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AUDITOR’S LETTER

November 18, 2021

The objective of our audit of transparency practices in the City and County of Denver was to review the processes selected agencies use to ensure public notices comply with requirements and that these agencies sufficiently inform and engage the community about issues affecting Denver residents. I am pleased to present the results of this audit.

The audit determined the city could benefit from a more structured approach to informing and engaging residents. We identified some issues with public notice compliance that may limit the public’s awareness of city activities. The city could make some information more accessible to residents, such as required public notices, and it could provide more information about opportunities to participate in government decisions. City agencies could also benefit from having clearer standards, expectations, and guidance — both from the Mayor’s Office and from management of individual city agencies.

By implementing recommendations for a citywide framework and recommendations to strengthen individual city agencies’ management practices, policies, procedures, training opportunities, and monitoring and evaluation processes, the Mayor’s Office and the city agencies under its purview will be better equipped to inform and engage residents about decisions that affect their lives.

This performance audit is authorized pursuant to the City and County of Denver Charter, Article V, Part 2, Section 1, “General Powers and Duties of Auditor.” We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

We extend our appreciation to the personnel in the Mayor’s Office, the Department of Community Planning and Development, the Department of Transportation & Infrastructure, and the agency for Human Rights and Community Partnerships. For any questions, please feel free to contact me at 720-913-5000.

Denver Auditor’s Office

Timothy M. O’Brien, CPA
Auditor
Transparency: Public Notice and Engagement

NOVEMBER 2021

Objective

To evaluate the city’s transparency practices by determining whether selected case studies in the Department of Community Planning and Development, the Department of Transportation & Infrastructure, and the agency for Human Rights and Community Partnerships have adequate processes to ensure public notices comply with requirements and that these agencies sufficiently inform and engage Denver residents.

Background

A transparent government seeks to ensure community members affected by government decisions can both influence and actively participate in making those decisions. Efforts may include posting legally required public notices, holding town hall meetings, creating community advisory boards, and soliciting public comment.

Denver city agencies are individually responsible for public notice and engagement.

Gaps in Structure, Guidance, and Oversight Limit the Public’s Ability to Access Information and Participate in Decision-Making on City Projects

We identified several areas for improvement associated with the three case studies we reviewed.

- Inconsistent compliance with public notice requirements limits the public’s awareness of some city activities.

  While we found Community Planning and Development fully complied with all public notice requirements in its case study, two projects in the Department of Transportation & Infrastructure and meetings of the 10 commissions under the purview of the agency for Human Rights and Community Partnerships did not.

  The examples of noncompliance in these two agencies affected residents’ awareness of projects in their communities and limited their opportunities to participate in public meetings.

- Public notice requirements are limited when it comes to how the notices are to be distributed, who should receive them, and when they should be issued. City agencies could use additional tools — as well as make better use of the city’s website — to improve residents’ awareness and provide access to public meetings, hearings, and other ways for residents to provide input on city projects and decisions.

- Standards, expectations, and practices for public engagement vary across the city. More consistent guidance could help agencies better inform and engage residents about decisions that affect their lives.

WHY THIS MATTERS

Engaging community members in the government’s decision-making process increases public trust and results in more effective solutions to community issues.

By providing more structure and guidance around public notices and public engagement, the city could ultimately provide higher-quality services to residents and business owners.
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BACKGROUND

Transparency in Government and the Role of Public Participation

Public trust relies heavily on the extent to which community members perceive government decisions, operations, and outcomes to be open, transparent, and responsive to their needs. A transparent government is one in which individuals can obtain the information they need to understand how important decisions are made. A transparent government also seeks to ensure all community members affected by government decisions have an opportunity to not just influence those decisions but actively participate in making them.

Local governments can practice transparency by:

- Implementing laws and policies for open meetings and open records.
- Inviting the public to attend commission, board, and council meetings.
- Involving community members in strategic planning sessions.

Issuing public notices and engaging the community are two common ways governments can achieve public participation.

Public notices are legally required publications that serve to keep constituents apprised of various matters in a timely and accessible manner, such as City Council meetings. Public engagement and outreach includes a broad range of activities to inform the public about — and include the public in — government decisions.

The Role of Public Notice

Public notices are the minimum communication required for an informed and engaged community. Public notices are intended to provide the public with actual and adequate notice of legally significant events. They align with the most basic form of public participation: for the government to

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2 Don-Terry Veal et al.
inform the public about decisions affecting their lives.⁶

**DENVER’S PUBLIC NOTICE REQUIREMENTS** – City charter, city ordinance, and applicable city zoning codes serve as the primary sources for the public notice requirements for Denver city agencies.⁷ In particular, they place responsibility for public notice on individual agencies across the city, instead of one centralized authority.

Denver’s public notice requirements fall into two broad categories. The first are those related to open meetings and government records. These public notice requirements are the most widely applicable to all city agencies and align with state requirements outlined in Colorado’s Open Meetings Law and the Colorado Open Records Act.⁸

The second category consists of process-specific public notice requirements that apply only to the agency responsible for a given process. In Denver, these most commonly apply to government actions affecting public rights of way, tax administration, business licensing, the treatment of private property, and the management of traffic and parking.

Legal requirements can specify the timing, format, content, and recipients of public notices. However, the direction provided in Denver’s laws varies significantly depending on the category of notice. Some requirements are detailed, while others are nonspecific. Appendix A summarizes the requirements we identified in Denver’s laws and regulations for each element of a public notice.

Leading practices in public engagement and outreach have shown that when governments include community members in decision-making, it not only builds trust, credibility, and buy-in for policies, it also results in more effective solutions to community issues.⁹

“Public engagement” can encompass a broad range of activities whereby members of the public become more informed and can influence government decisions. Engagement activities can take many forms, depending on the issue or policy to be decided upon and the intended

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⁷ Denver’s laws legally distinguish between an “agency” and a “department.” City charter establishes departments, and therefore, they can be abolished only through changes to the charter, which require a vote of the people. The mayor and city ordinance can establish agencies, which means those entities can be abolished without a vote of the people. Agencies also are typically smaller in size and scope than departments. For readability in this report, we use the term “agencies” in reference to Denver’s “agencies and departments” collectively under the general definition of an “agency” as referring to any one of the various specific units of government a city may have. “How City Government Works, Organization,” City and County of Denver, accessed Aug. 23, 2021, https://www.denvergov.org/Government/How-City-Government-Works.
impact of the public’s role in the decision-making process.¹⁰

For example, “public outreach” is generally characterized by one-way communication from a government to its residents — such as distributing a flyer or newsletter. While public outreach is intended to inform the public, it is not necessarily intended to offer residents an opportunity to influence decisions.¹¹

When a government wants public input to inform its decision-making, public engagement activities may include listening sessions, focus groups, town hall meetings, community advisory committees, and opportunities for the public to attend and comment during public meetings or hearings.¹²

According to the International Association of Public Participation — a global organization that provides public participation professionals with tools, skills, networking, and training opportunities — the most basic forms of engagement and outreach are intended to inform the public.¹³ This may include activities like distributing required public notices and issuing news releases. The most advanced forms of engagement seek to empower the public with decision-making authority and can include activities such as creating a public committee tasked with developing solutions to community problems.¹⁴

A government’s efforts to engage its community members fall along a spectrum with increasing levels of public participation based on how much influence the government wants the public to have on a decision, as shown in Figure 1 on the following page.

DENVER’S PROCESSES FOR PUBLIC ENGAGEMENT AND OUTREACH – Like with public notice requirements, individual agencies oversee their own public engagement and outreach efforts, which are not required by ordinance.

The Mayor’s Office and the city’s Technology Services agency manage a few citywide resources — including the city’s website, denvergov.org; its public access channel, Denver 8 TV; various social media accounts; and the Denver 311 call center.


¹¹ Institute for Local Government, “What is Public Engagement and Why Should I Do It?”

¹² See items D, K, and N of Appendix B for the full citation of the sources cited.


FIGURE 1. The International Association for Public Participation’s “Spectrum of Public Participation”

<table>
<thead>
<tr>
<th>Increasing Impact on the Decision</th>
<th>INFORM</th>
<th>CONSULT</th>
<th>INVOLVE</th>
<th>COLLABORATE</th>
<th>EMPOWER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Participation Goal</td>
<td>To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.</td>
<td>To obtain public feedback on analysis, alternatives and/or decisions.</td>
<td>To work directly with the public throughout the process to ensure the public concerns and aspirations are consistently understood and considered.</td>
<td>To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.</td>
<td>To place final decision making in the hands of the public.</td>
</tr>
<tr>
<td>Promise to the Public</td>
<td>We will keep you informed.</td>
<td>We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.</td>
<td>We will work with you to ensure your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.</td>
<td>We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.</td>
<td>We will implement what you decide.</td>
</tr>
</tbody>
</table>

Source: Adapted by Auditor’s Office staff with express written permission from the ©International Association for Public Participation’s “Public Participation Pillars” brochure.

Recently, the city consolidated oversight of these services through a citywide marketing effort under Technology Services. This effort seeks to standardize customer experience for community members. However, public participation opportunities through these services do not often incorporate all city projects or neighborhood-specific opportunities.

Like with public notice requirements, individual city agencies oversee their own public engagement and outreach efforts.

While the city provides some marketing and communications support, individual agencies are responsible for their own engagement and outreach efforts — including the content on their agency webpage.

In addition to the citywide resources that provide information to residents, residents can engage with the city as volunteers — primarily by being appointed to official boards, commissions, and advisory groups associated with city agencies or programs or by becoming members of their local registered neighborhood organization.
Applicable State Laws

Some state laws may apply to both public notice efforts and public engagement efforts. Specifically, as noted, state laws regarding open meetings and open records require government entities to comply with minimum standards in the absence of local requirements for open meetings, public notice, and open records.

Generally, the Colorado Open Records Act and the state's Open Meetings Law are widely applicable to the state's local and county governments. The open records act details which documents must be publicly available. It provides for exceptions and outlines the process by which the public can access documents. This requirement applies to records of public meetings, like agendas and meeting minutes, in addition to official documents and some emails related to policy development and decision-making.

The state Open Meetings Law is interpreted broadly and intended to give the public an opportunity to be informed and participate in public business.

It requires governments to provide at least 24 hours’ notice for any meeting at which a policy, rule, regulation, or formal action is discussed or adopted. The notice must be physically posted in the public body's boundaries and in a place previously designated by that public body. Agendas should be included in the notice whenever possible. The Open Meetings Law also encourages local governments to adopt digital ways of providing notice.

Denver's open meetings law requires a higher threshold for providing notice than the one set by state law — a minimum of 48 hours’ notice instead of 24 hours.

Recent Efforts to Reform Public Participation in Denver

This year, Denver City Council members discussed at least two reform efforts affecting public notice and public engagement in the city.

With the onset of the COVID-19 pandemic in spring 2020, one councilmember sought changes to the city's open meetings requirements to allow for virtual meetings and to update other related provisions of city ordinance. In July 2021, the City Council approved a policy for Denver's public bodies to hold remote or virtual meetings. The council also updated the list of public bodies subject to open meetings requirements and added provisions for digital notices for meetings.

Meanwhile, another councilmember proposed establishing a new city office that would centralize and support public engagement efforts.

As of August 2021, City Council members were still discussing this proposal. But such an office might support registered neighborhood

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17 City and County of Denver, Council Bill No. 21-0572.
organizations and lead efforts to help residents access information — such as improving the ways residents can receive information about issues in their neighborhoods and offering a centralized location for public notices.

This proposed office could also have a role in managing the city ordinance that governs the rules and requirements for registered neighborhood organizations, and it could provide resources and training to them. Registered neighborhood organizations are authorized by city ordinance and based on geographic boundaries; they are formed by residents who represent their local neighborhoods’ issues and interests to the city.

**Selected Case Studies**

Because the city decentralizes its public notice efforts and its engagement and outreach efforts across individual agencies, we selected three to serve as case studies for evaluation for this audit:

- The Department of Community Planning and Development.
- The Department of Transportation & Infrastructure.
- The agency for Human Rights and Community Partnerships, which oversees 10 commissions that represent specific cultural and demographic groups among Denver residents.

We selected these agencies based on how prominently public notice and engagement activities factor into their mission and work.

**DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT** — The department provides the planning and regulatory framework for creating and preserving the places where Denver residents live, work, and play.

The department administers the Denver Zoning Code — which regulates land use and design standards for buildings and sites and outlines development review processes. It is also responsible for a variety of public notice requirements across its Development Services and Planning Services divisions. Development Services oversees development permitting, while Planning Services’ work includes landmark preservation and neighborhood and small-area planning. All divisions in the department share responsibilities for code administration and enforcement.

The Planning Services Division prepares citywide, neighborhood-level, and small-area plans and leads projects to implement adopted plans. Planning Services also supports citywide goals outlined in the city’s comprehensive

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18 Denver rewrote and expanded its zoning codes to include zoning standards and procedures as a separate body from city ordinance in 2010, with updates in 2018 and 2021. The standards and procedures are intended to guide implementation of Denver’s comprehensive plan. The zoning code is a separate list of requirements from city ordinance and it references ordinance requirements throughout.
The Planning Services Division uses regulatory tools — such as map and text amendments — to implement the city’s plans. A “map amendment” rezones an area of the city, while a “text amendment” changes the regulations and restrictions that govern the use of a geographic area. Both are tools used to respond to changing conditions in the city or to implement adopted plans such as the city’s comprehensive plan, its land use and transportation plan, and its housing plan.

For example, key city goals from those plans include equitable, affordable, and inclusive housing for all. Additionally, one plan has a goal to use a “robust and inclusive community input process” when Community Planning and Development develops proposals.

DEPARTMENT OF TRANSPORTATION & INFRASTRUCTURE – This department is responsible for road maintenance and repair, the design and construction of streets, and oversight and regulation of public rights of way, among other activities. It is organized into three administrative divisions: Project Delivery, Operations, and Utilities. The department also includes a Public Information Office and an Office of Community and Business Engagement.

The Public Information Office's core responsibilities include creating and publishing communications online, on social media, and through traditional media outlets. Staff work with Transportation & Infrastructure's project managers to determine what should be communicated, how often, and through what media.

The Office of Community and Business Engagement was created in January 2020 and focuses on public engagement and outreach efforts for Transportation & Infrastructure's projects, programs, and safety initiatives. Community and Business Engagement works with businesses,

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organizations, and residents to improve equity in the department's engagement processes.

**HUMAN RIGHTS AND COMMUNITY PARTNERSHIPS** – Among other services this agency provides, Human Rights and Community Partnerships engages, supports, and helps connect residents with city agencies.

The agency has nine offices and one division, and it also oversees the work of 10 mayoral advisory commissions, which comprise community volunteers and represent specific populations in Denver. As part of its strategic plan, the agency provides administrative support for the commissions. For ease of reference and to avoid confusion with other mayoral advisory bodies, we refer to these commissions as Human Rights and Community Partnerships’ commissions. These 10 commissions are:

- The African American Commission.
- The American Indian Commission.
- The Asian American Pacific Islander Commission.
- The Commission for People with Disabilities.
- The Commission on Aging.
- The Immigrant and Refugee Commission.
- The Latino Commission.
- The LGBTQ Commission.
- The Nonprofit Engagement Commission.\(^{22}\)
- The Women's Commission.

City ordinance established the 10 commissions under the agency for Human Rights and Community Partnerships and outlines requirements for commission membership and the commissions' powers and duties.\(^{23}\)

\(^{22}\) The Strategic Partnerships Commission became the Nonprofit Engagement Commission in July 2021.

FINDING AND RECOMMENDATIONS

Gaps in Structure, Guidance, and Oversight Limit the Public’s Ability to Access Information and Participate in Decision-Making on City Projects

To analyze public notice efforts and public engagement and outreach activities, we selected case studies from three city agencies: the Department of Community Planning and Development, the Department of Transportation & Infrastructure, and the agency for Human Rights and Community Partnerships.

We first checked whether the agencies complied with applicable public notice laws, and then we examined the engagement and outreach activities in each case study to identify what the agencies did to go beyond public notice requirements to provide the public with access to information and opportunities to participate.

We chose these specific case studies because they involved public notice and extensive engagement and outreach.

We found two of the three did not thoroughly or consistently adhere to public notice requirements. We also found the city — which has a responsibility to provide information to the public — needs to provide more opportunities for residents to access information about issues that affect their lives, and the city lacks structure and guidance for engagement and outreach.

SELECTED CASE STUDIES IN THE AGENCIES WE AUDITED

- The Department of Community Planning and Development’s Group Living Text Amendment, which is meant to implement elements of the city’s comprehensive plan, its land use and transportation plan, and its housing plan.

- Two bike lane installation projects that were part of the Department of Transportation & Infrastructure’s annual street paving program.

