

DENVER BOARD OF ETHICS 2005 ANNUAL REPORT

February 15, 2006

I. INTRODUCTION

The Denver Board of Ethics hereby submits its fifth annual report to the Mayor and City Council, pursuant to Section 2-66 of the Denver Code of Ethics.

Appendix A gives brief biographies of the five volunteer members of the Board of Ethics.

The Board held twelve monthly meetings during 2005. This report is a summary of the work accomplished by the Board during that time.

The Board welcomed two new Mayoral appointments to the Board, Ann Terry and Lori Mack, and expressed appreciation for the fine service of outgoing Board members Charles F. Savage and Christopher Weimer.

II. ADVISORY OPINIONS, WAIVERS AND INQUIRIES

In 2005, the Board received a total of 46 written formal cases - as compared with 49 cases for 2004, 48 in 2002, 47 in 2003 and 31 in 2001. Twenty-seven of the 2005 formal cases were requests for advisory opinions or waivers, while 19 were inquiries (complaints). All but two of those cases were decided before the close of 2005, with those two awaiting decision in January 2006. A digest of the Board's significant 2005 opinions is attached as Appendix B and is also posted on the Board of Ethics website at www.denvergov.org/ethics. The Board dismissed all of the inquiries (complaints) that it decided in 2005 after preliminary screening.

Between the passage of the new Denver Code of Ethics in January 2001 and December 31, 2005, the Board of Ethics has received a total of 221 written formal cases, consisting of 157 requests for advisory opinions or waivers and 64 inquiries (complaints) about possible violations of the Code of Ethics.

The subjects of the requests for formal advisory opinions or waivers during this entire 2001-2005 period break down as follows: conflicts of interest – 36; gifts – 49; travel expenses and lodging – 19; outside employment – 34; hiring of relatives – 4; supervision of relatives – 10; subsequent employment – 9; use of public office for private gain – 4; other – 30. (Some requests involved more than one subject.)

In addition to the written formal complaints and requests for advisory opinions and waivers, the Board's staff director in 2005 received approximately 266 telephone, e-mail or in-person requests for unofficial, informal consultation about the Code of Ethics or other ethics issues, as compared with 249 in 2004, 192 in 2003, 130 in 2002 and 50 in 2001 – for a total of 887 since January 2001.

III. ETHICS HANDBOOK

The Board of Ethics in 2005 continued to distribute copies of the Ethics Handbook printed in 2002 and 2003 to city employees and exhausted the entire supply of 13,000 handbooks printed. The Board obtained a supplemental appropriation in late 2005 to allow printing of a revised and updated Ethics Handbook, which will be distributed to all city employees in 2006.

IV. ETHICS TRAINING

The Board of Ethics continues to believe that excellent, consistent ethics training is critically important to the successful implementation of the Denver Code of Ethics. All city employees, officers and officials should be trained to recognize ethical issues and to take appropriate steps to avoid unethical conduct.

From 2002 through the end of 2004, 99% of all city employees and officers subject to the Code of Ethics had received at least 3 hours of ethics training. The Board's Staff Director gave ethics briefings in 2005 to several new Mayoral appointees and to senior staff in several agencies and the Career Service Authority continued to give three-hour ethics training once a month, primarily to new city employees..

The Board expresses its appreciation to the Training and Organizational Development Division of the Career Service Authority, agency heads and the many trainers in individual agencies who have made this training effort successful. The Board also appreciates the continued assistance of the members of the Ethics Training Oversight Committee, which provides guidance for the ethics training program.

The Board and the Ethics Training Advisory Committee intend to work during 2006 to develop an updated curriculum to refresh ethics training for all city employees and officers and to develop an implementation plan in collaboration with the Mayor's Office and the Career Service Authority. The Board believes that ethics training should not be one-time-only training and should be periodically renewed.

V. OTHER MATTERS

BUDGET

Along with the rest of the Denver city government, the budget for the Board of Ethics is gradually recovering from the shortfalls of recent years. The adopted 2006 budget is \$86,700, compared to \$86,000 for 2005, \$82,600 for 2004, \$96,000 for 2003 and \$87,300 for 2002.

