

COMMITTEE ON ECONOMIC DEVELOPMENT

JOINTLY WITH

COMMITTEE ON CONTRACTS

1

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON ECONOMIC DEVELOPMENT
JOINTLY WITH
COMMITTEE ON CONTRACTS

----- X

February 25, 2025
Start: 10:15 a.m.
Recess: 12:47 p.m.

HELD AT: COMMITTEE ROOM - CITY HALL

B E F O R E: Amanda Fariás, Chairperson of the
Committee on Economic Development

Julie Won, Chairperson of the
Committee on Contracts

COUNCIL MEMBERS OF THE COMMITTEE ON ECONOMIC
DEVELOPMENT:

Alexa Avilés
Kevin C. Riley
Rafael Salamanca, Jr.
Inna Vernikov

COUNCIL MEMBERS OF THE COMMITTEE ON CONTRACTS:

Sandy Nurse
Althea V. Stevens
Inna Vernikov

OTHER COUNCIL MEMBERS ATTENDING:

Diana Ayala
Gale A. Brewer

COMMITTEE ON ECONOMIC DEVELOPMENT

JOINTLY WITH

COMMITTEE ON CONTRACTS

2

A P P E A R A N C E S

Kate MacKenzie, Executive Director of the Mayor's Office of Food Policy

Jill Berry, First Deputy Commissioner of the Department of Social Services

Cindy Teta, Associate Commissioner of Special Population and Support Services at the Department of Social Services

Raymond Medina, Assistant Commissioner and Diversity Officer at the Department of Social Services

Mahek Kapoor, Deputy Director for Procurement Operations at the Mayor's Office of Contract Services

Alison Wilkey, Director of Government Affairs and Strategic Campaigns at Coalition for the Homeless

Matt Jozwiak, Founder of Rethink Food

Barbara Hughes, Executive Director of City Beet Kitchens

Janet Jackson, Coalition for the Homeless Client Advisory Group

Adama Bah, Executive Director of Afrikana

Latoya Meadows, Founder and CEO of Collective Fare

COMMITTEE ON ECONOMIC DEVELOPMENT

JOINTLY WITH

COMMITTEE ON CONTRACTS

3

A P P E A R A N C E S (CONTINUED)

Shana McCormick, Executive Director of RAP4Bronx

Reverend Chloe Breyer, Executive Director of
Interfaith Center of New York

Imam Mansoor Rafiq Umar, President of Halal Watch

Christopher Leon Johnson, self

Jeanette Lugo, Clergy Liaison of New York Police
Department

Sharon Brown, self

Rana Abdelhamid, Founder of Malikah

SERGEANT-AT-ARMS: Good morning. This is a microphone check for the Committee on Economic Development jointly with Contracts. Today's date is February 25, 2025, located in the Committee Room, recording done by Pedro Lugo.

SERGEANT-AT-ARMS: Good morning, and welcome to the New York City Council hearing of the Committee on Economic Development jointly with Contracts.

At this time, can everybody please silence your cell phones.

If you wish to testify, please come up to the Sergeant-at-Arms' desk to fill out a testimony slip.

At this time and going forward, no one is to approach the dais. I repeat, no one is to approach the dais.

Chairs, we are ready to begin.

CO-CHAIRPERSON WON: [GAVEL] This hearing is called to order. Good morning. I am Council Member Julie Won, Chair of the Committee on Contracts. Thank you for joining us today for today's joint hearing with the Committee on Economic Development to examine

1
2 the quality of food in New York City shelters for the
3 homeless and recently arrived arrivals.

4 I'd like to thank representatives from
5 the Administration, members of the public, and my
6 Council Colleagues who have joined us today,
7 including Chair Fariás as well as Council Member
8 Kevin Riley.

9 Today's proceedings follow up on a
10 December 2023 hearing that sought answers to
11 persistent reports of poor food quality in many of
12 the emergency shelters the City had established to
13 house the post-pandemic influx of asylum seekers. At
14 the hearing over a year ago, representatives of City
15 agencies promised the Council they were incorporating
16 residents' feedback on food and seeking culturally
17 competent and religiously compliant menus such as
18 halal meals. However, since then, shelter residents
19 and advocates continue to report the food quality as
20 it remains poor as well as troubling ongoing reports
21 in the press that food vendors have served Muslim
22 residents with mislabeled halal food or halal food
23 prepared with other items that do not conform to
24 their religious standards, leaving Muslim residents
25 with nothing suitable to eat. Today, we seek to

1
2 understand how food quality can be so poor and
3 residents unable to get options that meet their
4 religious, nutritional, and or dietary needs, despite
5 promises of the Administration a year ago.

6 The Committee also seeks to understand
7 how the City has managed shelter food after moving
8 beyond the initial emergency contracts set up to meet
9 the demand from post-COVID asylum seekers. Much of
10 our last hearing focused on the vendor DotGo, whose
11 contract expired in 2024. DotGo drew criticism for
12 many aspects of its operation, but among the most
13 frequent complaints was the quality of food that it
14 served its residents, much of which ended thrown
15 away, uneaten. How have the vendors who took over
16 from DotGo managed a food such as Gartner, and have
17 they improved where DotGo failed? Yet we see that the
18 subcontractors for the food remain the same with
19 Regina's Caterers, Riviera's Caterers, as well as
20 Whitson's, where we have the top complaints for these
21 subcontractors who continue to do business with the
22 City despite their complaints and despite their food
23 being disgusting and unable to be eaten. How is the
24 Administration holding bad actors who continuously

1 provide standard meals to shelter residents
2
3 accountable?

4 We will also examine my bill, Intro. 905,
5 which would require vendors with active food service
6 contracts valued at 100,000 dollars or more provide
7 standardized feedback surveys to consumers on a
8 quarterly basis. The results will be compiled and
9 shared with contracting agencies, allowing for data-
10 driven decision-making in future contracts and
11 accountability. Ensuring that public funds are used
12 responsibly to provide safe, nutritious, and
13 palatable food is not just a matter of policy. It is
14 a matter of dignity and public health. By mandating
15 continuous feedback, this bill establishes a lasting
16 system of oversight that will improve food quality
17 immediately and in the long term.

18 Before I conclude, I would like to thank
19 the following Council Staff for their work on this
20 hearing, Contracts Committee Policy Analyst Alex
21 Yablon, Senior Legislative Counsel Kris Sartori, from
22 for my office Staff Nick Gulotta and Neily Vera
23 Martinez, and the Members of City Hall Security and
24 Technical Staff working to make this hearing run
25 smoothly.

I will now turn it over to Chair Farías for the Committee on Economic Development.

CO-CHAIRPERSON FARIÁS: Good morning. I am Majority Leader Amanda Farías, and I chair the Committee on Economic Development. I'd like to thank Co-Chair Won for holding this hearing today, and I would also like to thank the Administration and the public for attending today's important hearing.

We have called today's hearing to discuss how the Administration ensures reliable food quality in our city's shelters. In 2023, at the height of the city's influx of migrants, we held a hearing on shelter food procurement and examined how the City took steps to ensure individuals in our shelter system were being properly cared for and delivered healthy meals. We believe that increasing transparency in the process of how our City agencies buy, prepare, and serve food to those in our shelter systems is paramount.

Today, we have the Mayor's Office of Food Policy present to provide testimony regarding our City's food procurement process and how the City addresses any deficiencies that may lead to the inaccessibility of healthy meals in our shelter

1
2 system. We are also interested in discussing how the
3 Mayor's Office of Food Policy coordinates with other
4 City agencies and how these agencies engage and
5 contract with City food vendors.

6 I also want to acknowledge that there
7 have been recent and continued troubling reports on
8 the mismanagement and the delivery of quality food in
9 our shelter system, particularly related to spoiled
10 food, inaccessibility to culturally appropriate
11 meals, and alleged financial mismanagement. It is our
12 responsibility as the oversight entity of the City to
13 ensure that these issues are addressed and that all
14 individuals in our shelter system are properly cared
15 for.

16 Before we begin, I'd like to take a
17 moment to thank the Economic Development Committee's
18 staff, Council Luke Hamel, Senior Policy Analyst
19 William Hongach, and Financial Analyst Glenn
20 Martelloni, as well as the Contracts Committee Staff
21 for all their hard work on this hearing.

22 I'll now turn the microphone over to
23 Chair Won.

CO-CHAIRPERSON WON: Okay. I'm going to pass it over to my Legislative Counsel for swearing in.

COMMITTEE COUNSEL SARTORI: Thank you, Chair. Would representatives of the Administration please raise your right hand if you're able?

Do you affirm to tell the truth, the whole truth, and nothing but the truth in your testimony before these Committees and to respond honestly to Council Member questions?

ADMINISTRATION: (INAUDIBLE)

COMMITTEE COUNSEL SARTORI: Thank you.

CO-CHAIRPERSON WON: Okay, so we can begin testimony.

EXECUTIVE DIRECTOR MACKENZIE: Good morning, Chair Won, Chair Farias, and Members of the Committees on Contracts, Economic Development, Council Member Riley. My name is Kate MacKenzie, and I serve as the Executive Director of the Mayor's Office of Food Policy. Joining me today are my colleagues from the Department of Social Services, First Deputy Commissioner Jill Berry, Associate Commissioner of Special Population and Support Services Cindy Teta, Assistant Commissioner and

1
2 Diversity Officer Raymond Medina, and from the
3 Mayor's Office of Contract Services, Deputy Director
4 for Procurement Operations Mahek Kapoor. I welcome
5 the opportunity to speak to you today about food
6 quality in our city's shelters.

7 The mission of the Mayor's Office of Food
8 Policy is to advance the City's efforts to increase
9 food security, promote access to and the consumption
10 of healthy foods, and support economic and
11 environmental sustainability across the food system.
12 As part of that, MOFP supports the Department of
13 Homeless Services and the Mayor's Office of Contract
14 Services in their efforts to improve food quality,
15 nutrition, and operational efficiency across the
16 City's shelter system. We do this by providing
17 strategic advisement and support in several ways,
18 including contract language revisions, data
19 collection, contract management and enforcement, menu
20 adjustments, culinary training, food education, and
21 other programmatic opportunities that enhance the
22 effectiveness of agency food programs. These efforts
23 aim to ensure that the food served in shelters and
24 other institutional settings throughout the city
25 meets high standards for nutrition and quality.

MOFP also brings subject matter expertise to MOCS to ensure that the contracting tools and resources that it offers are in line with City requirements and priorities. For example, MOFP will soon include a new section on our website to provide helpful and useful information to food vendors. We've worked closely with MOCS to promote the utilization of best value bids for food when possible. A best value bid allows City agencies to buy goods taking into account quality and equity. For the first time this year, the Department of Corrections, as an example, included in its bid evaluation not only cost but other desirable attributes like taste, support to New York State food businesses, and organic products, all in consultation with the Law Department. MOFP also works with MOCS and food buying agencies to incorporate our Good Food Purchasing Initiative data reporting requirements into solicitations and contracts.

So, let's speak a little bit specifically about the Department of Homeless Services. It serves more than 14 million meals and snacks annually throughout the shelter system. There are three ways that meals are provided in the DHS shelters.

1
2 First, in shelters operated by DHS, of
3 which there are currently about 30, the Department of
4 Homeless Services has three direct contracts that
5 have a total value in excess of 160 million dollars
6 over a three-year period. That's from July of 2023
7 through Fiscal Year '27. This means that the vendors
8 are responsible for delivering meals that are
9 typically frozen to the shelter, and then the shelter
10 staff are responsible for heating, serving the meals,
11 breakfast, lunch, and dinner.

12 A second method is that a provider may
13 subcontract with a food vendor. In this case, a
14 provider is required to obtain three bids.
15 Approximately 347 providers run facilities that
16 utilize food subcontracts.

17 And finally, in the third case, of which
18 there are about 58 sites that operate like this, a
19 provider may prepare its own food, and typically
20 that's either on-site or utilizing another shelter
21 within the network to deliver meals to them.

22 Finally, there's a reasonable
23 accommodation process that's available to meet
24 clients' religious and medical needs. That might take
25

1
2 the form of kosher or halal meals or a specific renal
3 or dialysis diet that is required.

4 DHS provides three meals a day and snacks
5 to clients. The meals are expected to be healthy,
6 served at an appropriate temperature, respect the
7 medical and/or dietary needs and religious requests
8 of the individuals that are served. They aim to
9 reflect the diversity of cultures served throughout
10 the shelter system. By following these guidelines,
11 DHS strives to provide quality meals to the
12 population that needs them with as little waste as
13 possible.

14 There's a variety of quality control and
15 feedback systems in place that are used to measure
16 and control quality. All meals are required to adhere
17 to the New York City food standards, and meal service
18 must adhere to sanitary codes. These standards, the
19 food standards, are updated every three years based
20 on current scientific evidence and the ability of the
21 industry to meet those standards coupled with
22 specific agency feedback. Menus from the vendors are
23 sent to the DHS nutritionists and are analyzed to
24 determine compliance to these standards. And, as you
25 noted, in Fiscal '25, that was the first year that

our food standards were required for agencies to solicit client or consumer feedback centrally to DHS.

DHS also requires that shelter directors or their designees conduct monthly meal quality tests. These tests evaluate temperature, appearance, and accuracy for each meal period, again, breakfast, lunch, and dinner. Providers are required to submit menus with nutritional information to DHS for review when initiating meal services and whenever there is a change in the vendor or the menu. It's worth noting that menus are typically updated on a seasonal basis. Providers will have a spring/summer menu and also a winter/fall menu. If a menu is found to be non-compliant to what has been submitted, DHS provides feedback and, as needed, technical assistance.

Providers are also required to keep a sample of all meals for a prescribed period of time, two days in a fridge or three days in a freezer. These samples are subject to microbial testing by the Department of Health and Mental Hygiene in the case of a suspected food poisoning or infection.

Together, this process of inspections and reviews by our Health Department and our Department of Homeless Services provide continual monitoring and

1 assessment of food quality at the DHS shelters.

2 Through all of these systems, from client-level
3 feedback to the checks of DOHMH and the inspections
4 that DHS staff conduct, these all could result in
5 corrective action plans if warranted.
6

7 In addition to DOHMH's efforts to monitor
8 and assess food quality, they maintain open lines of
9 communication for clients to provide input on food
10 quality. There are several ways that this can happen,
11 from reaching out to 3-1-1 or the DSS Ombudsman with
12 feedback. The phone numbers here are listed as well
13 as the email address. The Department of Homeless
14 Services logs complaints using its IQ database system
15 and triages for direction to the appropriate DHS
16 staff and providers. Lastly, DHS conducts client
17 satisfaction surveys. One avenue for that triage
18 process is for the Homeless Services Program
19 Administrators to make the shelter provider aware of
20 the complaint and, if warranted, work with them to
21 create corrective action plans. As noted above, all
22 shelter providers throughout the city are required
23 now to solicit and report on client feedback. This
24 year took the form of a QR code-based anonymous food
25 satisfaction survey for direct input from shelter

1 clients in addition to the phone number and email
2 address that I spoke about above.

3
4 A few points also on vendor performance.

5 Vendors, whether they are those direct meal
6 providers, as I mentioned, or the providers that
7 subcontract meal service, are required to report on a
8 variety of factors to ensure optimal meal quality.

9 All shelter providers that prepare or serve meals are
10 required to hold a food service establishment permit
11 from the Department of Health and Mental Hygiene.

12 This ensures that the Department of Health is aware
13 and able to conduct an initial inspection to verify
14 that the meal setup is appropriate and that the food
15 service staff have a food handler certificate
16 demonstrating that they've received food service
17 training and are up to date with it. The Health
18 Department annually inspects all sites to ensure
19 compliance with New York City and New York State food
20 safety regulations. Additionally to those DOH
21 inspections, the Homeless Services team conducts
22 routine site review inspections twice a year to
23 monitor the requirements and reporting outlined
24 above. These inspections involve reviewing the
25 kitchens and the seating areas for things like

1
2 cleanliness, is the equipment operating in the way
3 that it should, is food being stored in the way that
4 it should, that the permits for food handlers are
5 current, and that proper temperatures for the storing
6 and serving of meals are kept. Those inspections
7 results are incorporated into the quarterly shelter
8 repair squad scorecard on the Department of Homeless
9 Services website. Any of these checks, as well as the
10 client feedback plan, as mentioned above, could all
11 trigger once again that corrective action plan.

