



NYC Parks

Mitchell J. Silver, FAICP  
Commissioner

City of New York  
Parks & Recreation  
The Arsenal  
Central Park  
New York, NY 10065  
www.nyc.gov/parks

June 14, 2019

Richard Briffault  
Chair  
Conflicts of Interest Board  
2 Lafayette Street, RM 1010  
New York, NY 10007

Dear Mr. Briffault:

This letter serves to notify the Conflicts of Interest Board (“COIB” or “Board”) that I hereby designate New York City Department of Parks & Recreation (“NYC Parks”) Mina Kim in her official capacity as a NYC Parks employee to work at Natural Areas Conservancy, Inc. (“NAC”), a City affiliated not-for-profit entity as part of her City job.

Established in 2012 to help NYC Parks restore, conserve and manage over 20,000 acres of natural areas in New York City, NAC is a Type B corporation under Section 201 of the New York State Not-For-Profit Corporation Law and a 501(c) (3) corporation for federal tax purposes. Moreover, in 2012, COIB approved NAC as a City affiliated Not-for-Profit partner; see COIB Case No. 2012-444, and as set forth in COIB Advisory Opinion 2003-4, donations received for NAC of \$5,000 or more are reported to COIB, every six months.

In addition, pursuant to a Memorandum of Agreement (“MOA”), dated April 1, 2015<sup>1</sup>, between NYC Parks and NAC, memorializing a public-private partnership, NAC works closely with NYC Parks advocating for and supporting various activities related to the management and conservation of the City’s natural areas, including land under NYC Parks’ jurisdiction, *inter alia*, raising additional resources, providing additional expertise, conducting research, providing stewardship and additional oversight.

Ms. Kim currently works in NYC Parks’ Information, Technology and Telecommunications division as a Geographic Information System (“GIS”) Analyst and holds a civil service title as a Community Coordinator, a position she has held since December 2018. Her responsibilities include utilizing GIS software to improve the quality of NYC Parks services; supporting efforts to make NYC Parks’ data available to the public through the Open Data Mandate; documenting information and database schemas, and audit contents of databases; designing databases and interfaces, working with

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<sup>1</sup> MOA Amended and Restated on 10-26-2016 to reflect NAC’s new Executive Director.

end-users to ensure usability of databases; train employees on how to access spatial data and prepare maps using Esri software. MS. Kim's current work schedule at NYC Parks is Monday to Friday 9:00 am to 5:00 pm and her annual salary is \$78,000.

Prior to working at NYC Parks, Ms. Kim worked at NAC from April 2015 to December 2018 as a GIS Analyst/Data Manager where among her extensive responsibilities she also created an online interactive map to provide information to the general public about the extent and conditions of New York City's natural areas recent restoration projects. As Ms. Kim is the only one with knowledge of the project's functionality NAC reached out to her for assistance to complete the project as it is time-sensitive due to it being grant funded.

During times when she is not scheduled to work in her title as a GIS Analyst which includes evening hours and weekends, I am designating Ms. Kim to work with NAC as a data analysis coordinator analyzing NYC Parks and NAC's research data on the vegetation health & condition, restoration activities and opportunities in Citywide forested areas, wetlands and streams. She would also produce maps & tables illustrating the data, upload the data to the ArcGIS online account and provide technical solutions for vegetation health data collection. NYC Parks will compensate Ms. Kim at her regular hourly pay rate for this work and will accordingly bill NAC for reimbursement of the compensation and 47-91% for fringe benefits.

Her supervisor, Peter Carlo, Assistant Commissioner for Agency Compliance has advised NYC Parks that he does not anticipate or foresee any conflicts between Ms. Kim's day-to-day responsibilities at NYC Parks and her additional duties with NAC as this work being a joint project between NYC Parks and NAC serves a City purpose.

Your consideration of this request is appreciated. Please do not hesitate to contact me or Senior Associate Counsel Sharmila Rampersaud who can be reached at (212) 360-1326, if the Board has any questions or requires further information.

Sincerely,



Mitchell J. Silver, FAICP

cc: Sharmila Rampersaud, Esq.



September 17, 2019

Richard Briffault  
Chair  
Conflicts of Interest Board  
2 Lafayette Street, RM 1010  
New York, NY 10007

Dear Mr. Briffault:

This letter serves to notify the Conflicts of Interest Board ("COIB" or "Board") that pursuant to the Rules of the City of New York, Title 53 §1-13(e) (l), I have designated New York City Department of Parks & Recreation ("NYC Parks") employee Bonnie Ralston to serve on the City College ("CCNY") of the City University of New York ("CUNY") advisory board for its Fall 2019 Bachelor's Degree program in Science Learning and Public Engagement as part of her City job.

