DENVER BOARD OF ETHICS
MINUTES
MEETING OF NOVEMBER 2, 2022

Chair Joseph G. Michaels called the meeting of the Denver Board of Ethics to order at 9:00 a.m. The Board met in-person, and the public meeting was open to interested parties by joining virtually or by telephone. Present in person were Board members Joseph G. Michaels, Dianne Criswell, Jane T. Feldman, and Doris E. Burd. Newly appointed member, Everett Martinez was also present in person, as were Jordan Humphreys, Senior Assistant City Attorney, and Executive Director Lori Weiser.

1. Welcome, introductory remarks, and review of the Agenda.
2. The Draft Minutes of the Board’s October 12, 2022 meeting were moved, seconded, and approved unanimously, by a vote of 4-0.
3. The Board welcomed Denver District Court Judge David Goldberg. Judge Goldberg thereafter swore Everett B. Martinez into service on the Board of Ethics.
4. Andy Szekeres from the Office of the Clerk and Recorder provided an update on the progress toward implementing the new MapLight System. Members of the Board were invited to sign up to attend a trial session before it goes live.
5. The date for the December meeting of the Board was selected.
6. In case 22-69, the Board welcomed Scott Snow, the Director of the Crisis Bureau for the Denver Police Department within the Denver Department of Public Safety. Following discussion, the Board concluded by a vote of 5-0 that a $75.00 administrative fee included with the charitable donation of funds to a person who is a victim of a crime or who has experienced non-criminal stark misfortune would not constitute a gift to an officer, official, or employee of the City and County of Denver as is regulated by Section 2-60 of the Denver Code of Ethics.
7. The Executive Director’s Report was discussed. A holiday party was tentatively scheduled to follow the December Board meeting on the 14th of December. Vice Chair Dianne Criswell extended appreciation to member Jane T. Feldman for attending the FinGov Committee meeting to support the request for supplemental funds to the 2022 budget and inquired as to the status of this request. Ms. Feldman reported that there were no questions asked by the Council members at the FinGov meeting. The Executive Director reported that nothing was called out when the bill
was introduced to the full Council and that final reading would be on November 7, 2022. It was then determined that if an anonymous complaint is accepted by the Board of Ethics and a decision is rendered, there would be a written decision issued. Finally, the Executive Director reported that the request for a 2023 budget expansion was approved to allow for the hiring of an additional employee.

8. In case number 22-70, the Board welcomed Mr. Christian Steward, Ms. Veronica Lipsey, and Mr. Tim Sandos. Prior to discussion of the facts of the case, Vice Chair Dianne Criswell disclosed that her husband is employed by the City and County of Denver and that he works for the Vertical Construction Team within the Department of Transportation and Infrastructure. Ms. Criswell indicated that she did not believe that there was a conflict of interest requiring her recusal. All present agreed that Ms. Criswell could be fair and impartial in deliberating and determining the disposition of the question posed by Mr. Steward. Following discussion, the Board determined by a vote of 5-0 that so long as Mr. Steward kept his work as a Community Connector for the Department of Community and Business Engagement within the Department of Transportation and Infrastructure entirely separate from his campaign activities, there would be no violation of Section 2-61 of the Denver Code of Ethics (Conflict of Interest) if he were to run for a seat on Denver City Council. Mr. Steward was reminded not to use any city resources in the furtherance of his campaign.

9. At 10:31 it was moved, seconded, and approved by a vote of 5-0 to leave the Public Session of the meeting for the purpose of convening in Executive Session to screen pending complaints in case numbers 22-58, 22-63, 2-64, 2-65, 2-67, and 2-68.

10. The Board reconvened in Public Session at 11:01 a.m. A record was made that in case 22-67, both the Chair Joseph G. Michaels and the Executive Director Lori Weiser left the meeting and did not participate in the discussion, and that Member Everett B. Martinez recused himself from the deliberation in case 22-58.

11. In case 22-58, it was moved, seconded, and unanimously approved by a vote of 4-0 to dismiss the complaint in the absence of clear and convincing evidence to sustain a violation. However, it was noted that not posting pictures of oneself in a city office may create the appearance of impropriety about officers, officials, or employees using public office for private gain.

12. In case 22-63, it was moved, seconded, and approved by a vote of 5-0 to dismiss the complaint pursuant to Denver Code of Ethics Sections 2-56(a)(6)(a) and (b) of the Denver Code of Ethics, for lack of jurisdiction and because, the conduct if true, would not violate the Ethics Code.

13. In case 22-64, it was moved, seconded, and approved by a vote of 5-0 to dismiss the complaint pursuant to Denver Code of Ethics Sections 2-56(a)(6)(a) and (b) of the Denver Code of Ethics, for lack of jurisdiction and because, the conduct if true, would not violate the Ethics Code. It was noted that the complainant should be directed to follow up with 311.
14. In case 22-65, it was moved, seconded, and approved by a vote of 5-0 to dismiss the complaint pursuant to Denver Code of Ethics Sections 2-56(a)(6)(a) and (b) of the Denver Code of Ethics, for lack of jurisdiction and because, the conduct if true, would not violate the Ethics Code. The Board referred this matter out to 311 and the Denver Department of Transportation and Infrastructure.

15. In case 22-66, it was moved, seconded, and approved by a vote of 5-0 to dismiss the complaint pursuant to Denver Code of Ethics Sections 2-56(a)(6)(a) and (b) of the Denver Code of Ethics, for lack of jurisdiction and because, the conduct if true, would not violate the Ethics Code.

16. In case 22-69, it was moved, seconded, and approved by a vote of 5-0 to accept the anonymous complaint and direct the Executive Director to investigate the allegations.

17. In case 22-67, it was moved, seconded, and approved by a vote of 4-0 to dismiss the complaint pursuant to Denver Code of Ethics Sections 2-56(a)(6)(a) and (b) of the Denver Code of Ethics, for lack of jurisdiction and because, the conduct if true, would not violate the Ethics Code. The complaint concerned an employee of the State of Colorado, and if it were directed at the time that the individual was a city employee, the Board would be without jurisdiction as the alleged conduct occurred more than 2 years prior to the filing of the complaint.

18. Vice Chair distributed her comments to the Board members concerning the potential recommendations for Code amendments.

19. Chair Joseph G. Michaels welcomed Everett B. Martinez to Board service and ceded back any further comments.

20. Finding that there was no other business before the Board, at 11:13 a.m., a motion to adjourn was made, seconded, and approved by a vote of 5-0 and the meeting was concluded.

NOTE: Copies of the written 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.

APPROVED BY THE BOARD: December 14, 2022