- The 10 commissions under the agency for Human Rights and Community Partnerships that represent specific cultural and demographic populations in Denver.
Selected Agencies Did Not Consistently Comply with Public Notice Requirements

Each case study we reviewed had unique public notice requirements based on the type of project and the city agency leading the project. These public notice activities represent the most basic level of informing residents.\textsuperscript{24} They notify them about important government activities and are, in most cases, required by city ordinance. Specifically:

- Community Planning and Development’s Group Living Text Amendment project had two requirements associated with public hearings.
- Transportation & Infrastructure’s bike lane installation projects are subject to requirements when they are completed through the coordinated paving subprogram, as our case studies were.
- The human rights agency’s 10 commissions must provide notice of open meetings.

We found no issues with Community Planning and Development’s compliance related to the Group Living Text Amendment. However, we did find issues with the thoroughness of Transportation & Infrastructure’s public notice for two bike lane projects and with the consistency of the Human Rights and Community Partnerships commissions’ compliance with public notice for open meetings and with open records.

The Department of Community Planning and Development Fully Complied with Public Notice Requirements for the Group Living Text Amendment Project

Text amendments — which change regulations and restrictions governing the use of a geographic area — are subject to public notice requirements in the Denver Zoning Code. These requirements include providing written notice for public hearings of both the Denver Planning Board and the City Council.\textsuperscript{25}

No other local, state, or federal requirements apply to the text amendment process. Public notice requirements in the Denver Zoning Code are intended to provide community members with the opportunity to be informed about land use and development projects covered by the code and to participate in the decision-making process.

The requirements assign the following responsibilities to Community Planning and Development for the text amendments it oversees:

- **WRITTEN NOTICE OF PLANNING BOARD PUBLIC HEARINGS** – No later than 15 days before a required public hearing of the Planning Board, the Department of Community Planning and Development “shall” notify:


\textsuperscript{25}Section 12.2.9 of the Denver Zoning Code requires publication of notice for public hearings as well; however, Section 12.3.4.4(c) says the requirement to publish notice of a public hearing in the official newspaper is the responsibility of only the Office of City Council and the Denver City Clerk’s Office, not the responsibility of the Department of Community Planning and Development.
• City Council members in the district to be affected and at-large City Council members.
• Registered neighborhood organizations within 200 feet of the affected area.26

**WRITTEN NOTICE OF CITY COUNCIL PUBLIC HEARINGS** – No later than 21 days before a required public hearing of the City Council, the Department of Community Planning and Development “shall” notify:

• City Council members in the district to be affected and at-large City Council members.
• Registered neighborhood organizations within 200 feet of the affected area.27

The Denver Zoning Code requires Community Planning and Development to distribute notice of these public hearings through one of three methods: in writing (e.g., through mail or email), by posting (e.g., through signs), or by publication in the official newspaper.28 The notices should include the date, time, and location of the meeting; a general description of the proposed action; and details of the process.29

Our analysis of the department’s compliance with the two public notice requirements that applied to the Group Living Text Amendment project found Community Planning and Development fully complied with both. Specifically, department staff provided emails that were sent to both the necessary City Council members and registered neighborhood organizations within the required time frames.

See pages 32-42 for our additional findings related to Community Planning and Development’s public engagement and outreach efforts for the Group Living Text Amendment.

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26 Denver Zoning Code § 12.3.4.4(A)(2).
27 Denver Zoning Code § 12.3.4.4(A)(3).
28 Denver Zoning Code § 12.3.4.2(A).
29 Denver Zoning Code § 12.3.4.4.4.
The Department of Transportation & Infrastructure Cannot Show It Fully Complied with its Own Public Notice Requirements on Two Bike Lane Installation Projects

According to the department’s bikeway design manual, the department’s vision and goals for increasing mobility options, improving safety, addressing climate change, improving public health, and making infrastructure more accessible include a plan to significantly expand Denver’s network of bike paths and have every household be within a quarter mile of an on-street bike lane.

For bike lane installation projects, the Department of Transportation & Infrastructure does not have to notify the public about the bike lanes themselves, but there are some requirements when a project is completed through the department’s coordinated paving subprogram.

We analyzed two bike lane installation projects completed in 2020: a conventional bike lane and a buffered bike lane. They are both in the street and separated from traffic by painted lines, but a buffered bike lane has more space to separate it from traffic, as shown in Figure 2.

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**FIGURE 2. Types of Bike Lanes**

![Types of Bike Lanes](image-url)

**CONVENTIONAL BIKE LANE**

Conventional and buffered bike lanes are both in the street and separated from motorized traffic by painted lines.

**BUFFERED BIKE LANE**

Protected bike lanes are in the street and separated from motorized traffic by vertical barriers, such as poles, concrete curbs, or parked cars.

**PROTECTED BIKE LANE**

Protected bike lanes are in the street and separated from motorized traffic by vertical barriers, such as poles, concrete curbs, or parked cars.

**NEIGHBORHOOD BIKEWAY**

Neighborhood bikeways are on streets that have reduced speeds and lesser traffic volumes. Here, bicyclists share the road with motorized traffic.

*Source: Adapted by Auditor’s Office staff from a Department of Transportation & Infrastructure graphic.*

The two bike lane installation projects — on East Florida Avenue and East Jewell Avenue, respectively — both belong to Transportation & Infrastructure’s “coordinated paving subprogram.” As such, they were part of the annual street paving program, which department staff said aims to efficiently use city resources and is led by the department’s Street Maintenance Operations Division.
SUBPROGRAMS FOR BIKE LANE INSTALLATION PROJECTS

Denver’s bike lanes are typically installed through one of four project subprograms in the Department of Transportation & Infrastructure. They are the:

- BIKE SUBPROGRAM – which handles standalone projects.
- BOND BIKE SUBPROGRAM – which handles standalone construction projects funded by the Elevate Denver bond program.
- COMMUNITY TRANSPORTATION NETWORKS SUBPROGRAM – which handles projects that are planned and designed using the department’s community transportation network group.
- COORDINATED PAVING SUBPROGRAM – which handles projects that are part of the department’s annual street paving program.

Because the two bike lane installation projects we examined were both part of the coordinated paving subprogram, they were subject to notice requirements related to paving activities for bike lane corridors. However, these required notices provide information only about paving activities—not the bike lane installations specifically. These notices are overseen by Transportation & Infrastructure’s street maintenance team.

We found the team could not demonstrate it fully complied with its own requirements for public notice for the bike lane installation projects we reviewed on East Florida Avenue and East Jewell Avenue.

The team’s internal procedures require paving contractors to provide public notice to affected businesses and residences 48 hours before starting construction. Public notice is provided using printed door hangers at each property. To measure compliance we reviewed the paving contractor’s documentation—including a map, a list of addresses, and photos of each address that received a door hanger. We found the timing of the notice complied with the requirement, but we could not verify all affected businesses and residences received notice.

Specifically, along the East Florida Avenue corridor, as many as four addresses in the affected area may not have received notice. Gaps in the proof of work prevented us from verifying all addresses. For example, three of the addresses that should have been given notice were not on the list of addresses the paving contractor provided. For the fourth address, the contractor’s photo did not show a street address or a door hanger, so we could not verify the property owner received notice.

Meanwhile, along the East Jewell Avenue corridor, as many as 67 addresses may not have received notice. Again, gaps in the contractor’s documentation prevented us from verifying all addresses.

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For example, the contractor’s documentation indicates notice was provided to residences for an area that was only a portion of the project corridor, as shown in Figure 3. This discrepancy resulted in only 17% of the total corridor receiving notice. Furthermore, 67% of the notices the paving contractor gave were outside the street maintenance team’s defined project area and beyond what was required.

**FIGURE 3. Corridor Comparison for Selected Bike Lane Projects**

- **Street Maintenance Corridor**
- **Paving Contractor Corridor**
- **Bikes Team Corridor**

**Note:** The paving contractor is hired and overseen by the street maintenance team in the Operations Division of the Department of Transportation & Infrastructure, whereas bike lanes are overseen by project teams in the department’s Project Delivery Division.

**Source:** Created by Auditor’s Office staff using Department of Transportation & Infrastructure documentation.

The U.S. Government Accountability Office, or GAO, issues guidance to help government entities establish internal control systems to ensure efficiency, effectiveness of operations, and compliance with laws and regulations. “Internal controls” are safeguards management uses to make sure a program operates as intended. Common controls can include:

- Strategic goal setting and planning.
- Staff training.
- Supervision and employee evaluation.
- Written policies, procedures, and job aids.

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• Processes for inventory, separation of duties, and review and approval.
• Performance and financial reporting, compliance monitoring, and program evaluation processes.

The GAO’s standards require managers to establish monitoring activities to assess the quality of performance and identify and resolve issues. The standards also specify that management is responsible for monitoring the effectiveness of activities assigned to service providers, like contractors.32

These instances of noncompliance and the inconsistency in the designated corridor areas happened because Transportation & Infrastructure insufficiently monitored the paving contractor’s activities.

Department staff provided us with no evidence of their processes or expectations for monitoring the paving contractor’s work to ensure the company complied — such as confirming the paving contractor had the accurate list of addresses that should have received the required notice and reviewing the contractor’s evidence that it completed the work.

By not consistently distributing required notices, some affected businesses and residents may not know about upcoming paving activities and changes to their street stemming from a bike lane installation — such as the loss of street parking.

1.1 RECOMMENDATION Develop, Document, and Implement Monitoring Process

The Department of Transportation & Infrastructure’s executive director should work with the director of the Street Maintenance Operations Division to develop, document, and implement a process for street maintenance staff to monitor and track contracted work to ensure all affected businesses and residents receive public notice for paving activities as required.

AGENCY RESPONSE: AGREE, IMPLEMENTATION DATE – MAY 1, 2022
SEE PAGE 55 FOR THE AGENCY’S FULL RESPONSE TO OUR RECOMMENDATIONS.

Human Rights and Community Partnerships Commissions Did Not Consistently Comply with Open Meetings Requirements in 2021

All 10 commissions overseen by the agency for Human Rights and Community Partnerships exhibited a pattern of noncompliance with the city's open meetings requirements in 2021. We also found commission processes to post and maintain meeting agendas and minutes varied significantly from commission to commission.

Several factors contributed to the commissions' noncompliance, including staff turnover in the human rights agency, the volunteer nature of the commissions, and other pandemic-related factors beyond the agency’s or commissions’ control. However, we also found that the agency’s expectations and processes for supporting the work of these commissions generally lack structure and are not well defined.

The commissions’ duties include advising the city and advocating on behalf of the communities they represent. City ordinance also requires these commissions to annually develop and present their goals and objectives and to develop and adopt written bylaws to govern their internal affairs and operations.

The agency estimates more than 200 volunteers serve across the 10 commissions. City ordinance requires the meetings of these commissions to comply with the city's open meetings requirements.\(^\text{33}\)

The 10 commissions operate independently as advisory groups to the mayor with administrative support from Human Rights and Community Partnerships. City ordinance grants the executive director of the agency some review and approval authority of specific commission operations.\(^\text{34}\)

For example, the director must approve commission bylaws and amendments and confirm appointments for commission officers. The director also reviews commission goals and objectives.

Additionally, agency staff provide meeting and other administrative support through assigned liaisons to each commission. Other agency staff may also provide technical support to the commissions and liaisons as requested.

Because volunteers run these commissions, our review and recommendations focused on how the human rights agency could better support the commissions' required operations, like complying with open meetings requirements.

**OPEN MEETINGS REQUIREMENTS** – The Human Rights and Community Partnerships commissions are among the public bodies subject to Denver’s open meetings requirements.\(^\text{35}\)


\(^{34}\) Denver Revised Municipal Code § 28-21 and 28-23.

### TABLE 1. City and County of Denver Meeting Notice Requirements in Effect before July 20, 2021

<table>
<thead>
<tr>
<th>Element of Notice</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timing</td>
<td>Minimum of 48 hours’ notice.</td>
</tr>
<tr>
<td>Format</td>
<td>Must be physically posted at both:</td>
</tr>
<tr>
<td></td>
<td>1. The office of the agency or the meeting location.</td>
</tr>
<tr>
<td></td>
<td>2. The bulletin board on the first floor of the City and County Building, at Colfax Avenue and Bannock Street.*</td>
</tr>
<tr>
<td>Content</td>
<td>1. Time.</td>
</tr>
<tr>
<td></td>
<td>2. Date.</td>
</tr>
<tr>
<td></td>
<td>3. Location.</td>
</tr>
<tr>
<td></td>
<td>4. Topics to be discussed.</td>
</tr>
</tbody>
</table>

*The city amended these requirements after we concluded audit testing.

Source: Summarized by Auditor’s Office staff using city ordinance.

Table 1 details the city’s meeting notice requirements that were in effect during our audit — including that the notice must go out 48 hours in advance, it must be physically posted, and it must include certain details, like time and place.\(^\text{36}\)

Although the law changed at the end of our testing period, the change affected only the format element of public notice. Specifically, it removed one of the two physical format requirements and added provisions for digital formats.\(^\text{37}\)

**DETERMINING COMPLIANCE** — To test compliance for meeting notice, we observed commission posting practices in real time for the commissions’ May and June 2021 meetings. However, for several reasons, we did not follow a strict interpretation of existing open meeting laws to determine compliance.

According to managers in the human rights agency, physically posting the public notices is not a practice for any of its 10 commissions. Although each commission’s webpage includes a general description of meeting dates and times (e.g., “every third Thursday of the month from 12 pm - 1:30 pm”), this description is not specific enough to provide a member of the

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\(^\text{36}\) Denver Revised Municipal Code § 2-35.

\(^\text{37}\) In July 2021, after we ended audit fieldwork, the City Council changed Denver’s open meetings law to remove one of the two requirements that notices be physically posted (i.e., agencies no longer have to post notices in the City and County Building). Instead, the council approved allowing agencies to post public notices on their webpages, in addition to still physically posting the notice at their office or the meeting location. The change also updated the list in city ordinance to include all 10 Human Rights and Community Partnerships commissions. Before this update, the list included only eight of the 10 commissions.
public with the necessary information to attend. Because the commissions’ bylaws indicate that not all commissions meet every month, this general description may not be accurate if a commission does not plan to meet every month.

Each commission’s webpage includes a link to a Google Drive folder where the commissions post their meeting agendas and minutes. Because the agendas provided the most complete and accurate meeting information, we assessed compliance based on the timing of when agendas became publicly available on each commission’s webpage and Google Drive folder.

Additionally, although format requirements changed in July to allow for digital notice in addition to physical postings, city ordinance continues to require 48 hours’ notice for meetings. It also requires notices to include four details: time, date, location, and the general topics to be discussed. As a result, we defined compliance for our real-time testing in May and June to mean that a commission’s meeting notice met the 48-hour requirement and included all four required pieces of information.

We also reviewed posting practices for the months leading up to our compliance testing period for context and further adjusted our definition of compliance for this review based on timing considerations.

Both state and local laws require public bodies to make records accessible to the public. The Denver Charter specifies that all boards and commissions must keep records of their meetings and make them accessible in accordance with state laws. The Colorado law requires public bodies to make documentation, like agendas and minutes, accessible to the public “at reasonable times” and to record minutes “promptly.”

Because timing requirements for meeting minutes are vague, we reviewed meeting minutes only from January 2021 through March 2021. We considered a commission compliant with open records requirements as long as the minutes were available by the last week of April.

However, we looked at an additional month for meeting agendas. Because commissions should have posted agendas before their meetings, we reviewed agendas for meetings from January 2021 through April 2021. We considered a commission compliant with open meeting requirements for this review if posted agendas included a date stamp two or more calendar days before scheduled meeting dates.

**COMPLIANCE TESTING RESULTS** – Using these parameters, we found only two of the 10 commissions fully complied with Denver’s meeting notice

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38 Denver Charter § 1.1.10.
40 For the January 2021 through April 2021 meetings, we reviewed minutes and agendas April 27-30, 2021. Because commissions approve minutes from meetings during the following month’s meeting, we expected to see only three months’ worth of minutes based on when we accessed the records. The last commission meetings held in April 2021 were held on April 22, which allowed for a full week for the commissions that hold meetings late in the month to post approved minutes from their March meetings by the time we accessed their online files.
requirements for their May and June 2021 meetings. Three did not comply with any requirement, and five either followed the state’s less restrictive requirement for timing — of 24 hours’ notice, compared to the 48 hours Denver requires — or provided compliant notice for only one meeting.

In our review of posting practices for January through April 2021, we found that none of the 10 commissions fully complied with open meetings or records requirements for meetings held in that time. Most commissions were missing some or all of the expected meeting agendas for these months. The one commission that retained all expected agendas did not consistently post them with sufficient time in advance. Additionally, eight of the 10 commissions had not uploaded all minutes for meetings in January, February, and March.

