

Minutes of the Open Meeting of the New York City Conflicts of Interest Board

Date: September 21, 2018

Location: Baker Hostetler, 45 Rockefeller Plaza, 11th Fl., New York, New York

Present:

Board Members: Chair Richard Briffault and Members Fernando A. Bohorquez, Jr., Anthony Crowell, Jeffrey D. Friedlander, and Erika Thomas

Board Staff: Evan Berkow, Ethan Carrier, Chad Gholizadeh, Amber Gonzalez, Christopher Hammer, Gavin Kendall, Julia Lee, Carolyn Miller, Katherine Miller, Summer Payton, Jeff Tremblay, Michele Weinstat, and Clare Wiseman.

Guests: Stephanie Blattmachr

The meeting was called to order by the Chair at approximately 9:35 a.m. The Chair stated that the meeting was being conducted pursuant to the New York State Open Meetings Law and designated the undersigned as the Recording Secretary for purposes of the meeting.

The Chair stated that the meeting was called to consider Staff's proposed amendments to Title 53 of the Rules of the City of New York in continuation of the Open Meeting on August 22, 2018 and Board Rules § 1-13.

After a brief introduction by a member of the Board Staff on the proposed amendments to the rules, the Chair then asked for any comments by the Board or Staff concerning the proposed amendments to Title 53 of the Rules of the City of New York.

Comments:

The following comments constitute further changes as agreed upon by the Board and Staff:

- Proposed Board Rules § 1-08: Retain language of § 1-10(a)(3) as it refers to "local public authorities."
- Proposed Board Rules § 1-08: Addition of language defining "local development corporation" in § 1-08(b).
- Proposed Board Rules § 1-10: Retain language of § 1-10(a)(10) as it refers to cooperative apartment buildings.
- Statement of Basis and Purpose: Addition of language providing definitions of New York State local authorities and local development corporations; addition of a sentence that "As stated in Rules § [], this list "includes but not limited to" and thus is not exhaustive." as cited in §§ 1-08(a) and 1-10(a) in the paragraphs pertaining to the respective rules.

Upon motion duly made and seconded, the Board unanimously voted to pass Staff's proposed amendments to Title 53 of the Rules of the City of New York with modifications as discussed in the August 22, 2018, Open Meeting and today as the final rule.

The Chair stated that the meeting was called to consider Staff's proposed amendments to Board Rules § 1-13.

After a brief introduction by a member of the Board Staff on the proposed amendments to Board Rules § 1-13, the Chair then asked for any comments by the Board or Staff concerning the proposed amendments to Board Rule § 1-13.

Comments:

The following comments constitute the changes as agreed upon by the Board and Staff:

- § 1-13(e)(1): Revise beginning of sentence to state: "An agency head may designate a public servant to perform work..."
- §§1-13(e)(1)(a) and 1-13(e)(2): Replace the word "demonstrable" with "demonstrated"
- § 1-13(e)(a): Delete the word "that"
- § 1-13(e)(1)(c): Revise to state as follows: "the written designation is disclosed to the Conflicts of Interest Board within thirty days and will be posted on the Board's website."
- § 1-13(e)(2): Insert language after "written approval" to state who will be giving written approval
- § 1-13(e)(3): Revise language to clarify the role of elected officials in the approval process
- Statement of Basis and Purpose: Add an explanation of discretionary funding and sponsorship as referenced in § 1-13(e)(1)(b), including citation to the applicable Advisory Opinion, and why "district attorney" is mentioned separately from "elected official" in § 1-13(e)(3).

Upon motion duly made and seconded, the Board unanimously voted to continue the discussion at the next Board meeting.

The open meeting was adjourned at approximately 10:20 a.m.

Respectfully submitted,

Julia H. Lee
Recording Secretary