

November 28, 2023

To: Mayor Shawyn Patterson-Howard,

Dear Mayor Patterson-Howard,

I write to you in your capacity as Chairwoman of the Mount Vernon Industrial Development Agency (MV IDA).

I'm requesting that you recuse yourself from all MV IDA discussion and decision-making that involves the proposed tax abatement package for the mixed-use affordable housing development at 115 S. Macquesten. This would include discussion of the "cost benefit analysis" report from Storrs Associates (originally presented to the IDA board on 10.31.23, and scheduled to be re-presented, with significant revisions, on 11.30.23).

My reasons for this recusal request are as follows:

1. Your political campaign committee, "Friends of Shawyn Patterson-Howard", has received more than \$25,000 from individuals and entities with a direct financial stake in the 115 S. Macquesten development. Collectively, this puts this group at the top of the list of your campaign contributors. (Attached)
2. One of the developers at 115 S. Macquesten, Kenneth Plummer of Kensworth Consulting, was closely affiliated with your political campaign.
3. Since Gordon Tullock's seminal 1967 paper, "The Welfare Costs of Tariffs, Monopolies and Theft", the effects of practices such as "rent-seeking" and "regulatory capture" on the behavior of politicians have been widely studied, well established, and overwhelming negative for our society.
4. Section 74 of the NYS Public Officers Law, "Code of Ethics" states the following:
3.f. An officer or employee of a state agency...should not by his or her conduct *give reasonable basis for the impression* that any person can improperly influence him or her or unduly enjoy his or her favor in the performance of his or official duties, or that he or she is affected by the kinship, rank, position or influence of any party or person. (italics added)
3.h. An officer or employee of a state agency... should endeavor to *pursue a course of conduct which will not raise suspicion among the public* that he or she is likely to be engaged in acts that are in violation of his or her trust. (italics added)
5. The Mount Vernon IDA Code of Ethics and Conflict of Interest Policy, General Principles and Policies, states that MV IDA officers must "*disqualify him or herself in any matter in which his or her impartiality might be reasonably questioned.*"

Considering 1-5 above, if it is reasonable for me to merely raise the question of your impartiality with respect to 115 S.

Macquesten, then you must recuse yourself. On the other hand, if you believe that merely raising the question of your impartiality is unreasonable, I'd like to know why?

Sincerely,



Chris McDonough

17 Vernon Place

Mount Vernon, NY 10552