Furthermore, how the commissions posted notice and who was responsible for doing so varied significantly. Some commissions have their chairperson post it, some send the documents to technical support staff in the human rights agency to post, and others have their assigned staff liaison post it.\footnote{Each commission receives administrative support from an assigned liaison. In addition to providing commission support, these liaisons have other responsibilities in different offices within the agency for Human Rights and Community Partnerships.}

Technical support staff in the agency told us, for those commissions that send their documents to them, they were not sure whether a commission member or the assigned liaison is responsible for sending the documents on behalf of each commission. Rather, agency staff simply post the information when and if it is sent to them but they do not prompt the commission or its liaison to provide missing or late documents.

Finally, we identified missing and conflicting provisions in the commissions’ bylaws related to meeting administration — specifically for methods of notice, including the timing, format, and content of notices. Seven of the 10 commissions’ bylaws did not address any aspect of the method by which notice should be provided to the public.

Of the three that did, two cited the state’s less restrictive time frame of 24 hours, rather than the city’s 48-hour requirement. The third commission’s bylaws did not address time frames. It specified a physical posting — which, as we noted, has not been a practice for any of the commissions — and it cites the wrong section of Denver’s public notice law where it vaguely refers to posting procedures.\footnote{The bylaws cite Section 2-32 of city ordinance, which lists the public bodies subject to open meetings requirements, rather than Section 2-35, which describes requirements for posting procedures.}

**CONTRIBUTING FACTORS FOR NONCOMPLIANCE** – The Human Rights and Community Partnerships commissions face unique challenges based on their nature and purpose.

City ordinance creates these commissions as volunteer-run groups tasked with representing their respective communities.\footnote{Denver Revised Municipal Code § 28-21 (b).} Because volunteers make up these commissions, personal workloads and time constraints limit
The commissioners' capacity and makes the groups susceptible to turnover and recruitment challenges.

Additionally, because commissioners are not city employees, they do not have access to some city tools and resources to support their operations, like city software and computer applications. Finally, the COVID-19 pandemic also caused turnover, staff limitations and furloughs, and citywide budget reductions that affected almost all city agencies — including the agency for Human Rights and Community Partnerships.

While volunteer- and pandemic-related factors are outside the agency's and commissions' control, we also found that the agency's expectations and process for supporting the work of the commissions generally lack structure and are not well defined — specifically in regard to assigning responsibility for key processes, monitoring compliance, training for specific job duties, and leveraging technology.

The U.S. Government Accountability Office says an organization’s management should assign responsibility and delegate key roles to staff throughout the organization to ensure objectives are met. Management should establish expectations of competency for key roles, provide relevant training to employees in those roles, and enforce accountability for personnel through performance evaluations and other monitoring processes. Management should also implement consistent and documented policies and procedures.

In line with these criteria, Human Rights and Community Partnerships' could strengthen its management controls and structure by:

- **ASSIGNING RESPONSIBILITY** – Management has not assigned responsibility for who should post meeting notices. During orientation, the agency instructs commissioners to comply with open meetings requirements, but this training does not specify that commissioners are responsible for posting meeting notice. Similarly, although the assigned staff liaison’s job description includes responsibility for assisting commissions with complying with open meeting requirements, the description does not specify that liaisons should post meeting notices.

Commission bylaws also do not consistently address responsibility for posting meeting notices or they include language open to interpretation. Four of the 10 bylaws do not address responsibility for meeting notice at all. Six of the 10 create and assign a secretary the responsibility of giving meeting notice — with four including the clause “or cause meeting notice to be given.” This language does not clearly describe how an agenda will be made publicly available.

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45 U.S. Government Accountability Office, paras. 4.02, 4.05, and 16.01.

46 U.S. Government Accountability Office, paras. 10.11 and 12.01-12.04.
For example, it could be interpreted to mean a secretary simply prepares the agenda and sends it to another individual for public posting. And, as we discussed, we observed a range of other individuals posting meeting notice, including chairs, liaisons, and other agency staff.

By establishing clearer expectations for who will post notices and how and by documenting these in job descriptions, policies, and procedures, the agency for Human Rights and Community Partnerships could better support and increase the 10 commissions’ compliance with open meetings and public records requirements.

• **MONITORING COMPLIANCE** – Management has an informal and undocumented method for monitoring staff that does not ensure they comply with all their assigned liaison responsibilities, including whether they sufficiently support the commissions’ compliance with open meetings requirements. Specifically, managers monitor and evaluate the staff liaisons through monthly meetings, informal discussions, and the employees’ performance evaluations.

Although regular meetings and discussions are vehicles for guidance, they do not demonstrate systematic monitoring of specific support activities and do not ensure each liaison receives consistent messaging regarding their expected job performance.

The agency’s annual performance evaluation includes a performance goal specific to the liaisons. However, the goal does not address aspects of the liaison’s job description, including ensuring the commissions comply with meeting notice requirements. Rather, it uses vague language that the liaison should guide the commissions in accomplishing their goals and that they should serve as their commission’s point of contact.

Including a clearer link to essential job duties in the performance evaluation may increase the likelihood staff liaisons perform them — especially since the same individual does not directly supervise all liaisons.

• **OFFERING SPECIFIC TRAINING** – Commissioners also reported gaps in the training they received for how to hold public meetings.

We conducted a survey to gather commission leaders’ perspectives on training and support, public engagement and outreach practices, challenges, and interactions with the city. While almost all the respondents reported receiving training and guidance from the human rights agency on their general role as commissioners, most reported they did not receive any training or guidance on meeting administration — such as on voting procedures and requirements related to open meetings and public records or how to host meetings and prepare agendas and minutes.

The commissioners’ guidebook and training materials for their orientation refer to open meetings requirements but they do not discuss meeting administration or how to comply with requirements.
SURVEY OF COMMISSION LEADERSHIP

We conducted a survey of commission chairs and co-chairs to collect their perspectives, in lieu of interviewing representatives of each commission. For commissions with co-chairs, we allowed them to coordinate a single response.

See page 52 and Appendix C for additional information on our survey results and methodology.

• LEVERAGING TECHNOLOGY – Finally, limited city resources and the volunteer nature of these commissions also affect how well they provide sufficient public notice.

According to staff in both the agency for Human Rights and Community Partnerships and the city’s Technology Services agency, the city has concerns about the cost of software licenses and the need to restrict access to city systems for the more than 200 volunteer commissioners.

This limitation contributed to Human Rights and Community Partnerships’ decision to rely on Google Drive folders linked to the commissions’ webpages as the means to post meeting agendas and minutes — despite the city’s concerns with information security and the city’s inability to provide technical support for the Google platform.

Google Drive allows any individual with an access link to edit and upload content in the commission’s publicly available folders for agendas and minutes. The access link can be easily shared, but the human rights agency does not track how these links are shared.

Both Human Rights and Community Partnerships and Technology Services staff said the agency is working with Technology Services to develop and implement a new platform to streamline the process for providing public access to the commissions’ agendas and minutes as well as improve overall information sharing for the commissions.

Although these plans are promising, the agency has not yet fully developed or implemented a new platform.

The 10 commissions are missing out on opportunities to engage with their communities by not ensuring consistent public access to their meetings.

Because of the noncompliance and inconsistencies in providing notice of public meetings, community members do not have the necessary information they need to attend commission meetings and participate in city decisions affecting their communities.

Public participation is fundamental to both achieving transparency in government and building public trust. The 10 commissions overseen by Human Rights and Community Partnerships are missing out on opportunities to engage with their communities and provide more robust community perspectives on city operations when they do not ensure consistent public access to their meetings.
By addressing these issues, Human Rights and Community Partnerships can provide more consistent support to these commissions and increase the likelihood that the city will reap the full benefits of public participation: increased public trust in government and better solutions to community issues.47

### 1.2 RECOMMENDATION

**Review and Revise Process to Post Meeting Notices**

The agency for Human Rights and Community Partnerships should review and revise the process by which meeting notices for its commissions are posted to ensure it leverages technology and available staff to help mitigate volunteer- and pandemic-related budget and staffing limitations.

**AGENCY RESPONSE:** AGREE, IMPLEMENTATION DATE – APRIL 1, 2022

SEE PAGE 58 FOR THE AGENCY’S FULL RESPONSE TO OUR RECOMMENDATIONS.

### 1.3 RECOMMENDATION

**Establish, Document, and Communicate Expectations**

After implementing Recommendation 1.2, the agency for Human Rights and Community Partnerships and its commissions should establish, document, and communicate clear expectations for all staff and volunteers responsible for posting meeting notices — including commissioners, staff liaisons, or other agency support staff who prepare meeting agendas and publicly post the notices.

**AGENCY RESPONSE:** AGREE, IMPLEMENTATION DATE – APRIL 1, 2022

SEE PAGE 58 FOR THE AGENCY’S FULL RESPONSE TO OUR RECOMMENDATIONS.

AUDITOR’S ADDENDUM: SEE PAGE 69.

### 1.4 RECOMMENDATION

**Include Expectations in Performance Goals and Training**

After implementing Recommendation 1.3, the agency for Human Rights and Community Partnerships should include its internally established expectations in its employee performance evaluations for staff liaisons and agency support staff as well as in its training program for commissioners, liaisons, and other staff.

**AGENCY RESPONSE:** AGREE, IMPLEMENTATION DATE – APRIL 1, 2022

SEE PAGE 58 FOR THE AGENCY’S FULL RESPONSE TO OUR RECOMMENDATIONS.

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1.5 RECOMMENDATION

Develop and Implement Procedures for Management Review

The agency for Human Rights and Community Partnerships should develop and implement procedures for management to review key activities required of commissioners, staff liaisons, and other agency support staff — including but not limited to those associated with complying with public meeting requirements and developing relevant governing documents.

AGENCY RESPONSE: AGREE, IMPLEMENTATION DATE – APRIL 1, 2022
SEE PAGE 58 FOR THE AGENCY’S FULL RESPONSE TO OUR RECOMMENDATIONS.

Providing More Access to Information Online Could Improve Community Awareness of Public Notice and Engagement Opportunities

For our three case studies, we found public notices are limited in who should receive them, they are distributed in only one way, and they provide inadequate notice to allow community members to engage with the city.

City agencies could also use and improve upon other means beyond the minimum requirements of public notice to ensure residents are sufficiently informed and engaged. We found the city’s website could be better used as a centralized hub for information, which would provide community members with greater access to information, beyond what public notice is required to provide.

Public Notice Requirements Do Not Allow Timely Access to Information for All Community Members

Based on the case studies we examined, existing public notice requirements do not provide community members with multiple ways to access information. Therefore, public notices may not provide community members with tools that empower them to find information about issues and changes that affect their lives, and notice alone often occurs too late to offer meaningful opportunities for input.

For example, for the Group Living Text Amendment, the Department of Community Planning and Development is required to distribute written notices only to City Council members and registered neighborhood organizations. For the Department of Transportation & Infrastructure's bike lane installation projects, the paving contractor distributed door hangers only to affected residents and businesses along each project corridor. And Human Rights and Community Partnerships’ 10 commissions primarily rely on digital notices for open meetings using the commissions’ webpages.

Through these singular distribution methods, only selected groups of Denver’s population were reached in each of our case studies, and for those who did receive notice, the timing of that notice may have occurred too late to allow for community members to have meaningful access to...
information or input on projects that affect their lives.

While Community Planning and Development was compliant with the requirements for its public notices, the requirements themselves did not ensure equitable access to project information because they rely on registered neighborhood organizations to share the notices with their members.

City officials and staff, as well as representatives of registered neighborhood organizations, all commented on how these neighborhood groups are limited in their ability to reach residents. For instance:

- Not all areas of Denver have a registered neighborhood organization to represent them.
- Registered neighborhood organizations are run by volunteers, and the city does not offer consistent financial and technical support for the groups.
- Registered neighborhood organizations find it challenging to reach residents of apartments and townhomes.

Finally, as we mentioned, residents who do receive the required notice might receive it too late to have an adequate opportunity to participate and influence decisions.

For example, for the Group Living Text Amendment project, advisory committee meetings began in 2018 but the activities requiring official public notice did not occur until 2020 and 2021 — after much of the proposal was developed and outreach had already been done.

Similarly, the required notice for Transportation & Infrastructure’s bike lane installation projects occurs only when installation is coordinated with paving activities, and even then, notice is given just 48 hours before construction. With that short time frame, residents have no opportunity to provide input on a project’s design or impact.

Absent public notice requirements that afford community members a sufficient chance to be informed and participate in city decision-making, members of the public must instead rely on other avenues to have an opportunity to provide meaningful input.

**RELATED FINDINGS**

See pages 32–42 for our additional findings related to Community Planning and Development’s public engagement and outreach efforts for the Group Living Text Amendment.

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**The City Could Improve the Accessibility of Information for Residents on Its Website**

Community members who are not directly required to receive public notice or who would prefer to be notified sooner about upcoming city actions may find it helpful to have more ways to access information directly from the city. One existing resource that the city could better leverage to
provide this access is its website.

As of August 2021, public notices were not available on the City and County of Denver’s website or agency webpages, and several different events calendars existed across the city website and agency webpages — each of which included different events depending on which agency manages the calendar.

Additionally, the city’s website did not provide sufficient search results for residents who may not have received notice. They would find it hard to easily find content related to noticed activities or learn about opportunities to participate in city decision-making during open meetings or public hearings.

The structure of the city's website requires residents who have an interest in a project or who want to participate to be familiar with the city’s agencies, including knowing which may be overseeing a particular project of interest.

In addition to public notices not being sufficiently available through website searches and there being multiple events calendars, the city website's calendar of events — which is likely the first events calendar the public encounters — does not include all public meetings or hearings from all city agencies, and few are included at the neighborhood or project level. When we reviewed the city's calendar of events in August 2021, it included only a very limited and selective number of project-related meetings for city agencies.48

Meanwhile, nothing helps users connect to agencies’ own calendar webpages from the city calendar webpage — functionality that could offer centralized access to engagement opportunities not listed in the city website’s calendar of events.

As such, a resident could miss engagement opportunities relevant to them if they rely only on that city calendar. For example, if a resident accessed the Department of Community Planning and Development's digital calendar, they would find public events related to current projects under the department's purview and related citywide events relevant to the department's work, such as the Planning Board's public meetings and the City Council's public hearings.49

For project-based information, we found that even within a city agency's webpage, project information may be difficult to find. For example, once a visitor arrives at the Department of Transportation & Infrastructure’s webpage, they must navigate through a menu of links — and they must be

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48 “City and County of Denver,” Events tab, City and County of Denver, accessed Aug. 11, 2021, https://www.denvergov.org. The denvergov.org redesign was ongoing in August 2021 and webpage features may have changed or expanded since our review.

Equity and inclusion may be difficult to achieve when the government provides only limited ways to access information.

aware how a project is classified to access specific project information.\footnote{“Department of Transportation and Infrastructure,” Department of Transportation & Infrastructure webpage, City and County of Denver, accessed July 12, 2021, https://www.denvergov.org/Government/Departments/Department-of-Transportation-and-Infrastructure.}

For example, one of the bike lane installation projects we assessed was included in a larger project and project information is located through the link for “Current Transportation & Infrastructure Projects,” whereas we found the project information for the second bike lane project through the link for the “Denver Moves Bicycle Program” page and then the link for “Coordinated Bike Lane and Striping Installation.”\footnote{“Cory Merrill Safe Routes to School Multimodal Improvement Project,” Department of Transportation & Infrastructure webpage, City and County of Denver, accessed July 12, 2021, https://www.denvergov.org/Government/Departments/Department-of-Transportation-and-Infrastructure/Programs-Services/Safe-Routes-to-School/Cory-Merrill. We accessed the East Florida Avenue bike lane project under the Cory Merrill Safe Routes to School project webpage. Project information for the East Jewell Avenue project is no longer available online; department staff confirmed the file path as described in the report.}

Residents would likely not have this necessary context to know how to successfully access specific project information without webpage navigation cues that are meaningful to them — such as neighborhood names or mapped project locations.

