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TO: Alicia J. Skillman, Esq. Director  
Board of Ethics

FROM: David Whitaker, Director   
Legislative Policy Division

DATE: March 9, 2020

RE: 2020-2021 Budget Analysis

Attached is our budget analysis regarding your department's budget for the 2020-2021 Fiscal Year.

Please be prepared to respond to the issues/questions raised in our analysis during your scheduled hearing on **Wednesday, March 11, 2020 at 2:00 p.m.** We would then appreciate a written response to the issues/questions at your earliest convenience subsequent to your budget hearing. Please forward a copy of your responses to the Council members and the City Clerk's Office.

Please contact us if you have any questions regarding our budget analysis.

Thank you for your cooperation in this matter.

**Attachments:**

Issues and Questions  
Agency Plan: Mission, Goals and Activity Summary  
Appropriation and Cost Center Expenditures  
Position Detail  
Board of Ethics 2018 Annual Report

CC: Councilmembers  
Auditor General's Office  
Tanya Stoudemire, Budget Director  
James George, Agency CFO for Governmental Operation Departments  
Stephanie Washington, Mayor's Office

**Board of Ethics**  
**FY 2020-21 Budget Analysis by the Legislative Policy Division**

**Board of Ethics 2020-21 Budget**

The Board of Ethics is an independent Charter created entity established by the 1997 City Charter. The Ethics Ordinance was enacted by the City Council in 2000 and amended in 2012. The Ordinance established disclosure requirements and standards of conduct applicable to all City of Detroit Public Servants. The Board is charged with the responsibility for the implementation and administration of the Ordinance, which includes receiving complaint alleging violations of the Ordinance and issuing Advisory Opinions.

The integrity of City government and public trust and confidence in public officers and employees require that public servants be independent, impartial and responsible to the People; that government decisions and policy be made within the proper channels of the governmental system; and that public servants be prohibited from participating in matters that affect their personal or financial interests. The purpose of the Ethics Ordinance is to establish guidelines for ethical standards of conduct for all City government officials and employees by defining those acts or actions that are incompatible with the best interests of the City and by mandating disclosure by public servants of private financial or other interests in matters affecting the City.

The Board of Ethics role is to investigate and resolve complaints regarding alleged violations of the Ethics Ordinance by public servants, and to issue advisory opinions regarding the meaning and application of provisions of the Charter, City Ordinances, other laws, or regulations establishing standards of conduct for public servants.

Advisory opinions are rendered upon written request by a public servant. Advisory opinions are published by the Board annually in a report to the Mayor and City Council. The Board is charged with monitoring and recommending improvements in the disclosure requirements, and in the standards of conduct under the Ethics Ordinance, in order "to promote an ethical environment within City government, and to ensure the ethical behavior of public servants."

All meetings of the Board are open to the public unless an individual involved in the matter to be addressed requests in writing that the meeting be closed or unless otherwise provided by Ordinance or by statute.

**Issues and Questions**

1. Please briefly explain the Board of Ethio's new expense initiatives, new capital funding requests, operational reform and savings proposals, and new revenue initiatives/proposals to be implemented in FY 2021.
2. What are your number of vacancies as of February 29, 2020? Also, please briefly explain the department's strategy to fill any vacant positions.
3. The Mayor's FY 2021 recommended total appropriations for the Board of Ethics is \$496,113 a \$47,885 increase from the \$448,228 in FY 2020. The largest increase is \$77,170 for the

salaries account which totals \$304,168 for FY 2021. The Department added one Investigator position to the budget in FY 2021. The total number of positions for the Department in FY 2021 is 4.

4. Building rental increased \$8,054 for FY 2021 to \$23,958. Why did this go up in FY 2021?
5. How many ethics investigations were conducted and completed through January 31, 2020 for FY 2020? How many complaints were received in FY 2020 (through January 31, 2020)?
6. The Board of Ethics 2018 Annual reports states: "The Board of Ethics is inadequately staffed and underfunded. When compared to other municipalities, staffing should double. It would allow staff to meet, more effectively and efficiently, the mandates required by the Charter and Ethics Ordinance." Why hasn't the FY 2021 budget been increased to fully meet the Department's needs? What are the Board's most pressing needs?
7. Please provide a copy of the Board of Ethics 2019 and 2020 Annual reports, if available.