Ms. Ralston is NYC Parks' Director of Programming & Development in the Education & Wildlife division ("EW"), a position she has held since May 31, 2017. The EW division is part of NYC Parks' Public Programs and includes the Urban Park Rangers, the Wildlife Unit, and Programming and Development. The Urban Park Rangers foster stewardship for NYC Parks by connecting New Yorkers to the natural world through environmental education, outdoor adventure, wildlife management and active conservation. The Wildlife unit fosters stewardship for NYC Parks, support healthy urban wildlife populations and promote quality of life for all New Yorkers through education, programs, policies, procedures and management plans that encourage coexistence between people and wildlife in New York City. The role of Programming & Development which Ms. Ralston oversees is to ensure programmatic alignment with agency and City goals and initiatives; guarantee programmatic excellence, consistency and standardization across five boroughs, and establish and manage productive programmatic partnerships.

Based on EW's portfolio and the nature of her responsibilities, CCNY asked Ms. Ralston to serve on the undergraduate program's advisory board due to her unique expertise in informal teaching and learning. The undergraduate program will be the only program in New York City specifically designed to prepare undergraduate students for careers at informal science learning environments, including: cultural institutions, botanical gardens, museums, zoos, environmental education centers, community-based organizations, educational, science, health, and environmental non-profits and foundations, government, universities and for-profit businesses and media ventures. It will also provide expert guidance on the needs and concerns of environmental education and informal science engagement professionals.

Board members are education and science engagement professionals like Ms. Ralston who work for a variety of New York City-based cultural, community based, environmental, and governmental science engagement organizations. There is a direct nexus between Ms. Ralston's City job, NYC Parks' mission, and her proposed involvement with CCNY's advisory board as Ms. Ralston's participation will provide excellent positioning and support for New York City, NYC Parks, and the work of the EW division by:

- Increasing awareness within the CUNY system and with other advisory board organizations about the science and science-adjacent work of NYC Parks.
- Expressing (in the short term) and addressing (in the long term) NYC Parks' needs for workforce development in science and science-adjacent fields.
- Expanding NYC Parks' professional network to include members of the higher education community in New York City and fellow advisory organizations.

Her supervisor, Sarah Aucoin, Chief of Education and Wildlife has advised NYC Parks that she does not anticipate or foresee any conflicts between Ms. Ralston's day-to-day responsibilities at NYC Parks and involvement with CCNY. Ms. Aucoin is supportive of Ms. Ralston serving in this role, subject to any required stipulations and/or recusals on her part. Moreover, under COIB Advisory Opinion No 99-6, CUNY is a governmental body within the meaning of the Charter § 2601(11) and so Ms. Ralston's involvement with CCNY advisory board serves a City purpose. I am also requesting that Ms. Ralston be allowed the reasonable and incidental use of City time, equipment, supplies and resources for her participation with CCNY as part of her City duties.

Please do not hesitate to contact me or Senior Associate Counsel Sharmila Rampersaud who can be reached at (212) 360-1326, if the Board has any questions or requires further information.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mitchell J. Silver", written in a cursive style.

Mitchell J. Silver, FAICP

cc: Sharmila Rampersaud, Esq.





September 17, 2019

Richard Briffault  
Chair  
Conflicts of Interest Board  
2 Lafayette Street, RM 1010  
New York, NY 10007

Dear Mr. Briffault:

This letter serves to notify the Conflicts of Interest Board ("COIB" or "Board") that consistent with Title 53 Rule 1-13(e) of the Rules of the City of New York, I am designating New York City Department of Parks & Recreation ("NYC Parks") employee Edward Toth to serve on the Committee of National Academy of Sciences Engineering and Medicine ("NAS") through December 2020 as part of his City job in a manner.

Mr. Toth currently serves as the Director of NYC Parks' Greenbelt Native Plant Center ("Plant Center") - Mid Atlantic Regional Seed Bank a program of the Forestry, Horticulture, and Natural Resources Group (NRG) division which is the nation's oldest and largest municipally owned native plant nursery in the United States. In 2012 he initiated the Mid-Atlantic Regional Seed Bank (MARSB), as a regional partner of the national Seeds of Success program. He views seed as a critical natural resource and its wise management as essential to sustainable land management and mitigating climate change, for which work he received the 2018 Sloan Public Service Award from the Fund for the City of New York. The 13-acre nursery, greenhouse, seed increase and seed bank facility, through its many partnerships- local to global- works towards the conservation of the region's native flora.

NAS was established in 1863 by an Act of Congress, signed by President Lincoln, as a private, nongovernmental institution to advise the nation on issues related to science and technology. Members are elected by their peers for outstanding contributions to research. Dr. Marcia McNutt is president. The Board on Agriculture and Natural Resources (BANR) is a major program unit of the National Academies of Sciences, Engineering, and Medicine responsible for organizing and overseeing studies on agriculture, forestry, fisheries, wildlife, and the use of land, water, and other natural resources.

