



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Meeting Agenda

Board of Ethics

Monday, April 14, 2025

5:30 PM

Council Work Session Room

REGISTRATION GUIDELINES FOR ADDRESSING THE BOARD OF ETHICS

Citizens are also able to participate in the following way (NOTE: Other than public hearings, citizens are only able to comment one time per agenda item; citizens cannot use both methods to comment on a single agenda item. Public comments are not held for work session reports.):

- eComment – On April 11, 2025, the agenda was posted online at <https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>. Once the agenda is posted, a link to make virtual comments using the eComment module will be made available next to the meeting listing on the Upcoming Events Calendar. Within eComment, citizens may indicate support or opposition and submit a brief comment about a specific agenda item. Comments may be submitted up until the start of the meeting at which time the ability to make an eComment will be closed. Similar to when a citizen submits a white card to indicate their position on an item, the eComments will be sent directly to members of the Board of Ethics and recorded by the Secretary.

Members review comments received in advance of the meeting and take that public input into consideration prior to voting on an agenda item. The Chair will announce the number of Comment Cards submitted in support or opposition to an item during the public comment period. Comments will not be read during the meeting. The Secretary will reflect the number of comments submitted in favor/opposition to an item, the registrant’s name, address, and (summary of) comments within the Minutes of the Meeting, as applicable.

After determining that a quorum is present, the Board of Ethics of the City of Denton, Texas, will convene in a Regular Meeting on Monday, April 14, 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:

REGULAR MEETING

1. PRESENTATIONS FROM MEMBERS OF THE PUBLIC

This section of the agenda permits a person to make comments regarding public business on items as listed on the agenda and in-person presentations (allows for comments on items not listed on the agenda.) Each speaker will be allowed a maximum of three (3) minutes with up to five speakers per meeting.

2. ITEMS FOR CONSIDERATION

- A. [BOE25-017](#) Consider approval of meeting minutes for March 10, 2025.
[Estimated Presentation/Discussion Time: 5 minutes]

Attachments: [Exhibit 1 - Meeting Minutes](#)

- B. [BOE25-016](#) Receive a report, hold a discussion, and give staff direction regarding ex parte communication as it relates to the City of Denton Code of Ordinances Chapter 2,

Article XI (Ethics).

[Estimated Presentation/Discussion Time: 30 minutes]

Attachments: [Exhibit 1 - Agenda Information Sheet.pdf](#)

- C. [BOE25-018](#) Receive a report, hold a discussion, and give staff direction regarding future meeting topics.

[Estimated Presentation/Discussion Time: 5 minutes]

Attachments: [Exhibit 1 - Agenda Information Sheet.pdf](#)
[Exhibit 2 - Board of Ethics Tentative Meeting Topics \(April 2025\).pdf](#)

- D. [BOE25-019](#) 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).

[Estimated Presentation/Discussion Time: 30 minutes]

Attachments: [Exhibit 1 - Agenda Information Sheet.pdf](#)

NOTE: The Board of Ethics reserves the right to adjourn into a Closed Meeting on any item on its Open Meeting agenda consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law.

CERTIFICATE

I certify that the above notice of meeting was posted on the official website (<https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on Friday, April 11, 2025, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

OFFICE OF THE CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED, IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.



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Legislation Text

File #: BOE25-017, **Version:** 1

AGENDA CAPTION

Consider approval of meeting minutes for March 10, 2025.

[Estimated Presentation/Discussion Time: 5 minutes]

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 Regular Meeting on Monday, March 10, 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: Chair Annetta Ramsay, Vice-Chair Dustin Pavelek, Members Patricia Reinke, Kenneth Ferguson, David Zoltner, and Andrea Eberhard

ABSENT: Dianne Baker

1. PRESENTATIONS FROM MEMBERS OF THE PUBLIC

None.

2. ITEMS FOR CONSIDERATION

A. BOE25-011 Consider approval of regular and special meeting minutes for February 10, 2025.

The item was presented, and discussion followed. Member Patricia Reinke motioned to approve the meeting minutes; motion seconded by Member David Zoltner.

AYES (6): Annetta Ramsay, Dustin Pavelek, Patricia Reinke, Kenneth Ferguson, David Zoltner, and Andrea Eberhard

NAYS (0):

ABSENT (1): Dianne Baker

B. BOE25-012 Management Reports

1. Update on the 2025 Packet of Proposed Amendments

The item was presented, and discussion followed.

C. BOE25-013 Receive a report, hold a discussion, and give staff direction regarding the definition of Complainant as it relates to the City of Denton Code of Ordinances Chapter 2, Article XI (Ethics).