## NON-DEPARTMENTAL (35)

### *AGENCY PLAN: MISSION, GOALS AND ACTIVITY SUMMARY*

#### MISSION:

The Non-Departmental budget provides funds for activities which are not the responsibility of any one single agency. Non-Departmental is also the depository agency for General Fund contributions for enterprise activities and for a wide variety of General Fund revenues, which cannot be credited to any specific department.

#### DESCRIPTION:

The Non-Departmental budget includes four of the five major revenues: casino revenues/wagering taxes; income taxes; property taxes; state revenue sharing. Utility User Taxes are reflected in the Police Department. Revenues from reimbursements from enterprise/non-General Fund agencies of personal services costs, transfers from other City funds, miscellaneous receipts and any prior year surpluses (or deficits) are also budgeted in the Non-Departmental agency.

The Non-Departmental budget includes the following independent boards, commissions and/or agencies with city-wide operations:



The **Board of Ethics** investigates and resolves complaints regarding alleged violations of the Ethics Ordinance by public servants, and issues advisory opinions regarding the meaning and application of provisions of the Charter, City ordinances or other laws and regulations established by the Board annually in a report to the requirements for public servants. Advisory opinions are rendered upon written request by a public servant and published by the Board annually in a report to the Mayor and City Council. The Board is charged with monitoring and recommending improvements in the disclosure requirements, and in the standards of conduct under the Ethics Ordinance, in order "to promote an ethical environment within City government, and to ensure the ethical behavior of public servants." All meetings of the Board shall be open to the public unless an individual involved in the matter to be addressed requests, in writing, that the meeting be closed; or unless otherwise provided by ordinance or by statute.

The **Board of Police Commissioners** (BOPC) is a civilian agency that exercises supervisory control and oversight of the Detroit Police Department (DPD) as set forth in the Charter. The Board has 11 members, 7 elected by District and 4 appointed by the Mayor with the consent of the Detroit City Council.

The Board meets every week as a Committee of the Whole including (12) community/evening meetings in the Districts. The internal organization of the agency includes fiscal, policy, administrative, legal advisor, community outreach, and the Office of the Chief Investigator. Some of the Board's charter-mandated authority and responsibilities includes but is not limited to the following: in consultation with the Chief of Police and with the approval of the Mayor, establishes policies, rules and regulations for the DPD; maintains subpoena power under the Charter that can be used for investigative purposes; reviews and approves the DPD budget pursuant to the charter; investigates non-criminal citizens' complaints against members of the Detroit Police Department; acts as final authority in imposing or reviewing the discipline of employees of the department; and receives and hears disqualification appeals from police recruits hoping to enter the Detroit Police Academy. Lastly, the BOPC makes an annual report to the Mayor, the City Council, and the public of the BOPC's activities and accomplishments.

The BOPC was a cooperating host for the 2019 National NACOLE Conference (National Association for Civilian Oversight of Law Enforcement) held in Detroit, September 22-26, 2019.

CITY OF DETROIT  
 BUDGET DEVELOPMENT  
 FINANCIAL DETAIL BY DEPARTMENT, FUND, APPROPRIATION, & COST CENTER - EXPENDITURES  
 DEPARTMENT 35 - NON-DEPARTMENTAL

