



July 23, 2008

John Hickenlooper, Mayor
City & County Building
1437 Bannock Street, 3rd Floor
Denver, CO 80202

Dear Mayor Hickenlooper:

The appropriateness of allowing the DNC host committee and others to fuel their vehicles at the city fueling station and avoid paying the relevant state and federal fuel taxes aside (and I do understand and applaud that you have now changed that policy and they will be paying market price and all taxes) I am concerned that this arrangement has apparently been going on since March without a fully executed contract in place. Frankly, had this contract reached my desk, I would have seriously questioned it. Moreover, as I wrote to you in 2006, it is very bad practice and against city rules to allow the provisions of an agreement to begin without a fully executed contract being in place.

I have noted with pleasure that since our discussions in 2006, the number of contracts that reach my desk for signature after work or the terms of the contract have begun has been significantly reduced. But this latest event prompts me to stress again the need to finalize these agreements before they begin. While this is a rather high-profile example every contract, large or small, high-profile or not needs to be fully executed before its terms commence. The only protection the city has to ensure that the terms of an agreement are being met, and in this case to ensure that the city is compensated appropriately is to have a contract in force at the time.

Sincerely,

Dennis Gallagher

Dennis J. Gallagher
Auditor

cc: Jeanne Robb, Council District 10
City Council Members