



**Department of
Social Services**

Human Resources
Administration

Department of
Homeless Services

W-1
03/23

April 18, 2023

Molly Wasow Park
Acting Commissioner

150 Greenwich Street
New York, NY 10007

929 221 7315 tel

Via e-mail only

Carolyn Miller, Executive Director
The City of New York Conflicts of Interest Board
2 Lafayette Street, Room 1010
New York, New York 10007

Re: **COIB Rule 1-13(e)(1): Designation of NYC Department of Social Services Employee to Perform Work with Not-for-Profit Entity**

Dear Ms. Miller:

Pursuant to Rule 1-13(e)(1) of the Rules of the Conflicts of Interest Board, I, as Commissioner of the New York City Department of Social Services (“NYC DSS”), have designated Raymond Medina to perform work in his official NYC DSS capacity as a Board Member with The Council for Black Business Enterprises (hereafter “CBBE”).

Mr. Medina currently serves as the Deputy Diversity Officer (civil service title: Associate Commissioner of Social Services M3) within the Office of Diversity, Equity and Inclusion of the Office of the Administrator/Commissioner. He started working for the City on July 10, 2017. In his capacity as Deputy Diversity Officer he works with Karen St. Hilaire, Chief of Staff & Chief Diversity, Equity, and Inclusion Officer, who is responsible for the Agency’s Minority and Women-Owned Business Enterprise (“M/WBE”) program, and he develops events that will bring M/WBE businesses and contractors together with Agency heads to present opportunities for these businesses to show their offerings. Mr. Medina also reviews the utilization of M/WBEs at the categorical level, including the setting of Participation Goals, the review of unbundling analyses, and the expansion of bidder pools to include underutilized firms. These functions are front-end procurement activities designed to promote M/WBE opportunities to compete on, and successfully secure, DSS contracts. Mr. Medina does not, however, have any responsibilities which would directly result in a contract award to any specific firm.

Mr. Medina previously was approved to hold a secondary voluntary position as a Council Member with the CBBE pursuant to rule 1-13(e)(1) of the Rules of the Board, effective August 26, 2022. In the instant request, Mr. Medina requests to hold a secondary voluntary and unpaid position as a Board Member among a group of five (5)

other Board Members, with CBBE.¹ The CBBE is a 501c-3 non-profit association designed to support Black Business Enterprises as prime and subcontractors through accessing capital, capacity building, bonding/insurance, resources and opportunities on major infrastructure projects throughout New York and New Jersey. In doing so, CBBE seeks to develop best practices to support Black Business Owners and address disparities in New York State and New York City contracting systems. CBBE's stated short-term initiative is to elevate and expand a pilot program that will focus on approximately twenty-five (25) businesses with a 90-day Action Plan to address gaps in contracting opportunities with Black-Owned Business Enterprises business and prepare them for such opportunities. CBBE hosts matching events for their project partners to meet with Black-Owned Business Enterprises that are a fit for each respective project. These events bring these firms together with City and State agencies and other organizations (such as City agency prime contractors with participation goals or City agency Human Service Providers seeking to subcontract portions of their contracts with local M/WBE firms). In addition to pointing attendees to resources and programs – both within and beyond the City – available to help them build capacity and secure access to capital, these events provide information and matchmaking opportunities and help Black-Owned M/WBEs position for partnerships and increase direct and subcontracted outcomes. CBBE's stated long-term mission is to obtain commitment for capitalization of contract mobilization loans for businesses in a variety of service areas to widen opportunities for vendors and suppliers to have access to innovative lending programs.