12 Finally, the Department of Homeless
13 Services adheres to the Procurement Policy Board
14 rules regarding documentation and evaluation of
15 vendor performance to call for periodic unannounced
16 checks, interviews, and the serving of clients.

17 I want to just speak for a moment about
18 an opportunity that the team is making to bring new
19 vendors into play. In line with the Administration's
20 goals of building a robust ecosystem of vendors and
21 serving as a strong partner in M/WBE success, the DSS
22 Marketplace Team is launching a capacity building
23 workshop series in March. This series aims to help
24 local restaurants and catering companies interested
25 in adding a business development component to enable

1 them to execute large-scale food service capabilities
2 and potentially set them up for contracts. The series
3 is designed to strengthen the business's ability to
4 engage with New York City agencies, human service
5 providers, and prime contract holders. The workshops
6 will bring firms together with representatives from
7 the Mayor's Office of Food Policy, the Health
8 Department, and the Department of Social Services
9 Program and Nutrition staff as well as the Department
10 of Small Business Services for detailed guidance that
11 will help these local organizations better understand
12 the requirements and resources that impact firms'
13 ability to operate successfully in this space. It
14 will include extensive Q and A with subject matter
15 experts, and later it will involve programming that
16 will leverage mentorship, bringing local restaurants
17 and catering companies together with successful
18 certified contractors and non-profit providers who
19 are currently performing on City contracts to again
20 create that learning network and sharing of
21 resources. The workshop series will culminate in a
22 matchmaking event, bringing vendors together with
23 providers and agency representatives. We believe that
24 this effort will contribute to more local
25

3 participation, diverse food, and profitable
4 contracting experiences for participating firms and
5 increased competition for food contracts over the
6 longer term.

7 The safety and well-being of DHS clients
8 requires this complex food distribution system to
9 operate well. This drives the robust processes for
10 oversight and obtaining feedback from clients that
11 I've described. DHS has a quality control process so
12 that the critical control points of food safety,
13 including appropriate temperatures, the storage of
14 food, the safe environment that food is stored in,
15 and hygiene are all as strong as possible. DHS is
16 engaging in a process at this time to strengthen its
17 guidance, training, and oversight to ensure the
18 highest quality food at our shelters, especially as
19 the landscape has experienced such dramatic shifts
20 over the recent years.

21 Finally, just a note on Intro. 905, it
22 would require food service contractors with City
23 agencies with contracts valued over 100,000 dollars
24 or more to provide standardized feedback surveys to
25 consumers of their service on a quarterly basis.

While we clearly support the intention of this bill,

1
2 we would like to work with the Council to consider
3 how it would advance our shared goals to increase
4 transparency and food quality across the agencies. As
5 noted previously, agencies are now required to
6 solicit feedback on meals and snacks served, and many
7 factors, including client feedback, including the
8 taste and the presentation of food, which
9 dramatically impact the experience of people eating
10 it, are determined by food preparation, which the
11 vendors themselves do not control. We look forward to
12 discussing how best to achieve your shared goals with
13 us.

14 Thank you so much for the opportunity to
15 speak, and we welcome your questions.

16 CO-CHAIRPERSON WON: Thank you so much.
17 Okay. We're going to dive right into the questions.
18 So, my first question is, how does the City set the
19 daily per dollar per person limit to meal costs?
20 Because we're still finding across the city, across
21 agencies, even within an agency for DHS, that there
22 is a wide variety of per diems, and we're also seeing
23 the contracts themselves awarded, for example, to the
24 same vendor, Regina's Caterers, but their per diem at
25 one shelter is 12 dollars, the shelter down the block

1
2 is 15 dollars, the shelter down the other block is 8
3 dollars within one Council District where the same
4 exact three meals are being served so can you help us
5 understand how you all are calculating per dollar per
6 person limit for meal costs and why it still is not
7 standardized across the city, across agencies, and
8 across each vendor?

9 EXECUTIVE DIRECTOR MACKENZIE: Sure. Thank
10 you for that question. I'm going to defer that to my
11 colleague, First Deputy Commissioner Berry. I also
12 just want to underscore that this is an incredibly
13 important question, and as we can all experience
14 right now from the volatility of prices in grocery
15 stores, what my colleague is about to articulate to,
16 what we do is not just ensure that the food prices
17 alone are considered, but there's labor involved and
18 many other factors that contribute to the price
19 discrepancies that you're referring to.

20 CO-CHAIRPERSON WON: Yes. We were just
21 going to ask the followup of if you count in the cost
22 of inflation as well as market volatility like the
23 bird flu and the cost of eggs, etc.

24 FIRST DEPUTY COMMISSIONER BERRY: Thank
25 you, Chair Won, for that question. So, I'm going to

1 respond on behalf of, just to be clear, the
2 Department of Social Services and DHS and how the
3 prices are set throughout the system in DHS
4 specifically. So, there is no set per diem, there is
5 no set cap. Every food contract is competitively bid
6 individually to get the best price for the City, and
7 so that is one reason for the variety of prices.
8 Specifically, to your question, and, you know, Kate
9 talked about how the per diems include not just the
10 price of food, but it's the price of food, it's the
11 price of labor, it's the cost of preparing the meal,
12 the location where the meal is being prepared, and
13 the delivery of the meal so...

15 CO-CHAIRPERSON WON: Can you help me
16 understand how Regina's Caterers or Riviera's
17 Caterers, it's all being produced in one warehouse in
18 Brooklyn, so how is there a difference in cost then
19 that way, if you're talking about preparation?

20 FIRST DEPUTY COMMISSIONER BERRY: Yeah, of
21 course. So, I'm going to give you a good example, I
22 think, of how you could have one food vendor
23 providing the exact same food to two different
24 shelters at two different prices. So, there's a
25 variety of things that play into it. Part of it is

1 the conditions of the shelter facility itself. So,
2 you may have one shelter facility that has food
3 storage, has large refrigerators, freezers, and the
4 ability to reheat meals. That shelter can take
5 delivery of meals once, twice a week, whatever their
6 arrangement is with the food vendor, but they don't
7 need daily food delivery so their per diem price is
8 going to be a little bit lower than another shelter
9 that may be getting the exact same meals from the
10 exact same food vendor, but they don't have the
11 ability to store meals, and they don't have the
12 ability to heat meals so they need to take delivery
13 of meals every single day, those meals need to be
14 delivered at the time hot meals are being served, and
15 that the shelter staff are there to receive them so
16 the per diem for that shelter, for again, with the
17 same vendor, with the same meals, is going to be a
18 little bit higher.

20 CO-CHAIRPERSON WON: That is not true in
21 my district. I could name a non-profit, for example,
22 ICL, they run more than three shelters in my
23 District. I have photos of their freezers, I have
24 photos of their kitchens, I have photos of their
25 microwaves. It's exactly the same setup, yet you have

1 a range of 6 dollars up to 15 dollars. How does that
2 make sense?

3
4 FIRST DEPUTY COMMISSIONER BERRY: Each
5 shelter is bidding out these contracts separately,
6 and at different times. It doesn't make a lot of
7 sense financially, I do understand that, but the
8 circumstances of the bids that the vendor received at
9 the time that they were bidding out the food service
10 for one shelter versus another shelter, market
11 conditions can change. The price of eggs changes over
12 time. Things like that do happen over time.

13 CO-CHAIRPERSON WON: So, what I'm learning
14 is that it's been a year since we had our first
15 hearing, you still have not figured out how to change
16 your process to standardize the cost of each meal and
17 per diem per site, and we're still have a huge
18 fluctuation in costs across the board, across the
19 city, and you still have done nothing to change it.
20 And yes, the cost of food changes, and there's market
21 fluctuations, yet you have not done anything to be in
22 response to it. Because what you're telling me that
23 it is a fixed cost, and no matter what the market
24 conditions are, that cost will not change, and the
25 provider will just have to figure out how they're

1
2 going to provide three meals within the same cost,
3 for example, 8 dollars for three meals. How are you
4 supposed to eat anything?

5 FIRST DEPUTY COMMISSIONER BERRY: Right,
6 so through the new needs process, every shelter has
7 the opportunity to request new need funding for their
8 contracts, and that could be for a variety of things
9 that they're paying for at the shelter, including
10 food costs, and they have the opportunity to submit a
11 new need for increased food prices for their food
12 vendors.

13 CO-CHAIRPERSON WON: Can you also help me
14 understand, you said that it was competitively bid,
15 not all of our bids were competitively bid. There
16 were emergency contracts with emergency subcontracts
17 that were not competitive, and they were not the best
18 price, because we have people who have called my
19 office, let us know that even though they were the
20 lowest bidder, the City chose to go with Riviera,
21 which we have tons of complaints about, about the
22 food quality, and even though they weren't the lowest
23 bidder, you still chose to go with them. Can you help
24 me understand?

1
2 FIRST DEPUTY COMMISSIONER BERRY: For the
3 direct contracts that we operate, they were all
4 competitively bid, and for the subcontracts that that
5 the shelters are letting out and requesting bids back
6 on, they are required to get three bids, they are
7 required to choose the lowest responsive bidder, we
8 do review that documentation. Of course, if there are
9 instances where that's not happening, we would love
10 to have that information so we could follow up on
11 that specific with that shelter provider who may not
12 be following the process.

13 CO-CHAIRPERSON WON: I will definitely
14 follow up. We just heard from the Executive Director
15 MacKenzie about quality control and feedback systems,
16 and I think those updates are great since we last met
17 a year ago. So, can you help me understand for
18 existing contracts that have been bad faith actors
19 that we continue to get complaints about, like
20 Regina's, Riviera's, and Whitson's, can you help me
21 understand the standards and processes for a food
22 provider that's already on contract with you to be
23 approved for a renewal of these contracts or to
24 continue their contracts?

1
2 FIRST DEPUTY COMMISSIONER BERRY: So, the
3 direct food service contracts we have, I believe run
4 through the end of FY26 and will be rebid in FY27.
5 Individual subcontractors for the individual shelters
6 are on a variety of different schedules, and they can
7 rebid those contracts as needed.

8 CO-CHAIRPERSON WON: So, you're saying
9 that you're not going to do the food quality control
10 before that rebidding process happens for renewal?

11 FIRST DEPUTY COMMISSIONER BERRY: No. Food
12 quality control is done regularly so every shelter is
13 responsible for monthly quality food reviews looking
14 to for adherence to the menu and nutrition standards,
15 to quantities of food, temperature, appearance, and
16 taste. Every shelter is required to do that monthly.
17 DHS does twice annual inspections of all food
18 services. DOHMH does annual inspections of food. We
19 also have quarterly contract monitoring for the food,
20 and our DHS nutritionist team does random and
21 targeted spot checks of food quality.

22 CO-CHAIRPERSON WON: When it comes to
23 compliance monitoring, it's come to my attention that
24 you have about 1.5, at most two people doing these
25

1 inspections, and you're saying that you do it two
2 times annually?

3
4 FIRST DEPUTY COMMISSIONER BERRY: There
5 are seven inspectors that are doing the food
6 inspections twice a year.

7 CO-CHAIRPERSON WON: So, you're saying
8 that DHS has seven inspectors for what's the
9 population of your shelters, or how many shelters
10 does DHS oversee in the City of New York?

11 FIRST DEPUTY COMMISSIONER BERRY: It is a
12 very large number of shelters.

13 CO-CHAIRPERSON WON: What is that number?

14 FIRST DEPUTY COMMISSIONER BERRY: It's
15 about 400, over 400.

16 CO-CHAIRPERSON WON: Okay. So, you have
17 400 shelters, and you are able to complete every
18 single year inspections two times a year of those 400
19 shelters with your staff?

20 FIRST DEPUTY COMMISSIONER BERRY: And we
21 are posting the results of those inspections on our
22 website.

23 CO-CHAIRPERSON WON: So, you swear under
24 oath that you are able to complete those inspections
25 for every single site per year?

1
2 FIRST DEPUTY COMMISSIONER BERRY: That is
3 my understanding. I would have to go back and
4 absolutely check myself.

5 CO-CHAIRPERSON WON: Okay. We would like
6 to follow up.

7 FIRST DEPUTY COMMISSIONER BERRY: We will.

8 CO-CHAIRPERSON WON: Because it seems that
9 in a comparison for quality control between DFTA for
10 New York City Aging and DHS sites, it seems that
11 there seems to be a very stark difference in the
12 number of staff doing inspections. Almost as many as
13 30 people who work for DFTA to do these very
14 important food quality control inspections, and it
15 sounds like less than double digits for a very large
16 agency with a very large constituency to do these
17 inspections, and we continue to have quality control
18 issues.

19 For food policy guidelines for minimal
20 calories and nutritional content for shelters, it's
21 been alerted to us through advocates that some meals
22 do not meet the necessary minimal threshold which you
23 have on your website, and because of that they are
24 using the inclusion of milk cartons to supplement the
25 caloric needs. Can you speak to how you're looking at

1
2 the caloric intake per entree, and are you allowing
3 these vendors to supplement with milk or juices
4 instead of the entree itself?

5 FIRST DEPUTY COMMISSIONER BERRY: So,
6 shelters are required to provide us with their menus
7 for us to review the menus, and we review those menus
8 to make sure that they comply with the food
9 standards. The quality reviews that the shelter staff
10 are doing monthly, that our nutritionist team is
11 doing randomly, that our contract monitoring teams
12 are also doing, are taking those sample meals and
13 comparing it to the menu to make sure that what is
14 being provided is the same as the menu that we
15 approved and is in line with food standards. And when
16 that is not the case, we bring that immediately to
17 the vendor's attention for correction.

18 CO-CHAIRPERSON WON: Okay. So, if I'm
19 understanding correctly, they cannot be using milk or
20 juices to supplement the minimal caloric intake that
21 they're supposed to provide per entree?

22 EXECUTIVE DIRECTOR MACKENZIE: I think
23 that's a very specific case. I don't have the details
24 about that, but to First Deputy Commissioner's point,
25 all menus are required to be reviewed, and if they

1
2 are veering off of that menu, which it sounds like
3 that might be the case, if milk was not listed on the
4 menu, then that's an area for exploration.

5 CO-CHAIRPERSON WON: So, if milk is in the
6 menu, so say that my breakfast is a piece of toast
7 and a carton of milk with an apple, then that whole
8 menu counts as the minimal caloric intake, not that
9 it shouldn't be?

10 EXECUTIVE DIRECTOR MACKENZIE: That is my
11 understanding, and we'd have to affirm with the
12 nutritionist at DHS.

13 CO-CHAIRPERSON WON: Okay. Because when we
14 looked at the nutritional guidelines on your website,
15 and we compared it to the FDA, there was a stark
16 difference where for both men and women, you had it
17 under 2,200 calories, I believe. It was like a range
18 of 1,800 to 2,200. If you look at the federal
19 website, they had it differentiated by gender, so for
20 male and female, and for men, they had it from like
21 2,400 up to 3,000 calories per day so it is no
22 surprise that people are still hungry after the
23 meals, and they are frustrated that they're being
24 told to just supplement with milk.

EXECUTIVE DIRECTOR MACKENZIE: We'll take a close look at that. Again, I'm not familiar with the details of the caloric requirements for each meal for the specific age group. I do know that, for instance, the kids have a smaller calorie level. That's obviously understandable, but this is something that we'll look more closely in, and also just underscoring that, especially right now, as the federal nutrition dietary guidelines are being reviewed, our own food standards are being reviewed, and we'll be releasing an update in the spring of this year.

CO-CHAIRPERSON WON: Okay. I implore you to make sure that we're looking at both men and women, because someone like me at 130 pounds and 5'4 is not going to eat the same amount as a 6'2 man who weighs 250 pounds so they are not eating enough, and we have had reports from shelters and schools of children included being malnourished and showing signs of malnutrition and what that does to a child's development.

Moving on, what is the process for shelter residents to get reasonable accommodations for alternative meals such as vegetarian, vegan,

1
2 halal, or kosher options, and how many reasonable
3 accommodation requests were received in 2024, and how
4 many were granted? Because we have had multiple
5 shelter residents come extremely frustrated that they
6 were not getting the reasonable accommodations for
7 food.

