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New York Statewide Senior Action Council
Permanent Citizens Advisory Committee to the MTA (PCAC)
Progressive East End Reformers • Strong Economy for All Coalition
Tenants Political Action Committee • Tri-State Transportation Campaign
Westchester for Change

July 7, 2022

Kathy Hochul
Governor, State of New York

**Re: Your pledge to increase transparency, please sign with no chapter amendments
S8419-B/A9622-C Community Advisory Committees (Ramos/Solages) and
S7337/A10157 Public Authority Control Board (Comrie/Paulin)**

Dear Governor Hochul,

We ask that you fulfill your promise to make New York State government transparent by calling for and signing into law as soon as possible and with no chapter amendments the following bills, which will reform the state's process for considering and approving economic development projects:

1. [S8419-B/A9622-C \(Ramos/Solages\)](#) - increases the transparency of community advisory committees (CACs) for economic development projects by requiring their meetings to be open to the public, and meeting materials to be published on Empire State Development's website.
2. [S7337/A10157 \(Comrie/Paulin\)](#) - restores the independence of the Public Authorities Control Board (PACB), repealing changes to the PACB statute enacted by demand of the former Governor in 2019.

These bills are common-sense measures that will ensure that the public and legislature have the information and tools necessary to evaluate and consider economic development projects, which can cost tens of billions of dollars.

Increasing Transparency of ESD Community Advisory Committees

Regarding [S8419-B/A9622-C \(Ramos/Solages\)](#), all members of the community affected by ESD's economic development projects should have information about projects that will impact them, not only the limited number of people who are chosen to serve on advisory committees. Currently, there are no requirements that information regarding the potential spending of billions in taxpayer dollars is shared proactively with the public at large. This legislation will require that community advisory committee meeting materials are published online, which is a meaningful step forward in increasing transparency of economic development project consideration.

Additionally, CACs have in the past met privately – including for high profile projects such as the Penn Station redevelopment project – and members have been instructed to treat discussions and materials provided as confidential, even though meeting materials are subject to disclosure under the Freedom of Information Law (FOIL). The practice of having a “gag order” for members of community advisory committees is anti-democratic and runs counter to the presumption of access under our state’s transparency laws.

The Penn Station Community Advisory Committee is continuing to meet this year, and its meetings and activities should be made transparent as the project – which could cost a total of \$30-\$40 billion – is continuing to be considered.

Restoring the Independence of the Public Authorities Control Board (PACB)

Regarding [S7337/A10157 \(Comrie/Paulin\)](#), this legislation would repeal changes pushed by former Governor Cuomo without public debate or discussion during the FY 2019-2020 budget cycle. This would restore the independence of the Public Authorities Control Board (PACB), and ensure that the legislative and other representatives on this body are given the power to conduct proper oversight of public authority proposals, including economic development projects, without fear of retribution.

The move by the former Governor to limit PACB members’ authority to only consider whether there are sufficient funding commitments for projects is counter to the purposes of the PACB, which was founded in the wake of the Urban Development Corporation (now ESD) crisis of the mid-1970s. Then, as now, it was crucial that an informed board act independently and in the public interest to determine project feasibility. To make such a determination, the board is tasked with analyzing fee, revenue, and securities projections, among other details. When the former Governor limited board members’ powers and empowered the executive to unilaterally remove members of the PACB, it subverted the board’s very reason for existing. We ask that you restore the independence of the PACB without delay.

We again urge you to call for and sign S8419-B/A9622-C (Ramos/Solages) and S7337/A10157 (Comrie/Paulin) into law.

Sincerely,

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