



MEMO OF SUPPORT

[S8419-A \(Ramos\)/A9622-B \(Solages\)](#)

*Increases Transparency of Community Advisory Committees
Created for NYS Economic Development Projects*

May 10, 2022

Title

An act to amend the New York state urban development corporation act, in relation to community advisory committees.

Summary

Section 1 amends Chapter 174 of the laws of 1968 regarding the Urban Development Corporation (now known as Empire State Development Corporation or “ESD”) to require ESD to post a listing of community advisory committee members, and community advisory committee meeting agendas, materials, and minutes on its website. The legislation also requires that ESD post meeting times and locations at least one week in advance of committee meetings, which shall be accessible for the public to view and attend live.

Additionally, the bill updates the law to include more gender neutral language.

Section 2 sets the effective date as immediately.

Statement of Support

While Empire State Development (ESD) is required to form community advisory committees (CACs) for its economic development projects, there is no requirement that these bodies operate under the state’s Open Meetings Law. There are also no requirements for CACs’ meeting agendas, materials, and minutes to be published on ESD’s website.

Instead, CACs have met privately, 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

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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.

For the Community Advisory Committee for ESD’s Penn Station Area project, it was not until after a [FOIL request was filed by Reinvent Albany](#) for CAC materials that ESD posted a portion of the materials provided to the CAC on its website, months after this information was first made available to CAC members.

This means that ESD has provided information regarding the potential spending of billions in taxpayer dollars to a small group of individuals who in theory represent the community, but did not proactively share this information with the public at large.

Reinvent Albany strongly supports this legislation because it will ensure that ESD posts all materials provided to community advisory committees on its website, and will require CACs to meet publicly. This will ensure that the broader public is able to view the activities of community advisory committees, and has access to the same information as the members of community advisory committees.