

# Our Opinion: Uncovering conflicts

## City should know whom it's dealing with

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Tallahassee Mayor John Marks is now speaking through his attorney about a \$1.2 million federal grant to expand Internet access to underserved areas of the city. That money is now lost because Mr. Marks didn't recognize a conflict of interest when it had his name written all over it.

Investigative news reports published Sunday and Tuesday in the Tallahassee Democrat point out how influence and access can be bought, even when the "purchase," in the form of a politician's vote, is superficially for a good cause.

Mr. Marks didn't disclose before a Sept. 15, 2010, vote on that federal grant that he had been paid \$86,000 over several years as a member of the board of advisers to the Alliance for Digital Equality, the Atlanta-based nonprofit that the city joined in applying for, and winning, the grant.

Nor did the mayor make the too-cozy connection between AT&T, his longtime law-firm client, and ADE, which AT&T bankrolled to the tune of \$7.36 million. AT&T uses ADE, a nonprofit, as a discreet means of lobbying more for lucrative and hotly competitive business expansion than for high-speed computer access for poor people.

Mr. Marks' attorney, Barry Richard of Tallahassee, discounted the connection, saying the mayor's income "doesn't come from AT&T. It comes from the firm." That embraces three law firms for which he's worked and which have paid him as attorney and consultant for AT&T and BellSouth since the early 1990s.

Mr. Richard said his client was "completely unaware" of the significant link between AT&T and ADE, adding that neither does Mr. Marks "think ... there's anything wrong with that."

That he didn't know about the bankrolling is as bad as, if not worse than, if he did know given his responsibility as mayor to know who he is bringing to the city as a partner in seeking a federal grant.

And certainly it would be more convincing if the mayor spoke directly instead of through an attorney, which gives the appearance that his personal best interest comes before the public's best interest.

Likewise, city staff and commissioners had an obligation to look deep enough into the lure of the grant to ensure they knew whom they were dealing with — or being used by.

ADE, a relatively small nonprofit, had failed to get that grant six previous times and received it this time, according to the Democrat's investigation, because the city was putting its reputation on the line.

And yet no elected official, nor the city manager, city attorney or other staff, checked out the organization's financial support.

Commissioners on Tuesday called for improvements in the vetting processes at City Hall for not only ostensibly good-guy grant projects, but also other significant projects or partnerships.

This would be for the good of the mayor and commissioners, helping ensure clarity when voting for a project to which they might be "completely unaware" they had profitable links.

City Manager Anita Favors Thompson took a defensive stand, saying it isn't the job of city staff to investigate possible conflicts of interest of commissioners. True. But with more scrutiny and vetting of even the seemingly innocuous, free-money opportunities, commissioners would have information they need to bow out of a vote when a possible clash of public and personal interest appears.

When it does, as it did in this case, the cost can be \$1.2 million that could have benefitted Tallahasseeans going elsewhere.