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City of Detroit

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TO: Kristin Lusn, Esq., Chairperson
Board of Ethics

FROM: David Whitaker, Director 
Legislative Policy Division

DATE: March 16, 2022

RE: 2022-2023 Budget Analysis

Attached is our budget analysis regarding your department's budget for the 2022-2023 Fiscal Year.

Please be prepared to respond to the issues/questions raised in our analysis during your scheduled hearing on **Wednesday, March 23, 2022 at 11:00 am**. We would then appreciate a written response to the issues/questions at your earliest convenience before or after your budget hearing. Please forward a copy of your responses to the Council members, the City Clerk's Office, and the Legislative Policy Division.

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 2020 Annual Report

cc: Councilmembers
Auditor General's Office
Jay Rising, CFO
Tanya Stoudemire, Chief Deputy CFO-Policy & Administration Director
Steven Watson, Deputy CFO/Budget Director
James George, Agency CFO for Governmental Operation Departments
Gail Fulton, Mayor's Office

Board of Ethics
FY 2022-23 Budget Analysis by the Legislative Policy Division

Board of Ethics 2022-23 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 Ethic's new expense initiatives, new capital funding requests, operational reform and savings proposals, and new revenue initiatives/proposals to be implemented in FY 2023.
2. What are the Board of Ethic's number of vacancies as of February 28, 2022? Also, please briefly explain the department's strategy to fill any vacant positions.
3. The Mayor's FY 2023 recommended total appropriations for the Board of Ethics is \$559,001 a \$104,341 increase from the \$454,660 in FY 2022. Increases are mainly due to expenditure increases in software maintenance (\$50,129), advertising (\$20,000), and training-staff and development (\$21,500). Please explain the expenditure increases in software maintenance,

advertising, and training-staff and development.

4. One Temporary Administrative Special Services (TASS) Staff II – Exempt position was added to the FY 2023 budget while total salaries only increased \$7,778. Is this a part-time position?
5. How many ethics investigations were conducted and completed in fiscal year 2021? How many complaints were received in FY 2022 (through January 31, 2022)?
6. Please provide a copy of the Board of Ethics 2021 Annual reports when it is released in April 2022.

NON-DEPARTMENTAL (35)

Department Overview

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, including four of the five major revenues (casino revenues/wagering taxes; income taxes; property taxes; state revenue sharing) and revenues from reimbursements from enterprise/non-General Fund agencies of personal services costs, transfers from other City funds, and use of prior year surplus.

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

- **Board of Ethics** investigates and resolves complaints alleging violations of the Ethics Ordinance by public servants, and issues advisory opinions regarding Charter, City ordinances or other laws and regulations establishing standards of conduct and disclosure requirements for public servants. Opinions are rendered upon request by a public servant and published annually in a report to the Mayor and City Council. These actions are “to promote an ethical environment within City government, and to ensure the ethical behavior of public servants.”
- **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 City Council consent. The Board meets every week including (12) community/evening meetings in the Districts. Internal organization includes fiscal, policy, administrative, legal advisor, community outreach, and the Office of the Chief Investigator, which processes and investigates 1,500 - 1,700 complaints annually. Responsibilities include: in consultation with the Chief of Police and the Mayor, establishes policies, rules and regulations for the DPD; subpoena power for investigative purposes; review and approval of the DPD budget; investigation of non-criminal citizens’ complaints against members of the Detroit Police Department; final authority in imposing or reviewing discipline of employees of the department; and disqualification appeals from police recruits hoping to enter the Detroit Police Academy. City Code Section 55-15-8(a) provides for regulation of towing to promote equitable distribution of police authorized towing.
- **Detroit Building Authority (DBA)** administers capital projects, as determined by City Departments. Critical functions: encumbering funds through Contracts of Lease; managing the bid, RFP/RFQ process; issuing contract awards; advising contractors of City requirements; execution of contract documents; monitor design development and construction for each project; oversight of payments. The DBA maintains a database of all City-owned commercial property, manages the properties within the database, manages sale of property and City leases.
- **Media Services**, formerly the Detroit Cable Communications Commission (established by ordinance in 1981), is the City’s local video franchising authority with direct responsibility for review and issuance of franchise agreements and permit agreements to telecommunications providers for use of the City’s right-of-way for telecommunications facilities. As the City’s video production and television broadcast services provider, Media Services is responsible for daily programming, operation and management of Government Access Channel 10, Education

