DENVER BOARD OF ETHICS
MINUTES
MEETING OF MARCH 1, 2023

Vice Chair Dianne Criswell called the meeting of the Denver Board of Ethics to order at 9:14 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 Vice Chair Dianne Criswell, Jane T. Feldman, and Doris E. Burd. Chair Joseph G. Michaels and member Everett B. Martinez were excused. Also present 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 February 5, 2023 meeting were moved, seconded, and approved unanimously, by a vote of 3-0.
3. The Board welcomed Andy Szekeres from the Office of the Clerk and Recornder. Mr. Szekeres updated the Board with respect to the annual and semi-annual gift disclosures. He indicated the desire to join with the Board of Ethics on training for officers, officials, and employees. The Board thanked Mr. Szekeres for his diligence and for acting as a liaison between the Clerk and Recorder’s Office and the Board of Ethics.
4. In case 23-9, the Board welcomed Ms. Kara Edewaard, Mr. Scott Baker, Mr. Craig Coronato, Mr. Kent Sondgerath, and Mr. Colton Rohloff. Thereafter, the Board engaged in a discussion of whether it would be in the city’s best interest to grant a waiver of the six-month cooling off period required by Section 2-64(a) of the Denver Code of Ethics, Subsequent Employment, to allow Ms. Edewaard to work under a DOTI on-call contract held by her new employer, on the C70 Cover Park Project. The Board of Ethics found that not only would Ms. Edewaard’s continued work on this Project benefit the city and its citizens, but that her ability to assist would further the interests of the State of Colorado by ensuring the efficient completion of the Project. Therefore, for the reasons outlined above, the Board of Ethics moved, seconded, and voted unanimously to issue a waiver of Section 2-64(a) such that she can immediately resume management responsibilities for the C70 Project.
5. At 9:35 a.m., it was moved, seconded, and approved by a vote of 3-0 to leave the Public Session of the meeting for the purpose of convening in Executive Session to
screen pending complaints in cases numbered 22-75, 23-6, and 23-7, and 23-8, pursuant to the Denver Open Meetings Law Section 2-34(c), and to Code of Ethics Sections 2-54(a), (c), and (f), and 2-56(6), and pursuant to the Board’s Rules of Procedure, Articles IV, and VI.

6. The Board reconvened in Public Session at 10:08 a.m.

7. In case 23-6, it was moved, seconded, and approved, by a vote of 3-0, to dismiss the complaint pursuant to Denver Code of Ethics Section 2-56(a)(6)(b), for failure to allege conduct that would violate the Denver Code of Ethics.

8. In case 23-7, it was moved, seconded, and approved, by a vote of 2-1, to not accept the anonymous complaint pursuant to Denver Code of Ethics Section 2-56(a)(6)(b), for failure to provide sufficient detail to move forward with an investigation. Member Jane T. Feldman dissented.

9. In case 23-8, it was moved, seconded, and approved, by a vote of 3-0, to dismiss the complaint pursuant to Denver Code of Ethics Section 2-56(a)(6)(b), for failure to specify an officer, official, or employee of the City and County of Denver.

10. In case 23-5, the Board welcomed Monique Hudley-Taylor, Stephanie Trujillo, and Franklyn Franco, from the Department of Human Services. The Board then engaged in a discussion with Ms. Hudley-Taylor, Ms. Trujillo and Mr. Franco about an employee that is engaged in outside employment. Ultimately, the Board concluded that there was a high degree of likelihood of a conflict of interest between the outside employment and the employee’s city position, but that an official advisory opinion was not necessary as the decision to approve or disapprove outside employment lies with the appointing authority. The Board noted that an actual conflict of interest can exist, even if there is no personal intention or bias present. Ms. Hudley-Taylor, Ms. Trujillo, and Mr. Franco were appreciated for taking time to discuss this important issue and for noting that it raised serious ethical concerns under the Denver Code of Ethics.

11. The Executive Director outlined the schedule for interviewing and onboarding an Executive Assistant and explained the plan for the office space. Vice Chair Dianne Criswell encouraged the Executive Director to ensure that there is a continued understanding of the need for a private and secure office for the Board.

12. For other business, the board selected a potential date of April 26, 2023, at 12:00 p.m. to hold a virtual Special Meeting of the Board to discuss proposed amendments to the Code of Ethics.

13. At 10:48 a.m., it was motioned, seconded, and approved by a vote of 3-0, to conclude the meeting.

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: April 5, 2023