8 FIRST DEPUTY COMMISSIONER BERRY: Thank
9 you, Chair. So, all shelters are required to post the
10 process for requesting special meals along with their
11 menu, along with information about how to submit
12 complaints about food. Shelters are also required to
13 assist clients in requesting specialized meals.
14 Specialized meals such as halal, kosher, and
15 vegetarian that are fairly readily available should
16 be provided as soon as the next meal delivery. Those
17 can be provided provisionally without the need for
18 the client to already have their documentation in
19 place, and so especially for halal, kosher, and
20 vegetarian, those should be available as soon as the
21 next meal delivery after the client requests them.

22 CO-CHAIRPERSON WON: Who is the client
23 requesting it to?

24 FIRST DEPUTY COMMISSIONER BERRY: They are
25 requesting it from the shelter staff themselves.

1
2 CO-CHAIRPERSON WON: Verbally, on a piece
3 of paper, digitally?

4 FIRST DEPUTY COMMISSIONER BERRY: The
5 process for each shelter has to be listed along with
6 the menu that is posted in the shelter.

7 CO-CHAIRPERSON WON: So, is there a
8 standardized process for all the DHS shelters on how
9 you get a special accommodation, or is it however
10 they feel like?

11 FIRST DEPUTY COMMISSIONER BERRY: No,
12 reasonable accommodations is a very standardized
13 process.

14 ASSOCIATE COMMISSIONER TETA: Hi, good
15 morning. If a client has a reasonable accommodation
16 for a diet specific to their overall health or
17 religious observances, they are to complete a
18 reasonable accommodation form and submit it to the
19 social services team at the shelter. They, in turn,
20 will reach out to the vendor to get the meal that the
21 client requires.

22 CO-CHAIRPERSON WON: Can you send us an
23 example of what that process will look like as a
24 followup so that we can physically see it? Because
25

I'm also wondering, how is that language accessible?
Are you translating it to Arabic, French, Chinese?

ASSOCIATE COMMISSIONER TETA: So, we do
have interpretation services for all of the clients
that we engage with, and our reasonable accommodation
form I know specifically is in a few languages.

CO-CHAIRPERSON WON: Okay, and every
single shelter site has it in multiple languages,
visibly on how you can access the accommodation?

ASSOCIATE COMMISSIONER TETA: They should
have that posted so that the clients know how to
access it as well as during client engagements with
their caseworkers, following up on what their
immediate needs are. Those issues are also discussed,
and then the caseworker or the social services
director can assist them with completing that.

CO-CHAIRPERSON WON: The majority of my
sites have no caseworkers in any of the shelters, and
they never have. And I just want to point out that I
believe that there is 50 percent staff deficit at
DHS, HRA, and DSS, so I don't know how that would be
possible.

ASSOCIATE COMMISSIONER TETA: All of our
shelters have lines for caseworkers. If there is a

vacancy at a specific shelter, there's other team members there that could assist them.

CO-CHAIRPERSON FARIÁS: At the December 2023 hearing on shelter food, representatives of Health and Hospitals responsible for asylum seeker shelters said that they have secured halal food ever since the City first saw large numbers of Muslim asylum seekers from West Africa seeking shelter in October 2022, that it had secured halal food.

However, as reported by CBS and Hellgate Muslim Shelter, residents and volunteers complained about the food they received, which was provided by Riviera Catering/RC Stilwell LLC. CBS reported in April of 2024 that the halal options often consist of conventional shelter meals without any meat to avoid serving non-halal items. In November 2024, Hellgate interviewed shelter residents housed at Creedmoor Psychiatric Facility who said food labeled as halal seemed not to be. Additionally, Hellgate reported that the food vendor Riviera said in paperwork that it mixed halal and non-halal items. Did Riviera Catering disclose to H and H or the City that they were certified by a third-party halal certifying entity?

EXECUTIVE DIRECTOR MACKENZIE: Thank you so much for that question. Unfortunately, our colleagues from Health and Hospitals could not be present today. I think they were asked on Friday, but we can certainly follow up on that.

CO-CHAIRPERSON FARIÁS: Sure, but do you folks know the process of certification for an entity of a food vending contract that has to be, whether the contractor themselves are certified to do kosher, halal, vegetarian, vegan, etc., and what that means to the contracts provided?

EXECUTIVE DIRECTOR MACKENZIE: I don't want to speak for H and H, but perhaps Ray or Jill, can you speak to the DHS process?

FIRST DEPUTY COMMISSIONER BERRY: Sure, and I can speak specifically to R.C. Stilwell is certified by the American Halal Foundation. So, in our policy, we have a few specific certifications for halal and for kosher that we accept, and the vendors have to follow one of those certifications.

CO-CHAIRPERSON FARIÁS: Does every single one of the vending contracts that we look at have to offer at least one of them?

1
2 FIRST DEPUTY COMMISSIONER BERRY: They all
3 have to be able to provide halal meals, kosher meals,
4 vegetarian meals, and other meals as required by our
5 clients.

6 CO-CHAIRPERSON FARIÁS: What's our
7 criteria of enforcement or monitoring to make sure
8 that it's implemented well?

9 FIRST DEPUTY COMMISSIONER BERRY: So, for
10 the contracts that we directly monitor, we are
11 looking to see those copies of those certifications,
12 and we are reviewing that as we're reviewing quality
13 of meals. For the shelter providers, they are
14 responsible for monitoring their subcontracted
15 vendors. They are responsible for implementing the
16 food policy and ensuring that their vendors are, in
17 the case of halal meals, providing appropriately
18 certified halal meals, and we provide guidance to the
19 shelters on what certifications are acceptable.

20 CO-CHAIRPERSON FARIÁS: Sure. I just want
21 to acknowledge that we've been joined by Council
22 Member Avilés.

23 And then, okay, and so in terms of within
24 the bid or within the contract, once it's given to a
25 vendor, you were saying the onus is on them, the

1
2 responsibility is on them to make sure their
3 subcontractors or however their certification goes
4 through for halal or any of the other options are
5 monitored and implemented that way. What's a part of
6 the contract if we get instances where they're not
7 following that guideline? Does the contract get
8 removed? Is there a suspension of services? What's
9 the penalty, if any at all, for anyone that is found
10 to not be serving the type of food that they're
11 supposed to be certified and serving?

12 FIRST DEPUTY COMMISSIONER BERRY: So, for
13 any of our contracts, including when subcontractor
14 poor performance is brought to our attention, always
15 the first option is to work with the vendor to try to
16 get them to correct what was wrong with the contract
17 and to provide the services that we are contracting
18 for that we are paying for. That is always the first
19 option. And if the vendor is unwilling, unable to
20 comply with the terms of the contract, then we can
21 put them on a corrective action plan.

22 CO-CHAIRPERSON WON: So, it's come to our
23 attention for both of us from the Muslim community
24 that the current certification process that the City
25 is using for certain agencies like H and H is not

1
2 verified. It is being done like a piece of paper from
3 an entity in Florida saying, sure, you're halal
4 certified, but did you come and inspect the kitchen?
5 Did you come and see how the food is separated? Did
6 you come and physically see that this is indeed halal
7 or kosher? No, this is a piece of paper from an
8 entity in a different state with no inspectors in the
9 City of New York saying that, sure, this is halal,
10 and we are saying that it isn't. So, what Chair
11 Fariás is asking you is what is the City's
12 verification process for halal certification and why
13 are we allowing third-party inspections to guarantee
14 us that something as serious as religious standards
15 and religious compliance for people's food
16 consumption is done out of state in Florida online or
17 on the phone?

18 CO-CHAIRPERSON FARIÁS: And if we're going
19 to leave enforcement to the vendors themselves, then
20 we have to have in our contract some level of
21 accountability, not just corrective action, but a
22 penalty or removal of contract if they're found to
23 not have the actual certification. I mean, we're
24 leaving too much onus and responsibility, whether
25 that's because we're not asking for more money in the

1
2 budget to have more staffing to make sure we have the
3 certifications or not, but we're trying to make sure
4 that we're properly serving New Yorkers.

5 EXECUTIVE DIRECTOR MACKENZIE: I would
6 like to come back to you once we have a chance to
7 speak with our colleagues at H and H and across more
8 detail and come back with the specifics about what
9 the standards in the contracts are along with what
10 the verification process is.

11 CO-CHAIRPERSON FARIÁS: Okay. I'm just
12 going to ask some general questions.

13 CO-CHAIRPERSON WON: One second.

14 CO-CHAIRPERSON FARIÁS: Sure.

15 CO-CHAIRPERSON WON: We need to understand
16 what the City's verification process is for halal
17 certification. Does anyone at this table know what
18 the verification process is or are you just taking
19 people's word for it? Like, I could set up an LLC and
20 be like, sure, I'm going to say that you're halal.

21 EXECUTIVE DIRECTOR MACKENZIE: There are a
22 number of different verification processes and
23 entities. I do have a recollection from our
24 experiences during the pandemic about the
25 organization that you're referencing in Florida, and

1
2 also I will say that there's differences in the
3 certifying of the kitchens versus the certification
4 of the food itself, and I just would like to be able
5 to speak clearly and correctly about the processes
6 that are utilized by different City agencies on that.

7 CO-CHAIRPERSON WON: And I just want to
8 point out, even for DHS, not just for H and H, where
9 we're having issues with halal, DHS has a contract
10 with Riviera. The E-PIN number is 07117P0003002 that
11 my team and I have reviewed, and it states that the
12 contractor and/or subcontractor halal meals must come
13 from a certified vendor. So, does DHS verify this
14 information? Does DHS require more than the vendor
15 being registered with the New York State Department
16 of Agriculture? And what happens if a supplier is
17 found to have provided non-halal food after securing
18 the contract, and have there been cases of past non-
19 compliance? And we've also found multiple DHS
20 contracts, which we could share the E-PIN numbers for
21 you for, that we've reviewed. There's a difference in
22 language where DHS nutritional specification table
23 for kosher and halal meals. So, for kosher, the
24 contracts state all kosher meals must be certified
25 kosher vendors and meet religious diet guidelines and

1 requirements. But for halal, they require only all
2 halal meal must be certified. So, you don't make the
3 differentiation that it has to be a certified halal
4 vendor and a certified verification process for it to
5 be halal. And does DHS not require that halal meals
6 must be from halal vendors, meet religious diet
7 guidelines and requirements? Why are there
8 differences for these two religions for DHS
9 contracts?
10

11 EXECUTIVE DIRECTOR MACKENZIE: So, once
12 again, we need to come back to, there are clear
13 distinctions in the certifying bodies for kosher
14 meals and halal meals, and I want to be able to
15 provide you with the accurate information on the
16 different verifications that are required for each,
17 but they are distinctly separate.

18 CO-CHAIRPERSON WON: Okay, but for both
19 halal and kosher, they should be treated the same.
20 The legal language should be the same where we say
21 that they need to meet religious diet guidelines and
22 requirements and both should be certified vendors.
23 And I want to make sure that we have a City
24 verification process. I want you to get back to me on
25 how we're making sure that these verifiers for halal

1
2 are certified and credible, not some random entity in
3 Florida who's not going to come and actually check
4 out how you're making halal food.

5 CO-CHAIRPERSON FARIÁS: Just taking a
6 moment to recognize Council Member Vernikov has
7 joined us.

8 So, I just want to dial back a little bit
9 to some of the responses that you folks were giving
10 Chair Won. Around the percentage of emergency
11 contracts and bids, you folks have the numbers in
12 front of you, how many emergency shelter contracts we
13 have right now that have gone through our food
14 procurement bid and we're serving?

15 FIRST DEPUTY COMMISSIONER BERRY: So, all
16 of the DHS emergency food contracts were
17 competitively bid.

18 CO-CHAIRPERSON FARIÁS: Okay, and then out
19 of those contracts, do we know the percentage of the
20 number for migrant shelters?

21 FIRST DEPUTY COMMISSIONER BERRY: So,
22 every, it's 100 percent of DHS (INAUDIBLE)

23 CO-CHAIRPERSON FARIÁS: How many of the
24 migrant shelters that we've had on emergency bids,
25

1 emergency contracts, do we have that number in front
2 of us?

3
4 FIRST DEPUTY COMMISSIONER BERRY: The
5 number of DHS shelters...

6 CO-CHAIRPERSON FARIÁS: The emergency
7 bids, where all of these complications are coming
8 from, where we've had the emergency bids that had to
9 go out for procurement of the food contracts, do we
10 know the percentage of those right now? Our migrant
11 numbers have been going down or have been steadying
12 rather, serving the same amount of people. I'm trying
13 to get an idea of how many of those emergency
14 contracts are still out there, like what's the
15 physical number, 10, 20, 240, something like that,
16 and trying to get an idea of how the recertification,
17 I know you said they happen continually, the
18 contracts happen in recertification, I want to know
19 the percentage that are out there right now.

20 EXECUTIVE DIRECTOR MACKENZIE: Sure. So,
21 DHS can speak to where they are. As you recall from
22 our last December hearing, we were, at the time, had
23 Health and Hospitals, HPD, and DHS that were all
24 operating, and as you know, the counts are going
25 down, thankfully, and I think we can, DHS can speak

1
2 to how the integration of shelters that are, again,
3 winding down, but where, if there are any that are
4 still reliant, which I understand is no, from
5 emergency contracts, as opposed to the transition to
6 non-emergency contracts.

7 FIRST DEPUTY COMMISSIONER BERRY: So, we
8 may have to get back to you with the specifics, so we
9 have about 150 hotels that were procured under the
10 emergency contracting regulations. We are in the
11 process of, for those that are going to convert to
12 longer-term contracts, converting them to the
13 appropriate long-term non-emergency contracts.

14 CO-CHAIRPERSON FARIÁS: Okay, and then,
15 you folks were having a larger conversation earlier
16 about the competitiveness of the contracts and how
17 they're renewed on a varying basis based off of when
18 they were given. Have we looked at, as the
19 Administration, or entertained the idea of moving
20 towards like a multi-bid, multi-vendor-selected
21 contract so that we are steadying the fees and the
22 amounts we're paying for food, something Chair Won
23 was saying earlier, of like, you could be in the same
24 varying degree of a neighborhood, but have three
25 different contracts that they're charging the City at

1 three different rates for. Why are we not issuing
2 bids or procurements that have, you can select more
3 than one vendor, you can have a vendor for three
4 sites, or three different vendors at an x-rate, and I
5 feel like we've asked this almost every hearing, but
6 don't get a quite answer of why we're not moving away
7 from individualized bids versus larger bids to keep a
8 static fee for the same food in different shelters.
9

10 FIRST DEPUTY COMMISSIONER BERRY: Yeah. I
11 mean, there are various ways this can be done, and
12 there are pros and cons of every approach, right? So,
13 the way that we do this now, where every shelter is
14 bidding out for that particular shelter, one, it
15 accommodates for the fact that each provider may
16 operate, maybe a provider might operate five
17 different shelters, the conditions of all those
18 shelters might be different. Some of them might have
19 food storage, some of them might not have food
20 storage, so their needs and the pricing may differ a
21 little bit for each one of those providers. The other
22 advantage to doing individualized subcontracted bids
23 for every shelter is it opens the door for more
24 vendors, new vendors, localized vendors, smaller
25 vendors to get into the food space.

1
2 CO-CHAIRPERSON FARIÁS: But couldn't we
3 have a contract that we selected 10 people? That
4 would still open it up for 10 different vendors, but
5 it would have a set rate?

6 FIRST DEPUTY COMMISSIONER BERRY: That is
7 a way that we could approach providing food in the
8 shelter system. It's not the way we currently do it
9 right now. We have a full contract with a shelter
10 provider to provide all of the services that
11 individuals need at that shelter, and that includes
12 security is individually bid, food is individually
13 bid, and other services that that shelter may need
14 are individually bid on maintenance, general
15 contracting, other things like that. We don't
16 currently have a process where we're setting up a
17 list of pre-qualified vendors for a particular
18 service that every shelter provider has to obtain.

19 CO-CHAIRPERSON FARIÁS: I just want to
20 switch over just quickly on as we're approaching the
21 budget conversation, whether that's looking at the
22 federal budget, the state budget, the city budget, do
23 you folks already have a projection or a forecast of
24 the percentage of funding that we receive from
25 federal grants for any of our shelters?