Department # - Department Name	FY2020 Adopted	FY2021 Mayor	FY2022 Forecast	FY2023 Forecast	FY2024 Forecast
Fund # - Fund Name					
Appropriation # - Appropriation Name					
Cost Center # - Cost Center Name					
00870 - Non Dept Centralized Payments	18,251,413	25,082,806	24,292,589	24,785,656	23,291,062
350800 - Centralized Payments	18,251,413	25,082,806	24,292,589	24,785,656	23,291,062
04739 - Non Dept General Revenue	22,833,900	18,843,200	18,875,000	19,442,021	19,440,251
351020 - Non-Departmental	22,833,900	18,843,200	18,875,000	19,442,021	19,440,251
05414 - Non Dept African American History Museum	1,900,000	1,900,000	1,900,000	1,900,000	1,900,000
350290 - Charles H. Wright Museum of African American Histc	1,900,000	1,900,000	1,900,000	1,900,000	1,900,000
<del>10397 - Non Dept Board of Ethics</del>	448,228	496,113	502,851	509,724	516,735
350165 - Board of Ethics	448,228	496,113	502,851	509,724	516,735
12161 - Non Dept Zoo Operations	570,000	570,000	570,000	570,000	570,000
350095 - Zoo Operations	570,000	570,000	570,000	570,000	570,000
12162 - Non Dept Detroit Historical Museum	500,000	500,000	500,000	500,000	500,000
350093 - Detroit Historical Museum	500,000	500,000	500,000	500,000	500,000
13125 - Non Dept Media Services & Communications	1,548,237	1,528,623	1,549,583	1,570,963	1,592,769
350325 - Communications Services	506,784	588,369	595,508	602,790	610,216
350326 - Media Services	1,041,453	940,254	954,075	968,173	982,553
13141 - Non Dept Eastern Market Corporation	225,000	225,000	225,000	225,000	225,000
350097 - Eastern Market Corporation	225,000	225,000	225,000	225,000	225,000
13181 - Non Dept Distributable State Aid Bond	33,165,745	37,959,990	37,950,698	37,950,488	37,953,127
351030 - 2016 Series DSA Debt	33,165,745	37,959,990	37,950,698	37,950,488	37,953,127
13608 - Non Dept Pension & Employee Benefits Pension	3,704,243	3,432,107	3,500,749	3,570,764	3,642,179
350015 - Pension & Employee Benefits/Pension	3,704,243	3,432,107	3,500,749	3,570,764	3,642,179
13637 - Non Dept Elected Officials' Compensation	1,470,563	1,462,773	1,486,995	1,511,701	1,536,902
350007 - Elected Officials' Compensation	1,470,563	1,462,773	1,486,995	1,511,701	1,536,902

CITY OF DETROIT  
 BUDGET DEVELOPMENT  
 POSITION DETAIL BY DEPARTMENT, FUND, APPROPRIATION, & COST CENTER  
 DEPARTMENT 35 - NON-DEPARTMENTAL

Department # - Department Name	FY2020 Adopted by FTE	FY2021 Mayor by FTE	FY2022 Forecast by FTE	FY2023 Forecast by FTE	FY2024 Forecast by FTE
<b>35 - Non-Departmental</b>	<b>164</b>	<b>128</b>	<b>128</b>	<b>128</b>	<b>128</b>
1000 - General Fund	143	106	106	106	106
00277 - Non Dept Detroit Building Authority	13	9	9	9	9
350310 - Detroit Building Authority	13	9	9	9	9
013376 - Executive Administrative Assistant II	1	1	1	1	1
111003 - Project Manager & Analytics Specialist III	2	1	1	1	1
111004 - Project Manager & Analytics Specialist IV	1	0	0	0	0
931324 - Special Area Maintenance Project Superintendent	3	3	3	3	3
931626 - Administrative Assistant - Grade II - Detroit Buildin	2	2	2	2	2
932015 - Executive Management Team - DBA	4	2	2	2	2
<b>10397 - Non Dept Board of Ethics</b>	<b>3</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>
<b>350165 - Board of Ethics</b>	<b>3</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>
010126 - Executive Director - Board of Ethics	1	1	1	1	1
011710 - Investigator	1	2	2	2	2
013367 - Executive Secretary III	1	1	1	1	1
<b>13125 - Non Dept Media Services &amp; Communications</b>	<b>16</b>	<b>15</b>	<b>15</b>	<b>15</b>	<b>15</b>
<b>350325 - Communications Services</b>	<b>5</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>
010918 - Manager I - Communications	0	1	1	1	1
037161 - Supervisor of Printing	1	1	1	1	1
099525 - Publicist II	1	0	0	0	0
193035 - Principal Graphic Designer	1	1	1	1	1
43309904 - Clerk IV	1	1	1	1	1
439131 - Photographer - General	0	1	1	1	1



**City of Detroit Board of Ethics  
2018 Annual Report**

## **City of Detroit Board of Ethics**

**Atty. Kristin Lusn  
Chairperson**

**Freda G. Sampson  
Vice Chairperson**

**Rev. Dr. Charles C. Adams  
Atty. David W. Jones  
Robert Watt, EA**

The integrity of city government and public trust and confidence in elective officer and employees require that public servants be independent, impartial and responsible to the people; that government decisions and policy be made within the proper channels of the governmental system; and that public servants be prohibited from participating in matters that affect their personal or financial interests.

