

CITY OF DENTON

**BOARD OF ETHICS
MEETING MINUTES
June 12, 2019**

After determining that a quorum was present, a meeting of the Board of Ethics of the City of Denton, Texas convened in a special called meeting on Wednesday, June 12, 2019 at 5:30 p.m. in the City Hall Conference Room, 215 E. McKinney Street, Denton, Texas.

PRESENT: David Zoltner, Vice Chair; and Board Members Ronnie Mohair, Don Cartwright, Charla Bradshaw, Lara Tomlin, Deborah Cosimo, Rob Rayner

ABSENT: Ron Johnson (Excused), Karen McDaniels (Excused)

ALSO PRESENT: Umesh Dalal, City Auditor; Betsy Snodgrass, Administrative Assistant

Vice Chair Zoltner opened the meeting at 5:31 p.m.

ITEMS FOR CONSIDERATION:

- A. BOE19-012: Hold a discussion on updates to the current membership of the Ethics Board.

Vice Chair David Zoltner welcomed new Board of Ethics member Charla Bradshaw.

- B. BOE19-014: Receive nominations and hold an election of a Chairperson and Vice-Chairperson for the Board of Ethics of the City of Denton.

Board member Cartwright nominated Vice Chair Zoltner be appointed Chair of the Board. After discussion, Vice Chair Zoltner declined the nomination. Board Member Rayner nominated Board Member Tomlin be appointed Chair of the Board, Board Member Cosimo seconded; motion carried.

AYES (7): Vice Chair Zoltner and Board Members Mohair, Cartwright, Bradshaw, Tomlin, Cosimo, Rayner

NAYS (0)

ABSENT (2): Board Members Johnson and McDaniels

Board Member Rayner nominated Vice Chair Zoltner be reappointed Vice Chair of the Board, Board Member Cartwright seconded; motion carried.

AYES (5): Vice Chair Zoltner, Board Members Mohair, Cartwright, Bradshaw, Rayner

NAYS (2): Chair Tomlin and Board Member Cosimo

ABSENT (2): Board Members Johnson and McDaniels

Chair of the Board Tomlin continued with the remaining agenda items.

- C. BOE19-015: Hold a discussion regarding the format and approval process of Board of Ethics Meeting Minutes.

Discussed new format and contents of meeting minutes to comply with City Secretary's Office request.

- D. BOE19-023: Consider approval of the minutes for 2018: July 31, August 13, September 17, December 5, December 19, and for 2019: January 16, February 14, February 20, March 6, March 27, May 1, and May 6.

After discussion, Board Member Rayner motioned and Vice Chair Zoltner seconded to approve all minutes as written. Motion carried.

AYES (7): Board Chair Tomlin, Vice Chair Zoltner, Board Members Mohair, Bradshaw, Cartwright, Rayner, Cosimo

NAYS (0)

ABSENT (2): Board Members Johnson and McDaniels

- E. BOE19-016: Hold a discussion on the rules of recusal (City of Denton Code of Ordinances Subpart A, Chapter 2, Article II, Section 2-29(g)(9)).

Discussed City of Denton policy on recusals and abstentions.

- F. BOE19-017: Hold a discussion to review outside Special Counsel attendance at future Board of Ethics meetings (Ethics Code Division 3, Section 2-275 (a)(b)).

Discussed need for outside counsel to attend Board meetings. Board agreed to request outside counsel attendance on an as-needed basis.

- G. BOE19-019: Hold a discussion and give staff direction regarding scheduling a hearing date for EC19-003.

Board agreed to the hearing date of July 23, 2019 for EC19-003 and directed staff to schedule a Board meeting for that date.

- H. BOE19-020: Hold a discussion and make a recommendation to staff on Ethics Training content required to be completed annually by City Officials (Ethics Code Division 3, Section 2-276).

Vice Chair Zoltner recommended a document be added to the Ethics Training entitled "Local Government Ethics Programs in a Nutshell". The Board agreed unanimously and recommended that staff add the document to the Board of Ethics webpage as required training material.