EXECUTIVE DIRECTOR MACKENZIE: I can't speak directly to the shelters. My colleagues might be able to, but do know that we are monitoring the federal flows very closely and will reflect that in our budgets. It remains obviously a very fluid situation.

CO-CHAIRPERSON FARÍAS: Okay. And are there any anticipated freezes on grants federally that we're looking at or anticipating at all? And just in conversations as we're approaching the budget, literally days from now, we're beginning our preliminary budget hearings, are you folks coming in with any asks to fill any gaps or anticipated gaps?

FIRST DEPUTY COMMISSIONER BERRY: So right now, DSS has thankfully not faced any funding loss so far, particularly as related to the shelters. The single adult shelter budget is almost 100 percent City-funded with a small amount of funding from the State. There is no federal funding typically in the single adult system with the exception of a small federal ESG grant, which could obviously be at risk in the future. And then the families with children and the adult family sites are largely claimed based on the public assistance status of the individuals in

1
2 the shelters so those who qualify for and are on
3 public assistance, if they are families with children
4 under the five-year time limit, then they are
5 eligible for TANF, and that has a 50 percent federal
6 share, 25 state, 25 city, etc., so there is some
7 federal funding in there. It is largely from the TANF
8 block grant with a little bit of ESG funding. We have
9 not yet seen any of that funding pulled away.

10 CO-CHAIRPERSON FARIÁS: So, just in terms
11 of also, I wanted to ask around some of the FEMA
12 funds, does the City plan at all to sue the federal
13 government in response to the clawbacks of
14 congressionally approved FEMA funds to compensate for
15 City or increased shelter needs for asylum seekers?

16 FIRST DEPUTY COMMISSIONER BERRY: We have.

17 CO-CHAIRPERSON FARIÁS: Great. And is the
18 clawback at all going to affect the ongoing shelter
19 operations and resources available for food or any of
20 the folks within the shelters?

21 FIRST DEPUTY COMMISSIONER BERRY: At this
22 point, we have not received any indication from OMB
23 that there will be any impact to DHS shelters as a
24 result.

1
2 CO-CHAIRPERSON WON: It is great that we
3 sued, but I have a question, because in two large DHS
4 food contracts that my team reviewed, both for
5 Riviera, E-PIN, we can give you the E-PIN number, for
6 32,775,704, and it was modified to an additional
7 10,787,804, and also for Whitson's for 57 million,
8 about, and we could give you the E-PIN number for
9 that as well. The contract states that they are in
10 partially or fully funded by FEMA. So, do you believe
11 that's the FEMA ESG grant, or is it the FEMA funds of
12 the 80 million that people have been asking about?
13 And both contracts end in 2026, and since sanctuary
14 shelters have closed or are slated to close, will the
15 City still recuperate this funding, or because it was
16 a multi-year contract, do you believe that it'll just
17 be net neutral or at a low cost of losing money from
18 this federal funding?

19 FIRST DEPUTY COMMISSIONER BERRY: So, the
20 contracts were written that way to allow for the
21 ability to receive FEMA funding, to make sure that
22 they included the proper language, we did receive
23 some FEMA money that we are now potentially losing,
24 but there is not additional budgeted FEMA money in
25 the DHS food budgets going forward.

1
2 CO-CHAIRPERSON WON: Well, my question is,
3 for the way that the contract is written, where it
4 says partially or fully funded by FEMA, is that in
5 reference to the FEMA funding of the 80 million that
6 has been recouped by the federal government?

7 FIRST DEPUTY COMMISSIONER BERRY: Yes.

8 CO-CHAIRPERSON WON: So it is from that
9 contract. So, were we expecting to get money from
10 them to pay for our food contracts, partially or
11 fully?

12 FIRST DEPUTY COMMISSIONER BERRY: All of
13 our emergency contracts and those contracts that were
14 serving emergency shelters, such as the direct food
15 contracts, Whitson's, Riviera, and Dhall, all had
16 language added to their contracts to allow us to at
17 least potentially reimburse the funding for those
18 contracts using FEMA dollars. They're not being
19 reduced for the loss of FEMA dollars.

20 CO-CHAIRPERSON WON: Okay. And for the
21 FEMA dollars, is that a reimbursement process as
22 well?

23 FIRST DEPUTY COMMISSIONER BERRY: Yes.
24 This is all about the reimbursement process.

1
2 CO-CHAIRPERSON WON: And this means that
3 those reimbursements are no longer an option for the
4 City government for the food.

5 FIRST DEPUTY COMMISSIONER BERRY: I'm
6 sorry?

7 CO-CHAIRPERSON WON: So that means that we
8 will no longer be able to apply for reimbursement for
9 the first year in which the contract was received, or
10 we have to pay out using the FEMA dollars?

11 FIRST DEPUTY COMMISSIONER BERRY: We are
12 seeking all... anything that is eligible for FEMA
13 funding, we are submitting and requesting FEMA
14 reimbursement for. We've done that in the past, we've
15 received FEMA funding, and we will continue to do
16 that into the future as long as FEMA funding is
17 available and we are eligible for that funding. We're
18 going to maximize that funding whenever we can.

19 CO-CHAIRPERSON WON: And again, I keep on
20 asking the same question, so we just saw in this one
21 contract, Riviera got an additional 10 million
22 dollars to expand the food contract despite all of
23 the complaints. I was physically with Mayor Eric
24 Adams with a horde of residents at Hostel Place where
25 they implored him, begged him, to stop the contract

1 with Riviera because the food was so disgusting. So,
2 what is the process for accountability when people
3 continue to complain that the food is inedible, the
4 food is not halal, the food is not digestible, and
5 they can't survive like this?

7 EXECUTIVE DIRECTOR MACKENZIE: Part of
8 what it sounds like is happening here, is that there
9 are a lot of, perhaps, complaints being made, but in
10 order for the agency to actually explore them and
11 document and go into the process, the formal system
12 has to be utilized, which is, whether it's calling
13 the Ombudsman, using the code, but making sure that
14 those are substantiated, that's the work of DHS. And
15 so, really, if you're hearing them too, I encourage
16 you to maintain that conversation with DHS so that
17 they can be explored and not just raised without the
18 exploration and investigations that are warranted.

19 CO-CHAIRPERSON FARÍAS: And just a quick
20 followup to that, I mean, how frequently are you
21 folks monitoring cases that come up in the press, in
22 the media, and then using that to then either do a
23 corrective action, to do a checkup, to do an
24 investigation? I mean, a lot of the things that Chair
25 Won is bringing up are not only things that we hear

1 when we go to shelters or when we've had our past
2 hearings, but they're also direct calls to action
3 from local governance on these contracts that we've
4 seen in the press.
5

6 CO-CHAIRPERSON WON: In the millions and
7 millions of dollars for the same bad actor.

8 I want to acknowledge we've been joined
9 by Council Member Nurse, Council Member Salamanca,
10 and Council Member Brewer.

11 So, if you could give me a clear answer,
12 so help me understand, the QR code surveys, where
13 have they been rolled out, how many people have taken
14 the survey so far, how is this information being
15 aggregated, disaggregated by agency and then by the
16 vendor itself as well as how is this becoming public
17 so that we can have a public understanding of who the
18 bad actors are? And I also want to point out, I love
19 the idea that you shared, Executive Director of the
20 Vendor Performance and the Quarterly Shelter Repair
21 Squad Scorecard, but I would like to have it pulled
22 up, I'm not sure if we're able to. I want the public
23 to see that there is no real scorecard pointing out
24 for food. It's only by agencies such as DOHMH. DOHMH
25 does not actually show us the data that the food

1
2 quality is bad. It breaks it down by DOB, HPD, FDNY,
3 and DOHMH. That is not going to do justice for us to
4 have insight on how their scorecard is or their
5 evaluations for food itself. In addition to that, for
6 the food evaluations, this is done by Shelter Site,
7 which I understand because the food is through a
8 subcontractor, but we also need to be able to see an
9 aggregated view per food vendor because it's clear
10 that these food vendors who have a monopoly over
11 these subcontracts for millions of dollars, whether
12 it's Regina's, Whitson's, or Riviera's, that they
13 have continued to have food complaints and they
14 continue to get multi-year contracts for millions of
15 dollars, but we need to be able to see across sites
16 what the food quality is.

17 EXECUTIVE DIRECTOR MACKENZIE: Thank you.

18 I'm going to defer on the Scorecard, which is the
19 reflection of the routine site review inspections to
20 my DHS colleagues. I will share, while it is great
21 that we have started the process of requiring
22 feedback across all City agencies, the first step was
23 actually creating the mechanism to do it. So now, and
24 hopefully with your partnership, we'll be able to
25 figure out the ways in which we can share and should

1
2 share that information. And I'll say, and I know you
3 have kids too, and so it's like, you know, we've got
4 to discern between the likes of like, you know, I
5 like this, I don't like that, and the things that we
6 can actually do something about, like the temperature
7 was off, the smell was off. Some of these things are
8 like, we need to really dig into the substance of the
9 feedback so that we can take corrective action as
10 warranted at the vendor level. So again, in
11 partnership, I think sharing what we are now for the
12 first time required to seek that agency feedback, we
13 agree, we need to figure out a way to communicate
14 that in ways that are helpful and productive to
15 rectifying the system. But as you pointed out on the
16 Scorecard, I'm going to defer that to my colleagues.

17 FIRST DEPUTY COMMISSIONER BERRY: Yeah, I
18 mean, I can't quite see that screen.

19 CO-CHAIRPERSON WON: This is your first
20 time seeing the Scorecard?

21 FIRST DEPUTY COMMISSIONER BERRY: It is
22 not my first time seeing the Scorecard, but I think
23 I'm going to have to get back to you on the specifics
24 of the Scorecard.

25

1
2 CO-CHAIRPERSON WON: Okay. So, this is a
3 scorecard that DHS has, and if you look at the first
4 left column, the widest one, that is just the name of
5 the shelter site, and what we'll see is the green
6 second column is an inspection report of DOB, and
7 then the second blue column is HPD, third column is
8 FDNY, the last column is DOHMH, in which we're
9 supposed to presume that that is supposed to be a
10 score that we can look at for mental hygiene,
11 hygiene, and potentially also food. This Scorecard
12 completely omits or erases the importance of food
13 quality in these shelter sites, and we also need to
14 be able to aggregate the data across the city for
15 feedback from the surveys of each vendor.

16 I also have a followup question about
17 microbial testing by DOHMH and prescribed period of
18 time for all meals. How is it that somebody like
19 Regina's Caterers, like I brought last time, thanks
20 to my shelter residents, how does the food expire in
21 2030 from the year 2023? What are we doing about the
22 expiration dates as well as the chemicals and
23 preservatives being used in these shelter foods? What
24 is the food quality control for that?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

EXECUTIVE DIRECTOR MACKENZIE: So, thanks for raising that. Let's look specifically at the item. You know, there are a lot of things that we are required to ensure, whether it's sodium, whether it's whole grains, whether it's sugar, those are elements that we clearly check for. We have a very strict, and soon to be even stricter, do not allow category of things that include some particular food additives and things like that, so we'd have to look specifically at that item.

CO-CHAIRPERSON WON: Could you share more about potential reviews of the menus for all of our vendors? I understand that you now have a process for reviewing all the menus before a bid is won, is that correct? It's before the bid, or is it after?

EXECUTIVE DIRECTOR MACKENZIE: Perhaps my colleagues can speak directly to the menu review process. From my experience of contracting processes, you have to demonstrate a sample menu, and then when you get into the contracting process, that is when you are working through and agreeing on menus or saying no to something and yes to something, but that seasonal menu review that I referenced in the

1 testimony is something that the DHS nutritionist is
2 reviewing.
3

4 FIRST DEPUTY COMMISSIONER BERRY: Yeah,
5 that was the answer. We get sample menus in the bid
6 packages that are reviewed, but the detailed review
7 of the menu is once the food vendor is on board and
8 ready to serve meals. We review those menus in more
9 detail.

10 CO-CHAIRPERSON WON: Have you checked
11 people's expiration dates for the meals on why it
12 expires years and years and years out from the day
13 that it's produced? How are we looking at the
14 manufacture date and the expiration date of our meals
15 that we're serving human beings in these shelters?

16 EXECUTIVE DIRECTOR MACKENZIE: So, that
17 would not be in the menu review. That would be in the
18 like storage and preparation storage and the
19 inspection list that we referenced. The safety,
20 clearly again, when there's food storage that
21 involved everything, they're looking for expired food
22 clearly, and then this is the first time I'm hearing
23 about something like this that you referenced with an
24 expiration date into 2030. I'm not familiar with
25 that, but I'd have to learn more about that.

1
2 CO-CHAIRPERSON WON: Okay. We had brought
3 it up in the last hearing, and it continues to be an
4 issue with Regina's Caterers Food, where it expires
5 years out from the day that it is produced. Who knows
6 when my food was produced that I'm even being served.
7 That is an extremely, extremely alarming problem. I
8 still don't understand. What is the process for these
9 complaints? So now you're saying, okay, we need to
10 gather the data of feedback of people complaining
11 that there's going to be an investigation. Who is
12 doing the investigation? The seven people who are
13 doing inspections, are those the investigators? Is it
14 the Department of Investigations? What is the process
15 to make sure that there is clear accountability for
16 these bad actors that continue to serve disgusting
17 food?

18 FIRST DEPUTY COMMISSIONER BERRY: So, it's
19 not the seven shelter inspectors, but when we receive
20 complaints, they are sent to the Shelter Operations
21 Team at DHS, along with either, depending on whether
22 they are a subcontractor, then they are also sent to
23 the shelter, or if it is a direct food service
24 provider, it would be sent to the team that oversees
25 those contracts for followup. All of the complaints

1
2 that are sent out have to have a response to those
3 complaints, and then our nutritionist and our DHS
4 Operations Staff and our Contract Monitoring Staff
5 are responsible for noticing whether there are trends
6 across the board of complaints and following up on
7 those.

8 CO-CHAIRPERSON WON: I think it will be
9 really important that we only serve food that our
10 City employees, who work at City agencies, will eat
11 for lunch. That will be the same food that we serve
12 in Rikers, the same food that we serve in our nursing
13 homes, the same food that we serve everywhere, so
14 that people in shelters are not eating food that
15 tastes like dog food.

16 COUNCIL MEMBER BREWER: Not Rikers.

17 CO-CHAIRPERSON WON: Well, I think
18 everyone should have a clear standard of food.

19 COUNCIL MEMBER BREWER: But Rikers' food
20 is awful.

21 CO-CHAIRPERSON WON: Exactly. Which is why
22 every single source of food that we're serving should
23 be of a quality that everyone would eat.

24 I'm going to pass it over to, oh, Chair
25 Fariás is going to ask another question.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CO-CHAIRPERSON FARIÁS: Sorry. Right before we jump into Members, I'm just kind of looking over a bunch of different items. Do we have how many complaints are coming in to you folks, like either the rate of complaints a month or the actual number of complaints that come in, and then how many get investigated, how quickly? Can we talk more about that process? Because I feel like we're kind of, there's an omission of numbers or we're missing kind of hitting the point of like, are we seeing maybe it's just 10 complaints a month or quarterly, or are we seeing 10 complaints a week, and is there an inadequacy there of having the appropriate staffing or the investigative response? Can someone on the team talk a little bit about what that looks like?

FIRST DEPUTY COMMISSIONER BERRY: Yeah. So, in Calendar Year 2024, we had 1,479 complaints about food and meals. I can talk a little bit... I don't have any data with me on how long it took to respond to each one of those complaints.

CO-CHAIRPERSON FARIÁS: Do we have a standard? Are we supposed to respond to something in 14 days, 30 days?

2 FIRST DEPUTY COMMISSIONER BERRY: Yes.

3 Typically, the response is due back within 14 days.

4 If it's an egregious complaint, we look for a faster

5 response, but the process is that those complaints

6 come into the Ombudsman's office, they get logged,

7 that's how we know how many there are, and then they

8 get sent out through the IQ system to the shelter

9 staff, the shelter operations staff to follow up, get

10 that response, and also enter that into the IQ system

11 so that we have a record of the response.

12 CO-CHAIRPERSON FARIÁS: Okay, and so out

13 of roughly 1,200, I think you said 11 something?

14 FIRST DEPUTY COMMISSIONER BERRY: It's

15 almost 1,500.

