June 29, 2022

Auditor Timothy M. O’Brien, CPA
Office of the Auditor
City and County of Denver
201 West Colfax Avenue, Dept. 705
Denver, Colorado 80202

Dear Mr. O’Brien,

The Office of the Auditor has conducted a performance audit of City Equity Program and Practices.

This memorandum provides a written response for each reportable condition noted in the Auditor’s Report final draft that was sent to us on July 19, 2022. This response complies with Section 20-276 (c) of the Denver Revised Municipal Code (D.R.M.C.).

As noted in the report, “both its (Mayor’s Office of Social Equity and Innovation) original chief equity officer and the interim replacement left the city between June 2021 and September 2021” (pg. 28, last paragraph). The entrance conference for this audit occurred September 8, 2021. The current chief equity officer began responsibilities in this role October 2021. As noted in the narratives, concerns remain relative to depictions of the original and interim chief equity officers and the work they oversaw. However, in an effort toward good faith, responsiveness, and an overarching goal of serving Denver’s most marginalized communities, the current chief equity officer has agreed to implement all 16 recommendations.

AUDIT FINDING 1
The Mayor’s Office of Social Equity and Innovation Lacks a Detailed Strategic Plan and Other Foundations for Effective Governance

RECOMMENDATION 1.1
Consulting leading practices, the Mayor’s Office of Social Equity and Innovation should review and update its existing program design and then document all elements of the office — including:

- How it aligns with both Executive Order No. 146 and other citywide goals and priorities.
- Its specific goals and strategies.
- A logic model specifying office activities, staffing, resources, results, and expected outcomes.
- How it plans to monitor and evaluate the success of the office’s programs and initiatives.
Agree or Disagree with Recommendation | Target date to complete implementation activities (Generally expected within 60 to 90 days) | Name and phone number of specific point of contact for implementation
--- | --- | ---
Agree | 11/23/2022 (100 business days) | Dr. Aisha Rousseau
Chief Equity Officer
720.865.2921

**Narrative for Audit Finding 1**
The Mayor’s Office of Social Equity and Innovation and the Auditor’s Office agree that completing the provided recommendations will continue building upon the foundation for effective governance in implementing the city’s equity initiatives. That being said, we must note that context must be added to the posit that “the office lacks these foundations because previous chief equity officers did not prioritize creating them” (page 10, paragraph 3).

The original chief equity officer and interim chief equity officer were charged by the Mayor to respond to the unexpected and immediate need of “Saving the City” during the worldwide COVID-19 pandemic. This was done by embedding equity in the Emergency Operations Center during the COVID-19 pandemic (March 2020 – June 2021) and protests related to the murder of George Floyd (May 2020 - June 2020). Like many local and national leaders who grappled with responding to needs during this difficult time, so too, did the prior leadership grapple with making difficult but necessary decisions. The original chief equity officer and interim chief equity officer, at the urging of the Mayor and community, focused on supporting policies and practices that saved lives in real-time. They did this by embedding equity perspectives in the responses to multiple emergencies, which had direct and measurable impacts on Denver’s most marginalized racial and ethnic populations.

**Narrative for Recommendation 1.1**
In response to Recommendation 1.1, the Mayor’s Office of Social Equity and Innovation is prepared to review and update its existing program design and then document all elements of the office.

As noted in the report, “the office’s newest framework, released in January 2022, introduced four entirely new goals that are also inconsistent with the office’s previous ones.” (page 15, paragraph 2). It is important to note that similar to the documents submitted in January 2022, reflecting a customary shift of new leadership’s vision and collaborative input from staff, the documents in response to Recommendation 1.1 will likely differ from the documents submitted on behalf of the previous leadership.

**RECOMMENDATION 1.2**
While reviewing and updating its program design as part of Recommendation 1.1, the Mayor’s Office of Social Equity and Innovation should conduct a formal, documented needs assessment of the office and its initiatives to ensure it meets identified needs in the city. This assessment should include a clear description of the issues the office
wants to address and how each issue aligns with the office’s goals and strategies as well as Executive Order No. 146.

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<td>Dr. Aisha Rousseau Chief Equity Officer 720.865.2921</td>
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Narrative for Recommendation 1.2
In alignment with Recommendation 1.1 and in response to Recommendation 1.2, the Mayor’s Office of Social Equity and Innovation is prepared to conduct a formal needs assessment of the office and its initiatives to ensure it meets identified needs in the city in consideration of Executive Order 146.

