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Kevin D. Kim
Commissioner

March 12, 2024

Via email: ECarrier@coib.nyc.gov

Ethan Carrier
General Counsel
New York City Conflicts of Interest Board
2 Lafayette Street
New York, NY 10007

Re: COIB Rule 1-13(e)(1): Designation of NYC DSBS to Perform Work with Not-for-Profit Entity (WTC Captive Insurance Company)

Dear Mr. Carrier:

Pursuant to Rule 1-13(e)(1) of the Rules of the Conflicts of Interest Board, I, Commissioner of the New York City Department of Small Business Services (DSBS) have designated DSBS General Counsel Anthony Dell'Olio to perform work in his official capacity as an alternate director of the World Trade Center Captive Insurance Company (the "Company") Board of Directors (the "WTC Board").

On February 20, 2003, the President of the United States signed the Consolidated Appropriations Resolution, 2003, Public Law 108-7, which resulted in the funding of the Company on December 3, 2004, with \$999.9 million. The Company had been incorporated on July 1, 2004, as a captive insurance company and licensed by the State of New York. The purpose of the Company was to cover the risks assumed by the City of New York ("City") and its hired contractors working without commercial liability insurance coverage for claims resulting from work completed subsequent to the terrorist attacks on September 11, 2001 ("terrorist attacks"). The Company commenced operations upon receipt of the federally approved funding.

Pursuant to a liability insurance contract, the Company insures the City and other specified parties for liability arising out of the activities in or near the World Trade Center site in response to the terrorist attacks.

The Company has no owners. The City is the sole member of the Company, which has been formed as a Type D corporation pursuant to Section 201 of the Not-For-Profit Corporation Law and Chapter 188 of the Laws of 2003.

The Mayor of the City appoints all Company directors. There are currently five directors. Mr. Dell'Olio has been appointed to serve as an alternate for Andrew Schwartz, a current WTC Board director and former DSBS official. Mr. Dell'Olio will attend and participate in meetings and vote in Mr. Schwartz's absence.

As DSBS General Counsel, Mr. Dell'Olio is responsible for overseeing all legal matters concerning the agency, including oversight of City waterfront property under DSBS jurisdiction. DSBS Commissioners, First Deputy Commissioners and General Counsels have been appointed to serve as WTC Board directors and/or alternates for many years. Mr. Dell'Olio's service in the capacity described in this letter directly relates to and furthers his role as General Counsel.

Based upon the information presented to me, I have determined that there is a demonstrated nexus between Mr. Dell'Olio's position at DSBS and his role as a newly appointed alternate director of the WTC Board, and that such activity furthers DSBS's mission and is not undertaken primarily for the benefit or interest of the Company.

Sincerely,

A handwritten signature in black ink that reads "Kevin D. Kim". The signature is written in a cursive, flowing style.

Kevin D. Kim, Commissioner

c: T. Weinberg



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Maria-Torres Springer

Deputy Mayor

On behalf of the Department of
Small Business Services

1 Liberty Plaza
11th Floor
New York, NY 10006

September 5, 2024

Ethan Carrier
Conflicts of Interest Board
2 Lafayette Street, Suite 1010
New York, New York 10007

Dear Mr. Carrier,

This letter serves to notify the Conflicts of Interest Board ("COIB") that consistent with COIB Rule 1-13(e), I, as Deputy Mayor, have designated Dynishal Gross, Acting Commissioner of the New York City Department of Small Business Services ("SBS"), to perform work in her official SBS capacity for New York Law School's Plumeri Center for Small Business Empowerment as an ex-officio member of their advisory board.

The New York Law School ("NYLS") is one of the largest and oldest independent nonprofit law schools in the United States. NYLS's Plumeri Center for Small Business Empowerment ("Plumeri Center") helps students connect academic learning to practice in order to empower low-income owners of small businesses and innovators with big ideas by providing them necessary legal advice and representation to grow their business. The Plumeri Center recognizes the importance of establishing a civic-industry connection in order to provide important connections to communities that other stakeholders may not have. To that end, NYLS' Dean and President Anthony Crowell formally invited Dynishal Gross to be an ex-officio member of the advisory board in her capacity as SBS' Acting Commissioner by letter on September 4, 2024. It is NYLS' hope that, by reserving a seat on the advisory board for the Commissioner or Acting Commissioner of SBS, NYLS can ensure it will continue to be an effective partner for the City in providing free legal services.

As an ex-officio member of the Plumeri Center's advisory board, Acting Commissioner Dynishal Gross will be responsible for the following activities:

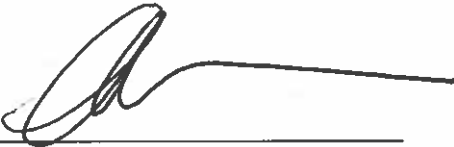
- Attending quarterly board meetings;
- Using her SBS email to respond to board questions or related activities during regular work hours as needed or appointing a proxy to engage in these tasks;
- Participating in related events, providing remarks, sharing SBS programs and collateral with relevant stakeholders;
- Collaborating with the board to discuss ways in which law school legal services organizations can assist community based small businesses and Business Improvement Districts.

Dynishal Gross is currently employed at SBS as the Acting Commissioner. SBS helps unlock economic potential and create economic security for all New Yorkers by connecting New Yorkers to good jobs, creating stronger businesses, and building thriving neighborhoods across the five boroughs. Dynishal Gross manages the Agency's efforts to support small businesses, government contractors, jobseekers, and commercial corridors citywide.

Based on the information provided, I have determined that there is a demonstrated nexus between Dynishal Gross's City position as the Acting Commissioner and her role as an ex-officio member of the Plumeri Center's advisory board, and that such work or activity furthers the mission of SBS and is not undertaken primarily for the benefit or interest of NYLS or the Plumeri Center.

Lastly, I have been advised that Dynishal Gross does not anticipate or foresee any conflicts between her day-to-day responsibilities at SBS and involvement with the Plumeri Center. I am supportive of Dynishal Gross serving in this role, subject to any required stipulations and/or recusals on her part. I am also requesting that Dynishal Gross be allowed the reasonable and incidental use of SBS time, equipment, and resources for her participation with the Plumeri Center as part of her SBS duties.

Your consideration of this request is greatly appreciated. If you have any questions or require additional information, please contact Deputy General Counsel Eujan Park at epark@sbs.nyc.gov.

A handwritten signature in black ink, appearing to read 'Maria-Torres Springer', is written over a horizontal line.

Maria-Torres Springer
Deputy Mayor