16 CO-CHAIRPERSON FARIÁS: 15, I heard that

17 incorrectly. Thank you for the correction. Roughly

18 1,500 complaints, how many of those ended up with

19 needing either a subcontractor compliance check or

20 some sort of regulatory measure with the larger

21 vendor?

22 FIRST DEPUTY COMMISSIONER BERRY: Yeah.

23 I'm going to have to get back to you on the follow-up

24 from each one of those.

1
2 CO-CHAIRPERSON WON: So, you don't have
3 any actions to resolve the 1,500 complaints out of
4 the 400 shelters that you have?

5 CO-CHAIRPERSON FARIÁS: In the Calendar
6 Year.

7 FIRST DEPUTY COMMISSIONER BERRY: I don't
8 have with me the resolution to each one of those
9 complaints, but there is a record of the resolution.

10 CO-CHAIRPERSON WON: Can't be much of a
11 resolution if the same bad actors continue to get
12 more contracts and are expanding on their contracts.

13 CO-CHAIRPERSON FARIÁS: Yeah. We'd like to
14 see that data for sure.

15 FIRST DEPUTY COMMISSIONER BERRY: Sure.

16 CO-CHAIRPERSON FARIÁS: Okay, I will,
17 Chair, if appropriate, turn it over to Council Member
18 Avilés.

19 COUNCIL MEMBER AVILÉS: Good morning.
20 Thank you so much, Chairs. You stole a couple of my
21 questions so I just want to drill in. In terms of,
22 you mentioned earlier that you provide one contract
23 to the providers and they are responsible for doing
24 all the other subcontracting. So, in the context of
25 food, if there is no, I guess one question is, why is

1
2 there not a pre-qualified list of subcontractors that
3 people could choose from?

4 FIRST DEPUTY COMMISSIONER BERRY: That's
5 just not the way we have chose to procure goods and
6 services in the shelters to date.

7 COUNCIL MEMBER AVILÉS: Okay. So, do you
8 have a list of subcontractors and/or larger
9 contractors, like the ones my Colleague referenced,
10 that are not meeting City standards or have had a
11 number of complaints lodged against them?

12 FIRST DEPUTY COMMISSIONER BERRY: Two of
13 the food vendors are in process of going under
14 corrective action plan.

15 COUNCIL MEMBER AVILÉS: Okay. And I mean,
16 this is not unique to certainly DSS. We see this all
17 the time and a perfect example is in NYCHA, where
18 subcontracting is rife with waste and problems. I
19 would even go so far as potentially criminal
20 activity. How is DSS and any of the agencies engaging
21 and evaluating the subcontractors to ensure that they
22 are above board in doing what they're supposed to be
23 doing?

24 FIRST DEPUTY COMMISSIONER BERRY: So,
25 before the shelter provider can enter into a

1 subcontract, they need to provide that information to
2 us and we're looking to see that they have the three
3 different bids and that those bids are appropriate
4 and that they selected the cheapest and qualified
5 bidder for any service, whether it's food or other
6 services that are being subcontracted.
7

8 COUNCIL MEMBER AVILÉS: This is a problem
9 across the City, that the cheapest would actually
10 produce anything of quality. How does one manage
11 between the cheapest and just qualified (INAUDIBLE)

12 CO-CHAIRPERSON WON: But also
13 discrepancies because we have evidence that they
14 choose to not go with the cheapest, who would have
15 provide higher quality, and yet they're going with a
16 higher bidder and expending them, even though an
17 example like Riviera continues to have complaints of
18 terrible food. Doesn't make sense.

19 DEPUTY DIRECTOR KAPOOR: Council Member,
20 hi, good morning.

21 COUNCIL MEMBER AVILÉS: Good morning.

22 DEPUTY DIRECTOR KAPOOR: Thank you for the
23 question, and I think you make a great point. The
24 thing I just want to point out is that the contract
25 privity between the sub is not the City of New York,

1
2 it's the prime contractor so it's these prime
3 contractors that are selecting who they're bringing
4 on board as their sub to potentially continue
5 operations or run operations so I just want to make
6 that clarification about the contract privity between
7 the City of New York and the prime and not the sub.

8 COUNCIL MEMBER AVILÉS: Yeah, yeah, and it
9 has the same problem, right? The City of New York
10 says, well, we allow them for procurement reasons to
11 sub, which allows them the freedom, right, because we
12 don't have the capacity to invest in the oversight
13 that this requires given the scale and taxpayer
14 investment, which I think is a very problematic
15 approach because we see what results. An incredible
16 waste of resources, bad contractors and subs over and
17 over and over again with no accountability and no
18 mechanism to be able to understand that there are
19 probably a plethora of subs that are not meeting any
20 of the requirements that we actually, or at least
21 maybe meeting them on paper to the point of halal,
22 but not actually providing appropriate halal
23 services. This is not a new piece of information.
24 What I would like to see the City is not say, well,
25 they're not our contractors, we just worry about the

1
2 main contractor. We are responsible for it all the
3 way down to when it hits the individual person that
4 we are attempting to serve so it's not an appropriate
5 answer just to say we're only responsible for the
6 larger contract. It is our responsibility to ensure
7 quality services to the very end, and that's why
8 we're here today. So, I appreciate you, and I
9 appreciate you saying that, but we are responsible
10 for the entire chain, and we must hold
11 responsibility. And if we continue to provide
12 contracts to providers that are not doing what they
13 say, and in fact, going against people's religious
14 observance, it's obscene and irresponsible for us to
15 just walk away and say that's not our responsibility.
16 It is not. I forgot what I was going to additionally
17 ask for.

18 CO-CHAIRPERSON WON: We'll give you more
19 time to look.

20 COUNCIL MEMBER AVILÉS: Just one more
21 question. In the context of halal foods, which
22 continues to be, honestly, I can't understand why we
23 can't get this right and why we are not providing
24 full quality halal foods. Do you keep track of how
25 many local halal food providers are in this

1
2 subcontracting pool, or are they all these big, giant
3 corporations from other mysterious places?

4 FIRST DEPUTY COMMISSIONER BERRY: The food
5 contracts for the shelters are responsible for
6 providing all the meals at a shelter typically, so
7 not separate contracts for halal-specific food.

8 COUNCIL MEMBER AVILÉS: Do you know of the
9 food contracts that we have, how many of those
10 purveyors are New York-based entities, and what
11 percentage of those are M/WBEs?

12 FIRST DEPUTY COMMISSIONER BERRY: So, all
13 of them are based in New York City or Long Island.

14 ASSISTANT COMMISSIONER MEDINA: Yes.

15 FIRST DEPUTY COMMISSIONER BERRY: And my
16 colleague will talk about the M/WBE.

17 ASSISTANT COMMISSIONER MEDINA: Thank you
18 so much for that question, Council Member Avilés. So,
19 in terms of M/WBE participation, we're looking at, on
20 all food contracts, including the prime contracts, 53
21 percent utilization by M/WBEs. And then in terms of
22 subcontracts, M/WBE have 56 percent of subcontracts
23 by volume, totaling almost 100 contracts, and 43
24 percent of food subcontracts by value, totaling 112
25 million in subcontracts.

1
2 COUNCIL MEMBER AVILÉS: And when I say New
3 York-based, it means not just the geographically, the
4 workers are here, but that the company is a New York-
5 based company.

6 ASSISTANT COMMISSIONER MEDINA: So aside
7 from them being certified by New York City, the
8 vendors that I've listed, their certification zip
9 codes are also in the boroughs, or as First Deputy
10 Commissioner mentioned, in Long Island, I think two
11 of them.

12 COUNCIL MEMBER AVILÉS: Okay. And I guess
13 I'd love to understand, and this might be part of
14 your reporting back on the halal, is to understand
15 how many subcontractors are claiming to provide halal
16 foods within this mix, and how much are being
17 utilized, and how does that compare to all the other
18 food requests, like the vegan providers and the
19 kosher providers, and what that looks like in terms
20 of an equitable spread across these distincts. Thank
21 you.

22 CO-CHAIRPERSON WON: Thank you. I just
23 want to follow up. You said that they are 53 percent
24 M/WBE?
25

1
2 ASSISTANT COMMISSIONER MEDINA: By volume.
3 In other words, by how many contracts.

4 CO-CHAIRPERSON WON: Okay. Can you give me
5 a number of what that 53 percent, can you give me a
6 breakdown of how you got to 53 percent, and who from
7 the large vendors and small vendors make up that 53
8 percent? I would like a breakdown to understand.

9 ASSISTANT COMMISSIONER MEDINA: I can
10 certainly provide that in followup. I can say that
11 there's a mix of small and a few large vendors.

12 CO-CHAIRPERSON WON: You know who your
13 large vendors are?

14 ASSISTANT COMMISSIONER MEDINA: The
15 breakdown, I don't have. I think it's the Whitson's,
16 R.C. Stilwell, and Regina, maybe. I don't know if
17 you'd consider LIC.com to be a large vendor. I think
18 they've grown a bit, but they certainly started as a
19 small vendor here in New York City, and I'd have to
20 follow up on other.

21 CO-CHAIRPERSON WON: Okay. Because my team
22 just alerted me that, and I know that my Colleagues
23 also agree, we have a serious issue with M/WBE
24 contracting in the City of New York, and in the New
25 York State, where we have to check to make sure that

1
2 whoever is registered as the owner of this M/WBE
3 actually is working in that M/WBE. Because for
4 example, we just met with Riviera, and then it was
5 clear to my team that it was two white men running
6 the business, but it was not clear how there was a
7 woman or a minority who had executive control over
8 this business.

9 ASSISTANT COMMISSIONER MEDINA: So, I
10 would just say, and not to go out of my lane here, if
11 there are any concerns along those lines, this should
12 certainly be directed to the Department of Small
13 Business Services immediately for them to conduct the
14 appropriate investigation.

15 CO-CHAIRPERSON WON: We'll do for all of
16 the ones that we have been alerted about, and yeah,
17 the follow-up question was regarding M/WBE. Some
18 vendors seem to have a president, a CEO, and other
19 officers that are not women or minority, but claim to
20 be, and we will report those directly to SBS as well
21 as the State of New York. For my office, we,
22 ourselves, have submitted now multiple times videos
23 and food of mold in the food served in my shelters as
24 well as just rotten food, because we see that it is
25 not being, it's just disgusting, and we brought it in

1
2 the last hearing. In this case, it was by Heart
3 Healthy Foods Incorporated at a DHS shelter, and
4 those complaints, we still have not heard back on
5 what the process has been to make sure that there has
6 been responsibility taken by Heart Healthy Foods for
7 serving moldy food, and they continue to operate and
8 do business in my district. Can you please send us a
9 clear process map of how the investigations will be
10 taking place, how there's going to be accountability
11 for all these bad vendors.

12 And I also want to acknowledge Council
13 Member Althea Stevens has also joined us.

14 I'm going to pass it over to Council
15 Member Farías for a followup.

16 CO-CHAIRPERSON FARIÁS: I just have one
17 follow-up question in terms of subcontractors and
18 criteria. Is there mandated by the contract for the
19 large vendor to have a percentage of the services
20 rendered from the vendor themselves that they have to
21 provide, and then what's the criteria that's set for
22 the subcontracting percentage? Like could I be a
23 large vendor and only do 10 percent of the
24 administrative work, but then hire X amount of
25 subcontractors? Can you guys walk us through what's

1 that criteria, and if there's either a funding or
2 total amount that then the subcontractor oversees,
3 and how they have to report back to the large
4 contractor for the City to receive the data or the,
5 you know, services rendered?

7 ASSISTANT COMMISSIONER MEDINA: Sure,
8 happy to. So, to my understanding, prime contractors
9 have to have control of the project. That means that
10 typically they're self-performing the majority of the
11 work. That exact percentage will vary depending upon
12 the type of contract and the general conditions of
13 that contract specifically. For instance, an event
14 producer might sub out a lot of their work, but in
15 the case of food contractors, as we're discussing, it
16 should be the majority of the work. If there's an
17 M/WBE goal, that will typically be a pretty
18 significant percentage of that subcontracting, as
19 much as 30 percent say, so you wouldn't see them
20 having an M/WBE goal of 30 percent and subbing 30
21 percent otherwise, because then they'd clearly not be
22 in control of the contractor self-performing. Does
23 that answer your question?

24 CO-CHAIRPERSON FARIAS: Yeah, that
25 somewhat answers it. I mean, I guess the only

1 question that I have that doesn't directly connect
2 back to or wasn't answered is, what's the process of
3 the subcontractor reporting backward to the prime
4 contractor that we then are, you know, with the
5 exhaustive part of them having to monitor and enforce
6 and manage, you know, all of the criteria that they
7 have to check off?

9 ASSISTANT COMMISSIONER MEDINA: So, the
10 subcontractor is bound by the same contract
11 conditions, and my colleague here from MOCS will
12 alert me if I'm misspeaking, but my understanding is
13 that they're subject to the same conditions of the
14 contract as the prime so, whatever the prime needs to
15 provide or report on, that same information is being
16 reported by the sub up to the prime and then to the
17 agency.

18 CO-CHAIRPERSON FARIÁS: Okay.

19 CO-CHAIRPERSON WON: I just also want to
20 follow up to what you had testified about
21 subcontractors to Council Member Alexa Avilés' point.
22 Also, this has already been reported, but we want to
23 make sure it's on the record that even if you say
24 that subcontractors are out of our hands, you know,
25 it's with another prime contract, we have clear

1 reports from whistleblowers who have contacted my
2 office as Chair of Contracts to let us know that the
3 former Commissioner of DHS, Gary Jenkins, has told
4 non-profits and prime contract holders for DHS to say
5 that you need to subcontract with this subcontractor
6 who has been already named as a bad faith actor. So,
7 I want to make sure that there seems to be a
8 misunderstanding here where some folks saying, you
9 know, subcontractors are not our business, you do
10 what you wish, and there seems to be a very forceful
11 hand where they say you will lose your prime contract
12 if you do not subcontract with this food contractor.
13 I'm going to pass it over to Council Member Salamanca
14 for his questions.

16 COUNCIL MEMBER SALAMANCA: Thank you,
17 Madam Chairs. Good morning. So, first I was happy to
18 see this list that they provided. That list that was
19 provided, is that a list of all the shelters in the
20 City of New York?

21 FIRST DEPUTY COMMISSIONER BERRY: Those
22 were the shelter repair Scorecards for the shelters
23 administered by DHS.

1
2 COUNCIL MEMBER SALAMANCA: Only DHS,
3 meaning you have not-for-profits that are running
4 these shelters, so you're giving contracts?

5 FIRST DEPUTY COMMISSIONER BERRY: It
6 includes all shelters that are under the DHS
7 jurisdiction.

8 COUNCIL MEMBER SALAMANCA: How many
9 shelters are there under the DHS system?

10 FIRST DEPUTY COMMISSIONER BERRY: Over
11 400.

12 COUNCIL MEMBER SALAMANCA: All right. So,
13 it's safe to say that my District has the highest
14 amount of shelters on that list because I have the
15 highest amount of homeless shelters or transitional
16 housing shelters in the City of New York. So, my
17 question here has to be, what is the, I don't know if
18 you have this answer, what is the average cost to
19 house a family in a homeless shelter in a
20 transitional housing setting?

21 FIRST DEPUTY COMMISSIONER BERRY: I don't
22 have that information here with me today.

23 COUNCIL MEMBER SALAMANCA: Okay. What is
24 the average cost per person per meal that a provider
25

1
2 pays the individual that's providing these services
3 for food?

4 FIRST DEPUTY COMMISSIONER BERRY: For food
5 specifically?

6 COUNCIL MEMBER SALAMANCA: Yes.

7 FIRST DEPUTY COMMISSIONER BERRY: We do
8 not establish a minimum, maximum, or set food per
9 diem for our contracts. Each contract is bid
10 individually for the shelter and that per diem is
11 then calculated as a result of that bid so there is a
12 wide variety of food per diems.

13 COUNCIL MEMBER SALAMANCA: But what's the
14 average? I've heard 8 dollars a day per family, 15
15 dollars, what's the average? Is there an average? And
16 the reason I'm asking this is because I'm trying to
17 get, when I found out that some contracts are paying
18 8 dollars a day per family, and I'm like, so you're
19 paying 8 dollars a day, are they getting breakfast,
20 lunch, and dinner for 8 dollars a day?

