

## ATTENDANCE AND CONFLICT OF INTEREST SHEET

**BOARD/COMMITTEE NAME:** \_\_\_\_\_ **DATE OF THE MEETING:** \_\_\_\_\_

Failure to sign this form will result in the member being counted as absent (unexcused absence). Any vote cast by a member who did not sign will **not** be counted.

By signing below, members indicate they were in attendance and certify their conflict of interest\*, if applicable, related to any agenda item. They agree not to participate in a discussion, deliberation, or vote on an agenda item for which they have a conflict of interest.

BOARD MEMBER	SIGNATURE VERIFYING PRESENCE	ARE YOU <u>ABSTAINING OR RECUSING</u> ON ANY AGENDA ITEMS?	IF YES, IDENTIFY THE AGENDA ITEM NUMBER BELOW.	IF <u>RECUSING</u> , HAVE YOU SUBMITTED AN AFFIDAVIT WITH THE OFFICE OF THE CITY CLERK:
DISTRICT 1: John Doe		<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
DISTRICT 2: Jane Smith		<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
DISTRICT 3:		<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
DISTRICT 4:		<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
DISTRICT 5:		<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
DISTRICT 6:		<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
DISTRICT 7:		<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
DISTRICT 8:		<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
DISTRICT 9:		<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
DISTRICT 10:		<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
MAYOR'S APPT:		<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No

\*A board member has a conflict of interest if City Code Chapter 2-7 or Local Government Code Chapter 171 prohibits the board member from taking action on a vote or decision before the board. Please see the reverse side for more information.

<p align="center"><u>City Recusal Requirements</u> <b><u>For ALL Boards</u></b></p>	<p align="center"><u>State Recusal Requirements</u> <b><u>For Sovereign Boards</u></b></p>	<p align="center"><u>City Abstaining Requirements</u> <b><u>For ALL Boards</u></b></p>
<p>The City Code requires you to recuse yourself when you have a “substantial interest” that would be affected by a vote of the board on which you serve.</p> <p>You have a substantial interest in real property if your interest has a market value of \$5,000 or more.</p> <p>You have a substantial interest in a business entity if:</p> <ul style="list-style-type: none"> <li>- You own 5% or more of the voting stock, shares or equity, or</li> <li>- Ownership of \$5,000 or more of the equity or market value of an entity, or</li> <li>- 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: <ul style="list-style-type: none"> <li>- \$5,000 in salary, bonuses, boards or professional fees, or</li> <li>- \$20,000 in payment for goods, products or nonprofessional services, or</li> <li>- 10% of the person’s gross income during that period, whichever is less.</li> </ul> </li> <li>- You serve as a corporate officer or member of the board of directors or other governing board of an entity</li> <li>- You have a substantial interest if your spouse has a substantial interest.</li> </ul>	<p>The state law applies in addition to the city’s recusal requirements; therefore, sovereign board members should be familiar with both the city and state requirements.</p> <p>You have a substantial interest in real property if you own an interest in real estate with a fair market value of \$2,500 or more.</p> <p>Under state law, you have a substantial interest in a business entity if:</p> <ul style="list-style-type: none"> <li>- You own 10% or more of the voting stock or shares of the entity</li> <li>- You own 10% or more or \$15,000 or more of the fair market value of the entity.</li> <li>- You received funds from the business entity that exceed 10% of your gross income for the previous year.</li> <li>- State law considers your interests to be the same as someone related to you in the first degree by blood or marriage. The City Code extends this group of relatives to the second degree. Relatives in the second degree include you and your spouse’s siblings, parents, grandparents, children, grandchildren, and the spouses of these relatives. If any one of these relatives has a substantial interest, you are considered to have that same interest.</li> </ul>	<p>The laws and regulations cannot cover every situation that could arise nor think of every relationship or emotional tie someone might have to an issue.</p> <p>To help you determine if you have a conflict of interest, when a matter appears on your board’s agenda, ask yourself:</p> <p>Do I stand to lose or gain anything because of my decision?</p> <p>Do I have a close personal or financial relationship with an interested party that isn’t covered by city or state recusal requirements?</p> <p>Have I received a gift or hospitality from anyone who stands to gain or lose from this decision?</p> <p>Will this affect my future employment opportunities?</p> <p>How would I feel if I saw a story about my connection with this issue on the news or read about it in the paper?</p> <p>Would I be embarrassed if people found out about my personal connection to this issue?</p> <p>If you feel that you cannot cast a well-informed vote based upon the information you have in your possession, if you can’t separate your personal feelings from a decision, or you think the public would think your relationship to a particular issue is suspect–abstain.</p> <p align="center">Use your best judgment.</p>
<p align="center"><u>Recusing yourself under City Code:</u></p> <ul style="list-style-type: none"> <li>• You make a public disclosure revealing the nature and the extent of your substantial interest.</li> <li>• You must make sure your disclosure is recorded in the board’s official records.</li> <li>• You must NOT participate in the discussion.</li> <li>• You must NOT vote</li> </ul> <p>Leaving the dais is a good way to emphasize that you are refraining from participating in the discussion and the vote.</p>	<p align="center"><u>Recusing yourself under State Law:</u></p> <ul style="list-style-type: none"> <li>• You must publicly disclose the nature and extent of the interest by filing an affidavit with the City Clerk before the vote.</li> <li>• You must NOT vote.</li> <li>• You must NOT take part in the discussions leading up to the vote.</li> </ul> <p>If you do not properly recuse yourself under the state law, you could be subject to prosecution for a Class A misdemeanor. This offense is prosecuted by the County or District Attorney, and it is punishable by a fine of up to \$4,000, a year in jail, or both.</p>	<p align="center"><u>Abstaining recommendations:</u></p> <ul style="list-style-type: none"> <li>• You must sign the Conflict of Interest/Attendance Sheet, indicating the item on which you will abstain, and document your abstention;</li> <li>• You may or may not choose to take part in the discussions leading up to the vote;</li> <li>• Publicly disclose your abstention;</li> <li>• Refrain from voting.</li> </ul>