The purpose of this article is to establish guidelines for ethical standards of conduct for all city government officials and employees by defining those acts or actions that are incompatible with the best interests of the city and by mandating disclosure by public servants of private financial or other interests in matters affecting the city.

--taken from the of The Detroit City Charter, Part II, Chapter 2, Article 6, Division 1, section 2-6-1 Statement of Purpose Commentary.



Article II. Section 2-106 9

The Board of Ethics shall

1. Issue advisory opinions regarding the meaning and application of provisions of the Charter, city ordinances or other laws or regulations establishing standards of conduct for Public Servants. Advisory opinions shall be rendered upon written request by a Public Servant regarding his or her own actions. The advisory opinions shall not disclose the identity of the Public Servant concerned.
2. Receive and resolve complaints arising under the Ethics Ordinance. The Board of Ethics shall be authorized by ordinance to conduct investigations on its own initiative, subpoena witnesses, administer oaths, take testimony, require the production of evidence relevant to a matter under investigation, appoint independent counsel when necessary, and to perform other functions essential to ensure the integrity of City government.
3. Prepare an annual report for submission to the Mayor and City Council. Consistent with state law, the Board of Ethics may recommend improvements in the standards of conduct to ensure the ethical behavior of City elective officers, appointees and employees, or in the organization and procedures related to the administration and enforcement of those standards.
4. Provide mandatory training for the Mayor, City Council, Clerk, appointive officers and appointees and employees who exercise significant authority in the execution of his or her official duties.
5. Provide training for all other appointees and employees including those subject to Article 6, Chapter 4 of this Charter.
6. Issue penalties for violations of this section of the Charter, as consistent with state law.

TO: Hon. Michael E. Duggan, Mayor  
Hon. Brenda Jones, City Council President  
Hon. Mary Sheffield, City Council President Pro Tempore  
Hon. Janeé L. Ayers, City Council Member  
Hon. James Tate, City Council Member  
Hon. Roy McCalister, City Council Member  
Hon. Scott Benson, City Council Member  
Hon. Andre L. Spivey, City Council Member  
Hon. Raquel Castañeda-Lopez, City Council Member  
Hon. Gabe Leland, City Council Member

FROM: Atty. Kristin A. Lusn, Chairperson

SUBJECT: Annual Report of the Board of Ethics

DATE: April 1, 2019

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The Board of Ethics Annual Report includes Board activities beginning January 1, 2018 to December 31, 2018. In accordance with Section 2-6-97 of the Ethics Ordinance (the first "Ordinance"), this Report contains:

1. An analysis of Board activities, including the number of Advisory Opinions requested and issued; Complaints filed and their disposition; and Investigations opened and their disposition;
2. A compilation of Advisory Opinions issued;
3. Recommendations for improvement of the Disclosure Requirements, Standards of Conduct, and the administration and enforcement of the Ordinance.

This Report also includes updates on meetings and training activities.

## Board Activities

### **A. Meetings**

During the year of this Report, the Board met frequently; there were ten (10) general meetings, two (2) hearings, and one training session for the Board Members and staff.

### **B. Filings, Inquiries and Trainings**

During this year, the Board received nineteen (19) Requests for Advisory Opinion and twenty-three (23) Complaints.

#### **Advisory Opinions**

An Advisory Opinions can only be filed by a public servant who is inquiring about their own conduct.

Advisory Opinion #2018-01. Filed: January 9, 2018. The Public Servant requested guidance on whether to accept a gift card to a spa from a City Contractor. The Board concluded that acceptance of the gift is a violation of Sec. 2-106.4. Gifts and Gratuities prohibition. It is a violation of the Gifts and Gratuities prohibition to accept a gift from a City contractor or vendor unless it falls within the exceptions.

