



Denver Board of Ethics

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**DENVER BOARD OF ETHICS
MINUTES
MEETING OF OCTOBER 14, 2020**

Chair Joseph Michaels called the meeting of the Denver Board of Ethics to order at 9:04 a.m. The Board met virtually through Microsoft Teams and conference bridge line. Present were Board members Joseph G. Michaels, Sylvia S. Smith, Andrew S. Armatas and Jane T. Feldman. Also in attendance were Jordan Humphreys, Senior Assistant City Attorney, and Executive Director Lori Weiser.

1. Welcome and introductory remarks.
2. The Board welcomed and engaged in further discussion concerning the gift reporting procedures with Dan Volkosh, the Policy and Compliance Administrator for the Office of the Clerk and Recorder. Mr. Volkosh introduced Elle Schalow, the new Deputy Clerk.
3. The Minutes of the Board's September 15, 2020 meeting were moved, seconded and approved unanimously without amendment.
4. The Executive Director gave an overview of the Director's Report.
5. In case 20-27, the Board considered the request for advisory opinion by Karissa Johnson, a Program Coordinator with the Department of Housing Stability. Following a discussion with Ms. Johnson, and her supervisor, Jennifer Biess, and an analysis of the relevant sections of the Code of Ethics, the Board determined that there is no conflict of interest with Ms. Johnson's outside employment activity and her responsibilities at the Department of Housing Stability. The Board did caution her to continue to guard any confidential information she receives as part of her City job.
6. The Board again considered the request for advisory opinion in case 20-26, by Carl McEncroe, the Civilian Review Administrator for the Department of Safety. The Board discussed the issues with Mr. McEncroe, Ms. Mary Dulacki, the Deputy Director of the Department of Safety, and Cathy Greer, a member of the law firm, Wells, Race & Anderson, LLC. The Board determined that while there was no actual

Executive Director
Lori Weiser

Board Members
Joseph G. Michaels – Chair
Dianne Criswell – Vice Chair
Andrew S. Armatas
Sylvia S. Smith
Jane T. Feldman

conflict of interest in Mr. McEncroe working for the Department of Safety and also having outside employment as an attorney with Wells, Anderson & Race, LLC, that the appearance of impropriety was too great to support approval of this outside employment or business activity.

7. It was moved, seconded and unanimously approved to move from public session into executive session at 10:41 a.m., for the purpose of screening complaints in cases 20-15, 20-16 and 20-28.
8. At 11:07 a.m., a motion was seconded and unanimously approved to move from executive session back into public session.
9. It was moved, seconded, and unanimously approved, in case 20-15, to dismiss the complaint pursuant to Section 2-56(g) of the Denver Code of Ethics, because the appointing authority has taken action as a result of a finding of a violation of the Code of Ethics.
10. It was moved, seconded, and unanimously approved, in case 20-16, to request written arguments from the parties.
11. It was moved, seconded, and unanimously approved, in case 20-28, to dismiss the case for lack of jurisdiction under Sections 2-56(6)(a) and (b) of the Denver Code of Ethics, because the Board was without jurisdiction and because the alleged conduct, if true, would not violate the Code of Ethics. Board member, Jane Feldman, abstained from deliberation and voting on this case.
12. At 11:20 a.m. a motion was made, seconded, and approved unanimously and the meeting was adjourned.

APPROVED BY THE BOARD: November 4, 2020.

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.