

THE CITY OF NEW YORK
CONFLICTS OF INTEREST BOARD

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<i>In the Matter of</i>	:
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	:
OLIVIA FRANCIS-WEBBER	:
	:
Respondent.	:
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DISPOSITION

COIB Case No. 2022-729

WHEREAS, the New York City Conflicts of Interest Board (the "Board") commenced an enforcement action pursuant to Section 2603(h)(1) of the City's conflicts of interest law, found in Chapter 68 of the New York City Charter ("Chapter 68"), against Olivia Francis-Webber ("Respondent"); and

WHEREAS, the Board and Respondent wish to resolve this matter on the following terms,

IT IS HEREBY AGREED, by and among the parties, as follows:

1. In full satisfaction of the above-captioned matter, Respondent admits to the following:
 - a. I was employed by the New York City Department of Education ("DOE") from September 3, 1986, until September 1, 2022. During that time, I was a "public servant" within the meaning of and subject to Chapter 68.
 - b. I was the Principal at P.S. 114 from January 2018 to September 1, 2022.
 - c. My son, Donald Webber Jr., owns the business Talented Tenth Collective.
 - d. From January 15, 2018, to January 6, 2020, Talented Tenth Collective submitted 27 invoices requesting payment for services provided to P.S.114. Those services included business cards, branding, banners, "community outreach," murals, and parent workshops for a wide variety of subjects including family finance, real estate, coding, branding, entrepreneurship, social media, high intensity interval training, and yoga.

- e. All but one of Talented Tenth Collective's invoices to P.S. 114 was for less than \$5,000. DOE requires bids be sought for purchases greater than \$5,000.
- f. Five invoices for workshops conducted in 2019 are for workshops that were reported to have occurred on the same date, January 26, 2019, but only two of the five workshops were advertised to be held at P.S. 114 on that date.
- g. The attendee lists for two workshops conducted on January 26, 2019, are copies of the same document, with the same signatures in the same order.
- h. At my direction, a P.S. 114 school employee created and processed purchase orders paying Talented Tenth Collective a total of \$50,815. Before directing that purchase orders be processed and paid, I did not address or resolve any of the discrepancies in the invoices submitted for payment by Talented Tenth Collective.
- i. I acknowledge that, by awarding \$50,815 in school contracts to my son's company, I used my City position to benefit my son, with whom I am associated, in violation of City Charter § 2604(b)(3), which provides:

No public servant shall use or attempt to use his or her position as a public servant to obtain any financial gain, contract, license, privilege or other private or personal advantage, direct or indirect, for the public servant or any person or firm associated with the public servant.

City Charter § 2601(5) defines the people with whom a public servant is "associated" to include the public servant's child.

2. The Board has determined that the appropriate penalty in this case is the payment of a fine of Twenty-Two Thousand Five Hundred Dollars (\$22,500) to the Board. In setting the penalty, the Board considered that Respondent was a high-level and long-serving public servant who should be held to a high standard of compliance with the conflict of interest law, and the significant number and value of the contracts she authorized paid to her son's company. The Board also considered that Respondent did not personally profit from the contracts.

3. In recognition of the foregoing, Respondent agrees to the following:

- a. I agree to pay a fine of Twenty-Two Thousand Five Hundred Dollars (\$22,500) to the Board in the form of a money order or cashier's, bank, or certified check made payable to the "New York City Conflicts of Interest Board" as follows: Seven Thousand Five Hundred Dollars (\$7,500) on or before February 1, 2024; Seven Thousand Five Hundred

Dollars (\$7,500) on or before March 1, 2024; and Seven Thousand Five Hundred Dollars (\$7,500) on or before April 1, 2024.

- b. I agree that this Disposition is a public and final resolution of the Board's charges against me.
- c. I knowingly waive on my behalf and on behalf of my successors and assigns any rights to commence any judicial or administrative proceeding or appeal before any court of competent jurisdiction, administrative tribunal, political subdivision, or office of the City or the State of New York or the United States, and to contest the lawfulness, authority, jurisdiction, or power of the Board in imposing the penalty which is embodied in this Disposition, and I waive any right to make any legal or equitable claims or to initiate legal proceedings of any kind against the Board, or any members or employees thereof relating to or arising out of this Disposition or the matters recited therein.
- d. I confirm that I have entered into this Disposition freely, knowingly, and intentionally, without coercion or duress, and having been represented by the attorney of my choice; that I accept all terms and conditions contained herein without reliance on any other promises or offers previously made or tendered by any past or present representative of the Board; and that I fully understand all the terms of this Disposition.
- e. I agree that any material misstatement of the facts of this matter, including of the Disposition, by me or by my attorney or agent shall, at the discretion of the Board, be deemed a waiver of confidentiality of this matter.

4. The Board accepts this Disposition and the terms contained herein as a final disposition of the above-captioned matter only, and affirmatively state that other than as recited herein, no further action will be taken by the Board against Respondent based upon the facts and circumstances set forth herein, except that the Board shall be entitled to take any and all actions necessary to enforce the terms of this Disposition.


5. This Disposition shall not be effective until all parties have affixed their signatures below.

Dated: 1/31/, 2024



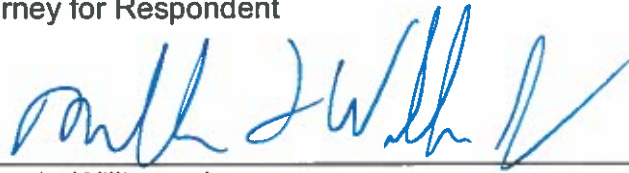
Olivia Francis-Webber
Respondent

Dated: January 31, 2024



Marvin Pope
Council of School Supervisors & Administrators
Attorney for Respondent

Dated: 3/20/, 2024



Milton L. Williams Jr.
Chair
NYC Conflicts of Interest Board