Leading practices in government transparency say that, “in a transparent government, citizens and business leaders can obtain the information they need to understand how important decisions that affect their well-being are made.” To foster the public’s effective use of government data, information needs to be easily accessible, timely, structured, and usable.\footnote{The National Coalition for Dialogue and Deliberation, “Resource Guide on Public Engagement” (2010), accessed July 2, 2021, https://ncdd.org/rc/item/4471/.}


Furthermore, leading practices say flexibility in how an organization communicates public notices ensures the notices can actually reach diverse communities — meaning equity and inclusion may be difficult to achieve when the government provides only limited ways to access information.\footnote{See items A(iii), B, and O of Appendix B for the full citation of the sources cited.}

To ensure more voices are heard, they recommend using a variety of strategies.\footnote{See items B and D of Appendix B for the full citation of the sources cited.} While these sources speak broadly to engagement efforts overall, the same concepts can be applied to providing required public notice — which establishes the minimum level of outreach for an informed and engaged community.
State guidance also encourages local governments to consider multiple ways of disseminating information. Colorado law intends for local governments to transition to providing digital notice while still allowing for physical postings.\(^{56}\)

State law says, at a minimum, this notice should be provided on a local government’s website — but other digital methods, like social media, are also encouraged. And, to the extent possible, local governments should make digital notices searchable by the type of meeting, the date, the time, the contents of the agenda, and any other category deemed appropriate.\(^{57}\)

Features of accessible and user-friendly websites include:

- Decision-making information, such as an explanation of an agency’s decision-making process and how to participate in it.
- Meeting notices, agendas, and other relevant documents for all upcoming and ongoing public events — with translations, as appropriate.
- Contact information for staff who can answer questions.\(^{58}\)

Leading practices on website usability design specify that government entities should create their websites using the mindset of the average resident. If an agency builds its webpage without considering what residents want and need to know, then the webpage may not help residents find the information they need.\(^{59}\)

We compared Denver’s practices with other selected city websites — such as those of some Colorado cities and other relevant major cities across the country. We found some of these cities centralize their public notices and public engagement opportunities.

Specifically, the websites for the City of Lakewood, Colorado, and the City of Boston provide more accessible notices than Denver’s website by either:

- Offering search results and filters specific to public notice, such as with Lakewood’s website.
- Having a main menu option exclusively for public notices, such as on Boston’s website.\(^{60}\)

The websites for Lakewood and the City of Boulder, Colorado, both have dedicated portals for visitors to find project information and identify

\(^{56}\) Open Meetings Law, Colo. Rev. Stat. § 24-6-402 (2)(c)(II & III).

\(^{57}\) Open Meetings Law.


\(^{59}\) Institute for Local Government, “Local Agency Website Transparency Opportunities.”

engagement opportunities, such as public meetings or contact information where the public can provide input to the city.\(^{61}\)

Additionally, Lakewood’s website has an interactive map for neighborhood projects where visitors can enter a physical address and see the details of projects affecting their local area. Boston’s website provides a similar map for transportation projects where visitors can select a project from the map and then go to the project’s webpage to find upcoming project activities and city contact information for that project.\(^{62}\)

The City Lacks a Comprehensive and Centralized Approach to Public Notice and Engagement

The cause for these limitations in Denver residents' ability to access some public notices and engagement-related information is that the city lacks a comprehensive and centralized approach to providing public notice information and for notifying the public about opportunities to participate in decision-making. The city’s comprehensive plan includes a goal to “empower Denverites to be involved and collaborative in city government,” but the plan did not assign leadership roles to accomplish such goals at a citywide level.\(^{63}\)

City officials noted challenges related to the silo effect that comes when each agency coordinates its own engagement activities — such as that the city is not ensuring its various agencies inform community members in a consistent manner and that community members have consistently positive experiences with all city agencies. But the city is taking steps to address that.

Earlier this year, the city moved to a new content management system

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as part of its ongoing redesign of denvergov.org to improve visitors’ experiences. In advance of that, the city commissioned a marketing study in 2019 that identified gaps in features and information posted on the website compared to residents’ needs.

New features discussed as part of the planned redesign included creating a site structured more on a resident’s perspective than the city’s and providing the opportunity for residents to sign up for email notifications of public notices.

Through the duration of our audit, we continued to see new features being added to the city’s website by the city’s Technology Services agency, but not all planned or recommended features were available for evaluation before we concluded our fieldwork in July.

Technology Services staff said they hoped to make progress by the end of the summer. Because the work was ongoing, we offer recommendations for the Mayor’s Office and Technology Services to incorporate, as the Mayor’s Office sets and communicates expectations for city agencies and Technology Services manages the website redesign.

Without a more comprehensive and centralized approach to providing information about public notices and engagement opportunities, residents may not know about or be able to fully access the information and opportunities the city provides.

Residents who are not reached through the minimum required methods of public notice may not receive full and timely information about city decisions affecting their lives. Furthermore, adhering only to public notice requirements — as opposed to going above and beyond — may result in missed opportunities for the city to engage with the public as it develops projects and community members may not know those opportunities for input exist.

As a result, the city’s efforts to engage residents — including its public notice activities — may not be as effective as they could be and the city is likely not reaping the full benefits of public participation, such as increasing the public’s trust in government and arriving at more effective solutions to community issues.
**1.6 RECOMMENDATION**

**Improve Accessibility of Notice and Engagement Information**

The Mayor’s Office should work with the city’s Technology Services agency to improve the accessibility of public notice and engagement information on the city’s website to improve residents’ access. At a minimum, this should include determining the feasibility of the following methods — among any others the Mayor’s Office and Technology Services choose to consider — and developing and documenting an implementation plan:

- Adding searchable, interactive neighborhood maps with agency project information.
- Developing a centralized repository for all public meeting notices and engagement opportunities for city agencies under the purview of the Mayor’s Office.
- Enhancing connections between the city’s events calendars and agencies’ events calendars for project engagement opportunities, meetings, and staff contacts.

**AGENCY RESPONSE:** AGREE, IMPLEMENTATION DATE – APRIL 30, 2022

SEE PAGE 62 FOR THE AGENCY’S FULL RESPONSE TO OUR RECOMMENDATIONS.

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**The City and Some Individual Agencies Lack Standard Guidance and Defined Expectations for Engaging the Public**

For the case studies we reviewed, we did observe city agencies going beyond the limited public notice requirements to inform and engage the community. However, we found standards, expectations, and practices for this public engagement varied across the case studies.

Each agency’s practices, when compared to leading practices, had gaps and we found no citywide standards or expectations exist to guide agencies in their public engagement and outreach efforts — which likely contributes to the inconsistencies we observed across the agency-level practices we reviewed.

We identified opportunities where more guidance — both at the city level and from management of individual agencies — could help city agencies better inform and engage residents. For example:

- During a three-year period, the Department of Community Planning and Development held numerous engagement activities across the city for the Group Living Text Amendment that were:

**PUBLIC ENGAGEMENT AND OUTREACH ACTIVITIES**

The city’s engagement and outreach activities may include:

- Hosting listening sessions, focus groups, and town hall meetings.
- Providing opportunities for public comment at public meetings.
- Distributing flyers and newsletters.
- Communicating via social media.
mostly aligned with leading practices, but the project had no formal guidance for these efforts.

- Similarly, the Department of Transportation & Infrastructure’s approach to engagement and outreach for the bike lane projects we reviewed varied and lacked formal guidance.
- Staff support roles for the 10 commissions under the agency for Human Rights and Community Partnerships are not well defined, and the commissions do not consistently or formally set strategic goals.

No Formal, Written Policies and Procedures Guide Public Engagement Activities for Text Amendment Projects

While we found the Group Living Text Amendment project aligned with many leading practices for public engagement and outreach, we also identified other leading practices the Department of Community Planning and Development did not use. Additionally, Community Planning and Development does not have formal, written policies and procedures to guide its engagement activities for text amendment projects.

The Group Living Text Amendment project spanned three years — from 2018 to 2021. Community Planning and Development initiated the project to implement aspects of the city’s land use and transportation plan, including “ensuring land use regulations support modern and equitable approaches to housing options, providing a more inclusive definition of households, and expanding the allowance of flexible and affordable housing types.”

In spring 2018, the department created the group living advisory committee. The advisory committee held public meetings and gathered input from affected populations to fulfill its role of developing recommendations to address problems with city zoning regulations.

Engagement efforts continued with additional public meetings of the advisory committee through spring 2020 and project presentations and e-newsletters through early 2021. The Group Living Text Amendment project concluded in February 2021 when the Denver City Council voted to pass the amendment during a public hearing.

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ALIGNMENT WITH LEADING ENGAGEMENT PRACTICES – Our comparison of Community Planning and Development’s public engagement and outreach activities with leading practices found the department included a broad range of opportunities for public participation throughout the project’s three-year timeline.66

More specifically, and as shown in Figure 4, Community Planning and Development’s efforts included:

- Assembling an advisory committee that held public meetings between March 2018 and May 2020 and was composed of more than 40 individuals from diverse backgrounds — such as community members, representatives of registered neighborhood organizations, providers and clients of group-living services, city officials, and design professionals.
- Offering more than 50 public presentations throughout the Denver metro area between March 2018 and January 2021.67
- Holding a public open house in 2018 and four open houses in 2020.
- Sending more than 20 e-newsletters and publishing numerous social media posts about the project, in addition to the project being featured in various stories by traditional media.

FIGURE 4. Public Engagement Activities for the Group Living Text Amendment Project, 2018-2021

<table>
<thead>
<tr>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>24 Group living advisory committee meetings.</td>
<td>12 Group living advisory committee meetings.</td>
<td>2 Group living advisory committee meetings.</td>
<td></td>
</tr>
<tr>
<td>4 Community presentations.</td>
<td>15 Community presentations.</td>
<td>37 Community presentations.</td>
<td>2 Community presentations.</td>
</tr>
<tr>
<td>1 Open house.</td>
<td></td>
<td>4 Open houses.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>15 Days of community office hours.</td>
<td>4 Days of community office hours.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3 Planning Board meetings.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>6 City Council land use, transportation, and infrastructure committee meetings.</td>
<td></td>
<td>2 City Council meetings including final approval of Group Living Text Amendment.</td>
</tr>
</tbody>
</table>

Note: Appendix D provides a detailed list of which groups received the department’s presentation.

Source: Created by Auditor’s Office staff using documentation from the Department of Community Planning and Development.

66 See items B, F, J, K, and L of Appendix B for the full citation of the sources cited.

67 Appendix D provides a detailed list of the public presentations the department held for the Group Living Text Amendment from 2018 through 2021.
Community Planning and Development also posted a significant volume of information on the Group Living Text Amendment’s webpage, collected public comments online and at public meetings, and posted all comments to the text amendment’s webpage for public review. The public comments were used to develop thematic groups of public input, divided by areas of public support and opposition, and then presented to the Planning Board and the City Council.\textsuperscript{68}

Community Planning and Development staff said they incorporated the public comments into the draft proposal — resulting in various drafts that showed the language changing over time based on the public’s feedback. These drafts were also posted on the text amendment’s webpage.

Overall, we found these Community Planning and Development activities to be consistent with many leading practices we identified and representative of the “robust” community input process described in the city’s land use and transportation plan.\textsuperscript{69}

For example, the Colorado Department of Local Affairs’ guide for encouraging community involvement says local governments need to do more than meet legal requirements for public hearings to gain the public’s participation and support for planning-related policies and regulations.\textsuperscript{70}

Specifically, the state’s tips for involving the public include:

- Forming committees.
- Giving presentations to community groups and clubs.
- Holding community open houses.
- Holding neighborhood meetings.
- Using Facebook, Twitter, YouTube, and other social media.
- Having a website with up-to-date information on planning projects, meetings, and hearings.
- Collecting public comments.

Although we observed alignment with several leading practices, having more formal direction would allow Community Planning and Development to strengthen its engagement practices for future text amendments.

\textbf{WAYS TO IMPROVE ENGAGEMENT PRACTICES} – The Department of Community Planning and Development completed its engagement efforts for the Group Living Text Amendment without the direction of formal policies and procedures and without an engagement plan for the project.

\textsuperscript{68} The Department of Community Planning and Development and the Denver Planning Board review and recommend amendments to the zoning code, while the City Council decides whether to approve proposed amendments.


In addition to the lack of formal guidance, we noted some leading practices were absent. Specifically, the department did not have a process for confirming with the public that their input was received or informing the public how their input would be used. It also lacked processes for evaluating the effectiveness of its engagement efforts and gauging the public’s satisfaction with the engagement methods it used.

The areas we observed to be missing from the text amendment process included:

- **FORMALIZED POLICIES AND PROCEDURES FOR TEXT AMENDMENTS** – The U.S. Government Accountability Office says management should implement consistent and documented policies and procedures to assist staff in performing their roles.⁷¹

  This criteria for policies and procedures — coupled with internal guidance documents available in the Department of Community Planning and Development that it uses for other types of projects — formed the basis of our evaluation of policies and procedures for text amendment projects.

  Community Planning and Development's Planning Services Division prepares citywide, neighborhood, and small-area plans. The division's staff also includes the regulatory planning team that works on both map amendments (i.e., rezoning) and text amendments. We found Planning Services has formalized policies, procedures, and guides that apply to engagement efforts for its neighborhood and small-area planning activities and for map amendments.

  But these documents do not apply to text amendment projects, such as the Group Living project.

  These formalized policies and procedures include a community engagement guide and strategic plan for neighborhood and small-area planning and a staff guide for map amendments.⁷²

  Community Planning and Development also commissioned a report for neighborhood and small-area planning that reviewed existing strategies for community engagement and provided findings to improve the engagement process.⁷³

  Community Planning and Development staff said some of these resources — such as the community engagement guide for neighborhood and small-area planning that was finalized in March 2021 — were not available at the start of the Group Living Text Amendment project in 2018.

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⁷³ Idea Marketing, “Tailoring Outreach to Denver’s Underserved Communities” (2019).
However, the department could have leveraged the guidance from the commissioned report when designing the engagement efforts for the Group Living Text Amendment. The report found that, in at least one region of the city:

“[Residents had] a sense of distrust with the city’s process where residents feel the city is ‘checking a box’ when engaging the community. None of the participants felt the city had their, or their communities’, best interest at heart. They are hesitant to participate in anything city-related because they feel they will not be heard.”

The report offered suggestions for addressing these perceptions through best practices, such as:

▪ Determining the level of engagement to adequately meet the needs for a project and use this information to identify engagement and outreach strategies and the resources needed as part of an engagement plan.

▪ Ensuring all participants feel their input and time is valued by informing them when they will hear from the city next and explaining how their insights will be used — including by letting participants know the reasons why specific recommendations will not be included.

Similarly, the division’s strategic plan for neighborhood and small-area planning explains how to design engagement efforts, which also could have been used for the Group Living Text Amendment project. This strategic plan was issued in 2016 — two years before the Group Living Text Amendment project began — and lays out a three-stage planning process with detailed guidance to complete a customized public engagement plan at the start of that process.

Although this guidance from the strategic plan for neighborhood and small-area planning was not used for the Group Living Text Amendment, other activities were informally incorporated, including:

▪ Using a steering committee.

▪ Holding public meetings.

▪ Sending newsletters.

▪ Establishing a project webpage.

▪ Using social media.

Additionally, Community Planning and Development collected public comment throughout the project using a process that appears to have aligned with the one outlined in the department’s staff guide for map amendments. This included organizing public comments, tallying approval and opposition, and supplying those results at public hearings.

74 Idea Marketing.
• **LEADING PRACTICES FOR ENGAGEMENT** – Although the Department of Community Planning and Development’s engagement activities aligned with many leading practices, we identified several ways the department could improve its public engagement for text amendments.

First, the public input process for the Group Living Text Amendment project informally followed the department’s guidance for map amendment projects — which says collecting public comments serves to support the City Council’s decision-making — but that guidance does not outline any responsibilities for Community Planning and Development to respond to the comments it receives.

Leading practices for public engagement and participation say collecting feedback alone is not sufficient. Specifically, experts say members of the public should be:

- Kept informed.
- Listened to.
- Have their concerns acknowledged.
- Receive feedback on how their input influenced a decision.\(^75\)

Additionally, organizations should respond to public input in a timely and consistent manner — which requires having formal processes and coordinated mechanisms.\(^76\) At a minimum, public input should be promptly acknowledged to ensure members of the public that their communication was received and is being considered — such as with an auto-reply email.\(^77\)

Second, Community Planning and Development did not set any overall goals for public engagement and outreach for the Group Living Text Amendment project or establish related metrics. Specifically, Community Planning and Development did not have a process to evaluate the effectiveness of its engagement efforts and gauge community members’ satisfaction with the methods the department used.

Department staff said they determined success by looking at the number of people who attended public meetings and submitted written comments.

While the department issued a survey to residents attending one of the public meetings, its purpose was only to collect demographic data.

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from attendees — not to evaluate the engagement activities.

We found no further evidence of a self-evaluation process for the Group Living Text Amendment project — although Community Planning and Development staff said that after the department completes major projects, it discusses its engagement efforts with both the Planning Board and the City Council.

Leading practices say government entities should ask for participants' feedback about the government's efforts during an engagement and collect input on how individuals participate. In addition, after an engagement effort has concluded, entities should hold a lessons-learned evaluation to discuss successful and unsuccessful strategies, which can help to refine an entity's understanding of participants' values, interests, and concerns to the benefit of future engagement efforts.

The Planning Services Division has a process for self-evaluation through a lessons-learned evaluation specified in its community engagement guide for neighborhood and small-area planning. In future engagement plans for text amendments, the department should incorporate a similar requirement to develop performance measures and to document the results of a self-assessment.