Significantly, Mr. Medina's work as a Board Member with CBBE will align and further the Agency's mission and is not primarily for the benefit of the CBBE. The CBBE was created to "advance Black-Owned Business Enterprises by breaking down barriers, building collaborations, and making connections to capacity building resources, contract opportunities, and capital...It is a community of stakeholders who have taken on the shared responsibility to address the disparities experienced by Black Businesses in the New York State and New York City contracting systems". This mission is in line with the City's broader M/WBE Program, as codified in the City's Administrative Code 6-129, and as operationalized through M/WBE Program policies, resources, and events offered by both the City's Oversight and Operating agencies. As evidenced by the City's broader contracting data, and DSS/HRA/DHS' data, Black-Owned Business Enterprises suffer deeper disparities in contracting than M/WBEs from a number of other certification categories. Participation with the CBBE will provide an opportunity for the Agency to better understand the needs of this group as well as to play a part in increasing contracting outcomes with DSS/HRA/DHS and more broadly with and beyond the City. As Black-Owned Business build their capacity, they will be able to compete on and win larger City contracts.

It should be noted that CBBE itself does not have contracts with the City. The underlying contractors and subcontractors that work with CBBE may have or seek to have business dealings with the City. In addition, various current CBBE Board Members hold primary positions working for the City. The founder of CBBE, Danielle Douglas, is the President

¹ Mr. Medina has tentatively started in this position effective March 6, 2023, pending internal Agency approval.

of boutique business advisory firm, Inspire Enterprise Inc., which has business dealings with the City; however, Mr. Medina would not have any dealings with this firm.

Mr. Medina would not be compensated for his work as a Board Member with CBBE. In this role, he would have the following responsibilities:

- Have governance responsibilities including fiscal and fiduciary accountability;
- Have direct influence and voting power over the strategic direction of how the CBBE fulfills its mission;
- Attending approximately once monthly for a Board Meeting; and,
- Attending two programmatic meetings per month, which are held with both Board and Council Members.

Mr. Medina is not seeking to use any City time and/or resources to fulfill the above-described responsibilities for CBBE. He intends to use his personal computer and cell phone to handle matters related to CBBE, and to attend any meetings or events outside of his work schedule for DSS.

Upon review of the forgoing, Mr. Medina's pursuit of work as a Board Member with CBBE furthers the purposes and interests of the City. The CBBE provides a forum for Mr. Medina to connect with Black-Owned Business Enterprises and inform them of the processes of seeking support and business connections with City social service agencies. The knowledge gained through this work will also enhance Mr. Medina's ability to oversee the Agency's M/WBE program and, with the Chief Diversity, Equity and Inclusion Officer, to increase awareness of Agency efforts to support Black-Owned Business Enterprises in overcoming obstacles that have hindered them in the past. His work with CBBE would also underscore DSS's commitment to improving the M/WBE program.

Based upon the information presented to me, I have determined that there is a demonstrated nexus between Mr. Medina's position with DSS and his proposed activity with the CBBE, and that such activity furthers DSS's mission and is not undertaken primarily for the benefit or interest of the CBBE.

Yours truly,



Molly Wasow Park
Acting DSS Commissioner



**Department of
Social Services**

Human Resources
Administration

Department of
Homeless Services

W-1
04/23

June 12, 2023

Molly Wasow Park
Commissioner

150 Greenwich Street
New York, NY 10007

929 221 7315 tel

VIA ELECTRONIC DELIVERY

Carolyn Miller, Executive Director
The City of New York Conflicts of Interest Board
2 Lafayette Street, Room 1010
New York, New York 10007

Re: **COIB Rule 1-13(e)(1): Designation of NYC Department of Homeless Services Employee to Perform Work with Not-for-Profit Entity**

Dear Ms. Miller:

Pursuant to Rule 1-13(e)(1) of the Rules of the Conflicts of Interest Board, I, as Commissioner of the New York City Department of Social Services (“NYC DSS”), have designated Joslyn Carter to perform work in her official NYC DSS capacity as a Council Member with the National Alliance to End Homelessness (hereafter “NAEH”) Leadership Council.