RECOMMENDATION 1.3
The Mayor’s Office of Social Equity and Innovation should develop and document a strategic plan that aligns with Executive Order No. 146, stakeholders’ strategic plans, and leading practices. At a minimum, the plan should include:
- Specific and measurable objectives.
- A clearly defined mission statement.
- Key performance metrics.
- An action plan detailing how strategies will be implemented — including specific activities, associated costs, designated responsibilities, and time frames.
- An effective method for analyzing outside factors and stakeholder concerns.

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<td>Dr. DJ Torres Deputy Director to the Chief Equity Officer 720.865.2921</td>
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Narrative for Recommendation 1.3
In response to Recommendation 1.3, develop and document a strategic plan that aligns with Executive Order No. 146, to include, but not limited to specific and measurable objectives, key performance metrics, method for analyzing outside factors and stakeholder concerns, and an action plan to address the implementation of strategies.
RECOMMENDATION 1.4
The Mayor’s Office of Social Equity and Innovation should ensure its mission, goals, and strategies are consistent across Executive Order No. 146, all strategic planning documents, and all office communications.

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</table>
| Agree                                 | 11/08/2022 (90 business days)                                                                 | Jessica Calderon  
  Director of Operations and Innovation  
  720.667.6636 |

Narrative for Recommendation 1.4
In alignment with Recommendation 2.1 and in response to Recommendation 1.4, the Mayor’s Office of Social Equity and Innovation is prepared to ensure its mission, goals, and strategies are consistent across Executive Order No. 146, all strategic planning documents, and all office communications.

As noted in the report, “the office’s newest framework, released in January 2022, introduced four entirely new goals that are also inconsistent with the office’s previous ones.” (page 15, paragraph 2). It is important to note that similar to the documents submitted in January 2022, reflecting a customary shift of new leadership’s vision and collaborative input from staff, the documents in response to Recommendation 1.4 will likely differ from the documents submitted on behalf of previous leadership.

RECOMMENDATION 1.5
The Mayor’s Office of Social Equity and Innovation should document comprehensive policies and procedures to ensure office staff and members of other agencies’ equity, diversity, and inclusion teams properly implement the office’s programs and initiatives. The policies and procedures should define key roles and responsibilities for individual staff to ensure institutional knowledge is retained.

Once approved, the policies and procedures should be communicated to office staff and members of other agencies’ equity, diversity, and inclusion teams. In addition, the office should develop and document a process to periodically evaluate these policies and procedures and revise them as necessary.

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</table>
| Agree                                 | 09/23/2022 (60 business days)                                                                 | Jessica Calderon  
  Director of Operations and Innovation  
  720.667.6636 |
Narrative for Recommendation 1.5
The Director of Operations and Innovation position was created by the current Chief Equity Officer in November 2021 and the role was filled in late December 2021. Hence, as noted in the audit, the work was incomplete as of January 2022 (pg. 17, paragraph 2).

The Director of Operations and Innovation is responsible for overseeing the documentation of all operations to ensure that consistent, transparent, and efficient workflows are in place, yielding optimal productivity and performance for the Mayor’s Office of Social Equity and Innovation. At the time of the ongoing audit, the Director of Operations and Innovation was in the process of developing and having approved a Policy and Procedure Manual including, but not limited to, the items identified in Recommendation 1.5. The manual is designed to be a living document as various processes, policies, and procedures are being developed with the growth of the office.

In response to Recommendation 1.5, the Mayor’s Office of Social Equity and Innovation is prepared to provide the Policy and Procedure manual by the identified target date with the inclusion of a schedule for periodic reviews and a distribution plan to OSEI staff and citywide EDI teams.

RECOMMENDATION 1.6
As the Mayor’s Office of Social Equity and Innovation documents roles and responsibilities through Recommendation 1.5, it should develop and document a succession and contingency plan to reassign responsibilities and minimize interruptions when a key staff member leaves.

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<td></td>
<td>Director of Operations and Innovation</td>
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<td>720.667.6636</td>
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Narrative for Recommendation 1.6
The audit report indicates, “The current chief equity officer said staff members were given job descriptions before they were hired. However, job descriptions do not detail the specific tasks staff must complete on a day-to-day basis to fulfill their job duties.” (pg. 17, paragraph 6). It is important to note that the guidance by Denver’s Office of Human Resources does not deem this as a customary nor required practice for the City and County of Denver, consequently, there is no standardized organizational template or document to outline day-to-day tasks and most positions across the City do not include this type of document.

The current Chief Equity Officer restructured the Mayor’s Office of Social Equity and Innovation in December 2021 to reflect new methods of operation with the addition of several new staff, clearly define the scope and responsibilities of staff, and minimize interruptions when staff members leave the organization. In response to Recommendation 1.6, the Mayor’s Office of Social Equity and Innovation is prepared to include a listing of staff roles and responsibilities
and documentation to address a succession and contingency plan as a part of the aforementioned Policy and Procedure Manual (Recommendation 1.5) by the identified target date.