Meanwhile, Planning Services’ guidance for neighborhood and small-area planning says a public engagement plan should be developed early on in a project, while a report commissioned by the department supports that it is a leading practice to determine the level of engagement necessary to support drafting an engagement strategy.

Furthermore, the community engagement guide for neighborhood and small-area planning — which is the most recent guidance document Planning Services developed — says staff should create a plan that identifies the specific engagement and outreach activities they should conduct throughout a project’s duration. The plan should:

- Be developed after reviewing key lessons learned from previous engagement evaluations.
- Include information on the types of engagement activities.
- Have a specific scope of activities.
- Incorporate a graphic that communicates the overall process and how public input will inform decisions at each step.
- Have a communications plan for outreach activities.
- Include performance measures.

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79 Institute for Local Government, “Effective Public Engagement through Strategic Communication.”
Community Planning and Development staff have operated without formal policies and procedures for engagement activities associated with text amendments because few text amendments are completed each year. Therefore, staff considered this guidance not as necessary as it might be for other, more frequently occurring types of department-led projects.

While staff acknowledge that guidance from the neighborhood and small-area planning documents could be used to develop guidance documents for text amendments, they cited a lack of resources in doing so.

In the interim, the absence of formal guidance for engaging the public on text amendment projects could result in missed opportunities for meaningful engagement with the public and inconsistent engagement on projects of similar scale and impact but that are initiated through different programs. Furthermore, city staff may overlook key engagement activities for a project, such as building community members’ trust using a formal process to respond to feedback.

• **LACK OF CITY-LEVEL GUIDANCE FOR ENGAGEMENT** – In addition to gaps in the department’s guidance, we discovered no citywide standards exist that relay expectations for the public engagement process and what that process should include — such as setting goals for public participation, using methods to achieve inclusion, or developing criteria for creating formal engagement plans.

When we looked at other Colorado cities’ practices, we identified examples of citywide frameworks that guide engagement activities for all city agencies in both Boulder and Fort Collins.80 Both frameworks reference aspects of the International Association for Public Participation’s core values, spectrum, and code of ethics.81

The frameworks provide common definitions and goals for engagement, outline steps that should be involved, and offer resources and support with the goal of providing meaningful, consistent, and useful public engagement. They also offer guidance on how to evaluate engagement efforts.

Specifically, Boulder’s plan calls for developing an engagement coordination committee that consists of 25 members from various city agencies to develop resources and training for other city staff with public engagement responsibilities, similar to concepts recommended by leading practices. According to the IBM Center for the Business of Government, “communities of practice” increase

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opportunities for staff to learn and share knowledge.\textsuperscript{82}

Without citywide guidance on expectations and important elements of the public engagement process that are developed and approved by the Mayor’s Office — or another agency as delegated by the Mayor’s Office — Denver’s city agencies are left to develop these processes on their own. This leads to inconsistencies across city operations.

For example, in addition to its effect on Community Planning and Development’s engagement efforts, this absence of a citywide framework may also have contributed to the inconsistencies we found in the Department of Transportation & Infrastructure and the agency for Human Rights and Community Partnerships.

Like the examples we identified from Boulder and Fort Collins, a citywide framework for Denver could offer all city agencies consistent guidance by setting common values and expectations and helping to standardize how the city engages residents using shared resources and training.

### 1.7 RECOMMENDATION

Create a Citywide Framework and Guidance for Engagement and Outreach

The Mayor’s Office and Denver Marketing Services, a division of the city’s Technology Services agency, should develop centralized guidance — such as a citywide framework for engagement — and offer formal networking opportunities, such as communities of practice, for the city staff responsible for public engagement.

These centralized efforts should include standardized training, a statement of the city’s values and expectations for engagement, and a description of guidance resources available for all public engagement staff. The establishment of communities of practice could include designating an individual or group that would serve as engagement experts and connect city staff with guidance resources.

**AGENCY RESPONSE: AGREE, IMPLEMENTATION DATE – APRIL 30, 2022**

SEE PAGE 62 FOR THE AGENCY’S FULL RESPONSE TO OUR RECOMMENDATIONS.

### 1.8 RECOMMENDATION Create Formal Policies and Procedures for Engagement

The Department of Community Planning and Development’s Planning Services Division should create formal policies and procedures for department-led text amendment projects to guide staff in conducting public engagement and outreach.

This guidance should identify the circumstances under which a formal engagement plan should be developed and specify that these plans must document — at a minimum — goals for the engagement effort, the process to be used in communicating with the public about input the department receives, and the process for self-evaluating the department’s engagement effort.

**AGENCY RESPONSE: AGREE, IMPLEMENTATION DATE – MARCH 31, 2022**

SEE PAGE 66 FOR THE AGENCY’S FULL RESPONSE TO OUR RECOMMENDATIONS.

### 1.9 RECOMMENDATION Develop Process for Responding to Public Input

The Department of Community Planning and Development’s Planning Services Division should establish a process for responding to the public directly about input provided to the department — such as auto-reply emails to let individuals know their input was received and how it will be considered in the process, including contact information for the department staff leading a project.

**AGENCY RESPONSE: AGREE, IMPLEMENTATION DATE – MARCH 31, 2022**

SEE PAGE 66 FOR THE AGENCY’S FULL RESPONSE TO OUR RECOMMENDATIONS.

### 1.10 RECOMMENDATION Develop Engagement Evaluation Tool

The Department of Community Planning and Development’s Planning Services Division should develop an evaluation tool to assess the public’s feedback on the division’s engagement activities, such as the format of public meetings, the time allotted for questions and answers, and the ways the department collects public input. The division should implement this tool by providing it to community members who participate in an engagement activity to assess whether these activities are meeting the public’s needs and expectations.

**AGENCY RESPONSE: AGREE, IMPLEMENTATION DATE – MARCH 31, 2022**

SEE PAGE 66 FOR THE AGENCY’S FULL RESPONSE TO OUR RECOMMENDATIONS.
**RECOMMENDATION**

Establish Self-Evaluation Process

The Department of Community Planning and Development’s Planning Services Division should establish a process to measure the success of engagement efforts for department-led text amendment projects through a lessons-learned review, and it should document the results of this self-evaluation.

**AGENCY RESPONSE:** AGREE, IMPLEMENTATION DATE – MARCH 31, 2022

SEE PAGE 66 FOR THE AGENCY’S FULL RESPONSE TO OUR RECOMMENDATIONS.

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**Transportation & Infrastructure Lacks Clarity on How to Use the Department’s Resources for Public Engagement**

By examining the two selected bike lane installation projects, we observed a lack of clear direction as to how and when Department of Transportation & Infrastructure staff should use the department’s public engagement resources — such as its Office of Community and Business Engagement, public information consultants, and community designers.

For the two projects we reviewed, we found project delivery staff were primarily responsible for leading public engagement and that the public engagement resources and support for both projects varied.

**INVOLVEMENT OF THE OFFICE OF COMMUNITY AND BUSINESS ENGAGEMENT** – We observed a lack of clarity on Community and Business Engagement’s role and responsibilities for public engagement activities.

Staff said the office provides strategies and guidance for engagement and outreach across the department. In addition to providing guidance through a community engagement guide, the office also supports project teams — including the bike lane installation project teams — by helping to develop engagement strategies, communicating with residents and stakeholders, and ensuring staff incorporate public input in a project’s design where possible.

However, it is not clearly defined when and in what capacity the office should help with bike lane installation projects.

For example, the project team for the East Jewell Avenue bike lane installation requested support from Community and Business Engagement staff only after community members raised significant concerns. Once involved, office staff identified affected residents and stakeholders, scheduled meetings, assessed how public input could be incorporated into the final design, and communicated with residents.

By comparison, the East Florida Avenue bike lane installation project was not subject to similar community concern, so the project received minimal...
support from Community and Business Engagement staff.

**IN VolvemenT OF PUBLIc INfORMATIoN CONSULTANTS** – The Department of Transportation & Infrastructure hires public information consultants using annual contracts to provide engagement and outreach services at the subprogram level.

Despite not being explicitly included in the contracts' scope of work, the East Jewell Avenue bike lane installation project did receive support from the department's public information consultant. The East Florida Avenue bike lane project did not.

For the East Jewell Avenue project, the consultant helped coordinate engagement and outreach by maintaining public input.

**IN VolvemenT OF COMMUNITY DESIGNERS** – Community designers in the Department of Transportation & Infrastructure are tasked with maintaining relationships with their assigned communities, staying connected with registered neighborhood organizations, and serving as the main contacts for City Council members.

Similar to other public engagement resources the department has, these personnel were used differently across the two bike lane installation projects we assessed. For the East Jewell Avenue project, the community designer provided support by helping design the public engagement strategy only after community pushback. For the East Florida Avenue project, the community designer took on a leadership role by designing and conducting engagement and outreach at the onset of the project.

The absence of clearly established roles for these department resources is not consistent with leading management practices — likely because the department lacks formal, documented policies and procedures. The U.S. Government Accountability Office says management should assign responsibility and delegate authority to key roles in the organization, and it should clearly define objectives, those responsible for achieving them, and the time frames for doing so. The GAO also says these actions should be documented in policies and procedures.

During the audit, we found Transportation & Infrastructure's existing public engagement- and outreach-related procedures were outdated and that, although they were no longer in effect, the department was still using them informally to direct projects.

Staff told us the Office of Community and Business Engagement's community engagement guide was intended to replace all existing engagement- and outreach-related policies and procedures. However, this new guide was not finalized until April 2021 and, therefore, was not in effect at the time the two bike lane projects were completed in summer 2020.

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84 U.S. Government Accountability Office.
Furthermore, the community engagement guide was created to provide general guidance on when and how to engage community members so there would be consistency across the department, but we found it does not fully replace prior policies and procedures. When compared to those, the community engagement guide lacks detailed guidance on:

- How and when to communicate project information to certain groups, such as registered neighborhood organizations and City Council representatives.
- How to distribute project materials to residents, including what should be provided online.
- How staff should handle public input.

Without detailed guidance and a more structured approach for engagement and outreach activities — including establishing clear responsibilities for those involved — Transportation & Infrastructure’s public engagement efforts are inconsistent across bike lane installation projects.

This results in disparities in the effectiveness of the department’s engagement with affected communities across the city. While individual projects may require different levels of involvement from department resources, it is difficult to determine what resources should have been used when without established responsibilities and guidance.

This lack of guidance on the various ways public engagement should occur for bike lane installation projects means residents may experience decreased or limited access to information, and engagement efforts may not follow leading practices. Furthermore, inconsistent handling of public input can mean the department might fail to consider the interests and concerns of the public.

1.12 RECOMMENDATION
Assess Expectations for the Office of Community and Business Engagement

The Department of Transportation & Infrastructure should assess the expectations for the Office of Community and Business Engagement, its staff resources, and the level and timing of support the office gives to bikes project teams. The results of this assessment should be documented.

AGENCY RESPONSE: AGREE, IMPLEMENTATION DATE – FEB. 1, 2022
SEE PAGE 55 FOR THE AGENCY’S FULL RESPONSE TO OUR RECOMMENDATIONS.
1.13 RECOMMENDATION  Develop, Document, and Implement Policies and Procedures

Based on the results of the assessment called for in Recommendation 1.12, the Department of Transportation & Infrastructure should develop, document, and implement policies and procedures for planning engagement efforts that include — at a minimum — clearly identifiable responsibilities of each collaborative partner (e.g., staff in the Office of Community and Business Engagement, public information consultants, and community designers) and the bikes project team to increase the consistency of public engagement and ensure effective collaboration on bike lane installation projects.

The developed policies and procedures should also include a formal process for handling public input.

AGENCY RESPONSE: AGREE, IMPLEMENTATION DATE – MARCH 1, 2022 SEE PAGE 55 FOR THE AGENCY’S FULL RESPONSE TO OUR RECOMMENDATIONS.

Key Operations and Guiding Documents Vary Significantly across Human Rights and Community Partnerships' Commissions

As advisory groups representing their communities’ interests to the mayor, the 10 commissions overseen by the agency for Human Rights and Community Partnerships are a method of public engagement.

As we discussed on page 16, the commissions operate independently. Agency staff liaisons provide meeting and other administrative support, while other agency support staff may also provide technical support to the commissions and liaisons as requested. In addition, city ordinance grants the executive director of the agency some review and approval authority of specific commission operations, including commission goals and objectives. Because volunteers run these commissions, our review and recommendations focused on how the human rights agency could better support commission operations.

We found the commissions’ required documents and some key operations vary significantly from commission to commission. These include the levels and types of support the human rights agency’s staff liaisons provide to the commissions and the extent to which each commission sets strategic goals.

CLARITY OF STAFF LIAISON ROLE – The agency for Human Rights and Community Partnerships assigns staff liaisons to provide meeting and administrative support to each of the 10 commissions. Liaisons also coordinate communication between city agencies and their assigned commissions.

Liaisons play different roles during commission meetings, when posting public notices, and when conducting public engagement and outreach.

Although we would expect some variation in the role based on the individual in it and the needs of each commission, we observed — and liaisons described to us — different levels of involvement with their commissions and the types of support they provide. For example, liaisons play varying roles during commission meetings, when posting public notices, and when conducting public engagement and outreach.

- **MEETING SUPPORT** — During commission meetings, some liaisons lead the meetings while others speak only when commissioners request clarification about city or agency processes.

- **POSTING NOTICES** — Liaisons reported a range of involvement regarding their role in posting the commissions’ meeting notices from having no role, to reminding commissioners about the notice requirements, to developing the meeting agendas, to sending agendas to other agency staff to post online, to directly posting the information themselves on a commission’s webpage.

- **INVOLVEMENT IN PUBLIC ENGAGEMENT AND OUTREACH** — Similarly, liaisons reported a range of involvement, from having no direct role, to providing administrative support for the commissions’ reports and other documents, to handling social media and regular communications like newsletters, to coordinating with community partners, to actively participating in all commission business as a member of the represented community.

Again, the U.S. Government Accountability Office says management should assign responsibility and delegate key roles to staff throughout the organization to ensure objectives are met. Management should establish expectations of competency for these key roles, provide relevant training to employees in those roles, and enforce accountability for personnel through performance evaluations. Management should also implement consistent and documented policies and procedures to assist staff in performing their responsibilities.

However, the agency for Human Rights and Community Partnerships has no policies and procedures for how its staff liaisons should perform their job duties. Although some written guidance is offered in presentations on the appointment process for new commissioners, the agency addresses other liaison responsibilities informally through monthly meetings and discussions. Neither of these methods are documented.

When we asked about challenges they face and improvements they would like to see, some liaisons said they want standardized expectations for their duties and time commitments — as well as better-defined processes, guidance, and templates.
Liaisons also said they want more training and orientation both for themselves and for commissioners, specifically related to marketing and communications and commission operations.

**VARIATIONS IN STRATEGIC PLANNING** – City ordinance requires each of the 10 commissions to develop and present goals and objectives to Human Rights and Community Partnerships’ executive director and the agency’s advisory board each year.⁸⁹ Examples of commission goals reported to us include developing specific resources for their communities, implementing awareness campaigns about issues affecting their communities, and supporting educational and economic stability within their communities.

While we would expect each commission’s goals and objectives to vary based on their community’s needs, we identified issues with the degree to which each commission establishes the required goals and objectives and how the commissions report those goals and objectives to the agency for Human Rights and Community Partnerships.

The U.S. Government Accountability Office says management should clearly define the organization’s goals and objectives in specific and measurable terms along with the operations necessary to achieve those objectives.

“Specific” terms clearly define what is to be achieved, who is to achieve it, how it will be achieved, and the time frames for achievement. “Measurable” terms allow the organization to assess its performance toward achieving objectives.⁹⁰ Furthermore, management should identify “effective” and “efficient” operations linked to each objective — that is, tasks that achieve the intended results with minimal waste of resources. Strategic plans should outline these goals, objectives, and linked operations.⁹¹

Only three of the 10 commissions provided documentation of what could be considered formal strategic goals that clearly establish goals and prescribe associated activities for each. Some of these also set time frames and assign responsibility for each goal to specific commission.

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⁸⁹ Denver Revised Municipal Code § 28-23 (3).
subcommittees and partners. Two commissions had documented goals but did not say how those would be achieved. The other five commissions provided some evidence of either informal discussions of goals or evidence that they had postponed this process because of the pandemic.

Leading practices in public engagement also emphasize the importance of establishing goals through a planning process. They call for professionals who work in public engagement to consider goals, audience, and resources when designing engagement activities. Additionally, they call for having mechanisms that allow for effective coordination between entities working on shared projects and they recommend reporting annually on the status of engagement-related efforts.

