

## **EXHIBIT B**

### **GIFT POLICY FOR BOARD AND COMMISSION MEMBERS**

The following outlines a revised and expanded policy governing the solicitation and acceptance of gifts, tickets, meals, travel, lodging, entertainment, and honoraria by city officials who are board and commission members.

#### ***GIFTS***

The receipt of gifts should be evaluated against perceived conflicts or special considerations which could influence the ability of board and commission members to perform their official duties.

The receipt of certain gifts is allowed and includes:

1. Gifts having a nominal value received from citizens or persons or entities doing business with the city or seeking to do business with the city:
  - Non-cash gifts having a value of less than \$50.00 are acceptable. However, cumulative gifts from a single source in a calendar year may not exceed \$50.
  - Plaques, caps, key rings, mugs, tee shirts, fresh cut flowers given at public appearance, small amounts of perishable food given infrequently are acceptable.
2. Gifts received on behalf of the city, including ceremonial or protocol gifts given by governmental/international trade delegations are allowed. Any gift valued over \$250.00 must be reported and delivered to the city manager in accordance with Section 12A-22 of the Dallas City Code.
3. Gifts from a relative or a person with whom the board and commission member has a personal, professional or business relationship independent of the board and commission member's status with the city are allowed. This should always be used with discretion, realizing that the burden will fall on the city official to ensure that the narrow requirements of this exception are met.

Notwithstanding the above, a city official who is a member of a board or commission that: (1) has regulatory or appellate jurisdiction, (2) conducts inspections, investigations, or hearings in contested cases, or (3) grants or denies permits, licenses, waivers, variances, or zoning requests, may not solicit or accept any gift or benefit from a person the city official knows is interested in a matter before his or her board or commission, is appearing before his or her board or commission in a contested case, or is subject to regulation, inspection, or investigation by his or her board or commission.

Gifts must be reported by the board and commission member in accordance with applicable state law and city reporting requirements.

A board and commission member may not accept any cash, check, or negotiable instrument from any person or representative of a person or entity who does business with or is seeking to do business with the city.

A board and commission member may not solicit or accept any gift or benefit received in exchange for taking official action or exercise of discretion.

This gift policy does not apply to political contributions received and reported in compliance with the Texas Election Code.

A board and commission member who receives an unsolicited benefit or gift that he or she is not allowed to accept, or does not wish to accept in order to avoid any appearance of impropriety, may donate the item to the city or another governmental entity that has the authority to accept the item or to a recognized tax-exempt charitable organization formed for educational, religious, or scientific purposes.

### ***COMPLIMENTARY TICKETS***

The receipt of complimentary tickets to events must be evaluated along a number of parameters.

1. Board and commission members may receive tickets to functions where the city board and commission member is performing ceremonial duties or attending as a representative of the city.
2. Board and commission members are encouraged to support activities that benefit city facilities or city sponsored programs associated with and related to their respective board and commission functions and duties. Board and commission members may, in connection with their duties and responsibilities, accept tickets to fundraisers or charity events that benefit city facilities and programs under their jurisdiction. An example would be the acceptance of tickets by a member of the Park Board to the Dallas Zoo's annual fundraiser, "Zoo To Do."
3. The city owns and operates a number of facilities. It also contracts with non-profit entities to manage or operate city facilities or conduct events on behalf of the city. Examples would include, the State Fair, Arboretum, Dallas Museum of Art, Dallas Summer Musicals, South Dallas Cultural Center, and Latino Cultural Center. It is the responsibility of certain boards and commissions to assess the management and operation of city-owned facilities within their jurisdiction and to oversee city sponsored events associated with and related to their respective board and commission

duties and functions, and, consequently, board and commission members are encouraged to attend events at the city-owned facilities for which they have oversight responsibilities.

Therefore, board and commission members may receive tickets to events and facilities for which they have oversight responsibilities, subject to availability as determined in the sole discretion of the event sponsor, under the following guidelines:

- No more than 4 tickets per event, and either the board and commission member, his or her spouse, domestic partner, or significant other must be in attendance at the event.
  - Tickets cannot be sold.
  - Tickets cannot be transferred, except that board and commission members may transfer their tickets to another board and commission member with oversight responsibilities related to the event or facility.
  - If the number of available tickets is limited as determined by the event sponsor, the total number of tickets shall be distributed among board and commission members on an equitable basis.
  - Complimentary annual memberships, individual or family, to city owned facilities that are operated or managed by a non-profit organization on behalf of the city may be given to board and commission members who exercise oversight responsibilities with respect to the facility.
  - Board and commission members who have oversight responsibility for an event or a facility at which an event is conducted may accept blocks of promotional complimentary tickets to the event for distribution (in accordance with any requirements set forth by the event sponsor) to the general public, educational or civic organizations, or neighborhood groups; provided the tickets are unsolicited and given by the sponsor to the board and commission member for purpose of encouraging the attendance of the general public at the event. If permitted by the event sponsor, the board and commission member may retain no more than 4 of the promotional complimentary tickets for his or her own personal use.
- 4 In cases where the city contracts with a for-profit entity over which the city council does not have oversight responsibilities (examples: American Airlines Center, Superpages.com Center), board and commission members may request tickets to events, but board and commission members are required to purchase these tickets at face value. Complimentary tickets to events are not permitted.
- 5 Gifts and complimentary tickets ~~having an aggregate value of more than \$250~~ must be reported or disclosed by the board and commission member

