



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: April 14, 2025

SUBJECT

Receive a report, hold a discussion, and give staff direction regarding the process for holding Preliminary Assessment Panels per the City of Denton Code of Ordinances Chapter 2, Article XI (Ethics).

BACKGROUND

City of Denton Code of Ordinances Chapter 2, Article XI (Ethics), Sec. 2-277 (i) states that the Board of Ethics may recommend amendments to Article XI (i.e., the Ethics Ordinance) to the City Council from time to time.

DISCUSSION

During previous Board of Ethics meetings, the Board gave staff direction to review to what extent Preliminary Assessment Panels may be held in closed session. The Texas Open Meetings Act permits a governing body to meet in closed session “to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.” However, the board’s ability to maintain confidentiality during review of a complaint is severely limited:

1. The Complaint, even if not posted on a public agenda, is still subject to open records requests as soon as it is filed;
2. While Preliminary Assessment Panel discussion may be able to take place in closed session, action by the Panel (i.e., a vote) is required to take place in open session; and
3. Not all City Officials per the Ethics Ordinance’s definition are considered an officer or employee of the City, so only complaints against some City Officials could be preliminarily assessed in closed session.

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