

Complaint against Evan Taniguchi

Conflict of Interest and Recusal

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Non-profits

- Goals and missions aren't financial
- Conflicts of interest are not direct
- If a commissioner represents a non-profits, a vote benefiting the non-profit presents the appearance of impropriety

Background

- Zilker Park Vision Plan is plan for guide park restoration and development for the next 50 years
- Planning process began February 2021
- Parks Department and consultant (Design Workshop) were to conduct public engagement
- 16 stakeholder organizations (including park concession operators) formed Zilker **Collective** Impact Working Group

Zilker **Collective** Impact Working Group

- Collective members advocated for Vision Plan items benefiting their individual organizations
 - ▶ parking garages
 - ▶ the land bridge
 - ▶ the new hillside theater
 - ▶ new bridges over ladybird lake and Barton creek, and
 - ▶ a new welcome center.
- **Nonprofit partnership to steward Zilker Park**
Never revealed during two years of public engagement

Evan Taniguchi – member of the Design Commission

- 3/27 Discussion and possible action on a recommendation to consider the Draft Zilker Park Vision Plan
Evan Taniguchi (and one other commissioner) recused and indicated a conflict of interest on the required sign in sheet
The commission lost quorum
- 4/3 The Collective announced itself as a non-profit Zilker351
Mr. Taniguchi is a founding member
- 4/13 Discussion and possible action on a recommendation to consider the Draft Zilker Park Vision Plan
Evan Taniguchi does not recuse
Mr Taniguchi proceeded to participate in discussion and vote concerning the Zilker Park Vision Plan

§ 2-7-63 - PROHIBITION ON CONFLICT OF INTEREST

- (A) A City official or employee may not participate in a vote or decision on a matter affecting a natural person, entity, or property in which the official or employee has a substantial interest; provided, however, that this provision shall not prohibit any member of the city council from participating in a discussion relating to a petition certified to the city council by the city clerk which petition seeks the recall of said member of the city council.
- (B) A City official or employee who serves as a corporate officer or member of the board of directors of a nonprofit entity may not participate in a vote or decision regarding funding by or through the City for the entity.

§ 2-7-63(B) - PROHIBITION ON CONFLICT OF INTEREST

A City official or employee who serves as a corporate officer or member of the board of directors of a nonprofit entity may not participate in a vote or decision regarding funding by or through the City for the entity.



Evan Taniguchi, Board Member

- There are reasonable grounds to believe that a violation within the jurisdiction of the commission has occurred
- A decision to conduct a final hearing is not a finding that a violation has occurred
- This case deserves a final hearing with a full commission

Thank you! I'm happy to answer questions.