




CITY OF DETROIT BOARD OF ETHICS

TO: Hon. Kwame M. Kilpatrick, Mayor

Hon. Maryann Mahaffey, City Council President
Hon. Kenneth V. Cockrel, City Council President Pro Tem
Hon. Alonzo W. Bates, City Council Member
Hon. Sheila M. Cockrel, City Council Member
Hon. Barbara-Rose Collins, City Council Member
Hon. Kay Everett, City Council Member
Hon. Sharon McPhail, City Council Member
Hon. Alberta Tinsley-Talabi, City Council Member

Hon. Jackie L. Currie, City Clerk

Department Directors, Heads of All Boards and Commissions

FROM: Reginald M. Turner, Jr. 
Chairperson, Board of Ethics

SUBJECT: First Annual Report of the Board of Ethics

DATE: September 12, 2002

The Board of Ethics was created pursuant to Section 2-106 the 1997 Detroit City Charter. Before the Board began functioning, the Charter was amended at the November 2000 election to change the composition of the Board and the manner in which members are appointed. Thereafter, initial Board members were appointed by the Mayor and City Council in the spring of 2001.

In accordance with the Charter and Section 2-6-1 *et seq* of the 1984 Detroit City Code (the "Ethics Ordinance"), the Board of Ethics has three primary duties: 1) to provide advisory opinions regarding potential violations of the Ethics Ordinance upon proper request, 2) to receive and resolve complaints arising under the Ethics Ordinance, and 3) to prepare an annual report for submission to the Mayor and to City Council members, with copies provided to the City Clerk and City department and agency directors. Having been in existence for one full year, the Board hereby submits this first annual report.



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The first meeting of the Board was held on September 24, 2001, and the Board has met nearly every month since then. The Board initially focused on adopting operating rules and procedures, other housekeeping matters, and on developing the forms to enable it to receive Complaints and Requests for Advisory Opinions, and so that Disclosure of Interest forms may be filed as required by the Ethics Ordinance. These forms were approved by the Board in October 2001. In December 2001, the Board adopted its "Rules and Order of Business," and started to discuss staffing and office space requirements.

With the assistance of the Human Resources Department, job specifications for Executive Director and Administrative Secretary positions were approved by the Board at its January 2002 meeting, and a request to add these positions to the Official Compensation Schedule was submitted to City Council and subsequently approved. In March the Board submitted operating budget requests for the fourth (4th) quarter of FY 2001-02 and for all of FY 2002-03. The Budget Director provided both requests to Council on March 14, 2002, and they were approved. However, due to further consideration of the procedure by which staff would be recruited, the Board was unable to hire staff and utilize the 4th quarter FY 2001-02 appropriation. A request has been made to "balance forward" one-time, start-up cost items to the current fiscal year.

In mid-March, following further discussion and revisions, the Board made an initial distribution of the approved forms for Requesting an Advisory Opinion, making a Complaint, and for the Disclosure of an Interest to elected officials and City department and agency directors. Only a public servant, a former public servant, or a candidate to be a public servant may request an advisory opinion. Any member of the public may file a Complaint with the Board alleging that a public servant has violated the Ethics Ordinance. Public servants who meet the criteria of the Ordinance are required to file disclosures of interest. These forms are self-explanatory, and include relevant excerpts from the Ethics Ordinance on the back of each. The cover memorandum included a request to Directors to notify all members of their respective offices, departments and agencies of the availability of these forms for their use where appropriate. The Board received a few inquiries about the forms following this distribution, but to date no Complaints or Requests for Advisory Opinions have been received. The Board is advised that no Disclosure of Interest forms have been filed with the City Clerk's Office. Therefore, there has been no substantive Board activity to report in these areas.

The Board has not rushed to add staff given the paucity of inquiries and the City's fiscal needs in the current budget year. The Board has taken preliminary steps, however, in identifying suitable office space and hiring an Executive Director. A subcommittee on recruitment and hiring has been formed, the position of Executive Director has been advertised, and the subcommittee is in the process of receiving and reviewing applications. Following the selection and appointment of the



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Executive Director, the Board expects that person to focus on hiring the Administrative Secretary, setting up the Board office, and on developing seminars and materials to educate City public servants about the provisions and requirements of the Charter and the Ethics Ordinance. The Executive Director will investigate complaints and prepare reports and recommendations to facilitate the Board's substantive work.

The Board does not have any changes to the Ethics Ordinance to recommend at this time. Future annual reports will be provided by April 1st of each year, and will include any such recommendations as may be appropriate. The Board will be pleased to provide any further information about its first year of operation that may be helpful, and to respond to any questions. Thank you.

xc: Municipal Reference Library