


TO: Gary Hamer, Capital Planning Grants Manager

FROM: Erica Grayson, Assistant City Attorney – Contracts Division 

DATE: February 14, 2022

SUBJECT: LIFE Senior Services application for CDBG grant funding

The Grants Administration Office has requested a memorandum regarding the above-referenced matter in order for the City to make application for HUD for a conflict of interest exception. The Mayor's Office reviews and approves all agreements for the distribution of Community Development Block Grant ("CDBG") funding to subrecipients.

LIFE Senior Services is an applicant for CDBG grant funding which is awarded and administered by the City. The specific conflict of interest addressed here arises because the Director of Development at LIFE Senior Services, Carolyn Blair, is the spouse of the City's Chief Operating Officer within the Mayor's Office, Jack Blair. Pursuant to City ordinance, Mr. Blair's personal relationship creates a conflict of interest regarding the City's CDBG grant funding process and must be addressed and such conflict precluded from having any effect on that process.

The City's Ethics Code ordinance, Section 603, prohibits a City Official's participation on items where there could be a personal, organizational, or financial interest. The Ethics Code states that a personal interest can create a conflict, even if no financial interest exists. A personal interest is defined as "a direct or indirect interest, matter, or relationship not shared by the general public which could be reasonably expected to impair the City official's objectivity or independence of judgment." Because the spouse of the City's Chief Operating Officer is an employee of the subrecipient of CDBG funding, such a relationship exists and this creates a conflict.

The City's Ethics Code ordinance, Section 604, requires that the City Official who has the conflict of interest file a written statement describing the conflict with the Tulsa City Clerk. Jack Blair has filed a statement disclosing this disqualifying interest with the City Clerk. In the statement, Mr. Blair states that he "will not participate or assist in any City business, matter, or deliberation involving LIFE Senior Services." Abstaining from such involvement will mitigate the potential impacts of this conflict of interest on the City's CDBG grant funding process and will be in compliance with Section 603 of the City's Ethics Code ordinance.

For the reasons stated above, in my opinion the potential impacts of the conflict of interest described above will be properly mitigated, the disclosure requirements will be met, and this will create no violation of State or local law.



Office of the Mayor
MEMORANDUM

Date: February 9, 2022

To: Mayor Bynum

From: Jack Blair

cc: Gary Hamer
Judy Gillaspie
Rhys Williams

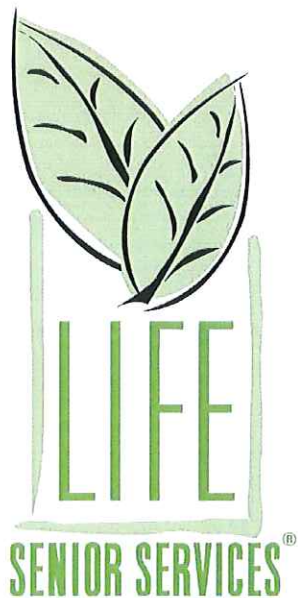
FILED
CITY OF TULSA
STATE OF OKLAHOMA
2022 FEB -9 PM 3:13
OFFICE OF THE
CITY CLERK

Subject: Statement of "Personal, Financial or Organizational Interests"

This document serves as my written disclosure pursuant to the City's Ethics Code, Title 12, Section 604(B), that I have the following "personal, financial or organizational interest."

My wife, Carolyn Blair, is Director of Development at LIFE Senior Services.

I will not participate or assist in any City business, matter, or deliberation involving LIFE Senior Services.



Promoting
and Preserving
Independence
for Seniors.

Today -
Tomorrow -
Always.

(918) 664-9000

www.LIFEseniorservices.org

Adult Day Health

Caregiver Support Services

Community Education

Care Management Services

Medicare Assistance
Program

Tax Assistance Program

Senior Centers

SeniorLine Information
& Resource Counseling

Vintage Housing

LIFE PACE

*Vintage Guide to
Housing & Services*

Vintage Newsmagazine

Legacy Plaza

5330 E. 31st St., Suite 800
Tulsa, OK 74135

Central Tulsa

5950 E. 31st St.

North Tulsa

902 E. Pine St.

Broken Arrow

3106 S. Juniper Ave.



November 18, 2021

City of Tulsa
Office of Grants Administration
175 E. 2nd Street
Tulsa, OK 74103

Dear Office of Grants Administration, City of Tulsa,

This letter is to acknowledge a potential conflict of interest for the Grant Certification Form – 2, City of Tulsa/GA – CDBG Conflict of Interest Certification Form.

