

CITY OF NEW YORK CONFLICTS OF INTEREST BOARD

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October 13, 2022

Sheena Wright
Deputy Mayor for Strategic Initiatives
City Hall
New York, New York 10007

Re: Conflicts of Interest Board Case No. 2022-572 (Sideya Sherman)

Dear Deputy Mayor Wright:

This is in response to your submission to the Conflicts of Interest Board (the "Board"), dated September 14, 2022, designating, pursuant to Board Rules Section 1-13(e)(1), Sideya Sherman, Commissioner of the Mayor's Office of Equity ("MOE"), to use City time to perform work for the Fund for Public Housing (the "Fund") and requesting a determination by the Board, pursuant to Board Rules Section 1-13(e)(2), that she may take part in the Fund's business dealings with the City.

Relevant Facts

You advise that Commissioner Sherman oversees MOE, a newly-created office with a mission to foster a more equitable City through engagement with the City's diverse communities and constituencies and to coordinate policy, practices, and programs across City agencies and systems. The health and well-being of New York City Housing Authority ("NYCHA") residents are key components of MOE's work.

The Board is advised that the Fund is a not-for-profit organization incorporated by and affiliated with NYCHA. The Fund's mission is to improve the City's public housing and connect NYCHA residents with services to advance their economic opportunities, health, education, and well-being. The Fund also supports NYCHA's Transformation Plan, a reorganization plan required pursuant to NYCHA's agreement with the United States Department of Housing and Urban Development. The Fund has registered with the Board as a not-for-profit organization affiliated with an elected official pursuant to Chapter 9 of Title 3 of the New York City Administrative Code.

You advise that the Fund is governed by a board of directors of at least seven members chosen by the NYCHA Chair. Commissioner Sherman was previously appointed to the Fund's board in her capacity as an Executive Vice President at NYCHA

(COIB Case No. 2020-399b). Commissioner Sherman's new position at MOE requires a new determination by the Board for her to continue to serve on the Fund's Board.

By your submission to the Board, you approve of Commissioner Sherman's work on behalf of the Fund as part of her work for MOE, as well as her participation in the business dealings between the Fund and 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 City 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 their agency; and (iii) within 30 days the written designation is disclosed to the Board and will be posted on the Board's website.

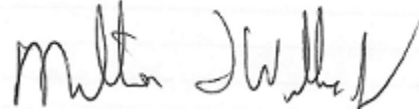
A public servant designated pursuant to Board Rules Section 1-13(e)(1) may take part in the entity's business dealings with the City at the entity and/or at their agency if, after written approval of the agency head, the Board determines that there is a demonstrated nexus between the proposed participation, 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

The Board has determined, based on the above representations and your written approval, that there is a demonstrated nexus between Commissioner Sherman's work for MOE, her work for the Fund, and the mission of the Mayor's Office. The Board has also determined that Commissioner Sherman's participation in the business dealings between the City and Fund furthers the mission of the Mayor's Office. Accordingly, she may use City time to perform work for the Fund and may be involved in business dealings between the Fund and 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.

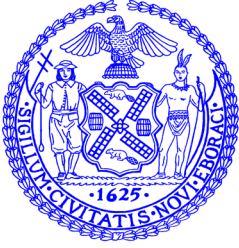
Very truly yours,

A handwritten signature in black ink, appearing to read "Milton L. Williams Jr.", written over a light blue horizontal line.

Milton L. Williams Jr.
Chair

Fernando A. Bohorquez Jr.
Wayne G. Hawley
Ifeoma Ike
Georgia M. Pestana

cc: Michael Waller
Sideya Sherman



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September 13, 2022

Mayor Eric Adams
City Hall
New York, New York 10007

Re: Conflicts of Interest Board Case Nos. 2022-542/a
(Bill Heinzen & Sheena Wright)

Dear Mayor Adams:

This is in response to your office's submissions to the Conflicts of Interest Board (the "Board"), dated August 23, 2022, and August 24, 2022, designating, pursuant to Board Rules Section 1-13(e)(1), Deputy Mayor Sheena Wright and Special Counsel Bill Heinzen to use City time to perform work for the Mayor's Fund to Advance New York City (the "Fund") and requesting a determination by the Board, pursuant to Board Rules Section 1-13(e)(2), that they may take part in the Fund's business dealings with the City.

Relevant Facts

You advise that Deputy Mayor Wright is responsible for Strategic Initiatives at the Mayor's Office. Among other things, she oversees the Office of Strategic Partnerships, which includes the Mayor's Fund and its affiliated not-for-profit organizations. Her role includes coordinating the City's targeted, strategic investments and partnerships across multiple sectors to improve the lives of City residents.

You further advise that, as Special Counsel for the Office of the Chief Counsel, Mr. Heinzen provides legal advice to Mayor's Office staff, including Deputy Mayor Wright. He provides recommendations on how to implement key programs and initiatives and how to ensure the feasibility of the City's programs aimed at improving the lives of its residents.

The Board is advised that the Fund is a 501(c)(3) not-for-profit organization created by the City that facilitates public-private partnerships between the City and the private sector and serves as a vehicle for foundations, corporations, and individuals to contribute to City programs and initiatives. The Fund is governed by a board of directors, each of whom is appointed by the Mayor and responsible for the general management of the affairs and property of the Fund, including approving the Fund's budgets, approving contracts, and employing personnel. The Fund's mission is to advance initiatives to

improve the lives of all City residents, and its programs include strategic investments to promote mental health services, increase workforce development, and meet the needs of the City's diverse immigrant community. The Fund has registered with the Board as a not-for-profit affiliated with an elected official under Chapter 9 of Title 3 of the New York City Administrative Code.

Pursuant to its by-laws, the Fund's board of directors meets at least three times per year. As Chair and Deputy Mayor of Strategic Initiatives, Deputy Mayor Wright would preside over these meetings, oversee fundraising for the Fund's initiatives, and sign checks, notes, drafts, or other negotiable instruments on behalf of the Fund, such that she would be involved in the business dealings between the Fund and the City. As Vice Chair and Special Counsel to the Deputy Mayor overseeing the Fund, Mr. Heinzen would attend board meetings, occasionally chair meetings, and sign checks, notes, drafts, or other negotiable instruments on behalf of the Fund, such that he would be involved in the business dealings between the Fund and the City.

By endorsement to your office's submissions to the Board, Chief Counsel Brendan McGuire and First Deputy Mayor Lorraine Grillo approve of Deputy Mayor Wright's and Mr. Heinzen's work on behalf of the Fund as part of their work for the Mayor's Office and their participation in the business dealings between the Fund and 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 City 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 their agency; and (iii) within 30 days the written designation is disclosed to the Board and will be posted on the Board's website.

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 their 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

The Board has determined, based on the above representations and your written approval, that there is a demonstrated nexus between Deputy Mayor Wright's and Mr. Heinzen's work for the Mayor's Office, their work for the Fund, and the mission of the Mayor's Office. The Board has also determined that Deputy Mayor Wright's and Mr. Heinzen's participation in the business dealings between the City and Fund furthers the Mayor's Office's mission. Accordingly, they may use City time to perform work for the Fund and may be involved in business dealings between the Fund and 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,



Fernando A. Bohorquez Jr.
Acting Chair

Wayne G. Hawley
Ifeoma Ike
Georgia M. Pestana

cc: Brendan McGuire
Lorraine Grillo
Michael Waller
Bill Heinzen
Sheena Wright