

Minutes of the Open Meeting of the New York City Conflicts of Interest Board

Date: March 25, 2026

Present:

Board Members: Chair Milton L. Williams Jr. and Members Wayne G. Hawley, Ifeoma Ike, and Amy E. Millard

Board Staff: Anita Armstrong, Ethan A. Carrier, Christopher M. Hammer, Kevin Jupena, Carolyn Lisa Miller, Katherine J. Miller, Yasong Niu, Michael Roudik, Jeffrey Tremblay, Florence Watson, and Maryann White

Guests: None

The open meeting was called to order by the Chair at approximately 9:38 a.m.

Petition for Amendment of Board Rules § 1-13(b)

The Board considered the petition of Citizens Union, Reinvent Albany, and New York Public Interest Research Group to promulgate a rule to define “political activity,” for the purposes of Board Rules § 1-13, to prohibit the use of City resources for advocacy related to ballot initiatives based on New York City Charter § 1136.1(2)(c) and the comment submitted by Citizens Union and Reinvent Albany on March 24, 2026.

In response to the comment, Staff stated that there are many circumstances where a public servant does not have the authority to decide a matter but may appropriately perform work on that matter as part of their City duties, and the fact that a City official lacks authority to decide a matter on a ballot initiative does not transmute that ballot initiative into a private interest. Staff further stated that the fact that a proposed change to the City Charter is on the ballot does not make the matter “political” and what is “electoral” and what is “political” is not the same thing.

Board and Staff discussed the legislative history of Charter §§ 1136.1(2)(b) and 1136.1(2)(c), the assignment of enforcement authority for those sections, and the fact that enforcement of Charter § 1136.1(2)(c) does not fall under the jurisdiction of the Board. Board and Staff discussed that using City resources to advocate for legislation, policy matters, and ballot initiatives is not necessarily a conflict of interest under Chapter 68 because the public servant typically does not have a private interest in those matters. If there were a circumstance where a public servant had a private interest that created a conflict of interest for them to use City resources for certain activities, that could be enforced as a violation of Chapter 68.

Board Member Hawley stated that, without the legislative history, this might be a closer call, but given that a decision was made not to give enforcement authority to an administrative agency, it is not the Board’s place to step in. Board Member Hawley

suggested that public servants should be alerted to the existence of Charter § 1136.1(2)(c) when given Chapter 68 advice about the use of City resources in connection with a ballot initiative.

The Board approved the following edits to the draft letter:

- 1) On page 1, last line of second paragraph, revise “cannot” to “may not”.
- 2) On page 2, third line of last full paragraph, revise “different than” to “different from”.
- 3) On page 3, add “respectfully” before “denied” in the final sentence.
- 4) Adding a description of the legislative history of Charter § 1136.1, in particular that enforcement authority for Charter § 1136.1(2)(c) has not been assigned to any administrative agency.

The present Board Members unanimously denied the petition.

Proposed New Board Rules § 1-19 and Amendments to Board Rules §§ 1-01(h) and 1-14(c)

The Board considered a proposal to extend the comment period and hold a second public hearing to seek additional comments and testimony from City agencies and the public, including good government advocacy organizations, concerning proposed new Board Rules § 1-19 and amendments to Board Rules §§ 1-01(h) and 1-14(c) concerning the acceptance and reporting of gifts of travel-related expenses.

Board Member Hawley asked a question to clarify that, in its comment to the Board, Reinvent Albany is asking the Board to prohibit all gifts of travel. Board Member Hawley stated that the Board has seen some gifts of travel where the City purpose of the trip seems dubious but has also seen gifts of travel for a legitimate City purpose and noted that prohibiting all gifts of travel would be a big change. Board Member Hawley expressed surprise at the concern raised by four of the City’s five District Attorneys that Assistant District Attorneys might be deterred from providing continuing legal education distant from the City if their acceptance of travel-related expenses was publicly reported.

Board Member Hawley asked what Staff hopes to gain from another public hearing. Staff replied that it would like City agencies to provide information about the types of trips for which gifts of travel have been accepted under the current rule to assess the impact of prohibiting all gifts of travel; and for good government advocacy organizations to articulate with greater specificity why and how they think that gifts of travel may result in inappropriate influence under the current rule, which limits gifts of travel to government-class accommodations.

The present Board Members unanimously approved extending the comment period.

The open meeting was adjourned at approximately 10:05 a.m.

Respectfully submitted,
Katherine J. Miller
Recording Secretary