21 FIRST DEPUTY COMMISSIONER BERRY: So, I
22 can tell you for the three primary food contracts
23 that DHS has, the per diems for those three are \$12,
24 \$11.50, and \$14.25.

1
2 COUNCIL MEMBER SALAMANCA: Okay, so all
3 right, thank you for that. And that includes
4 breakfast, lunch, and dinner?

5 FIRST DEPUTY COMMISSIONER BERRY: Correct.

6 COUNCIL MEMBER SALAMANCA: And the food
7 service provider, what's their system, do they just
8 come in every day and bring in a day's worth of food,
9 breakfast, lunch, and dinner? Or do they do it every
10 week, every two weeks? How does it work?

11 FIRST DEPUTY COMMISSIONER BERRY: It
12 really varies by shelter and by their contract with
13 the subcontractor. It really has a lot to do with
14 their food storage capabilities. Some shelters have
15 little to no storage capabilities. Some shelters can
16 heat up food, others cannot. So, a shelter with no
17 food storage and inability to heat food has to get
18 delivery of food once a day, and it needs to be
19 during the mealtime that the hot meal is being
20 served.

21 COUNCIL MEMBER SALAMANCA: All right. No,
22 it makes sense. I have some transitional housing
23 setting facilities that do not have a dining setting
24 or, you know, or a kitchen, and so they would have to
25

1 deliver daily. That makes sense. Beverages are
2 included in this? Water, juice?

3
4 FIRST DEPUTY COMMISSIONER BERRY: Yes.

5 COUNCIL MEMBER SALAMANCA: Coffee? Okay.
6 Quality assurance. How is this monitored in terms of
7 their food? How do you get to this data in terms of
8 the scoring card?

9 FIRST DEPUTY COMMISSIONER BERRY: So, for
10 the quality assurance, each shelter is responsible
11 for monthly quality review of the food being served
12 at their shelter. They are looking specifically at
13 whether the food is adhering to the menu that was
14 approved by DHS, that the appearance of the food, the
15 taste of the food, and the quantity and size of the
16 portions is largely what the shelters are doing.

17 COUNCIL MEMBER SALAMANCA: So, the
18 provider self-monitors themselves and reports back to
19 you?

20 FIRST DEPUTY COMMISSIONER BERRY: The
21 shelter provider is monitoring the food quality of
22 the food that they are receiving from the food vendor
23 that they contracted with. For the food that we are
24 directly providing, we are sending staff out to do
25 quality reviews of that food.

1
2 COUNCIL MEMBER SALAMANCA: All right. So,
3 the provider selects the food vendor, the shelter
4 provider, and the shelter provider is responsible for
5 monitoring the food, and you said that they monitor
6 the food by, they test it themselves, they eat the
7 food themselves?

8 FIRST DEPUTY COMMISSIONER BERRY:
9 Absolutely. They're checking temperature, they're
10 checking quantity, they're checking taste, and that
11 is one way of checking food. We also have the DHS
12 staff are going out twice a year, and DOHMH is going
13 out once a year. They're really focused a lot more on
14 food safety, but the sample meals also have to be
15 held for DOHMH to review.

16 COUNCIL MEMBER SALAMANCA: All right. Is
17 there a scorecard for these providers similar to a
18 restaurant? You know, the food carts that are out
19 there, they need to have a letter grade, right? A, B,
20 C. Does the City, DHS, have something similar to
21 that?

22 FIRST DEPUTY COMMISSIONER BERRY: We do
23 have scorecards for our shelters that look at a
24 variety of facility issues. Food is just one
25 component of that.

1
2 COUNCIL MEMBER SALAMANCA: All right. But
3 is there a particular scorecard or letter grade
4 system for food?

5 FIRST DEPUTY COMMISSIONER BERRY: No.

6 COUNCIL MEMBER SALAMANCA: All right.
7 Would it be something you'd be willing to implement?

8 EXECUTIVE DIRECTOR MACKENZIE: It's an
9 interesting idea. I would say, you know, again, of
10 the 400 shelters that we're describing here, there's
11 a host of responsibilities that they have. Food is
12 certainly very important, and we would just want to
13 want to carefully consider how that might be
14 operationalized.

15 COUNCIL MEMBER SALAMANCA: I understand
16 that there's a certain budget that is given to the
17 providers within their contract and how much they can
18 spend per family, and I know within that there's
19 costs, right? They have to pay their overhead, they
20 have to pay their staff, and then there's a portion
21 that's paid for for food. My concern is, you know,
22 when you mentioned that they have to find the
23 cheapest, they have to get bids, and then they go
24 with the cheapest option, and it just worries me.
25 When we're giving them the cheapest options, the

1
2 quality of food that we're giving these homeless
3 families. With that, thank you very much. Thank you,
4 Madam Chair, for the opportunity to ask questions.

5 CO-CHAIRPERSON WON: Did you get all your
6 answers? Okay.

7 Yeah, I'm going to pass it over to the
8 legend, Council Member Brewer.

9 COUNCIL MEMBER BREWER: No legend. I was
10 teaching this morning at Hunter, so I missed some of
11 it, but my question to start with is, my
12 understanding is that at DFTA, there are more people
13 making sure that the process for food goes well than
14 enough staff at DHS. So, I want to, maybe you discuss
15 this, but how many people are doing this work at DHS?
16 And I don't know that you could compare it to DFTA,
17 because you probably don't have that data, but how
18 many people actually doing this work at DHS?

19 FIRST DEPUTY COMMISSIONER BERRY: It's a
20 little bit of a question to answer because a lot of
21 people have food as at least part of their
22 responsibility at DHS. The Shelter Operations Staff
23 are responsible for monitoring all aspects of the
24 shelter and shelter operations, including food, and
25 that's the majority of the DHS staff. We have DHS

1 inspection staff. I mentioned earlier that there are
2 seven of them that are responsible for doing the
3 facility inspections.
4

5 COUNCIL MEMBER BREWER: I think it's the
6 seven that is of concern compared to, apparently, I
7 don't know this, but DFTA has many more. So, are you
8 requesting in new needs? Do you not feel that you
9 need more of that staff?

10 FIRST DEPUTY COMMISSIONER BERRY: Per
11 Chair Won's question earlier about whether we're
12 actually getting all of our inspections done, I
13 believe we are, but if we are not, then that would be
14 a place where we would need to ask.

15 COUNCIL MEMBER BREWER: Can you get back
16 to us compared to what DFTA is versus DHS? Could you
17 get back to us with those numbers?

18 FIRST DEPUTY COMMISSIONER BERRY: Sure. We
19 can work with our colleagues at DFTA for what their
20 staffing is.

21 COUNCIL MEMBER BREWER: Okay. My
22 understanding is people don't feel it's enough.

23 Now the second issue is more complicated.
24 I must admit, just like the Chair, I am a huge
25 supporter of Rethink, huge. I would love to write a

1 contract that says only Rethink can get any of these
2 contracts. That's how I would do it. I know that's
3 not legal, but you can write RFPs that say you need
4 local vendors, you need local restaurants, you need
5 to support our folks who are in the neighborhoods,
6 etc. Any thought of doing that? I would just get rid
7 of all those vendors and go to Rethink.

9 EXECUTIVE DIRECTOR MACKENZIE: Council
10 Member, what I will share is that Rethink, earlier I
11 spoke about a new project that the DHS team with Ray
12 is leading, which is to build a pipeline of new
13 vendors, and Rethink will be tapped to be able to
14 talk about how they did what they did, which is a
15 change in their business model.

16 COUNCIL MEMBER BREWER: They'll do it.

17 EXECUTIVE DIRECTOR MACKENZIE: All the
18 things necessary to make sure that you're successful.

19 COUNCIL MEMBER BREWER: Okay. My question
20 then is right now, tell me if I'm wrong, I think they
21 have subs. They have H and H where they will be
22 phased out like everybody else. So are people who are
23 working at H and H, it may just be Rethink, I don't
24 know, are they moving over to DHS? I know what you're
25 talking about is a good idea, but it's going to take

1
2 time. How would a vendor like Rethink, if there is
3 one like them, be a prime and not a sub? How could
4 that work at DHS? In other words, you've got your
5 non-profit, I got that, but how could literally
6 something like a Rethink model, Rethink quality, be
7 the sub or whatever the term is as opposed to some of
8 the ones that you're talking about? When are all
9 these contracts up? Is that something that's
10 happening soon at DHS? Is it staggered?

11 EXECUTIVE DIRECTOR MACKENZIE: I believe
12 that the direct contracts expire in the end of Fiscal
13 '26.

14 COUNCIL MEMBER BREWER: That's now.

15 EXECUTIVE DIRECTOR MACKENZIE: So, as the
16 plan that is put in place to rebid those comes out,
17 they will certainly be considering what we've learned
18 over the past few years and take the appropriate
19 action.

20 COUNCIL MEMBER BREWER: Okay. Will that
21 RFP be written differently or will it be written the
22 same or you don't know yet?

23 EXECUTIVE DIRECTOR MACKENZIE: I don't
24 know.

25

1
2 COUNCIL MEMBER BREWER: Is that something
3 you could consider so that the local businesses could
4 in fact, whether it's Rethink or somebody else, be
5 that kind of a model?

6 EXECUTIVE DIRECTOR MACKENZIE: We are
7 working across all agencies to look at contract
8 language and learn and take our experiences over the
9 last five years and make changes as appropriate.

10 COUNCIL MEMBER BREWER: Okay. Now this is
11 not directly food, probably more general, but
12 apparently H and H does pay on time and DHS does not.
13 Is that something that can be worked out?

14 FIRST DEPUTY COMMISSIONER BERRY: We at
15 the Department of Social Services in partnership with
16 our colleagues at MOCS and MONS are working hard to
17 bring all of our contracts and contract payments up
18 to date and have them be on time, closer to on time.

19 COUNCIL MEMBER BREWER: Is there anything
20 we can learn from H and H or is that just a different
21 animal or person or entity?

22 FIRST DEPUTY COMMISSIONER BERRY: It's a
23 different agency with a different process and
24 different contracting rules that they have to follow.

1
2 COUNCIL MEMBER BREWER: Okay. Something to
3 think about. And then just finally, my question would
4 be when you are thinking about doing things
5 differently, what's the process for different written
6 RFPs? Is that something that is done with just
7 internal rules and regulations? Is it consultation
8 with the City Council, etc.? How do you go about
9 writing a new RFP that might make more sense than the
10 food that is being delivered? The problem is, we all
11 know, it's just going in the garbage, and so the
12 question is how we can do this differently. You
13 understand that, I'm not saying you don't, but how do
14 you go about writing an RFP this differently?
15 Obviously, the time is of the essence because '26 is
16 around the corner.

17 EXECUTIVE DIRECTOR MACKENZIE: I will
18 share, you know, the partnership that we have with
19 agencies including MOCS. I referenced earlier the
20 desire to start to do more best value bids and
21 proposals is in place. It requires a lot of change,
22 making sure that everything is upholding the law, of
23 course, but looking at things.

24 COUNCIL MEMBER BREWER: I'm not too big on
25 the law if it doesn't work, but go ahead.

EXECUTIVE DIRECTOR MACKENZIE: But looking at things in addition to lowest price, how we're able to look at things like quality, like capacities, those are all areas that we're exploring and the team at DSS is partnering with us on that.

COUNCIL MEMBER BREWER: Okay. Can you get back to us on the timeframe and how that is going so that it is clear that it's actually happening? Did you want to say something?

FIRST DEPUTY COMMISSIONER BERRY: Yeah. I was just going to give an example in the food space that's not directly related to DHS, but where we at DSS worked in very close partnership with MOFP, for example, to change the way we deliver food to our food pantries through the Community Food Connections Program, and that's an example where we in partnership worked very closely. We developed a new model and wrote a new RFP that would embrace that model and bring that new model to the center.

COUNCIL MEMBER BREWER: No, I appreciate that. I think it's not easy because nothing is easy, but that's a little bit easier than dealing with, you know, whatever, 53,000, 67,000, I don't know, and with contractors that are also challenging so this is

1
2 a big project. It absolutely has to happen because
3 not just that people need to be fed correctly, we're
4 wasting money. It's going right out the door, and so
5 the question would be get it right, and we have the
6 opportunity to do that. We have all this great food
7 in the City of New York and in the upstate community,
8 so I don't know. This is a great topic. Thank you for
9 doing it. New RFP. Include the way that we think.
10 Thanks. Thank you very much.

11 CO-CHAIRPERSON WON: I'm going to pass it
12 over to Chair Riley for his questions.

13 CHAIR RILEY: Thank you, Madam Chairs. I
14 just want to get clarity on the M/WBE question. Did
15 you say 53 percent of the contracts go to M/WBEs?

16 ASSISTANT COMMISSIONER MEDINA: By
17 contract number, correct.

18 CHAIR RILEY: And you don't have the
19 breakdown of..

20 ASSISTANT COMMISSIONER MEDINA: Who's
21 getting what? I don't have that with me, but we can
22 follow up with that.

23 CHAIR RILEY: You can provide that. My
24 next question, I don't know if you stated this why.
25 It says right here that DHS has three direct

1 contracts worth 160 million dollars. Who are those
2 contracts to?
3

4 ASSISTANT COMMISSIONER MEDINA: So those
5 are to Dhall, I believe. I don't have their formal
6 business name, but D-H-A-L-L, and I can follow up
7 with it, Dhall Hospitality, sorry. Thank you.
8 Whitson's Culinary Group and RC Stilwell are the
9 three.

10 CHAIR RILEY: Is there a reason why it's
11 just three providers? Is there some type of formula
12 why it's three providers?

13 ASSISTANT COMMISSIONER MEDINA: I would
14 have to defer to our agency Chief Contracting Officer
15 who constructed that bid and decided on that format.
16 I know often having some redundant, you want to have
17 more than one, obviously, so you have redundancy.
18 That's one factor. And then you also want the
19 benefits of volume, so that's another reason to
20 aggregate. I can't speak to how that's being
21 structured going forward, but I can follow up with
22 more information if you'd like.

23 CHAIR RILEY: And after the providers get
24 the contracts, they're able to subcontract them out
25 to different vendors?

1
2 ASSISTANT COMMISSIONER MEDINA: Correct,
3 correct.

4 CHAIR RILEY: How are they doing outreach
5 to kind of get different vendors, or how can vendors
6 get, I guess, under these bids?

7 ASSISTANT COMMISSIONER MEDINA: That's an
8 excellent question, and thank you for that. Whitson's
9 was recently certified. Before that point, they had a
10 30 percent goal on their contract, so if those three
11 contracts had not...

12 CHAIR RILEY: 30 percent for M/WBEs.

13 ASSISTANT COMMISSIONER MEDINA: M/WBE
14 goals. So, if those contractors were all, let's say,
15 non-M/WBE contractors, they would have a
16 participation goal on their contract.

17 CHAIR RILEY: Why wasn't the format
18 created that the M/WBE could just apply directly for?

19 ASSISTANT COMMISSIONER MEDINA: They can.
20 They can. And in this case, they did, and they won.
21 So, two of the three were M/WBE prime contractors. In
22 terms of what we're doing to create those inroads,
23 we're really committed to building a pipeline between
24 not just our M/WBEs and our provider community, but
25 our M/WBEs and our prime contractor community. So, in

1
2 the last three years, we've had four matchmaking
3 events where we bring representatives from the
4 providers and from our prime contractors, and we sit
5 them at tables, and then we bring M/WBEs who...

6 CHAIR RILEY: Could we do this annually,
7 at least?

8 ASSISTANT COMMISSIONER MEDINA: At least
9 annually. We've moved to twice a year this year, and
10 so we bring M/WBE representatives in to sit across
11 the table from them and do 10-minute interviews,
12 which is a lot more time than you're ever gonna get
13 in a networking event, right?

14 CHAIR RILEY: Can you give the Council
15 some information on those because we have a lot of
16 amazing businesses within our District.

17 ASSISTANT COMMISSIONER MEDINA: Please
18 send them to me personally, and I'll work with my
19 team to invite them to these events and bring them
20 into our pipeline.