STAFF

Michael Henry, the Staff Director of the Board of Ethics, is the sole employee of the Board. The Board encourages citizens, city employees, officers and officials to contact him at 720-865-8412 or michael.henry@ci.denver.co.us.

VI. 2006 GOALS FOR THE DENVER BOARD OF ETHICS

(adopted December 15, 2006)

A. Continue Development and Implementation of Ethics Training for all City Officers, Officials and Employees.

The Board should in 2006 and subsequent years continue to pursue this goal by:

- a) Making sure that all new city employees have 3 hours of basic ethics training, either in person or web-based and
- b) Developing and overseeing delivery of at least a one-hour refresher course of ethics training, with cooperation from Career Service Authority, city departments and the Ethics Training

Oversight Committee.

c) Tracking which new city employees have and have not attended 3 hours of ethics training within 4 months of being hired and send reminder notices to those employees who have not and to their supervisors, in cooperation with Career Service Authority.

B. Continue Expedient Fulfillment of the Board's Obligation to Receive, Review and Decide Requests for Advisory Opinions, Requests for Waivers and Inquiries regarding alleged misconduct.

C. Improve Public Information about Code of Ethics

a) Develop regular articles about Code/Board of Ethics to submit to City departmental newsletters and the Spotlight;

b) Organize and publicize City-wide and/or departmental informational lunches or after-work discussions of ethical issues – twice per year.

c) Once per year have a Board of Ethics meeting that is more accessible to the public, such as at 5:00 pm and/or at a non-downtown location and generate notice to community groups. Seek public comments at that meeting about ethics concerns of citizens.

d) Explore cooperative joint programs with University of Denver's Center for Civic Ethics to develop community dialogues about ethics in Denver.

e) Consider publishing entire text of Board of Ethics opinions on website, in addition to digests of opinions.

D. Improve Board of Ethics Website

Work with City staff to improve website. Primary issues should be to make the website more easily accessible, attractive, and easy to read.

E. Consider Need for Policy for Disclosure of Gifts to the City and County of Denver

Work with the Mayor's Office and City Council to consider whether a process for disclosure and/or regulation of gifts to the City and County of Denver is desirable. Gifts to individual city employees, officers or officials are regulated by Section 2-60 of the Code of Ethics; however, there is not a systematic policy, consistent for all city agencies and departments, for criteria or public disclosure of all gifts to the city or to city departments or agencies.

F. Continue to Explore with Independent Agencies whether they might wish to adopt the Denver Code of Ethics and Utilize the Denver Board of Ethics for Advisory Opinions, Waivers and Inquiries.

Continue to explore with independent agencies, such as the Denver Public Library, Denver Housing Authority, Denver Water, Denver Urban Renewal, the Denver Museum of Nature and Science, the Denver Art Museum, etc. whether they would voluntarily wish to adopt the Denver

Code of Ethics and utilize the Denver Board of Ethics to assist them in dealing with requests for advisory opinions, waivers and inquiries. This would foster ethical consistency among the independent agencies.

G. Work with Clerk and Recorder's Office to Provide a Training Class for Registered Lobbyists concerning new Lobbyist Ordinance (training provided by Clerk and Recorder) and Gift section of Code of Ethics (provided by Board of Ethics).

VIII. CITY GOALS

The Board of Ethics believes that its work during 2005 and its goals for 2006 support the following of the City and County of Denver's goals:

? Denver city government will achieve the highest customer service rating in the country – by encouraging confidence in Denver city government among its citizens and customers

? People will say Denver was an even better place than it was in 2003 – by encouraging an ethical culture in Denver city government

? People who work for Denver city government will say it is an even better place to work than it was in 2003 – by encouraging high ethical standards throughout city government

? Denver city government will live within its means – by thriving as the city's smallest agency with the smallest budget

IX. CONCLUSION

The Board of Ethics believes that, with help from the Mayor, City Council, the City Attorney's Office, Career Service Authority, the ethics trainers in city agencies and the great majority of managers and employees of the City and County of Denver, it made continued good progress in 2005 to establish ethics as a recognized core value and to cultivate public confidence in Denver city government.

Respectfully submitted on behalf of the Board of Ethics,

Leslie M. Lawson
Chair