

CITY OF NEW YORK CONFLICTS OF INTEREST BOARD

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www.nyc.gov/ethics

May 13, 2024

Andrew Kimball
President
New York City Economic Development Commission
One Liberty Plaza
New York, New York 10006

Re: Conflicts of Interest Board Case No. 2024-322 (Justyn Turner)

Dear Mr. Kimball:

This is in response to your letters to the Conflicts of Interest Board (the "Board"), dated April 1, 2024, and subsequent communications between your agency and Board staff, updating your prior designation, pursuant to Board Rules Section 1-13(e)(1), to continue to allow New York City Economic Development Corporation ("EDC") employee Justyn Turner to use City time and City resources to perform work for the Alliance for Coney Island, Inc. (the "Alliance"). You also request a determination by the Board, pursuant to Board Rules Section 1-13(e)(2), that he may continue to take part in the Alliance's business dealings with the City.

Relevant Facts

The Board is advised that the Alliance was formed in 2012 for stakeholders to collaborate in the redevelopment of Coney Island. According to its bylaws, the Alliance has 14 directors, four of whom are *ex-officio* non-voting directors: the Brooklyn Borough President, the City Council Member representing Coney Island, the District Manager of Community Board 13 in Brooklyn, and the EDC President. The remaining 10 directors are representatives of Coney Island businesses. The directors are involved in managing discretionary funds received by the Alliance through the New York City Department of Youth and Community Development and the New York City Department of Small Business Services and in the Alliance's collaboration with the New York City Department of Transportation on a project extending streetscape amenities on Mermaid Avenue.

By letter dated May 16, 2023, the Board approved you as EDC President to serve on the governing board of the Alliance and for Mr. Turner to serve as your alternate on the board (COIB Case No. 2023-243). At that time, Mr. Turner was Assistant Vice President in the Government and Community Relations Department, where he was responsible for creating community engagement strategies for, and ensuring community

input on, EDC projects in Brooklyn. You advise that Mr. Turner is now Vice President of Strategic Partnerships in the Partnerships Department. He is responsible for identifying opportunities to foster public-private partnerships for EDC's industry initiatives and real estate projects.

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.

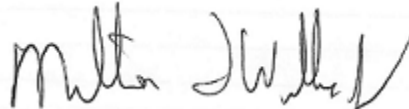
A public servant designated pursuant to Board Rules Section 1-13(e)(1) may take part in the entity's business dealings with the City at the entity and/or at their agency if, after written approval of the agency head, the Board determines that there is a demonstrated nexus between the proposed participation,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

Meredith J. Jones
Justyn Turner



May 21, 2024

BY EMAIL

One Liberty Plaza
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edc.nyc

New York City Conflicts of Interest Board
2 Lafayette Street, Suite 1010
New York, New York 10007
Attention: Ethan Carrier, General Counsel, carrier@coib.nyc.gov

Re: Not-for-profit corporation board designation of New York City Economic Development Corporation ("NYCEDC") employees pursuant to Board Rule §1-13(e)

Dear Conflicts of Interest Board:

In accordance with Board Rule §1-13(e)(1)(iv), I write to inform you that I have designated Monica Malowney, in her official capacity as Vice President of Life Sciences and Healthcare Initiatives at NYCEDC, to serve on the Advisory Board for the American Museum of Natural History's ("AMNH") expansion study ("NYC SRMC Expansion Study") for the New York City Science Research Mentoring Consortium ("NYC SRMC").

Based on the information provided to me and set forth below, I have determined that there is a demonstrated nexus between the Advisory Board member duties for the NYC SRMC Expansion Study, Ms. Malowney's NYCEDC position, and NYCEDC's mission, and such service as an Advisory Board member for the NYC SRMC Expansion Study is not undertaken primarily for the benefit or interests of AMNH or NYC SRMC.

Ms. Malowney is responsible for overseeing the workforce and talent development strategy for LifeSci NYC, a mayoral initiative to make New York City a global leader in the life sciences industry. Ms. Malowney manages the development and execution of several programs, including: the LifeSci NYC Internship Program, which places students in internships at life sciences companies; Break into Biotech, a partnership with Genspace to pilot a workforce training program for adults newly entering the life sciences; and the Bronx expansion of BioBus, a community-based organization providing hands-on science education. Ms. Malowney also acts as a subject matter expert in the talent and workforce needs of the life sciences industry, both within NYCEDC and for external partners and actors in New York City's life sciences ecosystem.

The NYC SRMC is a partnership of academic, research, and cultural institutions committed to providing dynamic, mentored, science research

experiences for New York City high school students who have an interest in science, technology, engineering, and math (“STEM”). The mission of the NYC SRMC is to provide students from historically underrepresented backgrounds in STEM fields and careers access to innovative research internships that will support them in their college and career pathways. The NYC SRMC is led by AMNH and includes 28 programs and institutions across New York City that run science research mentoring programs.

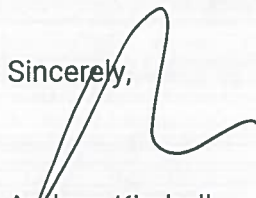
With support from the Sloan Foundation, AMNH will conduct the NYC SRMC Expansion Study, a 12-month planning project to develop a strategy for expanding the NYC SRMC in two directions: 1) exploring opportunities in new geographic areas within New York City, and making STEM research and mentorship more accessible across all of New York City; and 2) exploring opportunities for students to engage with emerging technologies (e.g., quantum, AI) and New York City growth industries (e.g., life sciences and biotech). AMNH has invited Ms. Malowney together with four other academic, research, and industry representatives to serve on the Life Science branch of the NYC SRMC Expansion Study’s Advisory Board.

This work for NYC SRMC and the NYC SRMC Expansion Study furthers NYCEDC’s mission to help prepare New Yorkers for the jobs of the future, including within the life sciences industry, and strengthens NYCEDC’s connection to the institutions participating in NYC SRMC. Ms. Malowney will not be compensated for this activity, but will use reasonable and incidental NYCEDC time and resources to fulfill this service.

NYC SRMC has no business dealings with the NYCEDC and/or the City, AMNH has no business dealings with NYCEDC, and Ms. Malowney is not involved in any of AMNH’s business dealings with the City.

Your consideration of this request is greatly appreciated. Please do not hesitate to contact me at akimball@edc.nyc.

Sincerely,



Andrew Kimball
President

cc: Christopher Hammer, Deputy General Counsel, hammer@coib.nyc.gov
Meredith J. Jones, General Counsel, EDC