

CITY OF NEW YORK CONFLICTS OF INTEREST BOARD

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January 21, 2025

Anne Williams-Isom
Deputy Mayor for Health and Human Services
Office of the New York City Mayor
City Hall
New York, New York 10007

Re: Conflicts of Interest Board Case No. 2024-873 (Jess Dannhauser)

Dear Deputy Mayor Williams-Isom:

This is in response to your submission to the Conflicts of Interest Board (the "Board"), dated December 18, 2024, and additional communications between the New York City Administration for Children's Services ("ACS") and Board staff, designating, pursuant to Board Rules Section 1-13(e)(1), ACS Commissioner Jess Dannhauser to use City time and City resources to perform work for New Yorkers for Children ("NYFC") and requesting a determination by the Board, pursuant to Board Rules Section 1-13(e)(2), that he may take part in NYFC's business dealings with the City.

Relevant Facts

You advise that Commissioner Dannhauser is responsible for overseeing ACS's work to protect and promote the safety and well-being of New York City's children and families by providing child welfare, juvenile justice, early child care, and education services.

You further advise that NYFC was founded in 1996 by ACS to work in partnership with ACS to improve the well-being of youth and families in the child welfare system with an emphasis on older youth aging out of the system. NYFC provides direct educational, financial, and emotional support to youth and families and develops programs to fill gaps in the system in partnership with foster care agencies, community organizations, and ACS. NYFC has contracts with ACS and the New York City Department of Youth and Community Development. Because of its affiliation with ACS, NYFC has registered with the Board as a not-for-profit organization affiliated with an elected official under Chapter 9 of Title 3 of the New York City Administrative Code.

You advise that, pursuant to its by-laws, the ACS Commissioner serves as an *ex-officio* member of the NYFC board of directors. Commissioner Dannhauser attends board meetings and discusses NYFC's business dealings with the City.

By your submission to the Board, you approve of Commissioner Dannhauser's work on behalf of NYFC and his participation in NYFC'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 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.

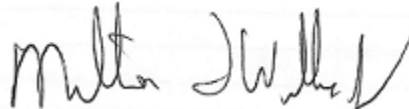
A public servant designated pursuant to Board Rules Section 1-13(e)(1) may take part in the entity's business dealings with the City at the entity and/or at their agency if, after written approval of the agency head, the Board determines that there is a demonstrated nexus between the proposed participation, 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 Dannhauser's work for ACS, his work for NYFC, and the mission of ACS. The Board has also determined that Commissioner Dannhauser's participation in the business dealings between the City and NYFC furthers ACS' mission. Accordingly, he may use City time and City resources to perform work for NYFC and may be involved in business dealings between NYFC 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: Wayne G. Hawley
Ifeoma Ike
Amy E. Millard
Georgia M. Pestana

Camaker A. Thomas-Heyward
Jess Dannhauser