



October 24, 2019

New York City Conflicts of Interest Board
2 Lafayette Street, Suite 1010
New York, NY 10007

Dear Conflicts of Interest Board Members:

In accordance with Conflict of Interest Board Rule section 1-13(e), I write to inform you that I have designated Janet Choi, Deputy Commissioner and General Manager, NYC Media, Mayor's Office of Media and Entertainment ("MOME") to serve on the Board of Governors of the New York Chapter of the National Academy of Television Arts & Sciences ("NY NATAS") and to seek a determination allowing her to use reasonable and incidental City time and City resources in her work on the Board of Governors. As set forth below, there is a demonstrated nexus between Deputy Commissioner Choi's job, her work for NY NATAS, and the mission of MOME.

NY NATAS is a New York not-for-profit corporation whose mission is to "conduct[] activities that cultivate, promote and encourage understanding of, appreciation for, and public interest in the arts, crafts and sciences of television."¹ In New York, NY NATAS awards the Emmy Award for talent and ability in composition, creation, and performance of works that strive to improve the quality of television, educates and acts as a resource for television industry professionals.

MOME's mission is to promote New York City's creative industries, including film, television, theater, music, publishing, advertising, and digital content and to support their growth across the five boroughs. New York City's creative industries account for more than 305,000 local jobs and have an economic impact of \$104 billion. In furtherance of its mission, MOME leads a variety of educational and workforce development initiatives to support the development of the creative industries and the creation of jobs for New Yorkers. MOME's Office of Film, Theatre and Broadcasting also coordinates film and television production throughout the five boroughs.

NYC Media is part of the Mayor's Office of Media and Entertainment and is the official broadcast network and media production group of the City of New York. As a network, NYC Media's goals are to inform, educate, and entertain New Yorkers about the City's diverse people and neighborhoods, government, services, attractions and activities. NYC Media's flagship channel, NYC Life, explores arts and culture, entertainment and lifestyle, and history and education, and features the people and places that make NYC unique. The radio and television network is comprised of one broadcast radio station, three broadcast television channels and six cable television channels. And viewers can also now watch our content on a number of expanding platforms, such as iTunes, the NYC Media iOS app, and Taxi TV.

Deputy Commissioner Choi began serving as General Manager of NYC Media in June 2014. She is in charge of broadcast operations, creative strategy and programming for the City's radio and television

¹ See "Mission Statement," <https://www.nyemmys.org/Mission-Statement>.

network. As the head of content for NYC Media, she is the executive producer of NYC Media's original productions, which range from half hour documentary programs to short interstitials for the City's television stations. She also oversees NYC Media's work with the various City agencies to create video and audio public service announcements for their respective agency initiatives.

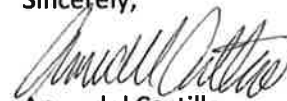
Deputy Commissioner Choi's role as a member of the NY NATAS Board of Governors will be complementary to her role at MOME and will further the purposes and interests of the City. The Board of Governors is comprised of a single television professional representing various categories including Broadcast Journalism, Creative Crafts, Design, Direction, Executive, Music, Performance, Productions, Sales/Marketing, Writing and Advanced Media. As an elected member on the Board of Governors, Deputy Commissioner Choi will be working with the other Governors to set forth policy for the New York Chapter, which is made of more than 1,000 members in the state of New York, and 15,000 members nationwide. This includes providing proper financial oversight of the NY NATAS' funds, ensuring effective organizational planning and prudent use of all the organization's assets, and ensuring that all of the organization's activities and transactions are advancing its mission and purpose.

MOME performed a search of CheckbookNYC and the City appears to have no contracts with NY NATAS, and MOME is not aware of any other "business dealings" between the City and NY NATAS.²

There is a clear demonstrated nexus between Deputy Commissioner Choi's membership on the NY NATAS Board of Governors and her continued leadership role at NYC Media. Her membership on the Board of Governors will enhance her work as Deputy Commissioner by providing a platform to influence NY NATAS's educational programs for television industry professionals within New York City and by furthering the public interest in the arts, crafts, and sciences of television. As such, Deputy Commissioner Choi's role will further MOME's mission and would not be undertaken primarily for the benefit or interests of NY NATAS alone.

