

Develop— don't destroy.

BROOKLYN

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Mr. Mark Davies
Executive Director, Conflicts of Interest Board
2 Lafayette Street, Suite 1010
New York, NY 10007

August 26, 2004

Dear Mr. Davies:

I am writing on behalf of Develop Don't Destroy Brooklyn to lodge a Conflicts of Interest complaint about City Planning Commissioner Ms. Dolly Williams. It appears that Ms. Williams has broken the law as described in Chapter 68 of the Ethics Law of the City Charter.

It has been reported that Ms. Williams has invested at least \$1 million in a syndicate of investors which Bruce Ratner (Forest City Ratner Companies) has formed to purchase the New Jersey Nets and construct a basketball arena and 17 high rises in Prospect Heights, Brooklyn. Four newspaper articles have reported this news. These articles can be found here:

http://www.brooklynpapers.com/html/issues/_vol27/27_33/27_33nets1.html

<http://www.nydailynews.com/front/story/222350p-190883c.html>

<http://daily.nysun.com/Repository/getFiles.asp?Style=OliveXLib:ArticleToMail&Type=text/html&Path=NYS/2004/08/24&ID=Ar00103>

<http://www.nypost.com/news/regionalnews/29397.htm>

According to Chapter 68, the Conflicts of Interest Law covers all paid City officers. Chapter 68 goes on to say that a City officer with ownership interest in firms doing business with the City has a Conflict of Interest. Further, the law states that the Conflicts of Interest Board may also void any contract or transaction that violates the Conflicts of Interest Law. In addition the conflict can be considered under criminal law.

Ms. Williams clearly has a conflict of interest here. FCRC plans to borrow money from the City for this project; hence the company will be doing business with the City. What is also of interest is the fact that Jim Stuckey, FCRC Executive VP, has said that his company is "working closely with City Planning." He has stated this in public on several occasions. Already, during the ULURP process for the Downtown Brooklyn Development Plan, part of which included a segment of the proposed FCRC project, Ms. Williams was involved in reviewing and voting on zoning changes which impacted the proposed Nets arena. It is therefore too late to claim that Ms. Williams will recuse herself from any vote related to this project; she has already failed to do so.

Therefore we are calling on you and the Conflicts of Interest Board to look into this matter immediately. We expect that you will require Ms. Williams to give up her financial interest in Mr. Ratner's project, since she made her investment during her tenure as an employee of the City. If she doesn't take this step, we will call on the DA to begin an effort to prosecute her for her conflict under criminal law.

Thank you very much,

Daniel Goldstein
Steering Committee Member, Spokesman
Develop-Don't Destroy Brooklyn

Cc: Mayor Michael Bloomberg, Brooklyn Borough President Marty Markowitz, Public Advocate Betsy Gotbaum, New York District Attorney Robert Morgenthau, Brooklyn District Attorney Charles Hynes.