A Panel of the Board of Ethics of the City of Denton, Texas, convened in a meeting, on Wednesday, December 5, 2018, in the City Hall Conference Room, at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Jesse Davis, Chair, Karen McDaniels, Lara Tomlin, and David Zoltner.

STAFF PRESENT: Aaron Leal, City Attorney, Umesh Dalal, City Auditor, and Theresa Jaworski, Executive Assistant.

COUNCIL MEMBERS: Council Member John Ryan.

OTHERS: Pati Haworth and Peggy Heinkel-Wolfe.

Jesse Davis, Chair of the Board of Ethics, recused himself from participating in deliberations on Ethics Complaint No. 18-003, due to his nomination by Council Member John Ryan.

Upon determining that a quorum of the Panel was present, Chair Jesse L. Davis, called the meeting to order. Panel Members for this meeting will be Lara Tomlin, David Zoltner, Vice Chair, and Karen McDaniels.

David Zoltner nominated Lara Tomlin for Chairperson of the Panel Meeting.

Tomlin accepted the nomination.

ITEM FOR CONSIDERATION

1. Ethics Complaint No. 18-003, filed November 19, 2018, concerning alleged violations of Ethics Ordinance Section 2-273(e), (f), and (h)(2).

   Tomlin addressed the first question, “Is John Ryan, a City official to whom the Ethics Ordinance applies?”

   The Panel Members all agreed.

   Tomlin, following draft questions that Jesse Davis provided, continued by asking the Panel Members, “Does the Complaint set forth factual allegations that if true, shows that John Ryan used his official title or position in violation of the listed circumstances set out in Ethic’s Ordinance Section 2-273(e), improper influence, items one through five.

   The Panel Members discussed the allegations and if they were factual or speculations.
Panel Members determined that John Ryan did not use his official title or position in violation of the listed circumstances set out in Ethic’s Ordinance Section 2-273(e), improper influence in items one through five.

Tomlin followed with the question three. “Does the Complaint set forth factual allegations that if true, shows that John Ryan used confidential information to which he had access by virtue of his official capacity to advance any personal private, financial interest of any person. set out in Ethic’s Ordinance Section 2-273(f)

Panel found no factual allegations that John Ryan used confidential information to which he had access by virtue of his official capacity to advance any personal private, financial interest of any person.

Tomlin, following questions on Section 2-273 (h) “Does the Complaint set forth factual allegations, if true, which shows that John Ryan interfered with a criminal or administrative investigation.

Panel found no factual allegations that John Ryan interfered with a criminal or administrative investigation.

Tomlin motioned that Complaint No. 18-003 be found baseless followed by a second by Karen McDaniels. Motioned passed unanimously

Jesse Davis advised that if the Complainant were to appeal the Panel decisions, the Board may meet on any of the complaints that the Panel addressed. The Board may meet again around the first of the new year to discuss changes in the ordinance and any recommendations to the City Council.

With no further items to discuss, the meeting was adjourned at 6:06 p.m.