The NAS Committee will assess federal, state, tribal and private sector needs and capacity for supplying native plant seeds for ecological restoration and other purposes. Seed collection experiences in NYC and the Mid-Atlantic is critical to making this assessment. The assessment will focus on the western continental United States and incorporate information from assessments of other U.S. regions, as available, towards the goal of a nationwide perspective. The assessment will be carried out in two phases:

**Phase 1:** The committee will conduct fact-finding, develop a framework for information gathering for the assessment, and prepare an interim report describing the framework and implementation strategy.

**Phase II:** The committee will oversee the data and information-gathering process, analyze the information obtained, and prepare a final report summarizing the committee's findings and conclusions. The final report also will provide recommendations for improving the reliability, predictability, and performance of the native seed supply. A national assessment will be the first comprehensive step in informing how these networks should be constructed and will form the basis for local and regional partnerships in and around NYC to ensure future supplies for the City.

Mr. Toth's participation with NAS serves an important City purpose as a national assessment will form the basis for local and regional partnerships in and around NYC to ensure future supplies for the City. Mr. Toth will not receive any compensation from NAS except for allowable travel and subsistence costs to Washington, DC, and other areas within the United States for meetings related to the Committee's work in accordance with the City's "Out-of-City Travel Policy and Procedures".

His supervisor Jennifer Greenfeld, Assistant Commissioner, Forestry, Horticulture & Natural Resources is supportive of Mr. Toth's participation on NAS Committee as part of his City job as it would greatly benefit NYC Parks' seed collection program, subject to any required stipulations and/or recusals on his part. I am also requesting that Mr. Toth be allowed the reasonable and incidental use of City time, equipment, supplies and resources for his participation with NAS, and any related out-of-City travel he undertakes to be as part of his City duties.

Please do not hesitate to contact me or Senior Associate Counsel Sharmila Rampersaud who can be reached at (212) 360-1326, if the Board has any questions or requires further information.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mitchell J. Silver", written in a cursive style.

Mitchell J. Silver, FAICP

cc: Sharmila Rampersaud, Esq.



NYC Parks

Mitchell J. Silver, FAICP  
Commissioner

City of New York  
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[www.nyc.gov/parks](http://www.nyc.gov/parks)

October 25, 2019

Richard Briffault  
Chair  
Conflicts of Interest Board  
2 Lafayette Street, RM 1010  
New York, NY 10007

Dear Mr. Briffault:

Pursuant to the Rules of the City of New York, Title 53 §1-13(e) (l) this letter serves to notify the Conflicts of Interest Board ("COIB" or "Board") that I am designating New York City Department of Parks & Recreation ("NYC Parks") employee Claudia Urdanivia to serve as an elected Board Member at the Bronx Land Trust ("BLT") as part of her City job.

Ms. Urdanivia currently works in NYC Parks' GreenThumb division as an Outreach Coordinator in the Bronx, a position she has held since April 2018. Her responsibilities include serving as GreenThumb's main liaison to approximately sixty GreenThumb community gardens located in the Bronx, including 13 gardens owned by the Bronx Land Trust, and provides technical, programming and other assistance to these gardens in that role. Ms. Urdanivia's current work schedule is Monday to Friday 9:00 am to 5:00 pm.

Established in 1978, GreenThumb supports over 550 community gardens throughout New York City. About 380 of these gardens are located on NYC Parks' property and the remainder are privately-owned, largely by land trusts, who are registered with the GreenThumb program so they can receive the same resources that NYC Parks provide to gardens on the agency's property. The privately owned gardens are assigned a Green Thumb Outreach Coordinator as their primary NYC Parks' liaison.

GreenThumb's mission is to educate and support community gardens and urban farming across the five boroughs, while preserving open spaces. By providing free garden materials, technical assistance, educational workshops, and seasonal programs, GreenThumb supports neighborhood volunteers who steward community gardens as active resources to strengthen communities.

BLT whose gardens are registered with Green Thumb owns 18 community garden in the Bronx which the Trust for Public Land<sup>1</sup> ("TPL") initially owned, and subsequently deeded to the BLT upon its formation. Green Thumb supported these gardens when they were under TPL, and continues to support them under BLT's ownership.

BLT requested the presence of a Green Thumb employee on its board to serve in an advisory capacity for matters relating to community gardens, garden group development, and capacity building, and other matters related to the successful stewardship of community gardens. Claudia Urdanivia, was selected and is willing to serve on the board. Ms. Urdanivia would participate in board meetings, and other roles typical of nonprofit board members, including serving on committees, but would recuse herself from any activities and discussions that would involve advocating for NYC Parks and/or other City resources.

