

City Recusal Requirements

City code requires you to “recuse” (not participate) in certain conflict of interest situations. You have a conflict of interest when your personal interests influence your ability to make an unbiased board decision.

Specifically, you have a conflict of interest that requires recusal if you have a “substantial interest” that would be “affected” by an agenda item.

You have a “substantial interest” in real property if your interest has a market value of \$5,000 or more.

You have a “substantial interest” in a person or business entity if:

- You own 5% or more of the voting stock, shares or equity, or
- Ownership of \$5,000 or more of the equity or market value of an entity, or
- Receipt of funds from a person or entity during the previous 12 months or during the previous calendar year equaling or exceeding any of the following:
 - o \$5,000 in salary, bonuses, boards or professional fees, or
 - o \$20,000 in payment for goods, products or nonprofessional services, or
 - o 10% of the person’s gross income during that period, whichever is less.
- You serve as a corporate officer or member of the board of directors or other governing board of a for-profit entity.
- You have a substantial interest if your spouse has a substantial interest.

These interests are “affected” by a decision if the decision will have a direct economic effect/consequence on you or your spouse’s above-mentioned property, stock, entity, employer, or board.

You may always choose to recuse on an item for personal reasons, or based on interests that the public perceives to be a substantial interest, or based on interests that come close to the legal definition of substantial interests.

Steps to Recuse

- When you sign this Attendance, Recusal, and Abstention Sheet, indicate you will recuse and the item on which you will recuse;
- When the body takes up the item, publicly state the nature and extent of your substantial interest;
- Ask that the minutes of the vote reflect your recusal;
- You must NOT participate in the discussion; and
- You must NOT vote.

Leaving the dais is a good way to emphasize that you are refraining from participating in the discussion and the vote. Remember, recusal prohibits you from participating in discussions with other members at any time, on or off the dais.

City Abstaining Recommendations

If you feel that you cannot cast a well-informed vote based upon the information you have in your possession, you may choose not to vote on an item. Participating in the discussion but removing yourself from the vote is called “abstaining”.

Steps to Abstain

- When you sign this Attendance, Recusal, and Abstention Sheet, indicate you will abstain and the item on which you will abstain;
- If you choose to abstain during the meeting, please remember to add your abstention to this Attendance, Recusal, and Abstention Sheet;
- Publicly state your abstention;
- Ask that the minutes of the vote reflect your abstention;
- You may or may not choose to take part in the discussions leading up to the vote.

ATTENDANCE, RECUSAL, AND ABSTENTION SHEET – Advisory Boards

BOARD/COMMITTEE NAME: Design Commission

MEETING DATE: January 27, 2020

Attendance: Failure to sign this form will result in an unexcused absence. Any vote cast by a member who does not sign this form will **not** be counted.

Recusal: City code requires you to “recuse” (not participate) in some conflict of interest situations. A conflict of interest occurs when your personal interests influence your ability to make an unbiased board decision. See side 2 of this sheet for more information on recusal.

Abstention: If you do not have a conflict of interest, and do not wish to vote “yes” or “no” on a board decision, you may “abstain”. See side 2 of this sheet for more information on abstaining.

BOARD MEMBER	SIGNATURE VERIFYING PRESENCE	ARE YOU <u>RECUSING</u> OR <u>ABSTAINING</u> ON ANY AGENDA ITEMS?	IDENTIFY THE AGENDA ITEM NUMBER(S) BELOW FOR ITEMS ON WHICH YOU ARE RECUSING OR ABSTAINING.
David Carroll, Chair Nominated by: Council Member Natasha Harper-Madison		<input type="checkbox"/> Recusing <input type="checkbox"/> Abstaining	Recusing on _____ Abstaining on _____
Martha Gonzalez, Vice-Chair Nominated by: Council Member Delia Garza		<input type="checkbox"/> Recusing <input type="checkbox"/> Abstaining	Recusing on _____ Abstaining on _____
Aan Coleman Nominated by: Council Member Ellen Troxclair		<input type="checkbox"/> Recusing <input type="checkbox"/> Abstaining	Recusing on _____ Abstaining on _____
Beau Frail Nominated by: Council Member Jimmy Flannigan		<input type="checkbox"/> Recusing <input type="checkbox"/> Abstaining	Recusing on _____ Abstaining on _____
Samuel Franco Nominated by: Council Member Sabino Renteria		<input type="checkbox"/> Recusing <input type="checkbox"/> Abstaining	Recusing on _____ Abstaining on _____
Katie Halloran Nominated by: Council Member Leslie Pool		<input type="checkbox"/> Recusing <input type="checkbox"/> Abstaining	Recusing on _____ Abstaining on _____
Melissa Henao-Robledo Nominated by: Council Member Ann Kitchen		<input type="checkbox"/> Recusing <input type="checkbox"/> Abstaining	Recusing on _____ Abstaining on _____
Ben Luckens Nominated by: Council Member Alison Alter		<input type="checkbox"/> Recusing <input type="checkbox"/> Abstaining	Recusing on _____ Abstaining on _____
Evan Taniguchi Nominated by: Mayor Steve Adler		<input type="checkbox"/> Recusing <input type="checkbox"/> Abstaining	Recusing on _____ Abstaining on _____
Bart Whatley Nominated by: Council Member Kathie Tovo		<input type="checkbox"/> Recusing <input type="checkbox"/> Abstaining	Recusing on _____ Abstaining on _____
Josue Meiners Nominated by: Council Member Greg Casar		<input type="checkbox"/> Recusing <input type="checkbox"/> Abstaining	Recusing on _____ Abstaining on _____