- I. BOE19-021: Receive a report, hold a discussion, consider potential recommendations to the City Council for amendments to the Ethics Ordinance, pursuant to Denton Ethics

Ordinance Division 3, Section 2-277(i), and take necessary action to approve recommended proposed changes.

The following recommendations were approved:

1. Remove the previous 2-20-19 recommendation: "Training Requirement"
Board Member Rayner motioned, Board member Cosimo seconded, motion carried.
AYES (7): Board Chair Tomlin, Vice Chair Zoltner, Board Members Mohair, Bradshaw, Cartwright, Rayner, Cosimo
NAYS (0)
ABSENT (2): Board Members Johnson and McDaniels
2. Add new recommendation: "Candidate for City Office"
Board Member Rayner motioned, Board member Mohair seconded, motion carried.
AYES (7): Board Chair Tomlin, Vice Chair Zoltner, Board Members Mohair, Bradshaw, Cartwright, Rayner, Cosimo
NAYS (0)
ABSENT (2): Board Members Johnson and McDaniels
3. Add new recommendation: "Advisory Opinion Reconsideration"
Board Member Rayner motioned, Board member Cosimo seconded, motion carried
AYES (7): Board Chair Tomlin, Vice Chair Zoltner, Board Members Mohair, Bradshaw, Cartwright, Rayner, Cosimo
NAYS (0)
ABSENT (2): Board Members Johnson and McDaniels
4. Add new recommendation: "Vacancies"
Board Member Rayner motioned, Board member Mohair seconded, motion carried.
AYES (7): Board Chair Tomlin, Vice Chair Zoltner, Board Members Mohair, Bradshaw, Cartwright, Rayner, Cosimo
NAYS (0)
ABSENT (2): Board Members Johnson and McDaniels

The following recommendations were rejected:

1. Add new recommendation: "Remove the burden of proof from the complainant from EC-2018"
Board Member Rayner motioned to reject this recommendation, Board member Bradshaw seconded, motion carried.
AYES (6): Board Chair Tomlin, Board Members Mohair, Bradshaw, Cartwright, Rayner, Cosimo
NAYS (1): Vice Chair Zoltner
ABSENT (2): Board Members Johnson and McDaniels
2. Add new recommendation: "Include settlement options to complaint remedies / sanctions"
Board Member Bradshaw motioned to reject this recommendation, Board member Rayner seconded, motion carried.

AYES (6): Board Chair Tomlin, Board Members Mohair, Bradshaw, Cartwright, Rayner, Cosimo

NAYS (1): Vice Chair Zoltner

ABSENT (2): Board Members Johnson and McDaniels

3. Add new recommendation: "Advisory opinions available to citizens as well as officials"

Board Member Rayner motioned to reject this recommendation, Board member Bradshaw seconded, motion carried.

AYES (6): Board Chair Tomlin, Board Members Mohair, Bradshaw, Cartwright, Rayner, Cosimo

NAYS (1): Vice Chair Zoltner

ABSENT (2): Board Members Johnson and McDaniels

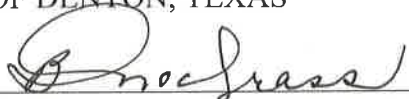
- J. BOE19-022: Hold a discussion and give staff direction regarding future meetings and/or presentations to the City Council regarding proposed changes and updates to the Ethics Ordinance.

Board agreed to discuss future meetings relating to revisions of the Ethics Code after the July 16, 2019 City Council Work Session presentation of the Letter of Recommendations. Board also discussed possibly setting up a regular meeting schedule.

Meeting adjourned at 8:35 PM



LARA TOMLIN
CHAIR – BOARD OF ETHICS
CITY OF DENTON, TEXAS



BETSY SNODGRASS – RECORDING SECRETARY

MINUTES APPROVED ON 7-10-19