in accordance with ~~Chapter 176 of the Local Government Code and Chapter 12A of the Dallas City Code, if applicable~~ applicable state law and city reporting requirements.

### ***MEALS, TRAVEL, LODGING, OR ENTERTAINMENT***

Board and commission members may accept meals, travel, lodging, or entertainment under the following conditions:

1. The board and commission member is a guest.
2. The donor or host must be present at the meal, lodging, travel, or entertainment. Meals, lodging, travel or entertainment from a person who does business or is seeking to do business with the city when the donor or host is not present is not acceptable.
3. ~~Any applicable reporting or disclosure requirements are met~~ Meals, travel, lodging or entertainment accepted as a guest must be reported by the board and commission member in accordance with applicable state law and city reporting requirements.

Notwithstanding the above, a city official who is a member of a board or commission that: (1) has regulatory or appellate jurisdiction, (2) conducts inspections, investigations, or hearings in contested cases, or (3) grants or denies permits, licenses, waivers, variances, or zoning requests, may not accept meals, travel, lodging, or entertainment from a person the city official knows is interested in a matter before his or her board or commission, is appearing before his or her board or commission in a contested case, or is subject to regulation, inspection, or investigation by his or her board or commission.

### ***HONORARIUMS***

Any honorarium (cash payment or in-kind gift, except for a plaque) in consideration for services which a city official would not have been requested to provide but for his/her official status is prohibited. Exception: Board and commission members may accept or be reimbursed for travel, lodging and meal expenses in connection with a conference or similar event where the board and commission member is a speaker or presenter because of his or her official position.

~~Any applicable reporting requirements must be met~~ Honorarium must be reported by the board and commission member in accordance with applicable state law and city reporting requirements.

**CITY REPORTING REQUIREMENTS (for gifts, tickets, meal, travel, lodging, entertainment, or honorarium)**

The reporting requirements of this section are in addition to any applicable reporting requirements for city board and commission members pursuant to Chapter 12A of the Dallas City Code and Chapter 176 of the Local Government Code.

1. City board and commission members shall file a sworn annual disclosure statement with the City Secretary itemizing each gift, ticket, meal, travel, lodging, entertainment, or honorarium having a value of \$35 or more, or accumulation of gifts, tickets, meals, travel, lodging, entertainment, or honoraria from a single source having an aggregate value of \$100 or more, received by the board or commission member or his or her immediate family during the preceding calendar year from a person, other than a relative within the second degree of consanguinity or affinity, who is interested in or is likely to become interested in any contract, purchase, payment, claim, or pecuniary transaction with the city that involves the exercise of the board or commission member's discretion, or who is a registered lobbyist pursuant to Article III-A, Chapter 12A of the Dallas City Code.
2. The annual disclosure statement for the preceding calendar year must be on a form prescribed by the City Secretary and filed with the City Secretary no later than 5:00 p.m. on April 30. When the deadline falls on a Saturday or Sunday, or on an official city holiday or furlough day as established by the city council, the deadline for receipt by the City Secretary is extended to 5:00 p.m. of the next day that is not a Saturday, Sunday, official holiday or furlough day.
3. The annual disclosure statement must include the date(s) the item(s) were given, the name of the donor, a description of the item(s), the value of the item(s) and indicate whether the item(s) were given to the board or commission member or a member of the board or commission member's immediate family.
4. A board or commission member is not required to file an annual disclosure statement if the board or commission member, his or her spouse, domestic partner or dependent children have not, within the preceding calendar year, received any gifts, tickets, meals, travel, lodging, entertainment, or honorarium having a value of \$35 or more, or an accumulation of gifts, tickets, meals, travel, lodging, entertainment, or honoraria from a single source having an aggregate value of \$100 or more from a person, other than a relative within the second degree of consanguinity or affinity, who is interested in or is likely to become interested in any contract, purchase, payment, claim,

or pecuniary transaction with the city that involves the exercise of the board or commission member's discretion, or who is a registered lobbyist pursuant to Article III-A, Chapter 12A of the Dallas City Code.

5. For purposes of this policy, immediate family means a spouse, a domestic partner, and dependent children.