**RECOMMENDATION 1.7**
As the Mayor’s Office of Social Equity and Innovation develops and documents key performance metrics through Recommendation 1.3, it should implement them to track the success of the city’s social equity and race and social justice efforts. The office should ensure these metrics align with its goals, strategies, and objectives.

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| Agree                                 | 11/23/2022 (100 business days)                                                             | Dr. DJ Torres
Deputy Director to the Chief Equity Officer
720.865.2921 |

**Narrative for Recommendation 1.7**
In alignment with Recommendation 1.3 and in response to Recommendation 1.7, the Mayor’s Office of Social Equity and Innovation is prepared to ensure metrics are documented, tracked, and align with overall goals, strategies and objectives.

**RECOMMENDATION 1.8**
The Mayor’s Office of Social Equity and Innovation should develop and document a process to identify agencies with their own equity staff members to ensure those individuals receive and communicate information consistent with citywide initiatives. The office should also work with these agency-specific personnel to develop clear roles and responsibilities that align with citywide equity initiatives.

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</table>
| Agree                                 | 11/08/2022 (90 business days)                                                              | Dr. Ben Sanders, III
Director of Race & Social Justice Trainings and Strategies
303.263.8425 |

**Narrative for Recommendation 1.8**
With the assistance of the Mayor’s Office and the Office of Human Resources, at the time of this audit, a process was developed to identify all agency-specific equity personnel.

In response to Recommendation 1.8, the Mayor’s Office of Social Equity and Innovation is prepared to provide additional clarity related to the work of this office and that of agency-
specific equity personnel. This will include developing and documenting a process for agencies with their own equity staff members to ensure those individuals receive and communicate information consistent with citywide initiatives and the Mayor’s Office of Social Equity and Innovation. Additionally, clear roles and responsibilities will be documented and communicated to ensure alignment with the Mayor’s Office of Social Equity and Innovation and citywide equity initiatives.

AUDIT FINDING 2
The Executive Order Establishing the Mayor’s Office of Social Equity and Innovation Provides Insufficient Clarity to Empower Staff

RECOMMENDATION 2.1
As the Mayor’s Office of Social Equity and Innovation updates its program design as part of Recommendation 1.1, it should work with the Mayor’s Office to evaluate Executive Order No. 146 and revise it to clarify vague wording and to better reflect Social Equity and Innovation’s existing responsibilities and initiatives. Specifically, the revised executive order should clearly define:

- Social Equity and Innovation’s authority to enforce other city agencies’ compliance with its initiatives.
- The roles and responsibilities of other city agencies in fulfilling the executive order’s requirements.
- Whether equity training offered by Social Equity and Innovation is mandatory for city staff.
- Social Equity and Innovation’s and other city agencies’ roles in the budget equity process.
- What a “citywide equity scan” is intended to be.

Once the executive order is revised, Social Equity and Innovation should ensure it fully complies with all requirements.

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| Agree                                 | 11/08/2022 (90 business days)                                                   | Dr. Aisha Rousseau  
Chief Equity Officer  
720.865.2921                                                    |

Narrative for Audit Finding 2
Some equity offices that are listed in the report as having equity enforcement authority (page 58, table) are in our national network and describe themselves as weaving Civil Rights Title VI plans into their work as an implementation tool, however, they reiterate that this work is enforced at the federal, rather than local level. In particular, Portland officials describe their government as a “weak Mayoral system.”
It is important to note that the use of the word “enforcement” in equity offices is particularly complex, as offices like the Mayor’s Office of Social Equity and Innovation tend to focus on systems design and not on individualized equity-based compliance (an issue we assert should be left to Human Resources). The Mayor’s Office of Social Equity and Innovation acknowledges that racism exists at several levels, however, we aim to address work at an institutional and structural level.

**Narrative for Recommendation 2.1**
In conjunction with Recommendation 1.1 and in response to Recommendation 2.1, the Mayor’s Office of Social Equity and Innovation is prepared to work with the Mayor’s Office to evaluate and revise the wording of Executive Order No. 146 to better reflect its existing responsibilities and initiatives.

