DENVER BOARD OF ETHICS
MINUTES
MEETING OF JANUARY 4, 2023

Chair Joseph G. Michaels called the meeting of the Denver Board of Ethics to order at 1:12 p.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 Chair Joseph G. Michaels, Vice Chair Dianne Criswell, Jane T. Feldman, Doris E. Burd, and Everett B. Martinez. 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 December 14, 2022 meeting were moved, seconded, and approved unanimously, by a vote of 5-0.
3. The Board welcomed Andy Szekeres from the Office of the Clerk and Recorder. Mr. Szekeres informed those present that the new MapLight System launched on December 15, 2022. Mr. Szekeres announced that he would be meeting with the office of the Mayor to devise a communication plan for gift and city item reporting. The Executive Director and Member Jane Feldman will follow-up with Mr. Szekeres about the wording of some of the language. The Board conveyed appreciation for Mr. Szekeres’ diligent work as the Board’s liaison to the Clerk and Recorder’s Office.
4. In case 22-72, the Board welcomed Scott Snow, the Director of the Crisis Bureau for the Denver Police Department within the Department of Safety. Following a discussion focused on conflicts of interest under Section 2-61 of the Denver Code of Ethics, the Board moved to issue an advisory opinion in the abstract so that it might be useful to other high-ranking employees that are considering service on a board or commission. This motion was seconded and approved by a vote of 5-0.
5. At 2:15 p.m., 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 cases numbered 22-68, 22-75, 22-78, 22-80, and 22-81, 22-82, 22-83, 22-84, and 22-85.
6. The Board reconvened in Public Session at 3:20 p.m.
7. In case 22-75, Member Judge Doris E. Burd disclosed that she was familiar with the subject of the investigation through her work with Denver County Court. She stated that she did not have any contact with the subject other than through her official duties. No member felt that it would be necessary for Judge Burd to recuse herself as she could be fair and unbiased in deliberation and voting. Thereafter, it was moved, seconded, and approved by a vote of 5-0 to keep the case in a preliminary stage and to have the Board’s Executive Director continue to confer with the Office of Human Resources pending the result of their investigation.

8. In case 22-78, 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.

9. In case 22-80, it was moved, seconded, and approved by a vote of 5-0 to dismiss the complaint for failure to allege a violation of the Denver Code of Ethics, and for lack of jurisdiction, pursuant to Sections 2-56(a)(6)(a) and (b) of the Ethics Code.

10. In case 22-81, 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.

11. In case 22-82, it was moved, seconded, and approved, by a vote of 5-0, to not accept the anonymous complaint for failure to allege a violation of the Denver Code of Ethics.

12. In case 22-83, 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 22-84, 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.

14. In case 22-85, 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.

15. In case 22-68, it was moved, seconded, and approved, by a vote of 5-0, to dismiss the complaint, noting that the Denver Code of Ethics has a strong legislative intent section which calls on city officers to adhere to the highest levels of ethical conduct to maintain public confidence. Additionally, that the Code is the floor of what city officials, employees, and agencies can set for themselves as far as expectations. Finally, that it is incumbent on the agencies themselves to tailor their policies so that
they are appropriate for the business operations and relationships of their departments, including conflicts of interest, use of city resources and time, gifts, outside employment, and what constitutes direct official action, because without this, there is a high probability of the loss of public confidence and trust.

16. Chair Joseph Michaels ceded his remarks given the time, noting that at the February Board of Ethics meeting may be an opportunity to discuss potential amendments to the Code of Ethics.

17. Vice Chair Dianne Criswell mentioned that she has potential goals for the Board’s administrative assistant, once hired. She also notified the Board that she is registering with the State as a lobbyist for the Special District Association.

18. At 3:36 p.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: February 1, 2023.