The item was presented, and discussion followed.

D. BOE25-014 Receive a report, hold a discussion, and give staff direction regarding City of Denton Code of Ordinances Chapter 2, Article XI (Ethics) Sec. 2-282(b) Sanctions.

The item was presented, and discussion followed.

E. BOE25-015 Receive a report, hold a discussion, and give staff direction regarding future meeting topics.

The item was presented, and discussion followed.

With no further business, the meeting was adjourned at 6:44 p.m.

Annetta Ramsay
Chair

Joseph Haddad
Recording Secretary

APPROVED ON: _____



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File #: BOE25-016, **Version:** 1

AGENDA CAPTION

Receive a report, hold a discussion, and give staff direction regarding *ex parte* communication as it relates to the City of Denton Code of Ordinances Chapter 2, Article XI (Ethics).

[Estimated Presentation/Discussion Time: 30 minutes]

City of Denton



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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 *ex parte* communication as it relates to 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 bring back a discussion of *ex parte* communication. In general, *ex parte* is a term used in law to refer to when one party communicates with a court without informing the other party, depriving them of their chance to respond. The Ethics Ordinance currently includes the following regarding *ex parte* communications.

- (k) **Ex Parte Communications.** After a Complaint has been filed and during the pendency of a Complaint before the Board of Ethics, it shall be a violation of this Article:
- (1) for the Complainant, the Respondent, or any person acting on their behalf, to engage or attempt to engage directly or indirectly about the subject matter or merits of a Complaint in *ex parte* communication with a member of the Board of Ethics or any known witness to the Complaint; or
 - (2) for a Member of the Board of Ethics, to knowingly allow an *ex parte* communication about the subject matter or merits of a Complaint, or to communicate about any issue of fact or law relating to the Complaint directly or indirectly with any person other than a Member of the Board of Ethics, the City Auditor's office, the City Attorney's office, or Special Counsel.

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



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File #: BOE25-018, **Version:** 1

AGENDA CAPTION

Receive a report, hold a discussion, and give staff direction regarding future meeting topics.

[Estimated Presentation/Discussion Time: 5 minutes]

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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 future meeting topics.

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

Based on direction received at previous meetings the following meeting topics have been proposed.

Topic	Est. Time
Review Complaint Reconsideration Process	0:30
Comprehensive Review of Current Sanctions; Frivolous Sanctions	1:30
Preliminary Panel Member Objection Process	0:30
Order to Show Cause Process	0:45
Potential Campaign Financing Restrictions	0:30
Guidance on Interactions with Petitioners (Council Request)	0:30
Advisory Opinion Process	0:30
Review of Sanctions	0:30

DIRECTION

Based on this information, Staff would like direction from the Board on the following:

- What topic(s), if any, does the Board of Ethics want to be added to May 2025;
- What topic(s), if any, does the Board of Ethics want to be added to June 2025; and
- Any additional topics that the Board wishes to discuss at future meetings.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

May 1, 2018: Ethics Ordinance Adopted
Jun. 2, 2020: Ethics Ordinance amended based on Board of Ethics recommendations
Jan. 25, 2022: Ethics Ordinance amended by City Council to remove profession preferences
Jul. 19, 2022: Ethics Ordinance amended based on Board of Ethics recommendations
Jul. 18, 2023: Ethics Ordinance amended based on Board of Ethics recommendations
Dec. 12, 2023: Ethics Ordinance amended by City Council to eliminate Alternate Members

EXHIBITS

1. Agenda Information Sheet
2. Board of Ethics Tentative Meeting Topics (April 2025)

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

Board of Ethics Tentative Meeting Topics

Updated: April 11, 2025

Meeting	Item	Est. Time
April 2025	Minutes	0:05
	Preliminary Assessment Closed Meeting Discussion	0:30
	<i>Ex Parte</i> Communication	0:30
	Future Meeting Topics Update	0:05
	Total Est. Time:	1:10
May 2025	Minutes	0:05
	Discussion of Sanctions	0:30
	<i>TBD</i>	
	Management Reports (if needed)	0:05
	Future Meeting Topics Update	0:05
	Total Est. Time:	0:45
June 2025	Minutes	0:05
	<i>TBD</i>	
	Management Reports (if needed)	0:05
	Future Meeting Topics Update	0:05
	Total Est. Time:	0:15



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File #: BOE25-019, **Version:** 1

AGENDA CAPTION

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).

[Estimated Presentation/Discussion Time: 30 minutes]

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DEPARTMENT: Board of Ethics
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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
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