



**Los Angeles City Ethics Commission**

July 23, 2013

The Honorable City Council  
c/o June Lagmay, City Clerk  
200 North Spring Street  
City Hall – 3rd Floor  
Los Angeles CA 90012

**Re: Council File Number 13-0916  
Appointment of Michael Davis to the  
Board of Public Works**

***FOR COUNCIL CONSIDERATION***

Dear Councilmembers:

On July 18, 2013, the Mayor transmitted to the City Clerk a letter indicating his appointment of Mr. Michael Davis to Board of Public Works. The Ethics Commission received Mr. Davis's pre-confirmation statement of economic interests (SEI) on July 22, 2013, and this letter is provided for your consideration as part of the confirmation process. A copy of this letter is also being provided to Mr. Davis to help him avoid potential conflicts of interests that may arise in the course of his tenure as a member of the Board of Public Works.

Mr. Davis does not report any investments, income sources, or interests in real property on his SEI. However, interests disclosed on an SEI are not the only interests that can give rise to a conflict of interests. For example, state law may require recusal by a board or commission member due to certain business activities of the clients of that member's employer. Additionally, recusal may be required under City Charter § 222, which states that the City Attorney may provide a written opinion concerning the obligation of a City official to refrain from acting on a matter when it may violate state law or when action may not be in the public interest.

If a matter raises a potential conflict of interests, we encourage Mr. Davis to seek the advice of the City Attorney before acting. If Mr. Davis is required to disqualify himself from acting on a matter, Los Angeles Municipal Code § 49.5.6(J) and Executive Directive 2005-1 require him to file a Recusal Notification Form (CEC Form 51) with the Ethics Commission and the Mayor's office. If a board or commission member is disqualified from acting on three or more agenda items in a year because of a conflict caused by the same interest, the Ethics Commission is required by City Charter § 707 to review the conflict. If the Ethics Commission determines that the member has a significant and continuing conflict of interests, it must order divestment of the interest that is causing the conflict.

In addition to reviewing a nominee's SEI, the Ethics Commission also verifies that the nominee is a registered City voter. We have received a completed Residence Verification Form for Mr. Davis, which affirms that he is registered to vote in the City.

If you have questions, please feel free to contact Ethics Program Manager Shannon Prior at (213) 978-1960.

Sincerely,

A handwritten signature in cursive script, appearing to read "Heather Holt".

Heather Holt  
Executive Director

cc: Mayor Eric Garcetti  
Mr. Michael Davis