

City of Denton



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

AGENDA INFORMATION SHEET

DEPARTMENT: Internal Audit
CITY AUDITOR: Madison Rorschach
DATE: June 5, 2023

SUBJECT

Receive a report, hold a discussion, and take necessary action regarding proposed amendments to the Ethics Ordinance and Board of Ethics' Rules of Procedure.

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

On April 4, 2023, Staff and the Board of Ethics Vice Chair presented the 2023 Packet of Proposed Amendments to the City Council, which can be viewed beginning around the 25 minute mark at the following link: <https://dentontx.new.swagit.com/videos/223262>. The minutes from this meeting are included as Exhibit 2 and discussion of each proposal is summarized below:

Proposal	Summary of Discussion
1 Clarification of Gifts Prohibition	General support for expansion to City Relatives and clarification of disclosure requirements. Mixed response to specific prohibition on acceptance of cash or cash equivalents. Direction to draft language for inclusion.
4 COI: Campaign Contributions	Some confusion on the election cycle timeframe. No direction to move forward.
5 COI: Recent Offers of Employment	Clarification on if an offer to and from a City Official was included. Direction to draft language for inclusion.
6 COI: Recent Business Opportunity Negotiations	Concern about "Business Opportunity Negotiations" being undefined. No direction to move forward.
7 COI: Substantial Client Relationships	Concern about definition of client relationship not being clearly defined. No direction to move forward.
8 COI: Substantial Debtor/Creditor Relationships	Concern that this would be too restrictive. No direction to move forward.

9	Revision of Business Entity Disclosures	Some confusion about which relationships this requirement would apply. Support for it remaining a disclosure requirement and direction to create clear disclosure procedures. Direction to draft language for inclusion.
10	Specific Sanctions for Frivolous Complaints	Concern that this would disincentivize residents from filing complaints and would prohibit legitimate complaints from being heard. Gave direction to require City Auditor to provide a copy of an Accepted Compliant to the Complainant as well as the Respondent. Direction to draft language for inclusion.
11	Creation of an Order to Show Cause Process	Concern that this would disincentivize residents from filing complaints. No direction to move forward.

During the May 2023 regular meeting of the Board of Ethics, the Board gave staff direction to bring back information on the proposals that had not received direction to be included in the Ethics Ordinance for further discussion.

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 Amendment by City Council
- Jul. 19, 2022: Ethics Ordinance Amended by City Council based on Board of Ethics Recommendations
- Mar. 6, 2023: Board of Ethics forwarded 2023 Packet of Proposed Amendments to the City Council
- Apr. 4, 2023: City Council discussed 2023 Packet of Proposed Amendments in Work Session
- May 1, 2023: Board of Ethics directed staff to discuss rejected proposals at next meeting

EXHIBITS

- 1. Agenda Information Sheet
- 2. April 4, 2023 City Council Meeting Minutes
- 3. Presentation

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