Advisory Opinion #2018-02. Filed: January 25, 2018. The Public Servant requested advice on whether to disclose a real estate investment where one of the partners has previously had business/deliberation before City Council. The Board concluded that the public servant had no requirement to file a disclosure regarding this investment because when the Board heard this matter, the public servant had requested and received a refund on the investment. The Board strongly encouraged the Requestor to impart care when investing in the City of Detroit.

Advisory Opinion #2018-03. Filed: February 20, 2018. The Public Servant requested advice on whether he and his department could travel out of state for training using funds provided by an agency that provides services to the City. The agency receives no remuneration from the City but has a Memorandum of Understanding with the City. After its investigation, the Board concluded that the Requestor would be in violation of the gift and gratuity prohibition because an entity doing business with the City funds the training and it did not fall within an exception.

Advisory Opinion #2018-04. Filed: May 10, 2018. The Public Servant requested advice on whether to accept a mini grant from a non-profit organization for travel expenses to perform work similar to his City job. His would perform these activities on his own time and not for city tasks. The Board investigation revealed no violation of incompatible employment, rendering of services, or gifts or gratuities prohibitions. The public servant was strongly encouraged to exercise caution and shrewd judgment to ensure that the non-profit activities and the City

activities remain separate and no research activities with the non-profit be performed during City business hours or utilizing City resources.

Advisory Opinion #2018-05. Filed: May 17, 2018. The Public Servant requested advice on whether she may maintain her volunteer services and businesses and accept a position offered to her by the City. After investigating her activities with each entity, the Board concluded that if she accepted City employment, volunteer participation and paid extracurricular activities could continue because no violation could occur from sheer participation. Requestor was encouraged to exercise caution and not perform outside activities during City business hours or utilize City resources.

Advisory Opinion #2018-06. Filed: June 21, 2018. The Public Servant requested advice on whether he could accept a position with an organization who is a City sub-recipient of federal funding. After its investigating, the Board concluded the public servant could accept the position because he had no participation in the award or management of the entity. The public servant was reminded to share no confidential information about the City of Detroit with the new employer.

Advisory Opinion #2018-07. Filed: July 25, 2018. The Public Servant requested advice on whether he would be in violation of the gifts and gratuities prohibition if he and other employees accepted logo-enhanced items (pens, t-shirts, flash drives) from a marketing and advertising professional. The Board concluded the items could be accepted because the professional contact does not do business with the City, is not seeking business from the City, and is not seeking official action from the City.

Advisory Opinion #2018-08. Filed: July 26, 2018. The Public Servant requested advice on whether he could direct staff to assist a Community Advisory Council and be in compliance with the CAC creating ordinance. The Board concluded that the Ethics Ordinance does not permit the Requestor to direct staff to assist a Community Advisory Council, however, staff may volunteer during their personal time to assist a Community Advisory Council so long as they adhere to the exceptions contained in Sec. 2-6-66 of the Ethics Ordinance. Extreme caution should be used to avoid the perception that "volunteer" activities are sanctioned by or authorized by the City or its staff.

Advisory Opinion #2018-09. Filed: August 16, 2019. The Public Servant requested advice on whether a conflict of interest exists between his personal land holding and his City duties and how to properly disclose private property ownership. The Requestor also requested assistance with addressing this matter in their department and future recusals. The Board of Ethics determined the Requestor's involvement and partial ownership in the properties constitutes a conflict under the 2012 Detroit City Charter and corresponding provisions of the 1984 Detroit City Code. Requestor's actions to exclude himself from the operation of the LLC were

appropriate. The department must create a procedure that removes Requestor from decision making regarding property held by their LLC. For the other properties, Requestor must file a notarized disclosure under Section 2-6-31 as they have a direct or indirect financial interest (or interest in real or personal property) in a contract or matter pending before Council or other agency or department of the City.

Advisory Opinion #2018-10. Filed: August 17, 2018. The Public Servant requested advice on whether she could volunteer with an outside agency that may have a conflict with her current duties with the City. After its investigation, the Board concluded the Requestor can volunteer with the outside agency that sought her participation on its grants committee, so long as the outside agency 1) is doing no business with the city 2) seeks to do no business 3) seeking no official action 4) has no interests that could be substantially affected by the performance of Requestor's duties or 5) is not registered as a lobbyist. Requestor should also exercise caution that her judgment and actions on behalf of the City remain independent, that she refrain from sharing any confidential information with the outside agency, and that her outside activities are not performed during City business hours or utilizing City resources.

