EXECUTIVE ORDER NO. 134

TO: All Departments and Agencies Under the Mayor

FROM: John W. Hickenlooper, Mayor

DATE: December 20, 2007

SUBJECT: Gifts to the City and County of Denver

Purpose: Denver's Ethics Code was enacted to ensure that the City's officers, officials, and employees adhere to high levels of ethical conduct so that the public will have confidence that persons in positions of public responsibility are acting for the benefit of the public. This Executive Order, in concert with the Ethics Code, establishes the policy of disclosure of gifts to the City via City departments and agencies to ensure that City departments and agencies adhere to these same high levels of ethical conduct. The requirements of this Executive Order are in addition to any other legal requirements governing the receipt of gifts by and on behalf of the City.

1.0 Applicable Authority: The applicable authority relevant to the provisions and requirements of this Executive Order No. 134, is found in Section 2.2.10 (A) & (C) of the Charter of the City and County of Denver, 2002 revised.

2.0 Definition: "Gift" means money, property, service, or thing of value worth two thousand dollars five hundred dollars ($2,500.00) or more that is given directly to the agency or department without adequate and lawful compensation. A gift given directly to an individual within an agency or department is deemed to be a gift to the City and County of Denver if the facts and circumstances surrounding the donation indicate that the donor intended the gift to be used on behalf of the City. If the value of the gift is not easily discernable, agencies or departments are required to value the property, service, or thing of value by evaluating the fair market value of the gift at the time of the donation. A gift does not include sponsorships, scholarships, or grants.

3.0 Rule:

A. Reporting Deadline. Departments and agencies shall report all gifts received and accepted from January 1, 2007 through March 31, 2008 to the Clerk and Recorder no later than August 1, 2008. Beginning in 2009, departments and agencies shall report all gifts received and accepted during the period from January 01 to December 31 of the previous year to the Clerk and Recorder no later than August 1 of each year.

B. Contents of Report. For each gift the report shall include: 1) a description of the gift; 2) the date it was given; 3) the name of the donor; 4) the value of the gift; 5) the intended use or purpose of the gift; 6) the department or agency that received the gift; and 7) the corporate affiliation and address of the donor.
C. *Anonymous Gifts.* If the gift is given anonymously, the name and corporate affiliation of the donor shall be left blank but the department or agency shall include the other information in the report requested above. The department or agency shall inform the Denver Board of Ethics of such proposed gift. The Board of Ethics may issue a non-binding advisory opinion regarding such proposed gift and provide it exclusively to the subject department or agency.

D. *Filing of Reports.* Department or agency directors are solely responsible for filing the annual report in accordance with Executive Order to the Clerk and Recorder's Office. Upon receipt of a department or agency's annual report, the Clerk and Recorder's Office shall post these reports on-line to the public on the City's website within a reasonable amount of time.

E. *Right to Decline Gifts.* Departments or agencies may decline to accept a gift for any reason. Departments or agencies are not required to report any gift that is declined.
Approved for Legality:

David R. Fine
City Attorney for the City and County of Denver

Approved:

John W. Hickenlooper
Mayor

Turner West
Manager of Aviation

Nancy Sverson
Manager of Environmental Health

Kevin Patterson
Manager of General Services

Kim Bailey
Manager of Parks & Recreation

Guillermo "Bill" Vidal
Manager of Public Works

Claude Pumilia
Manager of Revenue

Alvin J. LaCabe, Jr.
Manager of Safety

Roxane White
Manager of Human Services

Peter Park
Director of Planning & Development