

## **Conflict of Interest Public Disclosure**

In compliance with 24 CFR 84.42 and 570.611 and the 2021 – 2022 CDBG Application requirements, the following disclosure has been posted for a 15-day public comment period, from *February 3, 2021* to *February 18, 2021*.

**Subrecipient:** Community Service Council of Greater Tulsa (CSC)

**Project Name:** 211 Eastern Oklahoma

**CDBG Grant Application Amount:** \$50,000

**Funding Year:** 2021 – 2022

**Description of Project:** Community Service Council of Greater Tulsa. plans to use federal grant funds to assist the organization in funding an expansion of their services, the 211 Coordination Center. This expansion streamlines the initial intake processes for agencies who provide resources for housing and utility assistance. This will enable the organization to support the increased demand for these services due to the corona virus pandemic which is expected to remain in high demand.

**Brief Description of Potential Conflict:** A person who is a member of the Community Service Council of Greater Tulsa Board of Directors is employed by the City of Tulsa as Deputy Mayor and Chief Administrative Officer. See below to read the full disclosure.

[\[add link\]](#)

Public comments may be submitted in writing by mail, fax, or email. Address all correspondence to Gary Hamer, Manager, Capital Planning and Grants Administration.


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TO: Gary Hamer, Capital Planning Grants Manager

FROM: Davie E. O'Meilia, City Attorney 

DATE: February 1, 2021

SUBJECT: Community Service Council of Greater Tulsa application for CDBG grant funding

The Grants Administration Office has requested a memorandum regarding the above-referenced matter requisite to the City making application to HUD for a conflict of interest exception. The Tulsa City Council, as governing body of the City of Tulsa, Oklahoma a municipal corporation, through discussion, consideration and vote, determines which organizations receive federal Community Development Block Grant ("CDBG") funding, as well as the amount of the funding provided each approved organization. Such selection and funding determinations made by Council majority vote are memorialized in a Council Resolution. By City Charter, the Mayor is not a member of the City Council, but is an elected official serving as the City's chief executive and administrative officer. The Charter requires that to be valid and effective, Council Resolutions must be approved and signed by the Mayor on behalf of the City.

The Community Service Council of Greater Tulsa ("CSC") organization is a regular applicant for CDBG grant funding that is awarded and administered by the City. The specific potential conflict of interest addressed herein arises because a mayoral appointee serving in the City's Administration, Deputy Mayor and Chief Administrative Officer Amy Brown, recently began service as a Board Member of the CSC, also appointed by the Mayor. Pursuant to City ordinance, Deputy Mayor Brown's position with CSC creates a potential conflict of interest regarding the City's CDBG grant funding process and must be addressed in order that such potential conflict is precluded from having any effect on that process. It is also highly relevant to note the following: 1) that Deputy Mayor Brown who has been serving in the Administration since 2016 has never participated in any manner in the CDBG grant funding process, and 2) the Director of the Finance Department manages and supervises all the offices and employees that deal with grants and grant funding, including CDBG grants and the Director of Finance reports directly to the Mayor; the Deputy Mayor has no supervisory or management authority over the Finance Department.

The City of Tulsa's Ethics Code ordinance, Section 603, prohibits participation on items of personal, organizational, and financial interest, specifically providing, as follows:

No City official shall participate in any City business in which they have a related personal, financial, or organizational interest. Such City official shall not discuss the matter with a City official who is participating in the action other than to state

his [her] disqualification. The possibility, not the actuality, of a conflict shall govern.

Further, Section 604 of the City's Ethics Code ordinance requires that the City official having a potential conflict of interest file a written disclosure describing the disqualifying interest with the Tulsa City Clerk.

The Chief Executive Officer of the Community Service Council of Greater Tulsa has provided a letter to the City's Division of Grants Administration, in which she states, in pertinent part:

Ms. Brown will file a notice declaring this relationship with the City of Tulsa Clerk's office. She will recuse herself from all discussion or consideration of CDBG applications or grants awards at the City of Tulsa, and will publicly announce the recusal and the reason for recusal at the CSC Board of Directors meeting and City Council committee and business meeting any time the matter is on the agenda. This will ensure that there is no inside information gained nor influence in the decision-making process for consideration of the Community Service Council 211 EOK application that is being submitted.

I have reviewed a letter Deputy Mayor Brown filed with the City Clerk on January 15, 2021, in which she states, in pertinent part:

CSC has received in the past and has presently applied for funds through the Community Development Block Grant, and I will recuse from all discussion regarding and voting for CDBG funding as Deputy Mayor. I will also recuse myself from any Council discussion or agenda items that may directly impact the City of Tulsa in relation to the CSC and its operations.

Upon such Notice of non-participation and recusal, Deputy Mayor Brown will not be participating in, discussing, or influencing, upon any matter relating to CDBG applications or grant awards with any City official or employee, and therefore, her recusal from participation will not affect or influence the City's CDBG grant funding process.

Upon analysis of the facts, situation, and applicable City ordinances, all as set forth herein, I am satisfied that Deputy Mayor Brown's recusal and non-participation entirely mitigates her potential conflict of interest regarding both the Councils' discussions, consideration and determination of all City CDBG grant funding allocation matters, as well as the Mayor's consideration and approval of same. I am satisfied that such recusal from all CDBG grant funding processes complies with the non-participation requirements of The City's Ethics Code, Section 603, combined with her filing of the required Section 604 conflict disclosure with the Clerk's office, completely fulfills the requirements of the City Ethics Code ordinance, ensuring that no violation of this local law occurs.