



CITY OF NEW YORK CONFLICTS OF INTEREST BOARD

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July 31, 2019

Dean Fuleihan
First Deputy Mayor
Office of the New York City Mayor
City Hall
New York, New York 10007

Re: Conflicts of Interest Board Case No. 2019-305 (Allegra Blackburn-Dwyer)

Dear First Deputy Mayor Fuleihan:

This is in response to your office's letter to the Conflicts of Interest Board (the "Board"), received April 26, 2019, and subsequent communications between your office and Board staff, requesting permission, pursuant to the conflicts of interest provisions of Chapter 68 of the New York City Charter and Board Rules Section 1-13, for Mayor's Office employee Allegra Blackburn-Dwyer to use City time and City resources to work for the Fund for Public Housing (the "Fund"), as well as to take part in the Fund's business dealings with the City.

Relevant Facts

The Board is advised that Ms. Blackburn-Dwyer is Chief of Staff in the Mayor's Office of Strategic Partnerships ("OSP"), the mission of which is to build strategic partnerships with the business, philanthropic, and nonprofit communities to enhance equity. In her role at OSP, Ms. Blackburn-Dwyer is responsible for coordinating and aligning the strategies of City-affiliated not-for-profit organizations, cultivating partners to fund or support new mayoral initiatives, engaging with City agencies and not-for-profit providers to refine program proposals, and serving as the liaison between the City and the Fund.

As part of her role at OSP, Ms. Blackburn-Dwyer has been asked to serve, on a temporary basis, as Acting Executive Director of the Fund until a permanent Executive Director is identified by the incoming Chair & CEO of the New York City Housing Authority ("NYCHA"). The Fund is a not-for-profit organization with the mission of improving New York City's public housing and supporting NYCHA residents by fundraising for infrastructure investments to NYCHA facilities and economic opportunities for NYCHA residents. As part of her responsibilities at the Fund, Ms. Blackburn-Dwyer would assist with filling vacancies on the Fund's board of directors, convene quarterly meetings of and brief the Fund's board of directors, and work with NYCHA staff to support the Fund's work. While she will be involved in some

fundraising activities at the Fund, her role in these activities will primarily consist of signing letters acknowledging donations received by the Fund and serving as a point of contact for existing donors, rather than soliciting donations on behalf of the Fund. Ms. Blackburn-Dwyer anticipates that she will work for the Fund for approximately 5-10 hours a month. She will not receive compensation from the Fund for performing this work, and she anticipates that her work for the Fund will cease once the incoming NYCHA Chair and CEO selects a permanent Executive Director for the Fund.

By endorsement to your office's letter to the Board, you approve of Ms. Blackburn-Dwyer's work on behalf of the Fund and her participation in the Fund's business dealings with the City.

Relevant Law

Charter Section 2604(b)(2), as interpreted in Board Rules Section 1-13, prohibits a public servant's use of City time or resources for non-City purposes.

Board Rules Section 1-13(e) provides that an agency head may designate a public servant to perform work on behalf of a not-for-profit corporation, association, or other such entity that operates on a not-for-profit basis, including serving as a board member or other position with fiduciary responsibilities, provided that: (i) there is a demonstrated nexus between the proposed activity, the public servant's City job, and the mission of the public servant's agency, and such work furthers the agency's mission and is not undertaken primarily for the benefit or interests of the not-for-profit; (ii) the designated public servant takes no part in the entity's business dealings with the City at the entity or at his or her agency; and (iii) within 30 days the written designation is disclosed to the Board and will be posted on the Board's website. See Board Rules Section 1-13(e)(1)(i).

A public servant designated pursuant to Board Rules Section 1-13(e)(1) may take part in the entity's business dealings with the City at the entity and/or at his or her agency if, after written approval of the agency head, the Board determines that there is a demonstrated nexus between the proposed participation, the public servant's City job, and the mission of the public servant's agency; and that such participation furthers the agency's mission and is not undertaken primarily for the benefit or interests of the not-for-profit entity. See Board Rules Section 1-13(e)(2).

Advice

You are advised that, based on the above representations and your written approval, the Board has determined that there is a demonstrated nexus between Ms. Blackburn-Dwyer's City job, her proposed work for the Fund, and the mission of OSP. The Board has also determined that Ms. Blackburn-Dwyer's participation in the business dealings between the City and the Fund furthers OSP's mission to advance the work of City-affiliated not-for-profit organizations such as the Fund. Accordingly, Ms. Blackburn-Dwyer may use City time and City resources to work as the Fund's Acting Executive Director and, in that capacity, may be involved in the Fund's business dealings with the City. See Board Rules Section 1-13(e)(2).

The advice conveyed in this letter is conditioned on the correctness and completeness of the facts supplied to us. If such facts are in any respect incorrect or incomplete, the advice we have given to you may not apply. If at any time you would like further advice based on a change of circumstances or additional information, please contact us.

Very truly yours,

A handwritten signature in black ink, appearing to read "Richard Briffault". The signature is fluid and cursive, with the first name "Richard" written in a larger, more prominent script than the last name "Briffault".

Richard Briffault
Chair

cc: Fernando A. Bohorquez, Jr.
Anthony Crowell
Jeffrey D. Friedlander
Erika Thomas

Katherine Cocklin