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

Department # - Department Name Fund # - Fund Name Appropriation # - Appropriation Name Cost Center # - Cost Center Name	FY2022 Adopted	FY2023 Mayor Recommend	FY2024 Forecast	FY2025 Forecast	FY2026 Forecast
351250 - Charter Revision Commission	120,000	-	-	-	-
28351 - Board of Ethics	454,660	559,001	564,221	575,752	583,270
350165 - Board of Ethics	454,660	559,001	564,221	575,752	583,270
28352 - Media Services & Communications	1,427,842	1,464,961	1,470,397	1,499,262	1,517,113
350325 - Communications Services	585,590	564,913	567,737	579,044	586,247
350326 - Media Services	842,252	900,048	902,660	920,218	930,866
28354 - Elected Officials Compensation	1,466,994	1,467,680	1,446,187	1,451,598	1,455,957
350007 - Elected Officials' Compensation	1,466,994	1,467,680	1,446,187	1,451,598	1,455,957
29350 - Citywide Overhead	39,759,018	38,921,058	41,280,234	41,789,008	42,618,387
350020 - Dues & Memberships	386,235	386,235	395,505	404,997	413,097
350200 - CAYMC Building Rent & Rehabilitation	220,354	430,000	440,320	450,888	459,906
350220 - Claims Fund (Insurance Premiums)	12,100,000	12,100,000	12,390,400	12,687,770	12,941,525
350310 - Detroit Building Authority	1,174,579	1,203,945	1,206,889	1,230,255	1,244,300
350800 - Centralized Payments	25,877,850	24,800,878	26,847,120	27,015,098	27,559,559
29351 - Pension-Related Payments	106,945,409	108,675,000	149,375,000	149,375,000	149,375,000
350015 - Pension Benefits Administration	3,270,409	-	-	-	-
351026 - Retirement Systems	-	-	130,700,000	130,700,000	130,700,000
351051 - Retiree Protection Fund	85,000,000	90,000,000	-	-	-
351052 - Foundations - DIA Pension Contributions	18,675,000	18,675,000	18,675,000	18,675,000	18,675,000
29353 - Debt Repayment	85,041,650	-	-	-	-
351023 - Quality of Life Exit Financing Debt Service	33,028,702	-	-	-	-
351025 - Note B Payment	13,956,221	-	-	-	-
351030 - DSA Debt	37,950,699	-	-	-	-

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

Department # - Department Name					
Fund # - Fund Name					
Appropriation # - Appropriation Name	FY2022 Adopted	FY2023 Mayor Recommend	FY2024 Forecast	FY2025 Forecast	FY2026 Forecast
Cost Center # - Cost Center Name					
Job Code - Job Title					
35 - Non-Departmental	124	127	127	127	127
1000 - General Fund	101	102	102	102	102
25350 - Board of Police Commissioners	35	35	35	35	35
350002 - Board of Police Commissioners	35	35	35	35	35
011805 - Executive Manager - Police	2	2	2	2	2
012073 - Police Community Relations Coordinator	1	1	1	1	1
013131 - Office Assistant III	1	1	1	1	1
091941 - Legal Assistant	1	1	1	1	1
931401 - Administrative Specialist III	1	1	1	1	1
931440 - Administrative Assistant - Board of Police Commiss	3	3	3	3	3
932501 - Secretary to Board of Police Commissioners	1	1	1	1	1
932502 - Chief Investigator - Police Commission	1	1	1	1	1
932503 - Investigator - Police Commission	15	15	15	15	15
932507 - Supervising Investigator - Police Commission - Citiz	1	1	1	1	1
932508 - Supervising Investigator - Police Commission	1	1	1	1	1
932509 - Supervising Investigator - Police Commission - Qual	1	1	1	1	1
932510 - Senior Investigator - Police Commission	5	5	5	5	5
932512 - Attorney To The Board of Police Commissioners	1	1	1	1	1
28351 - Board of Ethics	3	4	4	4	4
350165 - Board of Ethics	3	4	4	4	4
010126 - Executive Director - Board of Ethics	1	1	1	1	1
011156 - City Council Legislative Policy Division Administrativ	1	1	1	1	1
011726 - Investigator - Board Of Ethics	1	1	1	1	1

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

Department # - Department Name					
Fund # - Fund Name		FY2023	FY2024	FY2025	FY2026
Appropriation # - Appropriation Name	FY2022	Mayor	Forecast	Forecast	Forecast
Cost Center # - Cost Center Name	Adopted	Recommend			
Job Code - Job Title					
929107 - Administrative Special Services Staff II - Exempt	0	1	1	1	1
28352 - Media Services & Communications	14	14	14	14	14
350325 - Communications Services	6	6	6	6	6
010918 - Manager I - Communications	1	1	1	1	1
037161 - Supervisor of Printing	1	1	1	1	1
193035 - Principal Graphic Designer	1	1	1	1	1
43309904 - Clerk IV	1	1	1	1	1
439131 - Photographer - General	1	1	1	1	1
439142 - Supervising Photographer	1	1	1	1	1
350326 - Media Services	8	8	8	8	8
931501 - Director - DCCC	1	1	1	1	1
931507 - Telecommunications Contract and Compliance Mar	1	0	0	0	0
931524 - Communications Specialist III - Media Services	4	4	4	4	4
931525 - Communications Specialist II - Media Services	2	2	2	2	2
931531 - Manager of Media Production	0	1	1	1	1
28354 - Elected Officials Compensation	11	11	11	11	11
350007 - Elected Officials' Compensation	11	11	11	11	11
010010 - City Clerk - Election Commission Chairperson	1	1	1	1	1
010030 - City Council Member	8	8	8	8	8
010031 - City Council President - Election Commissioner	1	1	1	1	1
010040 - Mayor	1	1	1	1	1
29350 - Citywide Overhead	8	8	8	8	8
350310 - Detroit Building Authority	8	8	8	8	8