

City of Denton



City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Board of Ethics
CITY AUDITOR: Madison Rorschach
DATE: December 16, 2024

SUBJECT

Receive a report, hold a discussion, and give staff direction regarding the processing of anonymous hotline reports related to alleged violations of the City of Denton Code of Ordinances Chapter 2, Article XI (Ethics).

BACKGROUND

City of Denton Code of Ordinances Chapter 2, Article XI (Ethics), the Ethics Ordinance, Sec. 2-272 Mandates requires a City Official to report any conduct that the person knows to be a violation of the Ethics Ordinance. This section also states, “submittal of a Complaint or a report made to the Fraud, Waste, or Abuse hotline shall be considered to be a report under [the Mandates section]. A report to the hotline may remain anonymous unless disclosed by the caller.”

In addition, Ethics Ordinance Section 2-274 states that “[the Ethics Ordinance] shall not be construed as requiring the City Auditor to investigate allegations of violations of [the Ethics Ordinance] submitted via the Fraud, Waste, or Abuse hotline.”

Historically, an anonymous hotline report related to an alleged violation of the Ethics Ordinance has not been submitted.

DISCUSSION

On November 22, 2024, the City’s Investigation Committee received two anonymous hotline reports that appeared to be related to alleged violations of the Ethics Ordinance. In response, staff provided the following information per Ethics Ordinance Sec. 2-279 (h):

“Hello,

The City's Ethics Ordinance requires that an Ethics Complaint be submitted to the City Auditor using the attached form, which must be notarized. You may contact the City Auditor at madison.rorschach@cityofdenton.com or (940) 349-7228. As your submitted Complaint is not administratively complete, I am required to inform you that you have 10 days after receiving this notification to respond or it will be automatically considered abandoned.”

Staff would like direction from the Board on how future anonymous hotline reports should be processed. Potential options include:

1. Require the City Auditor to provide notice that the Ethics Complaint is not administratively complete and provide information on the required format through the anonymous reporting system;
2. Require the City Auditor to forward the report to the Board of Ethics without any further investigation; or
3. Recommend the City Council remove the language in the Ethics Ordinance allowing reports to be submitted via the anonymous Fraud, Waste, or Abuse hotline.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

May 1, 2018: Ethics Ordinance Adopted by City Council

Jun. 2, 2020: Ethics Ordinance Amended by City Council based on Board of Ethics Recommendations

Jan. 25, 2022: Ethics Ordinance Amended by City Council to eliminate Member experience requirements

Jul. 19, 2022: Ethics Ordinance Amended by City Council based on Board of Ethics Recommendations

Jul. 18, 2023: Ethics Ordinance Amended by City Council based on Board of Ethics Recommendations

Dec. 12, 2023: Ethics Ordinance Amended by City Council to eliminate Alternate Members

EXHIBITS

1. Agenda Information Sheet

Respectfully submitted:
Madison Rorschach, 940-349-7228
City Auditor