ordinances, the council incurred some criticism for deleting nieces and nephews and the spouse of a parent, sibling, or child from the definition of immediate family in the council's rules on avoiding conflicts of interest.

Board chairman John D. Marshall, Jr., and Ethics Officer Ginny Looney wrote Mayor Shirley Franklin that the omission of the reference to spouses did not change the rules on voting by council members. "Under both the original definition and the newly adopted definition, council members may not vote on any measure that would affect the financial interest of a spouse, domestic partner, parent, sibling, or child, which includes contracts and other measures involving the spouse of the parent, sibling, or child." They also stated that the council acted reasonably in deleting nieces and nephews from the definition since nieces and nephews are one step further removed from the council member.

For more information, visit the Board's [Code of Ethics](#) webpage.

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A Guide to the Online Disclosure Forms

The City of Atlanta has four electronic disclosure forms:

- *Disclosure of Conflicts of Interest*
- *Expense Reimbursement Report*
- *Report on Gift to the City of Atlanta*
- *Annual City Financial Disclosure Statement*

The forms are located in the City Ethics eFiling System at <https://apps.atlantaga.gov/efile/>.



City of
Atlanta
Online

eFile

The **conflicts disclosure form** is used to publicly disclose a financial or personal interest in a matter pending before the individual or his or her agency. It applies to any city elected official, employee, board member, and NPU officer who is required to file the annual city financial disclosure statement. When the conflict arises at a meeting, the individual should verbally disclose the nature of his or her interest, decline to participate in the discussion or vote, and efile the *Disclosure of Conflicts of*

Interest form within a week of the meeting.

The **expense reimbursement form** is used to report travel, meals, lodging, and registration fees paid or reimbursed by a source other than the City of Atlanta. City officials and employees may be reimbursed from a prohibited source only in connection with speaking, teaching, participating in a panel, or attending a conference in an official capacity. A prohibited source is an entity that seeks official action from the city, does business with or seeks the city's business, or has interests that may be substantially affected by the official's or employee's official duties. If the source is not a prohibited source, then officials and employees may receive expense reimbursements for attending any event in their official capacity that is related to their official duties. The *Expense Reimbursement Report* is due within 30 days of receipt of the reimbursement.

The **gift report form** is filed when a city official or employee accepts a gift on behalf of the City of Atlanta (1) from a prohibited source, (2) as a result of soliciting a donation, (3) as an honorarium, or (4) for addition to the general fund or the city's inventory of property. The form may be completed by the department head, office manager, project manager, event coordinator, or other city employee. The online *Report of Gift to the City of Atlanta* is due by December 31 of the year in which the City receives the gift.

Elected city officials, certain city employees, hearing officers, city board members, members appointed by the City to other public boards, and certain NPU officers must file a **city financial disclosure form** each year they serve and in the year after they leave city service. All current elected officials and affected employees are required to efile their disclosure statement. The *2007 City Financial Disclosure Statement* will be mailed to all required filers by January 15 and is due on February 15, 2007.

For instructions on electronic filing, visit the Board's [How to File Online](#) webpage.

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Honesty Isn't Optional

Look for the new Integrity Matters poster, *Honesty Isn't Optional*, going up this month in City Hall.



Integrity Matters is the city's educational program to encourage employees to act with honesty and integrity in their work.

As part of the program, the City has established the Integrity Line to allow citizens and employees to report wrongdoing within city government without fear of retaliation. In its first six months of operation, the Integrity Line received 200 calls, and the City took corrective action in nine cases.

To report unethical, fraudulent, or illegal conduct by city officials or employees, call the Integrity Line toll-free at 1.800.884.0911.

Call the Ethics Office at 404.330.6286 or write ethicsofficer@atlantaga.gov to order posters for your department.

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Ask the Ethics Officer: Can a Contractor Pay for My Travel?

I am a city employee and have been working with a city contractor on a project. The contractor has asked me to speak on a panel at a conference this winter and offered to pay for my travel. May I accept the offer?

You may accept reimbursement of travel expenses from the contractor because you are participating on a conference panel, but must publicly disclose the expenses online at <https://apps.atlantaga.gov/efile/>.

The Code of Ethics permits city officials and employees to receive expense reimbursements from prohibited sources in limited circumstances for "reasonable hosting expenses," which include travel, meals, lodging, and conference registration fees. The travel must be made in connection with (1) speaking, (2) teaching, (3) participating on a professional panel, or (4) attending a conference in an official capacity. Any travel paid by a non-city source must be reported online on an *Expense Reimbursement Report* within 30 days of the event.

Send your question to ethicsofficer@atlantaga.gov and include a telephone number.

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A Matter of Fact --

One State Board Has More Non-filers than All City Boards

- The City Ethics Office's Roll of Delinquent Filers lists eight board members and NPU officers who failed to file their city financial disclosure statement in 2006
- Nine of the eighteen members of the Georgia Board of Natural Resources did not file their annual state financial disclosure statement this year, according to a recent *Atlanta Journal-Constitution* article

To review the city's roll, visit the Board's [Financial Disclosure](#) webpage.

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Ethics Resource Center

The Ethics Office has published two new resources:

- *Key Ethics Rules Every City Board Member Needs to Know*
- *Ethical Guidelines for NPU Officers*

To download a copy of these publications, visit the Board's [Reports](#) webpage.

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Ethics Matters is produced by the City of Atlanta Ethics Office.
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