



Denver Board of Ethics

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**DENVER BOARD OF ETHICS
MINUTES
MEETING OF JUNE 9, 2021**

Chair Joseph Michaels called the meeting of the Denver Board of Ethics to order at 9:05 a.m. The Board met virtually through Microsoft TEAMS and conference bridge line. Present were Board members Joseph G. Michaels, Dianne Criswell, Doris E. Burd, Jane T. Feldman, and Sylvia S. Smith. Also in attendance were prior Board member, Judge Andrew Armatas, Executive Director Lori Weiser, and Senior Assistant City Attorney, Jordan Humphreys.

1. Introductory remarks and review of the Agenda.
2. The Minutes of the Board's May 12, 2021 meeting were moved, seconded, and approved unanimously without amendment.
3. The Board welcomed Elle Schalow, City Clerk Administrator, from the Clerk and Recorder's Office. Ms. Schalow shared updates with respect to the upcoming semiannual reporting, a recent audit of the Office of the Clerk and Recorder, and the upcoming September 2021 launch of new software (MapLight) by the Office of the Clerk and Recorder.
4. The Board reflected on the eight years of service by Sylvia S. Smith, city employee representative to the Board, and expressed their gratitude for the many professional and personal assets she brought to the Board. Similarly, Ms. Smith thanked Mayor Hancock and City Council; Michael Henry, the previous Executive Director; prior Board chairs, Edgar Neel, Brian Spano, Patrick Tooley, and Julia (Eckes) Hoffmier; Joseph Michaels, the current Board chair; Roy Wood, a past board member; the current Board members; and the current Executive Director, for their leadership and commitment to ensuring that City employees keep ethics at the forefront of their minds.
5. With thanks to Jordan Humphreys, Legal Counsel to the Board, for preparing a first draft, the Board reviewed the proposed updates and edits to the Board's Rules of Procedure relating to anonymous complaints. All agreed that there should be a

Executive Director
Lori Weiser

Board Members
Joseph G. Michaels – Chair
Dianne Criswell – Vice Chair
Doris E. Burd
Sylvia S. Smith
Jane T. Feldman

disclosure on the Board's official anonymous complaint form that notifies complainants that the Board is not precluded from disclosing the identity of the complainant to the extent necessary to conduct an investigation or refer the matter to another agency for further action, but it must notify the complainant prior to any such disclosure and the complainant has a right to withdraw the complaint; and that the identity of the complainant may be disclosed as otherwise permitted or required by law. Following further discussion, a motion was made to approve the changes to the Board's Rules of Procedures pending confirmation by a one-way circulation by the Executive Director to the Board, noting that if there are substantive changes, the changes may be revisited in July.

6. The Executive Director's Report was discussed by the Board. The Board moved, seconded, and unanimously approved the donation of \$500.00 by the Denver Board of Ethics to fund small give-away items for attendees to the December 2021 Council on Governmental Ethics Laws (COGEL) conference which will be held in Denver.
7. The Chair, Joseph G. Michaels, brought to the attention of the Board a recent decision by the Colorado Supreme Court that pertains to Rule 8.4(g) of the Rules of Professional Conduct.
8. Board member, Sylvia S. Smith, noted a detailed unofficial opinion given by the Executive Director and the Board discussed whether a Board initiated investigation would be appropriate. The Chair suggested that there be a future conversation concerning how to identify circumstances that might trigger a Board initiated investigation.
9. A motion was made and seconded to adjourn. The motion carried unanimously, and the meeting was concluded at 10:59 a.m.

APPROVED BY THE BOARD: July 14, 2021.

NOTE: Copies of decisions in the cases mentioned above or any other cases may be obtained by contacting the Board's Executive Director, Lori Weiser—lori.weiser@denvergov.org.