If you require more information concerning this matter, please contact Acting General Counsel Lori Barrett-Peterson at lbarrett-peterson@media.nyc.gov.

Sincerely,



Anne del Castillo
Commissioner

Cc: Janet Choi, Deputy Commissioner and General Manager, NYC Media
Lori Barrett-Peterson, Acting General Counsel

² MOME makes the following ministerial submissions to NY NATAS: For several years, NYC Media has submitted its original programming for consideration to the Emmy Awards (and has paid an application fee) and intends to continue submitting programs for consideration for the foreseeable future. The submissions are judged by qualified members of the national organization, not by the Board of Governors itself. NYC Media has won several Emmy Awards for its programming, including four in 2019.



CITY OF NEW YORK
CONFLICTS OF INTEREST BOARD

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November 25, 2019

Vicki Been
Deputy Mayor for Housing and Economic Development
Office of the New York City Mayor
City Hall
New York, New York 10007

Re: Conflicts of Interest Board Case No. 2019-641 (Anne del Castillo)

Dear Deputy Mayor Been:

This is in response to your office's letter to the Conflicts of Interest Board (the "Board"), received September 24, 2019, and subsequent communications between your office and Board staff, designating, pursuant to Board Rules Section 1-13(e)(1), Anne del Castillo, Commissioner of the Mayor's Office of Media and Entertainment ("MOME"), to use City time and City resources to work for the Paley Center for Media and requesting a determination by the Board, pursuant to Board Rules Section 1-13(e)(2), that Commissioner del Castillo may take part in the Paley Center's business dealings with the City.

Relevant Facts

You advise the Board that Commissioner del Castillo oversees MOME's efforts to ensure the long-term sustainability of the media and entertainment industries in the City, including by leading educational and workforce initiatives and by coordinating television and movie production in the City. Commissioner del Castillo also oversees a City-run television network of three broadcast channels and six cable channels.

You advise that, as part of her role at MOME, Commissioner del Castillo has been asked to serve as an *ex-officio* member of the Board of Trustees of the Paley Center, a not-for-profit organization operating in New York City that promotes the cultural, creative, and social significance of television, radio, and emerging media platforms. As a member of the Board of Trustees, Commissioner del Castillo would advise the Paley Center on how best to advance this mission, a role that she anticipates requiring less than one hour per week. Commissioner del Castillo does not have voting rights as an *ex-officio* member of the Board of Trustees of the Paley Center and will not receive compensation from the Paley Center for this work.

You further advise that MOME provides funding and planning and promotional support

for PaleyFest, an annual festival with panel discussions of talent from television productions made in the City and networking meetups for industry professionals and high school students. You seek to have Commissioner del Castillo participate in the business dealings between the City and the Paley Center by overseeing MOME's involvement in PaleyFest, as well as any other MOME events and initiatives involving the Paley Center.

By endorsement to your office's letter to the Board, you approve of Commissioner del Castillo's work on behalf of the Paley Center and her participation in the Paley Center's business dealings with the City, stating that such participation would further MOME's mission of promoting the City's creative industries.

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

Based on your representations and your written designation pursuant to Board Rules Section 1-13(e)(1), the Board has determined that there is a demonstrated nexus between Commissioner del Castillo's City job, her proposed work for the Paley Center, and the mission of MOME. The Board has also determined that Commissioner del Castillo's participation in the business dealings between the City and the Paley Center, as described above, furthers MOME's mission to promote the development of the City's creative industries and is not undertaken primarily for the benefit or interests of the Paley Center. You are therefore advised that Commissioner del Castillo may participate in the business dealings between the City and the Paley Center, as described above. 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,



Richard Briffault
Chair

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

cc: Dustin Saldarriaga
Commissioner Anne del Castillo