Ms. Carter currently serves as the DHS Administrator (civil service title: Administrative Director of Social Services M8) within the Executive Administration of DSS (“HRA”/“DHS”), at 33 Beaver Street, New York, NY 10004. Ms. Carter started working for the City on June 21, 2004. In her capacity as DHS Administrator, her main job duties include oversight of the largest municipal homeless agency through a network of not-for-profit providers and programs, serving as the primary custodian of the agency’s 2-billion-dollar operating budget, including the model budget process, and updating the invoicing and new need request processes. She is also responsible for all aspects of capacity projections, development, budgeting, contracting and operations. She reviews and monitors the agency’s performance and adherence to strategic plans, and she creates and monitors the development of tools and procedures to meet the established goals through accountability, empathy and equity. In addition, Ms. Carter ensures that the agency’s provider network meets the guidelines of Federal, State and City regulatory agencies including the NYC Department of Buildings, Department of Housing Preservation and Development, the Fire Department of New York and the Department of Health and Mental Hygiene. She develops multi-tiered innovative approaches to address the City’s unsheltered homeless population, and through the creation of Office of Program Development and Implementation Division, she has developed comprehensive training curriculum for DHS and provider staff and established Models of Practice for program operations. Ms. Carter also manages DHS

employee services including relations, compensation, performance evaluations and staff development, including direct support and supervision to the DHS Executive Team. Ms. Carter's work also includes collaborating with HRA, to further ensure successful client exit from shelter to permanency, engaging with external stakeholders (e.g., advocates, labor unions), Executive Directors and City/State elected officials. She provides testimony at City Council Hearings and represent DHS at Community Board Hearings as needed and advises the DSS Commissioner on critical policy and programmatic DHS matters.

In the instant request, Ms. Carter seeks to continue to hold a secondary voluntary position as a Council Member of the Leadership Council with NAEH. NAEH is a nonpartisan, nonprofit organization whose purpose is to end homelessness in the United States. NAEH had prior business dealings with the City, specifically with DHS, in 2013; however, they do not have ongoing business dealings with the City. NAEH's Leadership Council works to provide opportunities for jurisdictions working to end homelessness, to share information on best practices and to work together to improve federal policy. Specifically, the Leadership Council allows leaders of homeless service systems in large urban areas, both within and outside government, to elevate areas of concern, to share promising and emerging practices, and discuss required strategies. NAEH relies on the insight of these leaders to inform their own work and policy agenda at a national level, but it also provides a forum to facilitate the transfer of knowledge and practice across jurisdictions.

Ms. Carter has been functioning as a member of the Leadership Council since approximately 2018. In this role, Ms. Carter's responsibilities include attending meetings when available and contributing what she can in terms of feedback, ideas, and discussion points. Ms. Carter would not be compensated for her work as Council Member with NAEH, and the organization reimburses any travel expenses. There are between 12 to 18 council members at a time from various jurisdictions across the country. At this moment, the Council has 18 members including Ms. Carter. Ms. Carter is seeking Rule 1-13(e)(1) designation to allow her to join in the in-person meetings which may take place during scheduled work hours. These meetings are full-day for two days, twice a year, generally taking place in the spring and fall . There are also two national conferences that Ms. Carter is expected to attend in this role. Notably, if Ms. Carter has a priority Agency meeting or call that coincides during the meetings or the conferences, she will step away from sessions as DHS matters take precedence. In addition, the Council often holds short meetings as pre-conference sessions at the two NAEH national conferences. Prior to the pandemic, there was a one-hour call with the leadership council monthly, but that has not restarted to date. All of these meetings are optional for all council members. Finally, Ms. Carter seeks this designation so that she may infrequently use her Agency email address, computer and phone to communicate with NAEH.

Significantly, Ms. Carter's work as a Council Member with NAEH will align and further the Agency's mission and is not primarily for the benefit of the NAEH. Ms. Carter's work as a Council Member allows for an exchange of ideas from leaders

managing homelessness in cities including Los Angeles, San Francisco, Chicago, Miami, Houston among others, to produce positive and productive results to end homelessness and overcome nationwide challenges in doing so. Through improved collaboration among those similar challenges, each Council Member is better equipped to implement strategies to prevent and end homelessness in their own jurisdiction. As the Administrator of the NYC homeless system, Ms. Carter is the best possible person to represent NYC in these national discussions and the insight she gains from working in the Leadership Council better equips her to perform her job with DHS and to serve the City's homeless population.

