



OCOH Conflict of Interest and Recusal Process



Office of the Controller
Radhika Mehlotra

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Conflict of interest, defined by Good Government Guide

- Several State and local laws prohibit City Officials from **participating in decisions** in which they have a financial interest.
- State law also prohibits public officials, employees and consultants from **participating in the making of a contract** that could implicate their personal financial interest. Prohibition extends to **contracts approved by** individual public officials and employees, or **by the boards or commissions of which they are members.**
 - Applicable to any renewal of **existing** contract funding and all **new** contract funding
 - Also applicable to any **partner organizations** and **sub-contractors**

Recusal requirements for conflict of interest

- Officials can avoid violating State and local laws if they **disclose their financial interest and abstain from participating in or seeking to influence a decision** in which they have an interest
- Employees, consultants, and members of purely advisory bodies who are financially interested in a contract must **abstain from participating in the making of the contract.**

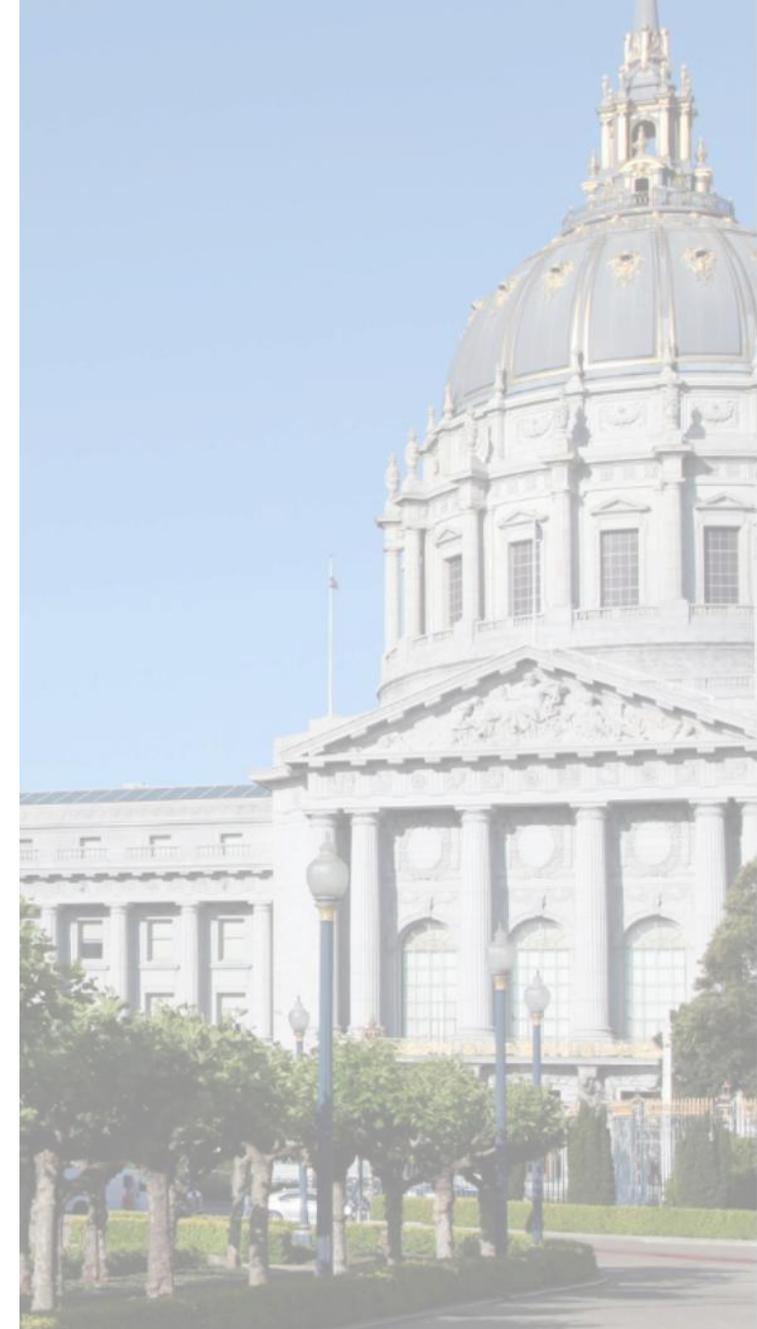
OCOH recusal process for conflict of interest

Any public meeting where a board or commission discusses an item for which a board member or commissioner has a conflict of interest, immediately prior to consideration of the item that board member or commissioner must:

1. Publicly identify each type of financial interest held by the official that requires recusal;
2. Committee vote to recuse member(s)
3. Leave the room until after the discussion, vote, and any other disposition of the matter is concluded
4. Within 15 days of the meeting, file a notice with the Ethics Commission about the recusal here ([link](#))

OCOH Committee next steps

- Identify conflicts of interest and alert Controller's Office:
 - Organizational affiliation that **currently receives** OCOH funding (employer, partner organization, or sub-contractor)
 - Organizational affiliation that **may consider applying for OCOH funding within the next two fiscal years** (discuss with organizational leadership, etc.)
 - Which program(s), under which service area(s)
- Controller's Office is currently aware of 2 conflicts
 - 3rd Street Youth Center & Clinic
 - Westside Community Services



Committee discussion: Recusal options for April meeting

(Both must maintain quorum of 5 members)

1. Members with conflict, entirely recuse from budget recommendations agenda item

Meeting agenda would include one item for budget recommendations across all service areas of the fund

2. Members with conflict, recuse from discussion, vote, and final disposition for agenda items involving service area recommendations

Meeting agenda would include separate items for budget recommendations for each service area of the fund (i.e., Permanent Housing, Mental Health, Homelessness Prevention, and Shelter & Hygiene)

Questions?