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<tr>
<th>RECOMMENDATION 2.2</th>
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<tr>
<td>As the Mayor’s Office of Social Equity and Innovation works with the Mayor’s Office to review Executive Order 146 as part of implementing Recommendation 2.1, it should consider whether an executive order is the appropriate method for achieving agencies’ compliance with the city’s equity initiatives or whether Social Equity and Innovation and its efforts should be codified by other means, such as in city ordinance. Social Equity and Innovation should document its decision and the decision-making process it used.</td>
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| Agree                                 | 11/08/2022 (90 business days)                                                                  | Jessica Calderon  
  Director of Operations and Innovation  
  720.667.6636 |

**Narrative for Recommendation 2.2**
The original chief equity officer and interim chief equity officer and the Mayor’s Office report working together to consider the appropriateness of codifying the Mayor’s Office of Social Equity and Innovation beyond Executive Order 146. The final decision is outstanding.

In response to Recommendation 2.2, the Mayor’s Office of Social Equity and Innovation is prepared to continue working with the Mayor’s Office to document the decision-making process and the decision.

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<th>RECOMMENDATION 2.3</th>
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<td>The Mayor’s Office of Social Equity and Innovation should work with the Mayor’s Office to obtain the support it needs to ensure all agencies under the mayor comply with Executive Order 146. The office should document these discussions and any efforts to gain agencies’ compliance.</td>
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Agree or Disagree with Recommendation | Target date to complete implementation activities (Generally expected within 60 to 90 days) | Name and phone number of specific point of contact for implementation
---|---|---
Agree | 11/08/2022 (90 business days) | Dr. Aisha Rousseau
Chief Equity Officer
720.865.2921

**Narrative for Recommendation 2.3**
In response to Recommendation 2.3, the Mayor’s Office of Social Equity and Innovation is prepared to continue working with the Mayor’s Office to ensure the support needed to comply with Executive Order 146 is firmly established.

It is important to note that at the time of this audit, the following items have been addressed:

Equity Commitments (page 26): At the time of this audit, all agency heads under the purview of the Mayor were in the process of reviewing and signing the City’s revised equity commitment. This task was completed by February 2022. The revised commitment aligned with the revised goals distributed in January 2022 and signed commitments.

Racial Equity Action Plans (pages 26-27): At the time of this audit, all agencies under the purview of the Mayor were in the process of completing their racial equity action plans for final approval. This task was completed by May 2022. While independent agencies were not required to submit Racial Equity Action Plans, leadership and staff from these agencies are always welcome to participate, similar to the open invitation extended to attend the Race and Social Justice Academy.

Trainings (pages 27-28): At the time of this audit, all agency Executive Directors were in the process of reviewing and signing the City’s revised equity commitment. The document includes a commitment to have their respective staff trained through the Race and Social Justice Academy provided by the Mayor’s Office of Social Equity and Innovation by Q1 2023. It is also worth noting that all appointees are scheduled to complete the Race and Social Justice Academy in September 2022.

**RECOMMENDATION 2.4**
The Mayor’s Office of Social Equity and Innovation should work with the Office of Human Resources to evaluate other ways to offer training courses on equity and racial and social justice to city employees to maximize Social Equity and Innovation’s mission of achieving transformative change in city government.

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| Agree | 09/23/2022 (60 business days) | Dr. Ben Sanders, III
Director of Race & Social |
Narrative for Recommendation 2.4
The Director of the Race and Social Justice Trainings and Strategies role was developed December 2020; however, the current Director began serving in this role late January 2022. The former Director was largely tasked with developing the Race and Social Justice Academy and then revamping the entire course from an in-person format that relied on interpersonal engagement to a virtual platform, in response to employees’ new remote work environments.

At the time of this audit, the current Director of Race and Social Justice Trainings and Strategies was in the process of developing an asynchronous version of the Race and Social Justice Academy. This training was completed in April 2022 and is in a beta testing phase with a pending release date. Offering training in an asynchronous format means that employees can access RSJ Academy when and where it is convenient for them via Workday.

In response to Recommendation 2.4, the Mayor’s Office of Social Equity and Innovation is prepared to work with the Office of Human Resources to evaluate other ways to offer training courses on equity and racial and social justice to city employees to maximize the Mayor’s Office of Social Equity and Innovation’s mission of achieving transformative change in city government.

RECOMMENDATION 2.5
The Mayor’s Office of Social Equity and Innovation should work with the Budget and Management Office to develop and document a process to identify city agencies’ staff who are new to the budget equity process and ensure they understand the process and receive the necessary resources and training.

