

CM Kitchen MOTION SHEET

Amend Resolution. BE IT RESOLVED:

Section C
Add subsection

iv. The members of the task force shall abide by and be subject to the provisions of SS 2-1-24 of City Code "Conflict of Interest and Recusal"

section of Code attached

§ 2-1-23 TRAINING.

- (A) A board member must comply with the training requirements of this section to maintain eligibility to serve on the board. Except as provided by Subsection (C), a board member who does not comply with the training requirements automatically vacates the board member's position, subject to the hold over provision in Section 2-1-27 (*Vacancy and Hold Over Capacity*).
- (B) Each board member must complete a board course developed by City staff not later than the 90th day after the date of the member's appointment or reappointment. The training shall include:
 - (1) a review of a board member's personal and ethical responsibilities;
 - (2) the role of council and staff and the council-manager form of government;
 - (3) the role of advisory boards in making recommendations and advising council;
 - (4) board procedures, including attendance and quorum;
 - (5) the City's business planning process;
 - (6) Government Code Chapter 551 (*Open Meetings Act*), Robert's Rules of Order, and Americans with Disabilities Act requirements;
 - (7) conflict resolution; and
 - (8) the use of a City e-mail account for board-related business.
- (C) A board member who does not comply with the training requirement prescribed by Subsection (B)(8) does not vacate the board member's position, but is subject to the prohibition of Subsection (C)(3) of Section

2-1-49 (Communications Using Electronic Devices).

Source: Ord. 20071129-011; Ord. 20090611-022; Ord. 20101209-003; Ord. 20120802-014; Ord. 20120823-004.

§ 2-1-24 CONFLICT OF INTEREST AND RECUSAL.

- (A) This section is cumulative of Chapter 2-7 (*Ethics And Financial Disclosure*) and Local Government Code Chapter 171 (*Regulation Of Conflicts Of Interest Of Officers Of Municipalities, Counties, And Certain Other Local Governments*). Under this section a board member has a conflict of interest if the City Code or another law prohibits the board member from taking action on a vote or decision before the board.
- (B) At each meeting, a board member shall sign an attendance sheet and shall indicate:
 - (1) that the board member has no conflict of interest related to any item on the agenda; or
 - (2) the number of an agenda item for which the board member has a conflict of interest.
- (C) At each meeting of a committee to which a board member is appointed, a committee member shall sign in on a sheet provided and shall indicate:
 - (1) that the committee member has no conflict of interest related to any item on the committee meeting agenda; or
 - (2) the number of an agenda item for which the committee member has a conflict of interest.
- (D) Failure by a member to comply with Subsection (B) will result in that member

being counted as absent from the board meeting; such an absence is an unexcused absence. Any vote or votes cast by a member who fails to comply with Subsections (B) or (C) will not be counted at the board or committee meeting at issue.

- (E) Chapter 2-7, Article 3 (*Violation: Complaint And Hearing Procedures*) applies to this section, and a sworn complaint alleging a violation may be filed under the procedures of that article. If the Ethics Review Commission determines that a violation of this section has occurred, it shall follow the procedure required by Section 2-7-47 (*Prosecution*).

Source: Ord. 20071129-011; Ord. 20080214-012; Ord. 20101209-003.

§ 2-1-25 PUBLIC FINANCIAL STATEMENTS.

- (A) A board member who does not file a public financial statement required by Section 2-7-72 (*Public Financial Statements*) automatically vacates the member's position, subject to the hold over provision in Section 2-1-27 (*Vacancy and Hold Over Capacity*).
- (B) The city clerk shall notify the nominating council member if a board member's failure to file public financial statements creates an automatic vacancy that requires a new appointment.
- (C) Each member of a board that advises city council concerning land development, city contracts, access to and expenditure of state and federal grant funds, or housing contracts may be required to file a public financial statement required by Section 2-7-71 (*Public Financial Statements*).

Source: Ord. 20071129-011; Ord. 20090611-022; Ord. 20090618-047.

§ 2-1-26 ATTENDANCE REQUIREMENTS AND AUTOMATIC VACATION.

- (A) Except as provided in Subsection (B), a board member automatically vacates the member's position if the member is absent for three consecutive regular meetings or one-third of all regular meetings in a rolling 12-month timeframe, subject to the hold over provision in Section 2-1-27 (*Vacancy and Hold Over Capacity*). Attendance by a board member at committee meetings and working group meetings is not considered for purposes of determining the board member's compliance with attendance requirements.
- (B) Subsection (A) does not apply to an absence due to the following:
- i. the board member's illness or injury;
 - ii. the illness of or injury to a member of the board member's immediate family; or
 - iii. the birth or adoption of the board member's child, for 90 days after the birth or adoption.

The board member must notify the staff liaison of one of these stated reasons for the absence not later than the date of the next regular meeting of the board. For an absence due to the birth or adoption of the board member's child, the board member must notify the staff liaison not later than the date of the next regular meeting after the birth or adoption.

- (C) The City department assigned to provide staff support to a board shall keep attendance records and notify the city clerk if a board member fails to comply with attendance requirements.