

CITY OF NEW YORK CONFLICTS OF INTEREST BOARD

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**FOR IMMEDIATE RELEASE
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Borough Coordinator Fined \$2,000 For Using City Position To Solicit And Accept Free Tickets

The New York City Conflicts of Interest Board (“Board”) concluded a settlement with a Borough Coordinator in the Mayor’s Street Activity Permit Office who, on October 12, 2013, used her City position to solicit and accept two complementary food tickets, valued at \$40 each, at a City-permitted neighborhood association event on the permitting of which she had worked as part of her City duties. The Borough Coordinator accepted the complementary tickets despite being warned by a neighborhood association volunteer that, as a City employee, she could not accept the tickets. The Borough Coordinator admitted that, both by using her City position to solicit a gift and by accepting a gift valued in excess of \$50, she had violated the City’s conflicts of interest law.

For these violations, the Borough Coordinator agreed to pay a \$2,000 fine to the Board. Scroll down or click [here](#) to view the public disposition in this case. All of the Board’s dispositions are available free of charge, in full-text searchable form, on the website for the Center for New York City Law at New York Law School (www.CityAdmin.org).

Ethan A. Carrier, Associate Counsel, handled this case for the Board. The Board gratefully acknowledges the work of its confidential investigative arm, the New York City Department of Investigation (“DOI”), DOI Commissioner Mark G. Peters, DOI Inspector General Jennifer Sculco, and DOI Counsel to the Inspectors General Adam S. Libove.

The Conflicts of Interest Board is the City’s ethics board and is charged with interpreting and enforcing the City’s conflicts of interest, annual disclosure, and lobbyist gift laws. For more information about the Board, visit:

Visit our home page at <http://nyc.gov/ethics>

<http://nyc.gov/ethics>. Anyone with questions about the law is urged to contact the Board through its website or by calling (212) 442-1400.

The Board does not comment on its dispositions, except as set forth above. For additional public information about the Board's enforcement activities—including summaries of all prior enforcement dispositions and fines imposed—visit the Board's website: www.nyc.gov/html/conflicts/html/units/enforcement.shtml.

THE CITY OF NEW YORK
CONFLICTS OF INTEREST BOARD

-----X
: **DISPOSITION**
: *In the Matter of* :
: :
: CATHY LUONG :
: :
: Respondent. :
: :
-----X

WHEREAS, the New York City Conflicts of Interest Board (the “Board”) commenced an enforcement action pursuant to Section 2603(h)(1) of Chapter 68 of the New York City Charter (“Chapter 68”) against Cathy Luong (“Respondent”); and

WHEREAS, the Board and Respondent wish to resolve this matter on the following terms;

IT IS HEREBY AGREED by and between the parties as follows:

1. In full satisfaction of the above-captioned matter, Respondent admits to the following:
 - a. I have been employed by the New York City Mayor’s Office since June 26, 2000, most recently as a Borough Coordinator at the Mayor’s Street Activity Permit Office (“SAPO”). As such, during that time, I have been and am a “public servant” within the meaning of and subject to Chapter 68.
 - b. SAPO issues permits and coordinates permitting by various City agencies for street activities in the City, such as festivals, fairs, and other special events.
 - c. In late summer 2013, in my role as a Borough Coordinator at SAPO, I began working with a GNA Board Member of the Gramercy Neighborhood Association (“GNA”) on the first annual “Taste of Gramercy” event. I continued work on the Taste of Gramercy until I handed over the work to another SAPO employee.
 - d. As a neighborhood association, GNA regularly works with SAPO seeking permits for neighborhood events such as the Canine Parade and the Annual Art Show and is expected to seek permitting assistance from SAPO for subsequent annual Taste of Gramercy events. As such, GNA is engaged in “business dealings with the City” within the meaning of Chapter 68. Additionally, GNA works on issues affecting the quality of life in the Gramercy Park neighborhood with several other New York City agencies, including the New York City Department of Education, the New York City Fire Department, the New York City Department of Parks and Recreation, New York City Community Boards 5 and 6, and the New York City

Department of Transportation.