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<sup>1</sup> TPL is a U.S. nonprofit organization whose mission is to "create parks and protect land for people, ensuring healthy, livable communities for generations to come."



Ms. Urdanivia's service as a BLT board member will benefit NYC Parks and GreenThumb by helping to ensure that these public open spaces are appropriately maintained and operate in compliance with the requirements that GreenThumb mandates as a prerequisite for registration with that program.

Her supervisor, William LoSasso, Director of GreenThumb has advised NYC Parks that he does not anticipate or foresee any conflicts between Ms. Urdanivia's day-to-day responsibilities at NYC Parks and her involvement with BLT as this work will serve a City purpose. In addition, Sam Biederman, Assistant Commissioner of Community Outreach and Partnership Development who oversees the GreenThumb division is supportive of Ms. Urdanivia serving in this role, subject to any required stipulations and/or recusals on her part. I am also requesting that Ms. Urdanivia be allowed the reasonable and incidental use of City time, equipment, supplies and resources for her participation with BLT as part of her official City duties.

Please do not hesitate to contact me or Senior Associate Counsel Sharmila Rampersaud who can be reached at (212) 360-1326, if the Board has any questions or requires further information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mitchell J. Silver', written in a cursive style.

Mitchell J. Silver, FAICP, Hon. ASLA

cc: Sharmila Rampersaud, Esq.





## 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)

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November 25, 2019

Mitchell J. Silver, FAICP  
Commissioner  
New York City Department of Parks & Recreation  
The Arsenal  
Central Park  
New York, New York 10065

Re: Conflicts of Interest Board Case No. 2019-729 (William LoSasso)

Dear Commissioner Silver:

This is in response to your letter to the Conflicts of Interest Board (the "Board"), dated October 25, 2019, designating, pursuant to Board Rules Section 1-13(e)(1), William LoSasso, an employee of the New York City Department of Parks & Recreation ("Parks"), to use City time and City resources to work for GrowNYC and requesting a determination by the Board, pursuant to Board Rules Section 1-13(e)(2), that Mr. LoSasso may take part in GrowNYC's business dealings with the City.

### Relevant Facts

You advise the Board that Mr. LoSasso serves as the Director of Parks' GreenThumb Division and oversees its administration and operations. GreenThumb educates and supports community gardens and urban farming across the City by providing free garden materials, technical assistance, educational workshops, and seasonal programs.

You further advise that GrowNYC is a not-for-profit organization that seeks to improve quality of life in the City through environmental programs and to secure a clean and healthy environment for the future. Pursuant to GrowNYC's by-laws, you as Parks Commissioner serve *ex-officio* as a non-voting member of the Board of Directors, and you have designated Mr. LoSasso to serve as your representative. Mr. LoSasso would represent Parks and advise GrowNYC on how best to advance the open space, food policy, environmental and community development goals that both GrowNYC and Parks share.

You further advise that GrowNYC has business dealings with Parks, including with GreenThumb. Specifically, GrowNYC regularly receives City grants and other funding to improve community gardens under the supervision of GreenThumb. Additionally, GreenThumb

and GrowNYC work together in the citywide school gardens initiative, which seeks to create a school garden in all New York City public schools. You seek to have Mr. LoSasso participate in the business dealings between the City and GrowNYC by overseeing GreenThumb initiatives that involve GrowNYC.

By your letter to the Board, you approve of Mr. LoSasso's work on behalf of GrowNYC and his participation in GrowNYC's business dealings with the City, stating that such participation is an essential function of Mr. LoSasso's Parks job as Director of GreenThumb.

#### 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 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 his or her agency; and (iii) within 30 days the written designation is disclosed to the Board and will be posted on the Board's website. See Board Rules Section 1-13(e)(1)(i).

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 his or her 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

Based on your representations and your written designation pursuant to Board Rules Section 1-13(e)(1), the Board has determined that there is a demonstrated nexus between Mr. LoSasso's City job, his proposed work for GrowNYC, and the mission of Parks. The Board has also determined that Mr. LoSasso's participation in the business dealings between the City and GrowNYC, as described above, furthers Parks' mission to advance the open space, food policy, environmental and community development goals that both GrowNYC and Parks share and is not undertaken primarily for the benefit or interests of GrowNYC, but is instead undertaken primarily to ensure the advancement of GreenThumb's mission and operations. You are therefore advised that Mr. LoSasso may participate in the business dealings between the City and GrowNYC, as described above. 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,



Richard Briffault  
Chair

Fernando A. Bohorquez, Jr.  
Anthony Crowell  
Jeffrey D. Friedlander  
Erika Thomas

cc: Sharmila Rampersaud  
William LoSasso