



CHARLES D. FALL  
Assemblyman 61<sup>st</sup> District  
Richmond County

THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

CHAIR  
Subcommittee on  
Consumer Fraud Protection

COMMITTEES  
Aging  
Cities  
Consumer Affairs and Protection  
Corporations, Authorities and  
Commissions  
Governmental Employees  
Tourism, Parks, Arts and  
Sports Development

April 29, 2022

Honorable Kathy Hochul  
Governor of New York  
Executive Chamber/2<sup>nd</sup> Floor  
New York State Capitol  
Albany, NY 12224

**Re: Proposed action on behalf of Battery Park City Authority (BPCA)**

Dear Governor Hochul:

As a follow up to my earlier letter dated February 21, 2022, I would like to bring to your attention an urgent and timely matter regarding the structure of the existing BPCA board that represents Battery Park City and my leadership on behalf of the Battery Park City neighborhood.

I know we both have always been strong proponents of fair, just and transparent local representation when it comes to decisions being made for communities and how they impact their residents. Therefore, I would like to take the lead in requesting that your administration consult with myself and current local stakeholders in its efforts to promptly fill vacancies and restructure the current BPCA board. The Authority currently has six holdover seats we can appoint local members to, one of which is an open seat which we can work immediately towards appointing.

We need to recognize that BPCA has succeeded in its original mission when it comes to new real estate development, however, for this mission to succeed there needs to be a transition to focus on the needs of the current and future residents and businesses of Battery Park City. Essentially, the board needs to be restructured to reflect and represent this diverse community.

It is essential that there be a pause placed on all major decisions and actions until a newly constituted BPCA board is convened especially as it relates to resiliency, ground rent, finance, etc. For example, it has been brought to my attention that resiliency plans have largely ignored community involvement in including five resolutions from Community Board 1. These same plans have been developed without a transparent incorporation of solutions and ideas on design options, quality of life and economic impact, and integration into overall city and state planning.

One other area of major concern centers on ground rent. Ground rent escalations are severely impacting affordability for all Battery Park City residents and small businesses. Plus, the Authority is already generating a material surplus in their budget, where all surplus funds are sent to the City. Thus, this additional ground rent not only reduces affordability in Battery Park City, but primarily benefits the City, who already receives the equivalent of City property taxes from Battery Park City residents and businesses through the PILOT (Payment in Lieu of Taxes).

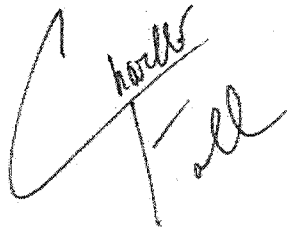
This fundamental issue, along with the fact negotiations have stalled and little to no progress has been made for the past few years has resulted in the community feeling the negative impact of rising costs as well as the risk and uncertainty of further escalations. Furthermore, there is a need for local representation on the board to rectify the lack of transparency on sources and uses of financial funds including operating expenses, excess revenues as well as bond issuance.

Based on the urgency, I'll be supporting legislation to provide the community majority legislation and will be reaching out to BPCA CEO, BJ Jones, to share my position that there needs to be a pause on major decisions until we have a new board and to reset the Authority's engagement and relationship with the community.

I would like to take this opportunity to thank you for your consideration on this urgent and timely matter. To reiterate, I would like to keep focus on real community engagement, full transparency of plans, designs, options and economic impact and consideration to the overall priorities of the Battery Park City community. We invite you to join me and the community on Sunday June 5, 2022 between 2-5pm at Rockefeller Park to celebrate this new direction.

I look forward to your response on these matters and can be contacted at your earliest convenience.

Sincerely,

A handwritten signature in black ink that reads "Charles D. Fall". The signature is written in a cursive style with a large initial "C" and "F".

Charles D. Fall  
Assemblyman  
61<sup>st</sup> Assembly District

CDF/be