Our LIFE Senior Services employee, Carolyn Blair, Director of Development, is spouse to Jack Blair, a City of Tulsa employee who serves as Chief Operating Officer in the Office of the Mayor. This relationship would demonstrate a potential conflict of interest would apply specific to points A. and B.

Sincerely,

Eileen Bradshaw, President and CEO
LIFE Senior Services, Inc.

Grant Certification Form – 2

City of Tulsa/GA – CDBG Conflict of Interest Certification Form

The standards in 2 CFR 200.318 provide that no employee, officer, or agent shall participate in the selection, award, or administration of a contract supported by Federal funds if a real or apparent conflict of interest would be involved. Such a conflict would arise when an employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in the firm selected for an award.

The CDBG regulations at 24 CFR 570.611 provide that no person who is an employee, agent, consultant, officer, or elected official or appointed official of the recipient or subrecipient that are receiving CDBG funds and (1) who exercises or has exercised any functions or responsibilities with respect to activities assisted with CDBG funds; or (2) who is in a position to participate in a decision-making process or gain inside information with regard to these activities, may obtain a financial interest from a CDBG-assisted activity, or have any interest in any contract, subcontract, or agreement with respect thereto, or the proceeds there under, either for themselves or those with whom they have family or business ties, during their tenure or for one (1) year thereafter.

- A. Are any employees, agents, consultants, officers, family members, or elected officials of the organization requesting funds in a position to participate in the decision-making process for approval of this application? ☒ Yes ☐ No
- B. Are any employees, agents, consultants, officers, family members, or elected officials of the organization requesting funds in a position to gain inside information with regard to approval of this application? ☒ Yes ☐ No
- C. Will any employees, agents, consultants, officers, family members, or elected officials of the organization requesting funds obtain a financial interest or substantial benefit from this activity? ☐ Yes ☒ No
- D. Will any employees, agents, consultants, officers, family members, or elected officials of the organization requesting funds have an interest in any contract, subcontract or agreement with respect to funding this application, either for themselves or those with whom they have family or business ties during the program year and one year thereafter? ☐ Yes ☒ No

If you answered YES to any of the above questions, a letter must be submitted with the application that includes the following information:

- 1) A disclosure of the nature and extent of the conflict
- 2) A description of how public disclosure will be made
- 3) A qualified attorney's opinion that the conflict of interest does not violate federal, state, or local law

Note: If you are approved for funding, GA must issue a public notice of the disclosure with a 15-day public comment period, and then submit to HUD for approval prior to execution of a grant agreement or release of funds.

 Board Chair Date 11-18-21
Signature/Authorized Official of Board Title

Printed Name Angela Cozort

 BEC Date 11/18/21
Signature/Authorized Representative of Organization Title

Printed Name Eileen Bradshaw



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January 17, 2022

VIA ELECTRONIC MAIL

LIFE Senior Services, Inc.
5330 E. 31st Street, Suite 800
Tulsa, OK 74135
Attn: Eileen Bradshaw, President and CEO
Eileen.Bradshaw@LIFEseniorservices.org

Re: City of Tulsa/GA - CDBG Conflict of Interest Certification Form

Dear Eileen:

Per our discussion yesterday, I have received the above-referenced form submitted by LIFE Senior Services, Inc. ("LIFE") to the City of Tulsa and related disclosure of a potential conflict of interest.

I understand from these documents and our discussion that Carolyn Blair, LIFE's Director of Development, is married to Jack Blair, a City of Tulsa employee. I also understand that (a) LIFE is an Oklahoma nonprofit nonstock corporation and thus does not have any owners or stockholders that would financially benefit from an award of the subject grant, (b) Carolyn Blair is an employee of LIFE and has financial or other interest in LIFE, and (c) Carolyn Blair will not be awarded any bonus, compensation or other tangible personal benefit from LIFE if the subject grant is approved.

In light of the facts as outlined above, there is no conflict of interest that would violate 2 CFR 200.318 or 24 CFR 570.611. I applaud LIFE and Carolyn's desire to transparent and disclose what could be a *perceived* conflict of interest, but there is no actual conflict of interest within the meaning of these regulations.



Please let me know if you have further questions or concerns about this matter. You are authorized to share this letter with the City of Tulsa, but this firm represents LIFE only, and this letter does not constitute advice to, or create any attorney-client relationship with, the City of Tulsa or any other person.

Yours very truly,

A handwritten signature in blue ink, reading "Thom J. Hutchinson". The signature is written in a cursive, flowing style.