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| Agree                                 | 9/23/2022 (60 business days)                                                                  | Dr. DJ Torres
Deputy Director to the Chief Equity Officer
720.865.2921 |

Narrative for Recommendation 2.5
Multiple tiers of leadership within each agency receive an invitation from the Budget and Management Office to attend the annual budget presentation meetings. It is worth noting that not all staff or managers are involved in the budget process, however, recipients are encouraged to share the invitations and information with their appropriate staff. The Budget and Management Office will receive a list of staff from executive directors who require access to the City’s budget system. All budget training, including, but not limited to budget equity training, will be provided to identified staff who are identified as staff to be engaged in the budget process.
In conjunction with Recommendations 1.5, 2.4, and 2.6 and in response to Recommendation 2.5, the Mayor’s Office of Social Equity and Innovation is prepared to work with the Budget and Management Office to ensure as a part of the annual budget kickoff invitation, executive leaders are encouraged to review and share the invitation with their appropriate staff to learn the budget process, receive the necessary resources and training, and address any outstanding questions staff may have to facilitate their understanding.

**RECOMMENDATION 2.6**
As part of documenting roles and responsibilities in policies and procedures as part of Recommendation 1.5, the Mayor’s Office of Social Equity and Innovation should draft policies and procedures that document its roles and responsibilities specifically for the budget equity process. The office should define specific activities such as:
- Training city employees about the process.
- Reviewing and providing feedback on agencies’ budget proposals.
- When Social Equity and Innovation should be involved in the budget equity process.
- How it should work with the Budget and Management Office.

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Deputy Director to the  
Chief Equity Officer  
720.865.2921 |

**Narrative for Recommendation 2.6**
As part of the annual budget planning process, the Mayor’s Office of Social Equity and Innovation and the Budget Management Office evaluate the upcoming budget process and assess the roles and expectations for the budget equity process. This will continue for the 2024 budget process as well, and OSEI’s role in the process will be formally documented in the 2024 Budget Manual.

In conjunction with Recommendation 1.5 and in response to Recommendation 2.6, the Mayor’s Office of Social Equity and Innovation is prepared to draft policies and procedures that further document its roles and responsibilities specifically for the budget equity process.

**RECOMMENDATION 2.7**
As the Mayor’s Office of Social Equity and Innovation updates its program design as part of Recommendation 1.1, the office should conduct a formal, documented evaluation of its staffing levels and resources to determine whether they are adequate for office staff to participate in the budget equity process to the extent they desire.
Narrative for Recommendation 2.7
In conjunction with Recommendation 1.1 and in response to Recommendation 2.7, the Mayor’s Office of Social Equity and Innovation is prepared to conduct a formal, documented evaluation of its staffing levels and resources to determine whether they are adequate for office staff to participate in the ongoing budget equity process.

As part of the annual budget planning process, the Mayor’s Office of Social Equity and Innovation and the Budget Management Office will evaluate the upcoming budget process and assess the roles and expectations for the budget equity process. This will continue for the 2024 budget process as well and OSEI’s role in the process will be formally documented in the 2024 Budget Manual.

AUDIT FINDING 3
The Mayor’s Office of Social Equity and Innovation Does Not Have a Plan to Ensure Clear, Consistent Communication with Other City Agencies

RECOMMENDATION 3.1
The Mayor’s Office of Social Equity and Innovation should develop and document a communication plan for how it plans to communicate information with other city agencies. The plan should identify all necessary stakeholders and detail when, where, and how the office will communicate:

- Timely notification of upcoming trainings.
- The roles and responsibilities of agencies’ equity, diversity, and inclusion teams, in line with Recommendation 1.5.
- Citywide initiatives, either from Social Equity and Innovation or other city agencies.

The office should share the plan with all necessary stakeholders to ensure communication is clear and consistent.
Narrative for Audit Finding 3
The Mayor’s Office of Social Equity and Innovation and the Auditor’s Office agree a plan to ensure clear and consistent communication with other city agencies will allow for effective communication. The original and interim chief equity officer were responsible for communications. To align with a lean approach to structure, the current chief equity officer has shared a staff member on a part-time basis with the Mayor’s Office Communications team. Subsequently, creating and executing formalized communication plans have been beyond the breadth of work capacity for current staff.

Narrative for Recommendation 3.1
In conjunction with Recommendations 1.1 and 1.5 and in response to Recommendation 3.1, the Mayor’s Office of Social Equity and Innovation is prepared to evaluate staffing duties related to communications, develop and document a communication plan to communicate information with other city agencies. As part of a formalized communications and distribution plan for internal and external stakeholders to the Mayor’s Office of Social Equity and Innovation, the following items will be further developed and/or created: social media presence and regular updates to executive leaders, city employees, and its external partners.

Please contact Dr. Aisha Rousseau at 720.865.2921 with any questions.

Sincerely,

Aisha Rousseau
Aisha Rousseau, Ph.D., CRC
Chief Equity Officer

cc: Valerie Walling, CPA, Deputy Auditor
Dawn Wiseman, CRMA, Audit Director
Amy Barnes, Audit Manager