21 CHAIR RILEY: Can we follow up after this?

22 ASSISTANT COMMISSIONER MEDINA:
23 Absolutely, yeah. And just to note, we're looking at
24 one out of five vendors who attend these events later
25 going on to win a contract, so we believe this is

2 working, and we're really excited for our partnership
3 with the Mayor's Office of Food Policy, who's been
4 helping us to boost this event.

5 CHAIR RILEY: All right. Thank you. Thank
6 you, Madam Chair.

7 CO-CHAIRPERSON WON: Can you help me
8 understand from MOCS why the food contracts are not
9 going to the lowest bidder as your colleagues have
10 been testifying that it's supposed to go to the
11 lowest bidder?

12 DEPUTY DIRECTOR KAPOOR: It could vary
13 depending on the procurement vehicle that the agency
14 chose. Here, if you guys did it as a competitive
15 sealed proposal, these contracts, or a best value
16 bid, then agencies have the ability to choose more
17 than just the lowest bid, so it depends on the
18 procurement vehicle that the agency initiated in
19 their process.

20 CO-CHAIRPERSON WON: Can you share with me
21 what qualifies as the best value bid, and why an
22 organization would be awarded at a higher value
23 instead of a lower bidder who has had no complaints
24 about food quality, yet you're continuing to award
25 people who have food quality complaints at a higher

1 price over someone else who, for example, Rethink
2 Foods that bid at a lower price and has had a great
3 history of providing really great food and adding to
4 our local economy by bringing in local vendors?
5

6 DEPUTY DIRECTOR KAPOOR: I'm going to
7 defer to the contracting agency that chose these
8 vendors to award with.

9 FIRST DEPUTY COMMISSIONER BERRY: Right,
10 so I think you're talking about the shelter providers
11 are not choosing the lowest bid for their
12 subcontractors, right? So, typically that would only
13 be for reasons of non-responsiveness, finding of non-
14 responsibility, or other vendor compliance issues as
15 to why they wouldn't be choosing the lowest bidder.

16 CO-CHAIRPERSON WON: What if the other
17 lowest bidder had no non-responsive or compliance
18 issues like Rethink Foods?

19 FIRST DEPUTY COMMISSIONER BERRY: Right. I
20 don't have a good answer to that question because it
21 shouldn't be happening, and if you have examples of
22 that...

23 CO-CHAIRPERSON WON: Yes, I will
24 definitely email it to you for investigation.
25

1 The 2024 Food Standards Compliance Report
2
3 noted that relevant agencies updated the way that you
4 conduct nutritional analysis on menus on food served
5 by contracted food vendors. Can you describe the new
6 process and how it differs from your previous
7 process?

8 EXECUTIVE DIRECTOR MACKENZIE: The new
9 process of nutrition compliance?

10 CO-CHAIRPERSON FARIÁS: Mm-hmm.

11 EXECUTIVE DIRECTOR MACKENZIE: So, we
12 don't have a new process yet. Typically, each agency
13 is responsible for capturing a sampling of menus,
14 analyzing them, and reporting. What we are looking to
15 do beginning next Fiscal Year is put in place a
16 citywide software program that would be able to
17 analyze all menus with much more regularity and be
18 able to analyze, not just more menus but with more
19 frequency, so that we can say not just a spot check
20 of two weeks times over the course of a year but look
21 at increasing the frequency of menu analysis and
22 helping agencies with a software program universally
23 to be able to do that.

24 CO-CHAIRPERSON WON: Okay. We're going to
25 have a lot of followups from this hearing. I'm really

1
2 disappointed that a year later there still is no
3 clarity on how we keep vendors accountable for the
4 terrible food that they continue to feed our people
5 at taxpayers' expense and the millions and millions
6 and millions of dollars along with other data that
7 we've requested today.

8 We're going to move on to public
9 testimony so now I dismiss the panel and the
10 Administration, and I now open the hearing for public
11 testimony.

12 I remind members of the public that this
13 is a government proceeding and that the quorum shall
14 be observed at all times. As such, members of the
15 public shall remain silent at all times.

16 The witness table is reserved for people
17 who wish to testify. No video recording or
18 photography is allowed at this time from the witness
19 table. Further, members of the public may not present
20 audio or video recordings as testimony but may submit
21 transcripts of such recordings to the Sergeant-at-
22 Arms for inclusion in the hearing record.

23 If you wish to speak at today's hearing,
24 please fill out an appearance card with the Sergeant-
25 at-Arms and wait to be recognized. When recognized,

1 we'll have two minutes to speak on today's oversight
2 hearing on food quality in New York City shelters and
3 if you have written statement or additional written
4 testimony you wish to submit for the record, please
5 provide a copy of that to the Sergeant-at-Arms.
6

7 You may also send written testimony to
8 testimony@council.nyc.gov within 72 hours of close to
9 this hearing. Audio and video recordings will not be
10 accepted.

11 For in-person panelists, please come up
12 to the table once your name has been called, and now
13 I will call the first person in the panel. Alison
14 Wilkey, Matt Jozwiak, Barbara Hughes.

15 Hello, we can start with you.

16 ALISON WILKEY: Yep, good morning and
17 thank you Chair Wan and Chair Fariás for holding this
18 hearing. My name is Alison Wilkey, and I'm the
19 Director of Government Affairs and Strategic
20 Campaigns at the Coalition for the Homeless, and I'm
21 providing testimony today both on behalf of the
22 coalition and the Legal Aid Society.

23 We are the court and City-appointed
24 monitors of the DHS shelter system which that number
25 of sites does vary, but right now is actually about

1 500 sites, not 400 sites. One of the most frequent
2 complaints that we get both from shelter residents
3 and from our monitoring staff is about the quality of
4 food in shelters. The complaints range from lack of
5 dietary accommodation to things being overcooked to
6 spoiled food. I mean the whole range of things that
7 the Administration testified that they have rules or
8 guidelines or processes about are the exact things
9 that we get complaints about.
10

11 I'd like to focus a little bit first on
12 reasonable accommodations. You know, our staff both
13 at Legal Aid and the coalition spend weeks and months
14 trying to get compliance with granted reasonable
15 accommodations. These are people who have provided
16 medical documentation. They have a granted request,
17 but there's really two problems that, one, either the
18 shelter fails to make their request to the vendor to
19 get the right dietary requirement or the vendor just
20 doesn't provide it, and I'd like to read a quote from
21 a shelter resident who wanted me to share this with
22 the Council. Her name is Cassie. She said I haven't
23 been able to get the appropriate food to control my
24 cholesterol. After two heart attacks, my doctor
25 ordered me to follow a plant-based diet. I have an

1
2 approved reasonable accommodation, but I still can't
3 get the food I need. The only milk they serve to go
4 with the cereal in the morning isn't plant-based. The
5 menu says they're going to serve oatmeal which would
6 be good for me but we never get oatmeal. My health
7 has gotten worse while living in shelter. The
8 shelters never serve salad or fresh vegetables. My
9 doctors are concerned about my uncontrolled
10 cholesterol, but I can't do anything about it because
11 they (TIMER CHIME) won't give me plant-based meals
12 even though they're supposed to.

13 I've included a few photos in my
14 testimony that were taken in recent weeks that I'd
15 just like to point out to you. The one on page three
16 shows what is supposed to be vegetarian paella with
17 mixed vegetables. You can see that it's maybe some
18 carrots and a fried object and some rice. It is
19 definitely not what it says, and this is a problem
20 that people have in trying to understand what they're
21 eating is that the labels on the meals or the menus
22 that are posted do not match what people are
23 receiving. I'd just like to say also if you look
24 really closely there, the calories for that meal
25 listed on the label are 184. That is not enough for a

1 meal. Same thing in other photos. On page four,
2 there's a photo, the label says it's a hard-boiled
3 egg. It looks like maybe a pancake if I'm being
4 generous. And then also the problem people have is
5 actually, when they get a special meal, getting like
6 nutritional equivalency. So, the photo on page five
7 is supposed to be a vegan meal. It is vegetables and
8 white rice. That is all that is in there. There's no
9 protein. So, even though we have all of these
10 guidelines in place, we have these standards, they
11 are not being followed, and this is just one of like
12 many complaints that we get that include, you know,
13 for shelters where the meals are delivered, they
14 deliver lunch and dinner at the same time like at
15 lunch and then the dinner just sits out. It's not
16 refrigerated. It just sits out for five hours. So,
17 there's a number of issues that I appreciate the
18 Council holding this hearing, but there's just a real
19 lack of accountability on making sure that all of
20 these rules and standards that are in place are
21 actually followed.

22
23 CO-CHAIRPERSON WON: Thank you so much. I
24 have a question. Do you have information on which
25 shelters these are from and who the food provider is?

1
2 ALISON WILKEY: I can follow up and get
3 that for you. I don't know that off the top of my
4 head which ones.

5 CO-CHAIRPERSON WON: Okay.

6 ALISON WILKEY: We do get frequent
7 complaints with the same shelters that you've been
8 mentioning. Regina, Riviera, Whitson's, like people
9 complain the most about some of those.

10 CO-CHAIRPERSON WON: So, it's clear that
11 there is no accountability process. We're going to
12 have to take matters into our own hands and collect
13 the data ourselves as well as the pictures, the food,
14 and make sure that there is accountability in the
15 next year before we have another hearing about this
16 topic. Do you have any other questions? Okay.

17 Next panelist.

18 MATT JOZWIAK: Good afternoon. I just want
19 to thank the Council, Council Member Won, Majority
20 Leader Fariás, Council Member Brewer for taking the
21 time to host yet another hearing on food quality at
22 the shelter system. And also, yes, I agree there are
23 over 500 shelters. And we did a little math while we
24 were waiting back there. It would take two years for
25 seven people to inspect every single shelter if there

1 was 10 hours' worth of work to do at each shelter so
2 seven people is clearly not enough. That's the main
3 focus of our recommendation today is that there needs
4 to be... the shelter system cannot police itself. There
5 needs to be at least quadruple the staff within DHS
6 or DFTA to go and review independent shelters.

7 Currently, our understanding is that there's only two
8 people at Department of Homeless Services that are
9 overseeing menus and food, and the seven people that
10 were mentioned for more for operational efficiency
11 and things like that. Our recommendation is that
12 since the shelter system is nearly doubled since the
13 migrants started coming to New York, that they have
14 sizable budget increase where they can focus on food
15 quality as among other several issues. Rethink wants
16 to be clear that this is an upstream issue that
17 philanthropy is spending hundreds of millions of
18 dollars on every single year. While I was waiting to
19 testify, I received a list of over eight sites that
20 Rethink in your District, Majority Leader, Rethink
21 has to spend over 800,000 dollars a year providing
22 extra meals to these sites because the food quality
23 is so bad. This is a problem that's continued and
24 continued. And what our recommendation is, is that
25

1
2 there's at least a third-party investigation into
3 this. It seems that the Council and the City are
4 very, very far apart on food quality and where this
5 is at. And we are asking, please, if there's a third
6 party, Rethink would be happy to do it, or any other
7 party or Department of Investigations to actually
8 look into this issue because every single day we are
9 wasting millions of dollars and every single day
10 (TIMER CHIME) the food quality is putting people in
11 hospitals. Thank you so much for your time.

12 BARBARA HUGHES: Good morning. Well, it's
13 afternoon now. I've been here listening since the
14 beginning, and it's been difficult to listen to. My
15 name is Barbara Hughes. I testified at a hearing
16 recently and actually almost spoke the same script.
17 I'm the Executive Director of City Beet Kitchens.
18 We're an employment social enterprise, which is part
19 of Project Renewal. We've been operating since 1995.
20 We're a small vendor. We compete with the big three.
21 We can't compete with them because our costs are too
22 high. The poor food quality in the shelters leads to
23 food waste, it does. Think about it. If you had an
24 unappetizing meal, what would you do? You would go
25 out and find means to find food another way. And City

1 Beet Kitchens, we take pride in crafting quality
2 dishes with diverse menus for shelter residents. We
3 have difficulty competing, so we have one large
4 client, Breaking Ground. We do seven sites for them,
5 also provide people to serve the food, so we're
6 creating jobs also because they are committed to our
7 mission and went to the City for new needs so that
8 they could afford our services. We care about the
9 food we create and we care about our staff. We are
10 paying above minimum wage to our staff. Many of them
11 are graduates of our culinary training program, but
12 using the lowest price catering options means that
13 the quality of food in shelters will continue to be
14 an issue. Additionally, in order to improve food
15 quality in shelters, non-profit providers must be
16 paid fairly and in a timely manner. Unfortunately,
17 the City's been chronically late to pay non-profit
18 providers for our work, so that's a (TIMER CHIME)
19 crisis for us, too. We hope that you'll prioritize
20 social enterprise caterers like ours over for-profit
21 contracts. Thank you.

23 CO-CHAIRPERSON WON: Thank you so much.

24 Can you just put on record who the big three are that
25 you're referring to?

1

2

BARBARA HUGHES: Pardon me?

3

4

CO-CHAIRPERSON WON: The big three that
you're competing with?

5

6

BARBARA HUGHES: Regina, Whitson's, and
what's the other one? Riviera.

7

CO-CHAIRPERSON WON: Okay. Thank you.

8

BARBARA HUGHES: Yes.

9

10

CO-CHAIRPERSON FARIAS: No further
questions. Thank you so much for coming to testify.

11

Oh, Council Member Brewer has a question.

12

13

14

15

16

17

18

19

20

21

22

COUNCIL MEMBER BREWER: So, all three of
you testified. I think suggestions that could be
made. My question for Rethink is, you mentioned not
only needing seven people plus two and many more. Do
you think, what would be the number that maybe would
be able to be sure that the menu that is printed is
one that they actually get, which is not true from
what the Coalition for the Homeless stated? And then,
in addition, how do you think you could, or Project
Renewal, know your program? You're so dressed up I
didn't recognize you, Barbara. I'm just telling you.

23

BARBARA HUGHES: Thanks.

24

25

COUNCIL MEMBER BREWER: The issue is, what
is the mechanism that you could be the prime

1
2 contractors? How could that work? How could the City
3 make sure that happens?

4 MATT JOZWIAK: On the first part, you
5 know, what we sincerely appreciated about working
6 with Health and Hospitals was their ability to learn
7 over time, and they changed, and they adapted, and
8 they grew. And as food quality was an issue in the
9 beginning, they changed, they found halal vendors,
10 they listened to recommendations, and they grew. I
11 think we should look at Health and Hospitals and the
12 way that they approach food. They only have four open
13 HERRCs right now, and two of them are closing, and
14 look at the way that they measured and managed food
15 quality and food waste. It is completely different
16 than DHS and DSS. Completely different, night and
17 day. I believe that now, there is actually, because
18 there's been more of a light on this, there is more
19 of an opportunity, and we'd be willing to partner and
20 go after some of these bigger contracts and, you
21 know, combine our cash flow to be able to, you know,
22 execute them.

23 BARBARA HUGHES: I mean, some of our
24 graduates...

2 COUNCIL MEMBER BREWER: Use the mic,
3 Barbara. Pull the mic over.

4 BARBARA HUGHES: Some of our graduates
5 work for Matt at Rethink, and we think we have a
6 better way of doing things. And I'll mention, it's a
7 partnership that we have with Breaking Ground. We
8 meet, we discuss, we have quality control. Someone
9 goes out and looks at their sites, makes sure
10 everything is okay. There's a different way to do
11 this.

12 COUNCIL MEMBER BREWER: Okay. And I
13 believe all of your sites is scratch cooking, too.
14 Project Renewal in general. No big difference. Thank
15 you.

16 CO-CHAIRPERSON WON: Okay. And we'll
17 follow up with you, if you can get us... well, we'll
18 follow up with H and H to really understand what the
19 process has been to evaluate food waste and food
20 quality to make sure that we have a blueprint of how
21 DHS should be operating. Thank you so much for
22 speaking on the panel. We'll follow up if we have any
23 questions.

24 The next panel is going to be Adama Bah,
25 Janet Jackson, and Latoya Meadows.

Okay. We can start with you.

