

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)
www.nyc.gov/ethics

September 29, 2025

Camille Joseph Varlack
Chief of Staff, Deputy Mayor for Administration, and Special Counsel to the Mayor
Office of the New York City Mayor
City Hall
New York, New York 10007

Re: Conflicts of Interest Board Case No. 2025-232 (Andrew Kimball)

Dear Deputy Mayor Varlack:

This is in response your letter to the Conflicts of Interest Board (the “Board”), dated April 3, 2025, and subsequent communications between the New York City Economic Development Corporation (“EDC”) and Board staff, designating, pursuant to Board Rules Section 1-13(e)(1), EDC President Andrew Kimball to use City time and City resources to perform work as an uncompensated board member of the New York/New Jersey 2026 World Cup Host Committee, Inc. (the “Committee”), and requesting a determination by the Board, pursuant to Board Rules Section 1-13(e)(2), that Mr. Kimball may take part in the Committee’s business dealings with the City.

Relevant Facts

You advise that, as part of the FIFA 2026 World Cup Tournament (the “2026 World Cup”), MetLife Stadium in New Jersey will host eight soccer matches, including the final match. As joint hosts of this event, the City and the State of New Jersey were required to create the Committee as a special purpose vehicle to facilitate 2026 World Cup activity and meet the obligations of each as a local host. The Committee was formed as a New Jersey not-for-profit organization and seeks to attract local, national, and international visitors and businesses to attend and participate in the 2026 World Cup. The Committee will coordinate between key City and State stakeholders and FIFA for the 2026 World Cup matches and related events.

You advise that EDC has engaged the Committee to be a consultant for \$19.6 million to assist the City with preparing for, hosting, and providing logistical and other support for the 2026 World Cup matches and related events in the New York/New Jersey region. The Committee will work on events and displays, outdoor media, transportation to and from the City, volunteer coordination, safety and security, fan festivals, promotion and public relations, integration of commercial affiliates, compliance with sustainability

requirements, compliance with human rights and labor standards, and general legal and administrative support. EDC anticipates the New York/New Jersey region's total economic output from hosting the 2026 World Cup and related events to be \$2.14 to \$3.45 billion, of which 60 to 70% is estimated to redound to the New York City economy. EDC projects that New York State and the City will receive approximately \$190 to \$290 million in additional tax revenue from the 2026 World Cup and related events.

You advise that the Committee is seeking to increase the number of board members to nine and has invited the Mayor to recommend candidates. The current board members include the former President of NYC Tourism + Conventions, a not-for-profit organization that acts as the City's agent for tourism and events, as well as four members representing New Jersey. The Mayor has recommended Mr. Kimball to serve as a board member as part of his work for EDC. To carry out its duties as EDC's consultant, the Committee will have business dealings with EDC, the New York City Department of Small Business Services, and other City agencies. As a board member, Mr. Kimball would take part in the Committee's dealings with the City and may advise the Committee on what City properties may be suitable for its activities.

By your letter to the Board, you approve of Mr. Kimball's work on behalf of the Committee as part of his work for EDC and seek the Board's approval for his participation in business dealings between the Committee and the City.

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 a deputy mayor may designate an agency head 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).

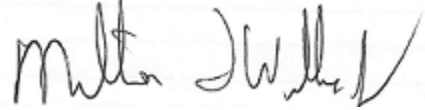
Advice

The Board has determined, based on the above representations and your written approval, that there is a demonstrated nexus between Mr. Kimball's work at EDC, his work for the Committee, and the mission of EDC. The Board has also determined that Mr. Kimball's participation in the business dealings between the City and the Committee furthers EDC's mission. Accordingly, Mr. Kimball may use City time and City resources to perform work for the Committee and may be involved in business dealings between the Committee and the City.

In the event that Mr. Kimball leaves City service and seeks to continue serving on the board of the Committee, he may not communicate with any City agency about particular matters in which he participated personally and substantially as EDC President or use or disclose confidential City information, in accordance with Charter Sections 2604(d)(4) and 2604(d)(5), respectively.

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 dark ink, appearing to read "Milton L. Williams Jr.", with a stylized flourish at the end.

Milton L. Williams Jr.
Chair

cc: Wayne G. Hawley
Ifeoma Ike
Amy E. Millard
Georgia M. Pestana

Meredith J. Jones
Andrew Kimball