

WHEREAS, Austin Kaplan is the longest serving member on the current Ethics Review Commission ("Commission"), having been first appointed to the Commission on August 4, 2011, and having served continuously for four-and-a-half years on the Commission;

WHEREAS, Mr. Kaplan has also served as chair of the Commission continuously for the past three-and-a-half years, having first been elected as chair on July 24, 2012, to replace outgoing chair James Henson, and having been re-elected as chair each year thereafter, which reflects the confidence that the other Commission members have shown in Mr. Kaplan's leadership abilities throughout the years, the level of Mr. Kaplan's dedication to public service, his commitment to the important purposes of the Commission, and his willingness to expend the extra time and effort necessary to serve in the role of chair of the Commission;

WHEREAS, Mr. Kaplan's tenure as chair of the Commission coincided with the City's historic transition from election of a mayor and six Council Members in an at-large manner to implementation of the election of a mayor in an at-large manner and election of 10 Council Members from newly created single-member geographic districts, which led to an increase in the membership of the Commission in July 2015 from seven members to 11 members;

WHEREAS, during Mr. Kaplan's time as chair, the Commission, in coordination with the League of Women Voters and City staff, successfully held a historic 11 candidate forums prior to the November City Council general election, in various districts throughout the City, and also held a historic eight candidate forums at city hall for the candidates competing in the December City Council runoff election;

WHEREAS, Mr. Kaplan's time as chair has been the most active in the Commission's recent history, with regard to the number of complaints received and heard;

WHEREAS, during Mr. Kaplan's tenure, the Commission, for the first time in Commission history, heard, ruled on, and issued sanctions on complaints alleging violation of the City's campaign finance ordinance and campaign finance charter provisions, including the first finding of a violation and issuance of a sanction against a sitting City Council Member;

WHEREAS, during Mr. Kaplan's tenure, the Commission, for the first time in Commission history, heard and ruled on a complaint alleging violation of the City's lobbying ordinance;

WHEREAS, during the entirety of the 22 years prior to Mr. Kaplan's tenure as chair of the Commission, Commission records show that only 16 complaints were received and heard by the Commission;

WHEREAS, the Commission received and heard a historic 25 complaints during Mr. Kaplan's three-and-a-half-year tenure as chair of the Commission;

WHEREAS, during Mr. Kaplan's three-and-a-half-year tenure as chair, a historic 25 complaints have been heard by the Commission at preliminary hearing, with four complaints also proceeding to final hearing;

WHEREAS, Mr. Kaplan presided over all 25 of these preliminary hearings and three of these final hearings, for a total of 28 hearings, with the Commission vice chair presiding over the one remaining final hearing, due to Mr. Kaplan's recusal for having had an accidental ex parte contact with the respondent, which can be attributed to Mr. Kaplan's incredibly outgoing personality, his always friendly demeanor, and his apparent inability to ignore any person who greets him or who he happens to come across in a public setting, regardless of that person's hearing party status;

WHEREAS, throughout those 28 hearings, Mr. Kaplan demonstrated excellent leadership of the Commission through his firm grasp of the relevant law and procedures, his calm and respectful demeanor toward all parties, witnesses, and fellow members of the Commission, his compassion, his sense of impartiality and fairness in conducting the proceedings, and last, but not least, his sense of humor;

WHEREAS, in addition to his accomplishments relating to Commission complaint hearings, Mr. Kaplan played a key role over a period of more than a year in working with multiple stakeholders, the City Auditor's Office, and the City Law Department to find consensus and bring to the City Council in January 2015 and again in December 2015 recommendations for extensive amendments and improvements to Chapter 2-3 (City Auditor) and Chapter 2-7 (Ethics and Financial Disclosure) of the City Code, which efforts included Mr. Kaplan's attendance at a December 2014 City Council meeting for several hours despite the fact that he was suffering from pneumonia at the time, further illustrating his admirable dedication to public service and to the Commission;

WHEREAS, simultaneous to his service on the Commission, Mr. Kaplan, in his free time, has successfully started his own law firm, has served on the board of directors of the Austin Young Lawyers Association, has been active in local politics, has been a parent, has raced dragon boats, and on one memorable occasion has raced Commission Member Smith's Tesla on Interstate 35; and

WHEREAS, Mr. Kaplan has expressed his intention to resign from the Commission after four-and-a-half years of dedicated service; NOW THEREFORE,

BE IT RESOLVED BY THE ETHICS REVIEW COMMISSION OF THE CITY OF AUSTIN:

The City of Austin Ethics Review Commission expresses its sincerest appreciation for Mr. Kaplan's years of service to the Commission and to the citizens of Austin and wishes him the best of luck in all of his future endeavors.

ADOPTED: February 10, 2016

The block contains several handwritten signatures in black ink. At the top right, there is a signature that appears to be 'Ken Smith'. Below it, there are several other signatures, including one that looks like 'Brett Smith'. In the bottom left, there is a signature that looks like 'Dennis Speight'. In the bottom center, there is a signature that looks like 'Donna Beth McCormick'. In the bottom right, there is a signature that looks like 'M. J. [unclear]'. There are also some initials and other marks scattered around the signatures.