Managers in the agency for Human Rights and Community Partnerships said they do not expect each commission to engage in a similar goal-setting process. Although goals and objectives are verbally reported to the agency’s executive director, the commissions do not formally report them in writing nor does the agency review them for overlap to identify areas for potential coordination or track the commissions’ activity toward reaching their goals. Managers said some discussion of goals occurs in monthly meetings with the commission chairs and the Human Rights and Community Partnerships Advisory Board.

In reviewing the meeting minutes for both 2021 meetings with the chairs and the advisory board, we found some unstructured discussion of goals. Most references to goals were statements about the challenges of keeping up with shared goals and interests among commissions and not having the means to easily identify and coordinate shared goals.

Some references to goals were statements about whether they had been established generally, and only one commission shared details about its established goals, according to the minutes. Although these meetings offer the chance to coordinate, there is no process to ensure agency management and the commissions identify all such opportunities. Rather, whether an opportunity is identified depends on what information a commissioner chooses to share in a meeting.

**THE BENEFITS OF MORE STRUCTURE** – By providing more guidance and formal support, the agency for Human Rights and Community Partnerships and its commissions would be better able to ensure they comply with local requirements for open meetings. It would also help the agency ensure the commissions operate well and that they effectively engage with and represent their communities.

As we discussed starting on page 16, we observed a pattern of noncompliance across the commissions as it relates to complying with the

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city’s open meetings requirements — and we also identified conflicting provisions in the commissions’ bylaws related to how they hold meetings. This noncompliance limits the public’s ability to participate in government decision-making and can erode the public’s trust in government.

Furthermore, by providing more structure around how commissions should report their goals and by developing a procedure to review and track the commissions’ progress toward achieving those goals, Human Rights and Community Partnerships could better assist the commissions in identifying opportunities to collaborate as well as increase their accountability for making progress toward their stated goals.

In the interim, interested parties — like agency management, other commissions, and the public — may find it difficult to assess the effectiveness of the commissions’ operations and chosen strategies, as we did.

For example, the commissions’ use of social media varies greatly. These practices ranged from having no presence on any platform, to posting limited advertising of meeting notices, to posting on community issues and events infrequently, to posting on community issues and events frequently. Some commissioners reported wanting to increase their commission’s presence on social media, but without a strategic goal-setting process, these efforts may be misguided.

Experts in public engagement caution against relying on any single method for engagement, as no one method works for all situations. To ensure more voices are heard, they recommend organizations use a variety of strategies and channels.

In the same way a commission’s goals and objectives should vary based on the needs of the community it represents, engagement and outreach strategies should vary based on goals, audiences, and resources. A thoughtful planning process is critical for understanding how many and which strategies will provide the most effective progress toward a commission’s goals.

For example, some commissions’ communities may not be easily reached on social media or may prefer some platforms over others. By engaging in strategic planning and by linking activities with stated goals and objectives, the commissions would be better positioned to select the most effective combination of methods and receive the most benefit from their limited resources as volunteers.

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95 See items A(iii), B, and O of Appendix B for the full citation of the sources cited.

1.14 RECOMMENDATION Identify Areas to Standardize

The agency for Human Rights and Community Partnerships should review how it supports its 10 commissions to identify areas where standardizing job expectations, templates, tools, and processes may help the commissions comply with city requirements and operate more effectively. Specifically, the agency should review the support it provides through staff liaisons and it should review the commissions’ practices related to establishing goals and objectives, among other practices as necessary.

AGENCY RESPONSE: AGREE, IMPLEMENTATION DATE – APRIL 1, 2022
SEE PAGE 58 FOR THE AGENCY’S FULL RESPONSE TO OUR RECOMMENDATIONS.
AUDITOR’S ADDENDUM: SEE PAGE 69.

1.15 RECOMMENDATION Work with Stakeholders to Develop Standardized Processes

After implementing Recommendation 1.14, the agency for Human Rights and Community Partnerships should work with relevant stakeholders — like commissioners, staff liaisons, and other agency and city staff — to develop standardized expectations, processes, templates, tools, and technology resources to streamline how its 10 commissions and support staff share information and manage the commissions’ documentation.

AGENCY RESPONSE: AGREE, IMPLEMENTATION DATE – APRIL 1, 2022
SEE PAGE 58 FOR THE AGENCY’S FULL RESPONSE TO OUR RECOMMENDATIONS.
AUDITOR’S ADDENDUM: SEE PAGE 69.

1.16 RECOMMENDATION Develop Management Review Procedures

The agency for Human Rights and Community Partnerships should develop and implement review procedures to assess key activities required of its staff liaisons and its 10 commissions, including but not limited to setting and reporting goals and objectives on an annual basis.

AGENCY RESPONSE: AGREE, IMPLEMENTATION DATE – JULY 1, 2022
SEE PAGE 58 FOR THE AGENCY’S FULL RESPONSE TO OUR RECOMMENDATIONS.
AUDITOR’S ADDENDUM: SEE PAGE 70.
The city could improve how well it communicates with the commissions about how their input influences decision-making and policy.

**The City May Not Consistently Communicate How It Uses Input from Human Rights and Community Partnerships’ Commissions**

While having community advisory groups — like the 10 commissions under the agency for Human Rights and Community Partnerships — is a public engagement best practice, the city could improve how well it communicates with its commissions about how their input influences the city’s decision-making and policy.

**ALIGNMENT WITH LEADING ENGAGEMENT PRACTICES** — A core value of public participation is the concept that those affected by a decision have the right to be involved in the decision-making process, and government should use integrated processes to ensure affected individuals can participate.

Leading practices say local governments can increase engagement by creating commissions or advisory boards to assist in the design, implementation, and evaluation of public engagement efforts. Furthermore, local governments should have ways to ensure participation is representative — including of vulnerable segments of the population. Representation should consider both geography and demographics.

The National Civic League also says commissions should be representative and adopt bylaws. They might develop guidelines or make policy recommendations, and these commissions can be assigned a variety of roles, including implementing engagement efforts.

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**HUMAN RIGHTS AND COMMUNITY PARTNERSHIPS’ COMMISSIONS**

The 10 commissions overseen by the agency are:

- The African American Commission.
- The American Indian Commission.
- The Asian American Pacific Islander Commission.
- The Commission for People with Disabilities.
- The Commission on Aging.
- The Immigrant and Refugee Commission.
- The Latino Commission.
- The LGBTQ Commission.
- The Nonprofit Engagement Commission.
- The Women’s Commission.

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97 See items N and O of Appendix B for the full citation of the sources cited.


101 Working Group on Legal Frameworks for Public Participation.
The mission and purpose of Human Rights and Community Partnerships’ commissions align with these leading engagement practices. According to city ordinance, Denver created the 10 commissions to advise the mayor and city on the issues specific communities face and to make recommendations on city procedures, programs, and policies affecting those communities.102

Their roles and responsibilities — as outlined by Human Rights and Community Partnerships management — include advising and recommending action to the city as well as actively engaging in their communities, serving as a resource to them, and advocating on their behalf.

NEGATIVE PERCEPTIONS — Although the mission and purpose of the commissions align with leading practices, some commissioners and agency support staff have negative perceptions about how the commissions’ input is used in city decisions and how the city communicates that.103

We conducted a survey of the 10 commission chairs as part of our work to better understand their perspectives and experience. Some commissions have co-chairs and we also distributed the survey to them, but commissions could coordinate a single response. Our results include responses from 12 chairs and co-chairs representing all 10 commissions.104

The respondents’ perceptions on how much the city uses their commissions’ input in decision-making were evenly divided: four respondents said the city uses their commission’s input “a little,” four others said “a moderate amount,” and three said they did not know. Only one said they felt the city uses their commission’s input “a great deal.” Meanwhile, seven of the 12 respondents reported the city “rarely” communicates how their input is used. A core value of public engagement is that decision-makers provide feedback to the public regarding how their input influenced decisions.105

Some survey respondents noted a desire for the Mayor’s Office to be more involved and for them to receive more communication about how the city uses the commissions’ input in decision-making. Commissioners and the agency staff who support them said the Mayor’s Office has limited involvement in the commissions’ operations and they have no direct line of communication with the Mayor’s Office.

Additionally, members of the Human Rights and Community Partnerships

Most survey respondents reported the city “rarely” communicated how their input was used.

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103 See items J, K, N, and O in Appendix B for the full citation of the sources listed.
104 Two commissions provided a response from both their co-chairs. Because their responses varied, we included both responses in our analysis. One set of commission responses provided different responses for both questions on how the city uses commission input and communicates its use. The other set provided consistent answers to how the city uses commission input — both reported “I don’t know” — but varying responses for how the city communicates its use. See Appendix C for additional details on our survey methodology.
Advisory Board expressed frustration with the lack of feedback from the Mayor’s Office regarding progress on identified issues. They also indicated a desire for the agency to more clearly track how the city and the commissions follow up on commission recommendations and to more thoroughly communicate the progress made. Human Rights and Community Partnerships’ staff liaisons to the commissions echoed the desire for more effective communication and involvement from the mayor.

According to managers in the agency for Human Rights and Community Partnerships, commissioners’ expectations for more mayoral involvement are not realistic given the demands on the mayor’s time. Agency management and support staff are intended to serve in the mayor’s stead as his appointees and representatives.

While assigned liaisons are intended to coordinate communication between the commissions and the city, both managers and support staff in the agency for Human Rights and Community Partnerships have been affected by budget reductions, increases in turnover, and the resulting increase in remaining staff’s workload to absorb job duties — which may have increased the risk for gaps in communication.

However, by not informing the public — in this case, the commissioners who represent specific cultural and demographic populations in Denver — on how their input is considered, the city risks discouraging future engagement.

Specifically, the commissioners’ negative perceptions may discourage them from actively participating in commission business. They are volunteers, and the commissions struggle with recruitment in general. Negative perceptions about how much the city values their work could exacerbate this challenge.

The city and the agency for Human Rights and Community Partnerships could mitigate these risks by formalizing a process to ensure the city agencies that seek input from the commissions regularly communicate back to them as to how they considered and used the commissions’ input in decision-making.
<table>
<thead>
<tr>
<th>Recommendation</th>
<th>RECOMMENDATION</th>
<th>Work with the Mayor’s Office to Develop Communications Protocols</th>
</tr>
</thead>
</table>

The agency for Human Rights and Community Partnerships should work with the Mayor’s Office and other city agencies to define expectations for and a process by which the Mayor’s Office and the agencies under its purview regularly report to the 10 commissions regarding how the commissioners’ input was considered and used in the city’s decision-making and policy.

AGENCIES’ RESPONSES: AGREE, IMPLEMENTATION DATE – FEB. 2, 2022
SEE PAGES 58 AND 62 FOR THE AGENCIES’ FULL RESPONSES TO OUR RECOMMENDATIONS.
AUDITOR’S ADDENDUM: SEE PAGE 70.
AGENCIES’ RESPONSES TO AUDIT RECOMMENDATIONS

November 3, 2021

Auditor Timothy M. O’Brien, CPA
Office of the Auditor
City and County of Denver
201 West Colfax Avenue, Dept. 705
Denver, Colorado 80202

Dear Mr. O’Brien,

The Office of the Auditor has conducted a performance audit of Transparency: Public Notice and Engagement.

This memorandum provides a written response for each reportable condition noted in the Auditor’s Report final draft that was sent to us on October 14, 2021. This response complies with Section 20-276 (c) of the Denver Revised Municipal Code (D.R.M.C.).

AUDIT FINDING
Gaps in Structure, Guidance, and Oversight Limit the Public’s Ability to Access Information and Participate in Decision-Making on City Projects

RECOMMENDATION 1.1
The Department of Transportation & Infrastructure’s executive director should work with the director of the Street Maintenance Operations Division to develop, document, and implement a process for street maintenance staff to monitor and track contracted work to ensure all affected businesses and residents receive public notice for paving activities as required.

<table>
<thead>
<tr>
<th>Agree or Disagree with Recommendation</th>
<th>Target date to complete implementation activities (Generally expected within 60 to 90 days)</th>
<th>Name and phone number of specific point of contact for implementation</th>
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</thead>
<tbody>
<tr>
<td>Agree</td>
<td>05/01/2022</td>
<td>Terrell Phillips 720-337-1173</td>
</tr>
</tbody>
</table>

Narrative for Recommendation 1.1
DOTI concurs with this recommendation and will develop a procedure to implement a process for the department to monitor and track contracted work to ensure all affected businesses and residents receive public notice for paving activities as required.
RECOMMENDATION 1.12
The Department of Transportation & Infrastructure should assess the expectations for the Office of Community and Business Engagement, its staff resources, and the level and timing of support the office gives to bikes project teams. The results of this assessment should be documented.

<table>
<thead>
<tr>
<th>Agree or Disagree with Recommendation</th>
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</thead>
<tbody>
<tr>
<td>Agree</td>
<td>02/01/2022</td>
<td>Nicholas Williams 720-865-8709</td>
</tr>
</tbody>
</table>

Narrative for Recommendation 1.12
**DOTI** concurs with this recommendation and has implemented a written Community Engagement Guide to direct department program staff on public outreach expectations for projects (including but not limited to bike lane projects) as well as how and when to engage with the department’s Office of Community and Business Engagement.

RECOMMENDATION 1.13
Based on the results of the assessment called for in Recommendation 1.12, the Department of Transportation & Infrastructure should develop, document, and implement policies and procedures for planning engagement efforts that include — at a minimum — clearly identifiable responsibilities of each collaborative partner (e.g., staff in the Office of Community and Business Engagement, public information consultants, and community designers) and the bikes project team to increase the consistency of public engagement and ensure effective collaboration on bike lane installation projects.

The developed policies and procedures should also include a formal process for handling public input.

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<tr>
<td>Agree</td>
<td>03/01/2022</td>
<td>Nicholas Williams 720-865-8709</td>
</tr>
</tbody>
</table>

Narrative for Recommendation 1.13
**DOTI** concurs with this recommendation. We have implemented a Community Engagement Guide to guide (referenced in response to 1.13) which will be supplemented by development of specific contract terms dealing with engagement roles and responsibilities.
Please contact Peter Spanberger, Interim CFO at 303-446-3447 with any questions.

Sincerely,

Nicholas J. Williams
Nicholas Williams
Deputy Manager,Internal & External Affairs

cc: Valerie Walling, CPA, Deputy Auditor
    Katja E. V. Freeman, MA, MELP, Audit Director
    Emily Owens Gerber, Audit Manager
November 3, 2021

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AUDIT FINDING
Gaps in Structure, Guidance, and Oversight Limit the Public’s Ability to Access Information and Participate in Decision-Making on City Projects

RECOMMENDATION 1.2
The agency for Human Rights and Community Partnerships should review and revise the process by which meeting notices for its commissions are posted to ensure it leverages technology and available staff to help mitigate volunteer- and pandemic-related budget and staffing limitations.

<table>
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</thead>
<tbody>
<tr>
<td>Agree</td>
<td>April 1, 2022</td>
<td>Derek Okubo 720-913-8454</td>
</tr>
</tbody>
</table>

Narrative for Recommendation 1.2

RECOMMENDATION 1.3
After implementing Recommendation 1.2, the agency for Human Rights and Community Partnerships and its commissions should establish, document, and communicate clear expectations for all staff and volunteers responsible for posting meeting notices — including commissioners, staff liaisons, or other agency support staff who prepare meeting agendas and publicly post the notices.

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Narrative for Recommendation 1.3
Posting at the City and County Building is an outdated mandate and we will work with whomever it is to update this expectation. All meetings are currently virtual, and they are posted online.

**RECOMMENDATION 1.4**
After implementing Recommendation 1.3, the agency for Human Rights and Community Partnerships should include its internally established expectations in its employee performance evaluations for staff liaisons and agency support staff as well as in its training program for commissioners, liaisons, and other staff.

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<td>April 1, 2022</td>
<td>Derek Okubo 720-913-8454</td>
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</table>

Narrative for Recommendation 1.4

**RECOMMENDATION 1.5**
The agency for Human Rights and Community Partnerships should develop and implement procedures for management to review key activities required of commissioners, staff liaisons, and other agency support staff — including but not limited to those associated with complying with public meeting requirements and developing relevant governing documents.

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<td>Derek Okubo 720-913-8454</td>
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</table>

Narrative for Recommendation 1.5
The request for a Deputy Director position was approved by the Mayor for 2022. Managing commissions and liaisons to ensure systems and processes are in place and tracked on an ongoing basis will be one of her/his responsibilities.

**RECOMMENDATION 1.14**
The agency for Human Rights and Community Partnerships should review how it supports its 10 commissions to identify areas where standardizing job expectations, templates, tools, and processes may help the commissions comply with city requirements and operate more...
effectively. Specifically, the agency should review the support it provides through staff liaisons and it should review the commissions’ practices related to establishing goals and objectives, among other practices as necessary.

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<td>Agree</td>
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<td>Derek Okubo 720-913-8454</td>
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Narrative for Recommendation 1.14
Review and standardization is already in place, however, flexibility is also required. Each commission is unique, and a one size fits all approach is not culturally competent or appropriate. Goals and objectives often stay the same from year to year. We will make updates as appropriate.