Advisory Opinion #2018-11. Filed: August 29, 2018. The Public Servant requested advice on whether he could accept an offer to teach a security certification course and receive payment. The Ethics Ordinance does not bar the Requestor from teaching the course but should exercise caution and refrain from sharing any confidential information and that performance of these activities should be outside of City business hours and without utilizing City resources.

Advisory Opinion #2018-12. Filed: August 30, 2018. The Public Servant requested advice on whether she could accept a meal from an entity offering insurance to employees. The entity has offered meals to those employees who consider acquiring the insurance. The Board concluded the meals could be accepted from the third party entity because it is doing business with the individual employees and not the City. The Public Servant may accept the meal so long as the entity: 1) is doing no business with the city 2) seeks to do no business 3) seeking no official action 4) has no interests that could be substantially affected by the performance of Requestor's duties or 5) is not registered as a lobbyist.

Advisory Opinion #2018-13. Filed: September 5, 2018. The Public Servant requested advice on whether he could receive an honorarium from a nonprofit for whom he provides services. He provides work that is unlike his City duties. The Board concluded that the Ethics Ordinance does not prohibit the Requestor from receiving a stipend for his volunteer work with a local nonprofit agency because the outside agency 1) is doing no business with the city; 2) seeks to do no business; 3) seeks no official action from the City; 4) has no interests that could be substantially affected by the performance of Requestor's duties; or 5) is not registered as a lobbyist. Requestor should exercise caution that his judgment and actions on behalf of the City remain independent,

that he refrain from sharing any confidential information with the outside agency, and that his outside activities are not performed during City business hours or utilizing City resources.

Advisory Opinion #2018-14. Filed: August 17, 2018. The Public Servant requested advice on whether she could accept a fee waiver to a conference and acquire a compliance letter from the Board of Ethics, where the conference convener is a City Contractor. After its investigation, the Board concluded the Requestor may accept the fee waiver for the conference and receive the compliance letter even though the conference convener is a City contractor because it meets the exception contained in Section 2-6-71 (b)(4).

Advisory Opinion #2018-15. Filed: October 12, 2018. The Public Servant requested advice on whether a conflict exists if the department co-host a national organization's conference where department employees would be allowed to attend for free. Requestor states that public servants would but not engage in any activities related to the payments, contracts, vendor solicitation, selection, or distribution of any of the components of the conference. After its investigation, the Board concluded the Requestor would not be in violation of the 2012 Detroit City Charter or the Requestor/department elect to participate in the facilitation and co-hosting of a national conference. Requestor should exercise caution that judgment and actions on behalf of the City remain independent. Further, the Requestor, as a public servant and the public servants in that department, may accept the waiver of conference fees without violation of the gifts and gratuities provisions under Sec. 2-6-71 of the Ethics Ordinance as the exception contained in Section 2-6-71(b)(4) is met and the conference convener is doing no business and seeking no contracts with the City.

Advisory Opinion #2018-16. Filed: November 21, 2018. The Public Servant requested advice on whether she can accept a stipend for work done for a special event although he completed the work during normal working hours and at his regular work location. The Board of Ethics concluded that the Requestor would be in violation should she accept the stipend. Additionally, the Board of Ethics recommends the City develop consistent parameters around Election Day opportunities for employees.

Advisory Opinion #2018-17. Filed: November 26, 2018. The Public Servant requested advice on whether they can serve as a board member/officer for a local non-profit organization. After its investigation, the Board concluded that the Requestor would not be in violation by participating on the board of the local nonprofit so long as the Requestor recused themselves from any City of Detroit activities and share no confidential information. Requestor should exercise caution that judgment and actions on behalf of the City remain independent.

Advisory Opinion #2018-18. Filed: November 26, 2018. The Public Servant requested advice on whether they can serve as a board member for a local non-profit organization. After its investigation, the Board concluded the Requestor would not be in violation by participating on the board of the local nonprofit so long as the Requestor request themselves from any City of Detroit activities and share no confidential information. Requestor should exercise caution that judgment and actions on behalf of the City remain independent.

