



## TULSA CITY COUNCIL

November 17, 2017

Attn: Mike Kier  
City Clerk  
175 E. 2<sup>nd</sup> St  
Tulsa, Ok 74103

RE: Conflict of Interest

Dear Mr. Kier,

I am writing to disclose, effective November 13, 2017, I became the Chief Executive Officer of Child Abuse Network (CAN).

The Child Abuse Network receives monies through the Community Development Block Grant, and I will recuse from all discussion regarding and voting for CDBG funding as a City Councilor. I will also recuse from any Council discussion or agenda items that may directly impact the City of Tulsa in relation to the Child Abuse Network and its operations.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Anna America".

Anna America  
Chair, Tulsa City Council  
District 7

FILED  
CITY OF TULSA  
STATE OF OKLAHOMA  
2017 NOV 17 PM 12 50  
MICHAEL P. KIER  
CITY CLERK

# c a n

child abuse network

*Stop the hurt. Begin the healing.*

November 17, 2017  
Division of Grants Administration  
City of Tulsa Finance Department  
175 East 2<sup>nd</sup> Street, Suite 480  
Tulsa, Ok 74103

As a part of the grant application from the Child Abuse Network, Inc., we are including the following information to address a conflict of interest as required by Grant Certification Form – 2

1. Disclosure of the nature and extent of the conflict: Anna America became the Chief Executive Officer for the Child Abuse Network effective November 13, 2017. Anna America is also a member of the Tulsa City Council, which is the entity that reviews and approves the final recommendations for the award and disbursement of the CDBG Tulsa monies. CAN has been a recipient of a CDBG Tulsa grant since 1997, well before Anna America joined CAN or before she was on the City Council.
2. Description of how public disclosure will be made: Ms. America has filed 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 grant awards at the City of Tulsa, and will publicly announce the recusal and the reason for recusal at the CAN Board of Directors meeting and City Council committee and business meetings any time the matter is on an agenda. This will ensure that there is no inside information gained nor influence in the decision-making process for consideration of the Child Abuse Network application that is being submitted.
3. Letter from attorney attached citing this conflict of interest does not violate federal, state or local law.

Please feel free to contact our agency if there are further questions. Thank you for your time and consideration in this matter.

Sincerely,



Anna America,  
Chief Executive Officer  
918-624-0209



2829 South Sheridan  
Tulsa, Oklahoma 74129  
phone (918) 624-0200 fax (918) 624-0222  
[www.childabusenetwork.org](http://www.childabusenetwork.org)



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ADRIENNE L. BARNETT

E-MAIL: [alb@nwcjlaw.com](mailto:alb@nwcjlaw.com)

November 17, 2017

*Via Email*

Kala O. Sharp  
President, Board of Directors  
Child Abuse Network

Dear Kala:

I am writing to address the potential conflict of interest that exists because the Chief Executive Officer (CEO) of Child Abuse Network (CAN) is also a Tulsa City Councilor. I understand that CAN's CEO as of November 13, 2017, Anna America, has been provided with a copy of CAN's Conflict of Interest policy and that she has disclosed her potential conflict as a Tulsa City Councilor to you, as President of the Board of Directors, on the form required by CAN's Conflict of Interest Policy. I also understand that Ms. America has filed the appropriate disclosures with the City Clerk's office noting that she is an employee of CAN and that she will recuse herself from any discussion and/or voting on matters related to CAN, including without limitation, any discussion and/or voting on matters related to CDBG grants.

It appears that Ms. America has appropriately disclosed any conflict of interest, real or apparent, and has taken appropriate steps with the City of Tulsa. With regard to her role at CAN, it is my understanding that she shall follow the Conflict of Interest Policy dated March 26, 2009. It is also my understanding that, as appropriate, she had no role in completing or reviewing the CDBG grant application that is to be submitted to the City of Tulsa on November 17, 2017.

Accordingly, it is my legal opinion that Ms. America has operated consistent with CAN's Conflict of Interest policy. She has filed a notice with the City Clerk of her employment with CAN and has taken steps to recuse herself from any council activity which may impact CAN. Conversely, she has recused herself from activities at CAN related to the grant application process. A conflict of interest exists when an individual, such as Ms. America, is in a position to exploit a professional or official capacity in some way for her personal benefit. That exploitation only occurs if she breaches her duty to the City. To breach that duty, she must divert municipal assets, opportunities, or information for personal gain. In this situation, Ms. America's recusal from any council action involving CAN and disclosure of the potential conflict by filing with the City Clerk are confirmation that she and CAN have operated with consistency and integrity regarding CAN's policy; likewise, her lack of involvement in the CDBG grant process in her capacity as CEO of CAN ensure that CAN is not receiving any improper benefit as a result of her

professional relationship with the City of Tulsa, and are further confirmation that she and CAN have operated with consistency and integrity in following CAN's Conflict of Interest policy.


Sincerely,

A handwritten signature in black ink, appearing to read 'ALB', with a long horizontal flourish extending to the right.

Adrienne L. Barnett  
Attorney at Law

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TO: Gary Hamer, Capital Planning Grants Manager

FROM: Davie E. O’Meilia, City Attorney 

DATE: January 10, 2018

SUBJECT: Child Abuse Network (“CAN”) application for CDBG grant funding

The Grants Administration Office has requested a memorandum regarding the above-referenced matter in order for the City make 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, and also the amount of the funding provided each approved organization.

The CAN organization is a regular applicant for CDBG grant funding which is awarded and administered by the City. The specific conflict of interest addressed herein arises because elected Tulsa City Councilor Anna America recently began service as the salaried Executive Director of CAN. Pursuant to City ordinance, Councilor America’s position with CAN 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 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 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 conflict of interest file a written disclosure describing the disqualifying interest with the Tulsa City Clerk.

I have reviewed a letter Councilor America has provided to the City’s Division of Grants Administration, in which she states:

I will recuse myself from all discussion or consideration of CDBG applications or grant awards at the City of Tulsa and will publicly announce the recusal, including the reason for the recusal at the CAN Board of Directors meeting and City Council committee and business meetings any time the matter is on an

agenda. This will ensure that there is no inside information gained nor influence in the decision-making process for consideration of the Child Abuse Network application that is being submitted.

Upon such recusal(s), Councilor America will not be participating in, discussing, influencing, or voting upon any matter relating to CDBG applications or grant awards, and therefore, her recusal will not affect or influence the City's CDBG grant funding process. Councilor America has also filed with the City Clerk's office a written disclosure of the conflict of interest that disqualifies her from any participation in the CDBG grant funding process.

Upon analysis of the facts, situation, and applicable City ordinances, all as set forth herein, I am satisfied that Councilor America's proposed recusals entirely mitigate the effect of her conflict of interest on the Council's discussions, consideration and determination of the City's CDBG grant funding allocation matters. I am satisfied that her recusal(s) from the CDBG process comply with the non-participation requirements of Section 603, combined with her filing of the required Section 406 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.