RECOMMENDATION 1.15
After implementing Recommendation 1.14, the agency for Human Rights and Community Partnerships should work with relevant stakeholders — like commissioners, staff liaisons, and other agency and city staff — to develop standardized expectations, processes, templates, tools, and technology resources to streamline how its 10 commissions and support staff share information and manage the commissions’ documentation.

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Narrative for Recommendation 1.15
Technology is standardized across the board. Many of these practices are already in place, however, our commissions have different styles and methods of communicating and sharing information. A one size fits all approach is not culturally competent and flexibility is required in this area to allow for the unique aspects of each commission and the communities they represent.

RECOMMENDATION 1.16
The agency for Human Rights and Community Partnerships should develop and implement review procedures to assess key activities required of its staff liaisons and its 10 commissions, including but not limited to setting and reporting goals and objectives on an annual basis.
Narrative for Recommendation 1.16
This recommendation is redundant.

RECOMMENDATION 1.17
The agency for Human Rights and Community Partnerships should work with the Mayor’s Office and other city agencies to define expectations for and a process by which the Mayor’s Office and the agencies under its purview regularly report to the 10 commissions regarding how the commissioners’ input was considered and used in the city’s decision-making and policy.

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<tbody>
<tr>
<td>Agree</td>
<td>February 2, 2022</td>
<td>Derek Okubo 720-913-8454</td>
</tr>
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</table>

Narrative for Recommendation 1.17
Implementation Date: Ongoing – Mayor Hancock is scheduled to meet with commissions twice a year, however, as his schedule changes, so may the contact opportunities.

Please contact Derek Okubo, Executive Director, HRCP at 720-913-8454 with any questions.

Sincerely,

Derek Okubo
Executive Director, HRCP

cc: Valerie Walling, CPA, Deputy Auditor
Katja E. V. Freeman, MA, MELP, Audit Director
Emily Owens Gerber, Audit Manager
Tess Trewin, HRCP Administrative/Operational Supervisor
November 3, 2021

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AUDIT FINDING
Gaps in Structure, Guidance, and Oversight Limit the Public’s Ability to Access Information and Participate in Decision-Making on City Projects

RECOMMENDATION 1.6
The Mayor’s Office should work with the city’s Technology Services agency to improve the accessibility of public notice and engagement information on the city’s website to improve residents’ access. At a minimum, this should include determining the feasibility of the following methods — among any others the Mayor’s Office and Technology Services choose to consider — and developing and documenting an implementation plan:
• Adding searchable, interactive neighborhood maps with agency project information.
• Developing a centralized repository for all public meeting notices and engagement opportunities for city agencies under the purview of the Mayor’s Office.
• Enhancing connections between the city’s events calendars and agencies’ events calendars for project engagement opportunities, meetings, and staff contacts.

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<tbody>
<tr>
<td>Agree</td>
<td>04/30/22</td>
<td>Jenny Schiavone, Chief Marketing Officer, 720-865-2301</td>
</tr>
</tbody>
</table>

Page 1 of 4
Narrative for Recommendation 1.6
The Mayor’s Office will work with Technology Services – specifically the city’s Chief Marketing Officer, the citywide marketing department, and the GIS and data department – to determine the feasibility of developing searchable, interactive neighborhood maps that highlight agency project information for integration on the city’s website, Denvergov.org, as well as developing a centralized repository for public meeting notices and enhancing connections between citywide and agency-level web calendars. A feasibility study will commence in the first quarter of 2022 and is expected to take a minimum of 90 days. If these functionalities and enhancements are determined to be feasible, an implementation plan will be developed to include: budget, resource, and agency participation requirements, as well as an implementation timeline. If the recommended functionalities and enhancements are determined to be feasible, the development of an implementation plan and timeline will take an additional 30 days.

RECOMMENDATION 1.7
The Mayor’s Office and Denver Marketing Services, a division of Technology Services, should develop centralized guidance — such as a citywide framework for engagement — and offer formal networking opportunities, such as communities of practice, for the city staff responsible for public engagement.

These centralized efforts should include standardized training, a statement of the city’s values and expectations for engagement, and a description of guidance resources available for all public engagement staff. The establishment of communities of practice could include designating an individual or group that would serve as engagement experts and connect city staff with guidance resources.

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<tbody>
<tr>
<td>Agree</td>
<td>04/30/22</td>
<td>Theresa Marchetta, Director of Strategic Communications and Media Policy 720-865-9035</td>
</tr>
</tbody>
</table>

Narrative for Recommendation 1.7
The 2022 budget includes $75,000 to hire a consultant to do a citywide community engagement assessment and make recommendations based on well-established best practices in community engagement that reflect the city’s priorities of equity and accessibility. Following this assessment, the Mayor’s Office will work with Technology Services – specifically the city’s Chief Marketing Officer and the citywide marketing
department – to develop centralized guidance for public engagement for agency and department marketing and communications staff. This framework will include values and expectations for public or community engagement, as well as guidelines and best practices. This framework will be socialized and presented to the citywide marketing/communications working group – the existing community of practice and expertise in this area – during a standing, bi-weekly meeting and included in the citywide marketing department’s onboarding, training, and best practices resources provided to all marketing/communications professionals when they join the city. This framework will also be available to city marketing/communications professionals through our shared Teams environment. The creation of this framework will begin in the first quarter of 2022 and will involve input from agency and department marketing/communications professionals. The framework is expected to take 90 days to complete.

RECOMMENDATION 1.17
The agency for Human Rights and Community Partnerships should work with the Mayor’s Office and other city agencies to define expectations for and a process by which the Mayor’s Office and the agencies under its purview regularly report to the 10 commissions regarding how the commissioners’ input was considered and used in the city’s decision-making and policy.

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<tr>
<td>Agree</td>
<td>February 2, 2022</td>
<td>Derek Okubo, Executive Director of HRCP 720-913-8454</td>
</tr>
</tbody>
</table>

Narrative for Recommendation 1.17
Mayor Hancock meets with the 10 commissions twice a year, however the last 20 months of the pandemic have pushed the commissioners and staff liaisons to adjust to a virtual environment. As we move back to more in person meetings, agencies and Mayor’s Office staff are available to meet with any of the commissions at any time and a Mayor’s Office representative is attending the Advisory Board meetings to hear directly from the commissions on a monthly basis.

Please contact Theresa Marchetta at 720-865-9035 with any questions.
Sincerely,

Theresa Marchetta
Director of Strategic Communications and Media Policy

cc: Valerie Walling, CPA, Deputy Auditor
Katja E. V. Freeman, MA, MELP, Audit Director
Emily Owens Gerber, Audit Manager
Evan Dreyer, Deputy Chief of Staff and Chief Strategy Officer
Jenny Schiavone, Technology Services Chief Marketing Officer
November 3, 2021

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Office of the Auditor
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AUDIT FINDING
Gaps in Structure, Guidance, and Oversight Limit the Public’s Ability to Access Information and Participate in Decision-Making on City Projects

RECOMMENDATION 1.8
The Department of Community Planning and Development’s Planning Services Division should create formal policies and procedures for department-led text amendment projects to guide staff in conducting public engagement and outreach.

This guidance should identify the circumstances under which a formal engagement plan should be developed and specify that these plans must document — at a minimum — goals for the engagement effort, the process to be used in communicating with the public about input the department receives, and the process for self-evaluating the department’s engagement effort.

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<tr>
<td>Agree</td>
<td>3/31/2022</td>
<td>Kyle Dalton, Regulatory Planning Manager (720) 865-2972</td>
</tr>
</tbody>
</table>

Narrative for Recommendation 1.8
Group Living was the first major text amendment project to update the Denver Zoning Code. Since then, Community Planning and Development has improved engagement and outreach.
planning for new text amendment projects, which has included drawing upon formal guidance already created for neighborhood planning. We are continuing this work by creating formal documentation to guide future text amendments.

**RECOMMENDATION 1.9**
The Department of Community Planning and Development’s Planning Services Division should establish a process for responding to the public directly about input provided to the department — such as auto-reply emails to let individuals know their input was received and how it will be considered in the process, including contact information for the department staff leading a project.

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<tr>
<td>Agree</td>
<td>3/31/2022</td>
<td>Laura Swartz, Communications Manager 720-865-2947</td>
</tr>
</tbody>
</table>

**Narrative for Recommendation 1.9**
Community Planning and Development has recently switched to a new website and online form platform, which makes it easier for residents to submit questions and comments, improves our ability to track this input, and includes mechanisms for letting people know their input was received. Using these new tools, we are working to strengthen our communication with the public on how their input is considered in the text amendment process.

**RECOMMENDATION 1.10**
The Department of Community Planning and Development’s Planning Services Division should develop an evaluation tool to assess the public’s feedback on the division’s engagement activities, such as the format of public meetings, the time allotted for questions and answers, and the ways the department collects public input. The division should implement this tool by providing it to community members who participate in an engagement activity to assess whether these activities are meeting the public’s needs and expectations.

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</table>
Narrative for Recommendation 1.10
Community Planning and Development continually strives to improve public engagement by offering a variety of in-person and digital activities that are designed for a range of audiences, including small groups facilitated by partner organizations, public events and fairs, hands-on workshops, virtual open houses, online surveys, and more. We will develop a tool to measure public feedback on format, content, and value of these approaches and will incorporate this feedback as we design future engagement activities.

**RECOMMENDATION 1.11**
The Department of Community Planning and Development’s Planning Services Division should establish a process to measure the success of engagement efforts for department-led text amendment projects through a lessons-learned review, and it should document the results of this self-evaluation.

<table>
<thead>
<tr>
<th>Agree or Disagree with Recommendation</th>
<th>Target date to complete implementation activities (Generally expected within 60 to 90 days)</th>
<th>Name and phone number of specific point of contact for implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agree</td>
<td>3/31/2022</td>
<td>Kyle Dalton, Regulatory Planning Manager (720) 865-2972</td>
</tr>
</tbody>
</table>

Narrative for Recommendation 1.11
This is similar to the approach Community Planning and Development currently uses as part of the Neighborhood Planning Initiative. We will formalize this process for an after-action review of engagement efforts for text amendments as well.

Please contact Evelyn Baker at (720) 865-2823 with any questions.

Sincerely,

Evelyn Baker
Deputy Director, Community Planning and Development

cc: Valerie Walling, CPA, Deputy Auditor
Katja E. V. Freeman, MA, MELP, Audit Director
Emily Owens Gerber, Audit Manager
AUDITOR’S ADDENDA

Auditor’s Addendum to Agency Response for Recommendation 1.3

Human Rights and Community Partnerships’ response notes the physical posting requirements are outdated and that meeting notices were posted online.

However, as we describe on pages 17-18 of the report, we did not consider physical posting at the City and County Building in our definition of compliance for posting meeting notice, because the law was in the process of being changed at the time of our audit. During our testing, we determined noncompliance based on the lack of notice and the lateness of notices posted online.

We also observed a pattern of noncompliance regarding meeting notice and records as we describe on pages 18-19.

Auditor’s Addendum to Agency Responses for Recommendations 1.14 and 1.15

Human Rights and Community Partnerships’ response refers to these recommendations as being a “one size fits all approach” for the commissions. It also refers to standardized processes, review procedures, and technology already being in place. Both points are inconsistent with our observations and the process standardization described in the report and recommendations.

On pages 46, 47, and 49 of the report, we acknowledge that variations in the operations and priorities of each commission are appropriate as reflections of the communities they represent. However, all commissions are legally required to comply with public notice requirements for meetings and to annually develop and report on goals and objectives. Furthermore, these legally required activities are intended to ensure public access and participation by community members and to help the commissions operate as effectively as possible in their roles as advocates for the communities they represent.

Our observations — described on pages 18-19 and pages 45-47 of the report — found the agency’s current efforts to support and review the commissions is insufficient. We note both a pattern of noncompliance with legal requirements as well as gaps in the agency’s processes and the resources it provides to staff and the commissions, which impact how effectively the commissions operate.

Additionally, as discussed on page 22, a project to better leverage technology and streamline communication and document management was in the planning stage when we concluded our work. While the project could improve the commissions’ compliance and their general effectiveness of operations, we could not evaluate how effectively it addressed the issues we identified because it had not yet been implemented.

We worded the recommendations to allow management the flexibility to determine how best to standardize and strengthen the support it provides to both its staff liaisons and the commissions and to specifically discuss how to include stakeholders in determining which areas would benefit from additional structure. These two recommendations refer to standardizing the support provided by the agency — such as expectations, training, templates, technology resources, etc. — to help the commissions comply with these requirements and operate effectively as engagement strategies for the city.
Auditor’s Addendum to Agency Response for Recommendation 1.16

Human Rights and Community Partnerships’ response says the recommendation is redundant. However, this recommendation is specific to activities that address the commissions’ effectiveness — not public notice compliance, which is the subject of recommendations 1.2 through 1.5.

This distinction is detailed in the report sections that precede each group of recommendations.

Auditor’s Addendum to Agency Response for Recommendation 1.17

The agencies’ responses refer to the Mayor’s Office’s plans for attending commission meetings. Although stakeholders requested increased interaction with the mayor, the recommendation calls for developing a formal communications protocol that 1) sets an expectation for all city agencies to provide feedback on how they used the commissions’ input and 2) outlines the process for that feedback to occur.
OBJECTIVE

To evaluate the city's transparency practices by:

- Determining whether the Department of Community Planning and Development and the Department of Transportation & Infrastructure have adequate processes to ensure their public notices comply with requirements and that they sufficiently inform the community about issues affecting Denver residents.
- Assessing whether the agency for Human Rights and Community Partnerships has adequate processes to ensure the 10 commissions it oversees comply with public notice requirements related to open meetings and that the commissions sufficiently engage the community about issues affecting residents.

SCOPE

Based on the risks we identified during planning, we tested to determine the level of compliance with applicable public notice requirements in three selected city agencies: the Department of Community Planning and Development, the Department of Transportation & Infrastructure, and the agency for Human Rights and Community Partnerships.

All three agencies are subject to specific public notice requirements, but they also take proactive steps to engage with and inform residents about agency projects and policies that may affect their lives. For this reason, we also analyzed the degree to which these engagement and outreach activities were consistent with leading practices and other comparable municipalities.

Because of the magnitude of programs and operations within each agency, we selected three case studies to review whether they comply with public notice requirements and how well their public engagement practices align with leading practices. Specifically, we reviewed:

- Community Planning and Development’s Group Living Text Amendment project, including associated activities from 2018 through spring 2021.
- Two of Transportation & Infrastructure’s bike lane installation projects — on East Florida Avenue and East Jewell Avenue, respectively — as well as the activities of its paving subprogram, including engagement and outreach activities from January 2020 through summer 2020.
- The 10 independent commissions operating under the agency for Human Rights and Community Partnerships — with emphasis on the public notices required for meetings in May 2021 and June 2021 and the commissions’ activities supporting public notice and engagement efforts from January 2021 through June 2021, as well as some historical activity for pre-pandemic context.
METHODOLOGY

We used several methodologies to gather and analyze information related to the audit objectives. The methodologies included but were not limited to:

- **Interviewing:**
  - City officials, including representatives of the Mayor’s Office, the City Attorney’s Office, and the City Council.
  - Managers and staff with responsibilities relevant to the selected case studies in the Department of Community Planning and Development, the Department of Transportation & Infrastructure, and the agency for Human Rights and Community Partnerships.
  - Officials with the Denver 311 program and the city’s Technology Services agency who had knowledge of ongoing efforts to improve the city’s website and 311 operations.
  - Representatives of several registered neighborhood organizations, including Denver Inter-Neighborhood Cooperation.
  - A representative from the National Civic League who had knowledge of leading practices in public engagement.

- **Reviewing:**
  - Legal requirements for public notice in the Denver Charter, city ordinance, the Denver Zoning Code, state law, and federal regulations as applicable to the selected case studies.
  - City agencies’ policies, procedures, practices, and management oversight related to public notices and public engagement including:
    - Documentation of any public notice-related or public engagement-related policies, procedures, monitoring, or tracking.
    - Evidence of public notices generated by city agencies and directed to the public — such as tracking spreadsheets; documents retained in quality assurance reviews related to mailers, fliers, and signs; photos of signage with sufficient context to determine visibility and placement; postings of meeting agendas and minutes; and emails, publication bills, or scopes of work for contracts.
    - Records related to our selected case studies in the Department of Community Planning and Development, the Department of Transportation & Infrastructure, and the agency for Human Rights and Community Partnerships, as well as information published on the projects’ webpages.
    - Task orders and contracts for bike lane projects, public information, and communications support.
    - The Department of Transportation & Infrastructure’s “Standard Specifications for Construction General Contract Conditions” and any related requirements of contractors performing their work.
  - Leading practices on public notice and public engagement and outreach published by:
    - Transparency International.
    - The Institute for Local Government.
    - Colorado’s Community Development Office.
    - Governing magazine.
    - The National Coalition for Dialogue and Deliberation.
• The Working Group on Legal Frameworks for Public Participation.
• The Colorado Intergovernmental Risk Sharing Agency.
• The Colorado Municipal League.
• The International Association for Public Participation.
• The IBM Center for the Business of Government.
• The Virginia Journal of Social Policy and the Law.
• Alliance for Innovation’s 2021 “Govapalooza” conference.
• The U.S. Government Accountability Office’s “Standards for Internal Controls in the Federal Government.”

