

Article 5
ETHICS AND CONFLICTS OF INTEREST

5.1 A member of the Commission shall abstain from discussion or voting on any matter in which that member has a real or apparent conflict of interest. Decisions regarding conflicts of interest shall be evaluated on a case-by-case basis with reasonable application of the principles provided in this article. A conflict of interest shall at a minimum include, but is not necessarily limited to:

- (1) Discussing, voting on, or otherwise acting on a matter in which a member or any person in the member's immediate family, the member's partner, or an entity with whom the member has family or business ties has a direct financial or beneficial interest.
- (2) Discussing, voting on, or otherwise acting on a matter involving work on property which is owned by that member or which is adjacent to property owned by that member.
- (3) Discussing, voting on, or otherwise acting on a matter when the member's employee or employer is an applicant or agent for an applicant, or has a direct financial or beneficial interest in the outcome.

5.2 A member of the Commission shall not solicit or accept gratuities, favors, or anything of monetary value from persons or entities in a position to benefit from a decision of the Commission.

5.3 A member of the Commission shall not obtain, for the member or for any person with whom the member has business or family ties, any financial or beneficial interest in a matter which may be affected by a decision of the Commission. ~~This restriction shall apply during the member's tenure on the Commission and for one year thereafter.~~ , except that a member may bid on a contract for public art. In order to avoid the appearance of influencing decisions, recommendations, or preliminary discussions for the benefit of their own bid, a member must notify the Commission and staff liaison in writing if there is a reasonable possibility that the member or the member's business will bid on a contract; and then the member must abstain from discussion and voting on all matters related to the contract and the project under which the contract is issued.

5.4 A member of the Commission shall disclose the general nature of any potential conflict, real or apparent, and, except when it violates a confidence, shall disclose all pertinent facts relating to the potential conflict. These disclosures shall be made prior to discussion and voting when possible and shall be recorded in the minutes of the proceedings. If the member believes that the potential conflict warrants abstention, the member may then abstain from discussion and voting on the matter.

5.5 A member who cannot vote due to a conflict of interest shall, during deliberation of the matter before the Commission, leave the meeting or the area where the members sit until action on the matter is concluded.

5.6 When a question has arisen as to whether a member is ineligible to participate in discussion or vote on a matter because of a conflict of interest, the Commission may determine that the member is ineligible due to a conflict of interest by a vote of a majority of the other