Advisory Opinion #2018-19. Filed: December 6, 2018. The Public Servant requested advice on whether she can stop employees with knowledge of development from purchasing and/or selling property. The Board of Ethics declined to issue an advisory opinion where the Board determines that the request concerns past or current conduct, which is more appropriately addressed by the filing of a complaint or by the contracting of an investigation.

### **C. Board Composition.**

From January 2018 to September 2018, the members of the Board of Ethics included:

Ponce De Leon Clay, Chairperson  
Atty. Kristin A. Lusn, Vice Chairperson  
Rev. Charles C. Adams  
Atty. Beth Greenberg Morrow  
Freda G. Sampson  
Hon. Alma G. Stallworth  
Robert Watt

During this year, the Board accepted the resignation of Ponce De Leon Clay (September 2018).

As of December 2018, the current members are as follows:

Atty. Kristin A. Lusn, Chairperson  
Freda G. Sampson, Vice Chairperson  
Rev. Dr. Charles C. Adams  
Hon. Alma G. Stallworth  
Robert Watt, EA  
two vacancies

**D. Other Activities.**

The Board of Ethics staff increased by two FTEs, who serve as the Ethics Coordinator and Ethics Investigator with a start date of July 2, 2018. Board of Ethics staff total is three.

The Board of Ethics staff provided ethics training during all New Employee Orientations and to the following departments:

Board of Tax Review	BSEED	Board of Zoning Appeals
City Planning Commission	DoIT	Dept. of Appeals & Hearings
DWSD Board & Executive Staff	Office of Contracts & Procurement	Homeland Security & Emergency Management
DDoT Executive Staff	Office of the City Clerk – City Council	Human Resources

Public ethics presentations provided by the Board included Hood Research, Detroit, MI, and to the Mongolia Delegation through Global Ties Detroit sponsored by the United States Department of State.

Board staff attend the 40<sup>th</sup> Annual Council on Government Ethics Laws (COGEL), an organization created by an ad hoc group of executives after the Watergate scandal.

**E. Recommendations for Improvements of the Board of Ethics and Ethics Ordinance**

**1. Sec. 2-106.5. - One Year Post-Employment Prohibition.**

The status of the one-year post-employment prohibition exist without any time limitation. As such, a public servant, especially one who has served for several years, may have been “in any way involved” with the award or management of countless contracts during their tenure with the City. This prohibition could be quite onerous for a public servant with long-term service who must look for outside employment.

**2. Charter Revision Commission.**

The citizens of Detroit voted on a City of Detroit Charter Revision Commission and it is an opportunity to improve the 2012 Charter and the Ethics Ordinance. The Board of Ethics will seek an opportunity to bring testimony to the Charter Revision Commission for an improved Charter and Ethics Ordinance.



**F. Investment In Ethics**

The Ethics Ordinance addresses funding and staffing for the Board of Ethics as follows:

**Sec. 2-6-95. - Funding and staff.\***

(a) In accordance with Sections 2-106.13 and 8-214 of the 2012 Detroit City Charter, the city shall **annually appropriate funds sufficient to enable the board of ethics to perform its duties** as set forth in the 2012 Detroit City Charter and this article, including hiring **adequate staff**.

(Ord. No. 22-00, § 1, 8-2-00; Ord. No. 43-06, § 1, 11-17-06; Ord. No. 18-12, § 1, 7-31-12)

**\*Commentary** - Section 8-214 of the 2012 Detroit City Charter requires that the City of Detroit establish, through enactment of an ordinance, a proportional funding method for certain oversight agencies, including the board of ethics. This requirement ensures that, because of its importance to the efficient and ethical operation of city government, the function provided by the board of ethics, as an oversight agency, is not hampered in its ability to properly function.

The Board of Ethics is inadequately staffed and underfunded. When compared to other municipalities, staffing should double. It would allow staff to meet, more effectively and efficiently, the mandates required by the Charter and Ethics Ordinance.

cc: Hon. Janice Winfrey, City Clerk  
All Department Directors  
All Agency Heads

