

City of Denton Board of Ethics

After determining that a quorum was present, the Board of Ethics of the City of Denton, Texas, convened in a Special Called Meeting on Monday, June 2, 2025, at 5:30 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items will be considered:

PRESENT: Vice-Chair Dustin Pavelek, and Members Kenneth Ferguson, and Andrea Eberhard

ABSENT: None

1. ITEMS FOR CONSIDERATION

A. BOE25-024 Request for Advisory Opinion No. 25-001, received May 20, 2025, from Commissioner Sherri McDade concerning potential conflicts of interest and recusal recommendation.

Andrea Eberhard nominated Dustin Pavelek as presiding officer for the advisory panel; Kenneth Ferguson seconded the motion.

AYES (3): Dustin Pavelek, Kenneth Ferguson, Andrea Eberhard

NAYS (0):

ABSENT (0):

The questions were presented, and a discussion followed.

Kenneth Ferguson motioned based on the definition of Deliberation, Questions 1 and 2, Questions 3 and 4, and Questions 5 and 6, could be treated the same for the purposes of the Advisory Opinion; Andrea Eberhard seconded the motion.

AYES (3): Dustin Pavelek, Kenneth Ferguson, Andrea Eberhard

NAYS (0):

ABSENT (0):

Kenneth Ferguson motioned that, because Ms. McDade is employed by the Denton Housing Authority which would be involved in each project, the Advisory Opinion Panel advise Ms. McDade that the situations discussed in Questions 1 and 2 would create a conflict of interest per Ethics Ordinance Sec. 2-273a.1.B. and Sec. 2-273a.1.E., and so would require disclosure and recusal; Andrea Eberhard seconded the motion.

AYES (3): Dustin Pavelek, Kenneth Ferguson, Andrea Eberhard

NAYS (0):

ABSENT (0):

Dustin Pavelek motioned that, because Questions 3 and 4 did not include enough facts to determine if the situations would create conflict of interest, the Advisory Opinion Panel advise Ms. McDade to

request additional advisory opinions on a case-by-case basis.

AYES (3): Dustin Pavelek, Kenneth Ferguson, Andrea Eberhard

NAYS (0):

ABSENT (0):

Kenneth Ferguson motioned that, because Questions 5 and 6 did not include enough facts to determine if the situations would create a conflict of interest, the Advisory Opinion Panel advise Commissioner McDade to request additional advisory opinions on a case-by-case basis; Dustin Pavelek seconded the motion.

Andrea Eberhard motioned to amend the motion to include in the advice to Commissioner McDade that future advisory opinion requests should include how the Denton Housing Authority is involved in the project; Dustin Pavelek seconded the motion.

AYES (3): Dustin Pavelek, Kenneth Ferguson, Andrea Eberhard

NAYS (0):

ABSENT (0):

With no further business, the meeting was adjourned at 6:28 p.m.

Dustin Pavelek
Presiding Officer

Joseph Haddad
Recording Secretary

APPROVED ON: _____