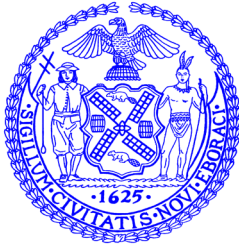
Based upon the forgoing, Ms. Carter's work as a Council Member with NAEH furthers the purposes and interests of the City. The NAEH is a major group advocating for national funding and policies that assist local municipalities in addressing homelessness and it is vital that NYC be part of the discussion and that Ms. Carter, as DHS Administrator, remains up-to-date on all major issues and legislation. The Council also serves as a place where NYC can learn about and compare governmental responses to housing issues that impact other cities and states across the country.

Based upon the information presented to me, I have determined that there is a demonstrated nexus between Ms. Carter's position with DHS and her work on the NAEH Leadership Council, and that such activity furthers the Agency's mission and is not undertaken primarily for the benefit or interest of the NAEH.

Yours truly,



Molly Wasow Park
DSS Commissioner



CITY OF NEW YORK CONFLICTS OF INTEREST BOARD

2 Lafayette Street, Suite 1010
New York, New York 10007
(212) 442-1400; (212) 437-0705 (Fax)
www.nyc.gov/ethics

November 6, 2023

Commissioner Molly Wasow Park
New York City Department of Social Services
150 Greenwich Street
New York, New York 10007

Re: Conflicts of Interest Board Case No. 2023-732 (Joslyn Carter)

Dear Commissioner Park:

This is in response to your letter to the Conflicts of Interest Board (the "Board"), dated October 16, 2023, and additional communications between your agency and Board staff, designating, pursuant to Board Rules Section 1-13(e)(1), New York City Department of Homeless Services ("DHS") Administrator Joslyn Carter to use City time and City resources to perform work for the Children's Museum of Manhattan ("CMOM") and requesting a determination by the Board, pursuant to Board Rules Section 1-13(e)(2), that she may take part in CMOM's business dealings with the City.

Relevant Facts

You advise that as DHS Administrator Ms. Carter is responsible for overseeing DHS's work to provide temporary emergency shelter to those experiencing homelessness, assist shelter residents to transition to permanent housing, and reduce street homelessness.

You advise that CMOM produces exhibitions at its location on the Upper West Side and provides resources to children, families, and educators across the City through programs at schools, libraries, shelters, and Head Start centers. CMOM contracts with City agencies to offer free programs to children and families, including with DHS to provide programs in DHS shelters and free tickets for shelter residents to CMOM events.

You further advise that CMOM is moving to a new location on the Upper West Side and has asked Ms. Carter to serve as a member of its advisory board. The advisory board will meet with The Hettema Group, the firm designing the new location, to ensure that the new space is reflective of the diverse audience of CMOM and sensitive to the needs of children and families who have experienced trauma. The advisory board will hold one in-person and two virtual meetings with The Hettema Group and may be asked to provide

additional advice throughout the development process. Ms. Carter will not accept compensation from CMOM as a member of the advisory board.

You advise that, while Ms. Carter is involved in CMOM's contracts with DHS as DHS Administrator, she will not be involved in CMOM's business dealings with DHS or other City agencies as part of her service on CMOM's advisory board. The Hettema Group does not have any business dealings with the City.

By your letter to the Board, you approve of Ms. Carter's work on behalf of CMOM's advisory board as part of her work for DHS, as well as her continued participation at DHS in the business dealings between DHS and CMOM.

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.

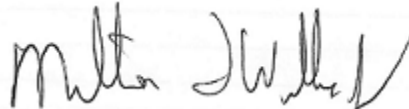
A public servant designated pursuant to Board Rules Section 1-13(e)(1) may take part in the entity's business dealings with the City at the entity and/or at their agency if, after written approval of the agency head, the Board determines that there is a demonstrated nexus between the proposed participation, 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 Ms. Carter's work for DHS, her work for CMOM, and the mission of DHS. The Board has also determined that Ms. Carter's participation at DHS in the business dealings between the City and CMOM furthers DHS's mission. Accordingly, she may use City time and City resources to perform work for CMOM and may be involved at DHS in business dealings between CMOM 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

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

Emily Tone Hill
Joslyn Carter