- e. The GNA Board Member whom I assisted with the event permits invited me to attend the Taste of Gramercy event but did not offer me complimentary food tickets for the event.
- f. On October 12, 2013, I went to the Taste of Gramercy event with a friend and told the ticket taker that I was from the Mayor's Office and that she should have two complimentary tickets for me. The ticket taker informed me that my name was not on the list of persons receiving complimentary tickets and that, as a City employee, I could not accept complimentary tickets. I asked a second Taste of Gramercy staff member to call the GNA Board Member. When the GNA Board Member arrived, she gave me two complimentary tickets. Each ticket included five free tastings of food at the Taste of Gramercy event and was otherwise available for purchase for \$40 each.
- g. I had no City authorization or City purpose for attending the Taste of Gramercy event.
- h. I acknowledge that, by using my City position to solicit the gift of free food tickets for myself and my friend to an event, I violated City Charter § 2604(b)(3), which states:

No public servant shall use or attempt to use his or her position as a public servant to obtain any financial gain, contract, license, privilege or other private or personal advantage, direct or indirect, for the public servant or any person or firm associated with the public servant.

- i. I also acknowledge that, by accepting \$80 worth of free food tickets from GNA, I violated City Charter § 2604(b)(5), which states:

No public servant shall accept any valuable gift, as defined by rule of the board, from any person or firm which such public servant knows is or intends to become engaged in business dealings with the city, except that nothing contained herein shall prohibit a public servant from accepting a gift which is customary on family and social occasions.

Board Rules §1-01(a) defines "valuable gift" as "any gift to a public servant which has a value of \$50 or more."

- 2. In recognition of the foregoing, Respondent agrees to the following:

- a. I agree to pay a fine of Two Thousand Dollars (\$2,000) to the Board upon my signing of this Disposition, by money order or by cashier, bank, or certified check, made payable to the "New York City Conflicts of Interest Board."
- b. I agree that this Disposition is a public and final resolution of the Board's action against me.
- c. I knowingly waive, on my behalf and on behalf of my successors and assigns, any rights to commence any judicial or administrative proceeding or appeal before any court of competent jurisdiction, administrative tribunal, political subdivision, or office of the City or the State of New York or the United States, and to contest the lawfulness, authority, jurisdiction, or power of the Board in imposing the penalty which is embodied in this Disposition, and I waive any right to make any legal or equitable claims or to initiate legal proceedings of any kind against the Board, or any members or employees thereof relating to, or arising out of this Disposition or the matters recited therein.
- d. I confirm that I have entered into this Disposition freely, knowingly, and intentionally, without coercion or duress and after having had the opportunity to be represented by an attorney of my choice and having declined that opportunity; that I accept all terms and conditions contained herein without reliance on any other promises or offers previously made or tendered by any past or present representative of the Board; and that I fully understand all the terms of this Disposition.
- e. I agree that any material misstatement of the facts of this Chapter 68 matter, including of the Disposition, by me or by my attorney or agent shall, at the discretion of the Board, be deemed a waiver of confidentiality of this matter.

3. The Board accepts this Disposition and the terms contained herein as a final disposition of the above-captioned matter only.

4. The Board affirmatively states that other than as recited herein, no further action will be taken by the Board and against Respondent based upon the facts and circumstances set forth herein, except that the Board shall be entitled to take any and all actions necessary to enforce the terms of this Disposition.

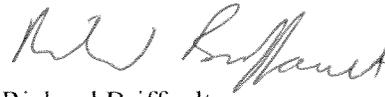
5. This Disposition shall not be effective until all parties have affixed their signatures below.

Dated: July 28, 2014



Cathy Luong
Respondent

Dated: August 20, 2014



Richard Briffault
Chair
NYC Conflicts of Interest Board