• Assessing comparable municipalities’ practices for public meetings, notices, and opportunities for public engagement on city webpages.

• Comparing:
  ▪ Applicable public notice requirements for Community Planning and Development with the department’s records of emails sent during our case study review period, from January 2018 through spring 2021.
  ▪ Applicable public notice requirements for Transportation & Infrastructure with the contractor’s proof of work provided to the street maintenance team.
  ▪ Applicable public notice requirements for the 10 commissions under the agency for Human Rights and Community Partnerships with:
    ▪ Real-time observation of practices for posting meeting notices in May and June 2021.
    ▪ Observation and summary of social media practices from January 2021 through June 2021.
    ▪ The collection and review of posted meeting agendas from January 2021 through June 2021.
    ▪ The collection and review of posted meeting minutes from January 2021 through March 2021.
  ▪ City agencies’ policies, procedures, practices, and management oversight with leading practices in:
    • Government management.
    • Public notice and public engagement.
  ▪ City practices with those of selected comparable municipalities for ease of use in identifying public meetings, notices, and opportunities for public engagement on the cities’ websites.

• Analyzing:
  ▪ Citywide planning frameworks relevant to Community Planning and Development’s goals and directives, including “Comprehensive Plan 2040” and “Blueprint Denver.”
  ▪ Leading practices in both public notice and public engagement.

• Attending a March 2021 virtual conference for local government professionals, which was hosted by the Alliance for Innovation.

• Observing the May 2021 public meetings for the 10 commissions under the agency for Human Rights and Community Partnerships.

• Surveying commission chairs and co-chairs as explained on page 52 and in Appendix C.

Appendix A presents a summary of the legally required public notices we identified in city charter and city ordinance. Appendix B includes additional details regarding the leading practices we consulted for this
report. Appendix C details how we selected the municipalities we compared Denver’s practices to and how we surveyed and present results for commissioner feedback. Appendix D provides the list of Community Planning and Development’s community presentations regarding the Group Living Text Amendment.
APPENDICES

Appendix A – Summary of Denver’s Legal Public Notice Requirements

We reviewed city charter and city ordinance to identify legally required public notices and found a range of requirements for each element of required notice, as summarized in Table 2. These elements are format, content, timing, and recipients.

<table>
<thead>
<tr>
<th>Element</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Format</td>
<td>Notices can take the form of posted physical signs, written mailers, and advisories published in local newspapers. Often, the city charter and city ordinance do not specify an exact format — although in some cases, they reference notices as needing to be “written” or “in writing” and published in the city's official publication or newspaper or disseminated by mail and through conspicuously posted signs. In a few cases, ordinance dictates how many signs are required, what size they should be, and how large of a font size they should be printed in.</td>
</tr>
<tr>
<td>Content</td>
<td>Often, no required content is specified. However, some requirements include thorough and specific direction for the content of a required notice. For example, notices related to naming buildings and some administrative and safety violations specify six or seven details the notices must include. Other requirements are more vague and reference only general information, like the “filing status and date.” Or the required content can be inferred from the nature of the notice (e.g., notices of violation are expected to describe the violation).</td>
</tr>
<tr>
<td>Timing</td>
<td>Most often, the city charter and city ordinance do not specify when a notice should be issued. Often, vague references or inferences to “before” or “after” a particular event are included. When laws do specify timing, they require a wide range of timing requirements for meetings, hearings, publications, and process-specific notices — from as little as 30 minutes in advance to as long as one year, depending on the action in question. For example, a sign must be posted for 30 minutes before the city can take possession of an abandoned animal. Meanwhile, notices to tenants of properties that receive federal housing assistance must be given one year’s notice of changes to a property's status that may affect rent restrictions.</td>
</tr>
<tr>
<td>Recipients</td>
<td>In some cases, notices are directed to multiple groups. Most often, the city is required to notify only those parties involved in the process or program in question. The second most-named recipient is a vague reference to the general public. Notices may also be directed to registered neighborhood organizations and City Council representatives.</td>
</tr>
</tbody>
</table>

Source: Summarized by Auditor's Office staff using the Denver Charter and city ordinance.
Appendix B – Index of Leading Practices for Public Notice and Engagement

In addition to conducting our own research, we also:

- Consulted with city personnel to identify sources they rely on for guidance.
- Met with a representative of the National Civic League — a nonprofit organization that provides resources for public engagement professionals and seeks to advance civic engagement and create equitable, thriving communities by promoting inclusive approaches to community decision-making.
- Attended a March 2021 virtual conference for local government professionals, which was hosted by the Alliance for Innovation.
- Reviewed resources recommended by these groups and others to identify leading practices for public notice and engagement.

Below is more information about the specific sources we reference throughout this report, including brief descriptions of the publishing organization and the topics covered.

A. The Alliance for Innovation’s virtual 2021 TLG Govapalooza conference, held March 1-5.

The Alliance for Innovation, made up of government and academic organizations, provides networking and peer-learning opportunities for leaders in local government. These sessions from the Govapalooza conference provided tips and discussion on strategies to improve public engagement efforts — including how governments can better listen to residents and collect more representative input.


The Journal of Management Policy and Practice is a peer-reviewed academic publication that focuses on research that conceptualizes, tests, or extends management theory. This article summarizes characteristics of transparent governments and provides 20 recommendations for improving transparency in local government.


The Institute for Local Government is a nonprofit organization that seeks to promote good government at the local level with practical, impartial, and easy-to-use resources for local governments.

This brochure offers an overview of key terms and concepts in public engagement and outlines the benefits for governments and organizations that engage the public in decision-making.

This resource describes two dimensions of transparency for public agencies: information transparency and process transparency. For both types of transparency, websites are an opportunity to present raw information — such as budget numbers and meeting dates — and they can provide the public with background information about the services they receive and how they can participate in decision-making processes. This resource also lists the types of information governments should include on their websites.


This resource describes best practices for public engagement according to the three phases of a project’s life cycle. These include recommended strategies for planning, implementation, and evaluation.


The Colorado Intergovernmental Risk Sharing Agency provides public entities in the state with proactive risk management guidance. Together with the Colorado Municipal League, the agency developed guidance for Colorado elected officials on conducting open and transparent meetings.

This handbook discusses issues of concern to elected officials with the goal of maximizing excellence and effectiveness and minimizing liability. Among other topics, it offers best practices for local governments on how to comply with public notice requirements.


The Virginia Journal of Social Policy and the Law is a student-edited law journal of the University of Virginia School of Law. It publishes articles that examine the intersection of social policy issues and law.

This article examines the impact of digital communication on public notice requirements and methods. The authors present considerations for government policymakers and recommend flexible approaches designed with the public’s needs and practices in mind.


ResearchGate is an online search engine and professional network for scientists and researchers.

This article presents a proposed framework for evaluating website quality and offers a checklist of elements to use when evaluating websites. Its authors discuss four dimensions: content, design, organization, and user-friendliness. They also link indicators to evaluate each dimension. For example, content is associated with timeliness and accuracy; design with text; organization with index, mapping, and links; and user-friendliness with usability and interactive features.

The U.S. Department of Health and Human Services and U.S. General Services Administration are agencies of the federal government. This report updates previous guidelines on website design and usability that stem from evidence-based research. Among other topics, the guidelines address content layout and organization, navigation, and the use of headings, titles, and links.


Transparency International, a global think tank, issues guidance on principles and standards that apply to all governments on increasing transparency and fighting corruption.

This report offers guidance tailored to local governments on principles and standards for transparency. The topics address both general standards and those that apply in specific situations, like elections, procurement, urban planning, justice systems, and complaint mechanisms.


The National Civic League is a nonprofit organization that provides resources for public engagement professionals and seeks to advance civic engagement and create equitable, thriving communities by promoting inclusive approaches to community decision-making.

The working group that wrote this report was made up of representatives from the International Municipal Lawyers’ Association, the International City/County Management Association, the American Bar Association, the National League of Cities, the National Civic League, and others aiming to publish new legal tools for public participation.

This report discusses policy options for strengthening public participation. It includes templates for sample ordinance and charter language and provides additional resources for public engagement professionals.


Governing is an online magazine that provides news and analysis on policy and social issues of interest for public management professionals in state and local governments.

This article discusses the options for public meeting formats after pandemic restrictions end. Its author emphasizes the value of in-person meetings but also notes that both in-person and virtual formats should be continued.


The Colorado Department of Local Affairs’ Division of Local Government is a unit of state government responsible for working with municipal and county governments to provide technical support.
The division, through its Community Development Office, offers tips to involve the public and to make meetings more accessible to the public.


The International Association for Public Participation is an international organization that provides public participation professionals with tools, skills, networking, and training opportunities to advance and extend public participation.

This brochure provides an overview of public participation principles, values, and codes of ethics.


The IBM Center for the Business of Government connects public management research with practice. By sponsoring independent research from the academic and nonprofit sectors, the center seeks to create opportunities for dialogue on a broad range of public management topics.

This report used case studies to develop a model of change for agencies to follow as they seek to become more open and increase public participation. Its authors' model defines four implementation stages with a discussion of deliverables, benefits, challenges, best practices, and metrics for each stage. The stages are:

1. Increasing data transparency.
2. Improving open participation.
3. Enhancing open collaboration.
4. Realizing pervasive engagement.


The National Coalition for Dialogue and Deliberation is a network focused on conflict resolution and public engagement practices.

This handbook provides resources for professionals of public engagement. Among other topics, it addresses planning strategies and frameworks to assist professionals with selecting the best mix of methods and it discusses the purpose and key features of each method.
Appendix C – Detailed Methodology for Selecting Comparable Cities and Surveying Commissions

Selection of Comparable Cities for Audit Analysis

For this audit, we analyzed several cities to compare their practices for public notice and engagement with Denver’s.

We assessed three Colorado municipalities to determine local approaches to public notice and opportunities for public participation available on the cities’ websites. Specifically:

- Boulder.
- Fort Collins.
- Lakewood.

We selected Boulder because of recent improvements the city made to its website, including an “engagement” homepage with a calendar of public participation opportunities, and because of its framework for strategic engagement.

We looked at Fort Collins because of its streamlined webpage for public engagement and its use of a universal engagement guide, which is provided to and used by all city agencies.

Lakewood is a “peer city for digital presence,” according to one Denver Technology Services official. We also chose Lakewood because of:

- Its “my neighborhood” webpage, which allows visitors to find project information based on their local area.
- The streamlined layout to its homepage that compiles public meeting information and opportunities for public participation.
- Its model communications and feedback process for interactions between the city and its residents, called “Lakewood Together.”

Meanwhile, we also assessed a few other comparable major cities in the United States that, like Denver, have a mayor-council form of government and that have populations within 100,000 of Denver’s census estimate of 727,211 people, as of July 1, 2019. These other cities were:

- Nashville, Tennessee — which had an estimated population of 670,820 in 2019.
- Boston — which had an estimated population of 692,600 in 2019.
- Seattle — which had an estimated population of 753,675 in 2019.

City officials recommended we look at these cities and they each met our criteria.

Survey of Commission Leadership

To accommodate our audit deadlines, rather than conduct multiple interviews, we surveyed leaders of the 10 commissions under the agency for Human Rights and Community Partnerships to obtain feedback on

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their experiences, training and support, challenges, and interactions with the city. To limit our impact on commissioners’ workloads, we surveyed only the commission chairs and any co-chairs a commission might have — rather than all 200 or more commissioners.

To encourage responses, we allowed co-chairs to coordinate a single response on behalf of their commission. We received 12 responses representing all 10 of the commissions.

We did not calculate a response rate for this survey. Because we allowed co-chairs to coordinate a response rather than providing individual responses, we did not anticipate responses from all commissioners on our distribution list. Rather, we note that all 10 commissions are represented in the responses.

The two commissions that provided a response from both their co-chairs included different, and sometimes, conflicting responses to questions throughout the survey. Therefore, we opted to include both responses in our analysis of results rather than attempt to consolidate a single response. As a result of this, some reported perceptions could be over-represented if both co-chairs for these two commissions reported the same response. However, only one question and set of responses relevant to audit findings has this potential.

Because of these limitations, we present the evidence collected through the survey using specific terms, formats, and additional context. For example, we refer to responses as representing reported “perceptions” that “may” indicate issues with how the city uses input and communicates its use to commissioners.

We do not present response rates or percentages when reporting results because of the small group of commissioners surveyed. We also note, where applicable, any potential for overrepresentation of a commission’s viewpoint because of multiple responses from co-chairs.
Appendix D – Group Living Text Amendment Community Presentations

The Department of Community Planning and Development's team for the Group Living Text Amendment project delivered over 50 presentations — primarily to registered neighborhood organizations.

Community Planning and Development staff sought opportunities to present by reaching out directly to the organizations.

The organizations and events at which city staff presented are listed below in chronological order for each year. An asterisk notes organizations or events that received more than one presentation between 2018 and 2021.

2018:
- Uptown Design Forum.
- Denver Commission on Cultural Affairs.
- Swallow Hill Neighborhood Association.
- Redline Denver.

2019:
- Denver City Council Housing and Homelessness Working Group.
- Rocky Mountain Land Use Institute.
- Congregation Land Campaign.
- Colorado Coalition for the Homeless.
- Inter-Neighborhood Cooperation.*
- Chaffee Park Neighborhood Association.
- Colorado Health Symposium.
- Denver Homeless Leadership Council.
- Old San Rafael Neighborhood Association.
- Denver Public Safety Community Corrections Advisory Group.*
- Neighbors for Greater Capitol Hill.
- All-In Cities Anti-Displacement Policy Network.
- Denver Public Safety Community Corrections Advisory Group.*
- Inter-Neighborhood Cooperation.*
- Capitol Hill United Neighborhoods.*

2020:
- Greater Park Hill Community Inc.
- University Neighbors.
- The Department of Community Planning and Development's West Area Plan Meeting and Housing Resource Fair.
- Lowry United Neighborhoods.*
• Cook Park Neighborhood Association.
• University Park Community Council.*
• Montbello 20/20.*
• Inter-Neighborhood Cooperation.*
• East Colfax Neighborhood Association.*
• Denver District 11 town hall meeting.*
• South Mar Lee/Brentwood/Sharon Park Neighbors.
• Denver Metro Association of Realtors.
• Cherry Creek East Association.*
• Cherry Creek North Neighborhood Association.
• Miller Park RNO.
• Winston Downs Community Association.
• Capitol Hill United Neighborhoods.*
• Country Club Historic Neighborhood Inc.
• Montbello 20/20.*
• East Colfax Neighborhood Association.*
• Cranmer Park/Hilltop Civic Association.
• University Park Community Council.*
• Berkeley Regis United Neighbors.
• Capitol Hill United Neighborhoods.*
• Sunnyside United Neighbors Inc.
• Central Park United Neighbors.
• Denver District 10 town hall meeting.
• YIMBY Denver.
• Highland United Neighbors Inc.
• Jefferson Park United Neighbors.
• Historic Montclair Community Association Inc.
• Denver District 3 town hall meeting.
• Inter-Neighborhood Cooperation.*
• Montbello 20/20.*
• Denver District 1 town hall meeting.
• Denver District 11 town hall meeting.*
• Denver Districts 4, 5, and 6 town hall meeting.

2021:
• Cherry Creek East Neighborhood Association.*
• Lowry United Neighborhoods.*
Office of the Auditor

The Auditor of the City and County of Denver is independently elected by the residents of Denver. He is responsible for examining and evaluating the operations of city agencies and contractors for the purpose of ensuring the proper and efficient use of city resources. He also provides other audit services and information to City Council, the mayor, and the public to improve all aspects of Denver’s government.

The Audit Committee is chaired by the Auditor and consists of seven members. The Audit Committee assists the Auditor in his oversight responsibilities regarding the integrity of the city’s finances and operations, including the reliability of the city’s financial statements. The Audit Committee is structured in a manner that ensures the independent oversight of city operations, thereby enhancing residents’ confidence and avoiding any appearance of a conflict of interest.

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We deliver independent, transparent, and professional oversight in order to safeguard and improve the public's investment in the City and County of Denver. Our work is performed on behalf of everyone who cares about the city, including its residents, workers, and decision-makers.