



Los Angeles City Ethics Commission

July 22, 2011

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 11-1083
Appointment of Michael Manigault to the Commission for Community and
Family Services**

FOR COUNCIL CONSIDERATION

Dear Councilmembers:

On June 22, 2011, the Mayor transmitted to the City Clerk a letter indicating his appointment of Mr. Michael Manigault to the Commission for Community and Family Services (CCFS). The Ethics Commission received Mr. Manigault's pre-confirmation statement of economic interests (SEI) on July 13, 2011, 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. Manigault to help him avoid potential conflicts of interests that may arise in the course of his tenure as a member of CCFS.

Mr. Manigault reports on his SEI income for his position as community relations manager of Bank of America. He also discloses that he holds an investment interest in Bank of America. If a matter involving any of these interests comes before CCFS, Mr. Manigault should, before acting, seek the advice of the City Attorney regarding whether he should disqualify himself. We are unable to assess if or how frequently Mr. Manigault would be in a position of having to recuse himself.

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.

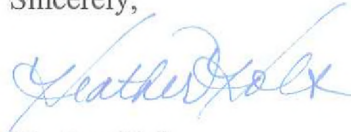
If a matter raises a potential conflict of interests, we encourage Mr. Manigault to seek the advice of the City Attorney before acting. If Mr. Manigault is required to disqualify himself

from acting on a matter, Los Angeles Municipal Code § 49.5.6(J) and Executive Directive 2005-1 require him to file the enclosed 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. Manigault, 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,



Heather Holt
Executive Director

Enclosure

cc: Mayor Antonio Villaraigosa
Mr. Michael Manigault