JANET JACKSON: Good afternoon, good morning, everyone. My name is Janet Jackson, and I'm here today to speak about the serious issues of the food quality in New York City shelters. I lived in the shelters for approximately 10 years and had to deal with lots of issues with the food. Thankfully, I'm out of the shelter, but I'm here to speak on behalf of my experience and on behalf of members of the Coalition for the Homeless Client Advisory Group. The fact is that all the food issues that I experienced over the total of 10 years of being in and out of the shelters still exist today. The problems I hear are the same problems I had, and I'm hearing the same thing from other people today. Nothing has changed. Nothing in 10 years. I lived in several shelters. All of them have food issues. At one shelter, there was only one microwave for the whole building to heat up their food. When I worked at night, I had to choose between going hungry or eating cold, unrefrigerated, left out, saved food from the early in the day. At other shelters, staff leave frozen food sitting out on the tables all day, which is unsafe. People got sick from this food

1 because it wasn't properly stored. Too often, food
2 was so overcooked that it was barely edible, and the
3 coalition provided a picture of the microwave food.
4 The one on the side, that's from being overcooked.
5 But this is nothing compared to the problem faced by
6 people who have special dietary needs or medical
7 conditions. People, including myself, go through all
8 the work of getting a doctor's letter so they can get
9 reasonable accommodation requests granted. But that's
10 when the real struggle begins. Shelters ignore
11 reasonable accommodations for medically necessary
12 (TIMER CHIME) diets. I suffer from diabetes, kidney
13 disease, and cardiac disease. I needed a special
14 diet. They didn't provide it. I asked. They didn't
15 provide it. And it's not just me. There's a strong
16 lack of accountability in shelters, and it's killing
17 people today. There's no fresh food, no healthy food,
18 and nothing has changed. It's time for a real change.
19 Thank you for letting me speak.

21 ADAMA BAH: Hello, everyone. My name is
22 Adama Bah, Executive Director of Afrikana. Our focus
23 is on black immigrants and black diaspora. I'm here
24 today because we cannot ignore the fundamental issues
25 affecting thousands of black Muslims in New York City

1 shelters and the lack of halal food. Let me be clear.
2 What is being served, halal, is nothing more than
3 rice and vegetables. And while that might be enough
4 to check a box, it is not enough to meet the needs of
5 our communities. What's worse, we don't even know who
6 the vendors are. We don't know if they're actually
7 certified halal, if they understand what halal truly
8 means, or if they simply stamped a label to win a
9 contract. And far too long, when the City talks about
10 halal food, they automatically assume it means South
11 Asian or Arab. Black Muslims, black Africans,
12 African-American, and many black people across
13 diaspora who practice Islam are completely erased
14 from the conversation. We are Muslim too. We built
15 mosques. We established communities. We fed our
16 people long before there were City contracts. Our
17 food, our traditions, our dignity matters just as
18 much. But beyond the neglect, let's talk about the
19 insult. Contracts for halal foods are being given to
20 people who do not belong to our religion, do not come
21 from our communities, and do not understand our
22 culture. That would never happen for other faith
23 groups. Imagine if I, a black Muslim, was awarded a
24 contract to provide kosher food for the Jewish
25

1 communities without truly understanding the dietary
2 laws. Imagine if I was given a contract to supply
3 communion wafers to churches with no regards for
4 their religious significance. It would be offensive,
5 it would be unacceptable, and it would never happen.
6 So why is this happening to us? Why is our faith, our
7 food, our dignity up for profit handed to those who
8 neither respect nor serve us? We demand change.
9 African migrants and black Muslims should not have to
10 beg for what is already their right. We need real
11 oversight. We need real accountability. And most
12 importantly, we need real halal food prepared by our
13 people for our people. Black people dignity is not
14 negotiable. African dignity is not disposable. And we
15 will not stop until our people get the respect and
16 service they deserve. (TIMER CHIME) And most
17 importantly, I want to add, every year in Ramadan, we
18 have to do a fundraiser just to get halal food to our
19 communities. And this year, we have to do another
20 one.
21

22 LATOYA MEADOWS: Good day, Majority Leader
23 Amanda Fariás, Contract Committee Chair Julie Won,
24 and Members of the Council. Thank you for the
25 opportunity to testify today. My name is Latoya

1 Meadows, and I am the founder and CEO of Collective
2 Fare. We are dedicated to ensuring that New Yorkers
3 experiencing food insecurity receive high quality
4 nutritious and culturally relevant meals because food
5 is more than just substance. It is dignity, health,
6 and belonging. For years, I've worked with food
7 insecure communities, and the one thing is clear, too
8 much food being served in shelters go to waste. Not
9 because people don't need it, but because it doesn't
10 reflect their cultural backgrounds or nutritional
11 needs. When meals are unfamiliar, lack seasoning, or
12 don't align with dietary traditions, they go uneaten,
13 wasting food, resources, and opportunities to
14 nourish. Without accountability, we cannot fix what
15 we can't measure. At Collective Fare, we've proven
16 that a different model is possible. During the
17 pandemic, we delivered over 1.2 million meals in
18 collaboration with Rethink Foods, and hundreds of
19 thousands more that continue to this day through the
20 asylum response and beyond. These were meals that
21 people actually ate because they were fresh,
22 thoughtfully prepared, culturally relevant, and
23 competent. We literally go to the shelters and find
24 out who the people are because it's important for us.
25

1 I ad-libbed that part. By working with local food
2 providers, we've reduced waste, improved quality, and
3 restored dignity to food access. If the City truly
4 wants to feed New Yorkers and not just fulfill
5 contracts, it needs to prioritize local, community-
6 based food providers who understand the people they
7 serve. That means serving meals that reflect cultural
8 and dietary needs so people actually eat them. It
9 means holding vendors accountable for the quality and
10 nutrition through feedback and oversight. And it also
11 means investing in local businesses and non-profits
12 that create jobs and reinvest into community (TIMER
13 CHIME) which strengthens New York City's economy. Our
14 partnership with Rethink Food has shown that this
15 model works. We've scaled meal distribution while
16 maintaining nutrition, taste, and dignity. This is
17 not only about fixing a broken food system; it's
18 about building a better one through innovative and
19 holistic practices. The City has a choice. Continue
20 wasting meals and resources or invest in a system
21 where every meal served is a meal that heals,
22 nourishes, and respects those who receive it.

24 CO-CHAIRPERSON WON: Thank you so much.

25 Thank you so much for coming to testify.

The next panel is going to be Shanna McCormick, Chloe Breyer, and Mansoor Rafiq Umar.

Okay, we'll start with you.

SHANA MCCORMICK: Good morning or good afternoon, Majority Leader Amanda Fariás and Contracts Committee Chair Julie Won. Thank you for the opportunity to testify in support of Intro. 0905-2024. My name is Shana McCormick, and I represent Rap4Bronx, a community-driven organization dedicated to enhancing food access and nutritional outcomes in New York City. Our work spans partnerships with faith-based groups, senior centers, shelters, NYCHA developments, and other community-based organizations. We've proudly assisted in establishing pantries, subsidizing food access, and meeting residents where they are by providing prepared meals in partnership with Rethink, both rescued and farm-fresh produce, and essential pantry staples. As we all know, food insecurity is not a one-size-fits-all situation, nor should it be treated as such. I would like to extend a special thank you to the Majority Leader for steadfast support in allocating funds to help with food access in her District, which is the very community that we serve the most, including

1 subsidizing meals and shelters. Our on-the-ground
2 experience has shown that when food quality issues
3 arise at sites, residents often turn to local
4 pantries and community-based organizations for
5 better, more nutritious options. This situation not
6 only duplicates efforts, but also escalates costs and
7 compromises health outcomes. Many working New Yorkers
8 already face the challenge of stretching their
9 budgets to cover rent, transportation, childcare, and
10 other expenses. This often forces them to compromise
11 on food quality, resorting to fast food or lower
12 quality options. In contrast, locally prepared,
13 culturally relevant, ready-to-eat meals provide a
14 dignified alternative. Such meals are critical for
15 individuals without access to full kitchens, those
16 juggling multiple jobs with limited time and energy
17 to prepare nutritious meals. Over the past five years
18 as a partner of Rethink, we've seen their efforts
19 flourish into an ecosystem that we're proud to be a
20 part of, prioritizing community well-being but also
21 bolstering local businesses. Through this
22 partnership, we've helped deliver close to a million
23 meals from neighborhood restaurants, ensuring that
24 local businesses thrive, local hires like our long-

1 standing driver, Duane, receive (TIMER CHIME) fair
2 wages and benefits, and consumers have access to
3 quality, nutritious meals. The Intro. 0905 mandates
4 that food service contractors with 100,000 dollars or
5 more are required to fill out surveys based on a
6 quarterly basis. This requirement will ensure that
7 the voices of our community members are heard and
8 that these insights will hopefully lead to
9 improvements in food quality and health outcomes, a
10 critical step in reducing duplicate efforts, ensuring
11 dollars are spent on food that is being consumed and
12 not being disposed of. Thank you for your
13 consideration and time to speak. We believe this is
14 the beginning and hopefully the City continues to
15 invest in the model like this to benefit for all.

17 CO-CHAIRPERSON WON: Okay, thank you. Next
18 is Reverend Chloe Breyer.

19 REVEREND CHLOE BREYER: Thank you so much
20 for the opportunity to speak in favor of Intro.
21 Number 0905. I'm going to speak today from the
22 perspective of the Interfaith Center of New York and
23 the focus on culturally competent food as one way of
24 approaching or supporting the diverse religious
25 observances of our city. So, I'll take a rather

1 looking back, a wider view. So, the Interfaith Center
2 of New York has worked for and with grassroots
3 immigrant faith leaders for the last 25 years. Civics
4 training for grassroots faith leaders has been part
5 of what we do, and we do that because we believe this
6 strengthens New York civil society overall. Public
7 accommodations for the newest community members and
8 for New York's diverse community members help the
9 people of this great city understand themselves as
10 New Yorkers. So small administrative changes that
11 allow for particularly the religiously diverse
12 practices of members of the city, be it extending
13 jury duty, be it public school holidays, be it halal
14 and kosher in New York's public schools, these make a
15 huge difference. So, fast forward then to 2022 when
16 buses started arriving in our city from Texas and we
17 began working with the HERRC system and heard a huge
18 number of complaints about the food, many of which
19 have been spoke about today. If you fast forward
20 again just to last year to echo Adama Bah, black
21 migrants who were residing in shelters around the
22 city but spending a lot of time in mosques in the
23 Bronx were trying to celebrate Ramadan but doing so
24 (TIMER CHIME) without adequate food security. They
25

1 were fasting all day and breaking those fasts at
2 mosques with something as simple as a loaf of bread.
3 The issue was that the food provided by the shelters,
4 while recognizing it was Ramadan, delivered all the
5 food for a 24-hour period at one time and so they
6 were looking for other places. We, the Interfaith
7 Center, worked with other partners to create 54,000
8 meals that were all resourced by local, to Council
9 Member Brewer's point, local restaurants. So, a huge
10 outpouring by the community, the money went to local
11 restaurants and then iftar meals were provided. So,
12 in conclusion, the accommodations of religious
13 practices for the new and other members of our city
14 is not just about the interest of the individual but
15 also serve for the long-term cohesion and strength of
16 our great city.

18 CO-CHAIRPERSON WON: Thank you. We also
19 have Imam Rafiq.

20 IMAM MANSOOR RAFIQ UMAR: Okay. Good
21 afternoon, everybody. My name is Imam Mansoor Rafiq
22 Umar. I am the President of Halal Watch. We are a
23 halal activist organization, halal oversight, and we
24 work directly with government. We work with Governor
25 Kathy Hochul. I am actually an appointee on her

1
2 Executive Committee for Interfaith Matters and
3 Concerns. So, our organization is actually the first
4 Halal Watch organization in New York State. We opened
5 our doors in 1985. We work to ensure that the
6 consumer, the halal conscious consumer, receives what
7 they're looking to get, what they're purchasing. It
8 should be exactly what they're expecting. So, our job
9 is to make sure that there's a proper paper trail and
10 a proper line from farm to fork. So, if you're
11 purchasing something or you're receiving something
12 that is halal, we want to make sure that that is
13 actually halal. The same sort of oversight needs to
14 happen in government. It needs to happen with the
15 shelters. It needs to happen with the schools. We
16 work directly with the Department of Education for
17 all of the halal options and halal meals that go into
18 the schools. We oversee them. We check to ensure that
19 that is taking place. We work with other companies as
20 well. We could tell you the companies here, because
21 we have a database, because we have technology
22 backing all of our systems, we can tell you when
23 they've been audited, when they've been checked, when
24 the last visitor or the last halal product has been
25 in that facility because of the fact that we have

1
2 that sort of oversight and that sort of technology to
3 support it. So, our job is to make sure that that is
4 the case. We want to help the institutions. We want
5 to help the government to get this right, because at
6 the end of the day, the same principle applies with
7 restaurants, right? The customer is always right. At
8 the end of the day, if the customer is not happy
9 (TIMER CHIME) you guys are not happy. If the
10 customers aren't happy, you guys have a big headache.
11 Our job is to make sure at least the one portion of
12 halal, that that issue is mitigated and managed. I
13 came all the way from Albany, New York, just to have
14 two and a half minutes so I hope everyone really does
15 take this seriously because growing up as a
16 youngster, not having halal options, this is a
17 passion for me. So, it's a passion for our
18 organization and everyone involved. We want to make
19 sure that if it says it's halal, it really is halal.
20 So, thank you so much and hats off to all the other
21 organizations.

22 CO-CHAIRPERSON WON: Thank you so much.
23 Our last panel is Jeanette Lugo, Christopher Leon
24 Johnson, and Sharon Brown.

25

1
2 CHRISTOPHER LEON JOHNSON: Hello. Good
3 afternoon, Chair Won and Chair Fariás. My name is
4 Christopher Leon Johnson, and I'm here to speak in
5 support of, we need better food in shelters. That's
6 the problem. I'm not homeless, but I mean, I give my
7 comments to the people that are homeless in the city
8 of New York that could tolerate that type of food.
9 But the truth of the matter of fact is, is that where
10 was Vocal New York when today, the biggest homeless
11 advocacy organization in the New York City to speak
12 on behalf of these bills? Oh yeah, forgot, if it
13 doesn't benefit homeless sex offenders, then they
14 won't advocate on behalf of it. All right, but let's
15 go forward. Let's keep this real. The reason they put
16 this food in shelters, these unhealthy foods in the
17 shelter is to keep the people sick because then they
18 become guinea pigs for the hospital industry and the
19 medical industry. And the medical industry and the
20 hospital industry love using homeless people because
21 they are highly prone to getting diseases because of
22 the smells in the home. I used to work at a homeless
23 shelter as a security supervisor, and I know the
24 smell is horrible. I wouldn't want my worst enemy
25 living in a homeless shelter unless they have to.

1
2 That's why people live on the streets. The truth of
3 the matter of fact is they want these people to keep
4 on being sick in with these foods and everybody knows
5 these foods are GMO foods. They want people to be
6 sick so they can be used as guinea pigs for the
7 hospital and medical industry, especially when it
8 comes to psychiatric pills. You could take the, you
9 could eat those food and you feel sick and you go to
10 the right, the wrong doctor that is funded by the
11 City Council, they will say, oh, you're mentally ill
12 and they'll put you on these pills so they can make
13 you a zombie for the rest of your life. So, I know
14 nothing here is going to get changed with the food
15 selections and stuff because the City Council refuses
16 to address anything because everybody knows that the
17 biggest non-profits that gets all the contracts,
18 they're behind this stuff. They get funded from the
19 developers. They get funded from the hospitals. They
20 get funded from big pharma like Pfizer and Moderna
21 and what happens is (TIMER CHIME) the people stay
22 oppressed. So, look, I know this Committee, this is
23 only a part of what's happening. The transparency was
24 going on here, but unless you really say, look, we're
25 going to get rid of these GMO foods and bring in real

1 healthy foods without the approval of the big pharma
2 and big medical, then... I know, I'm going downstairs
3 to the rally. Thank you.
4

5 CO-CHAIRPERSON WON: Thank you.

6 CHRISTOPHER LEON JOHNSON: Thank you,
7 thank you.

8 CO-CHAIRPERSON WON: You can go since
9 she's still writing. You can go.

10 JEANETTE LUGO: Hi, everyone. Thank you so
11 much. Is this better? Okay, cool. I want to first say
12 thank you so much for having this forum. It is very
13 important to everyone in East New York and
14 Brownsville. My name is Jeanette Lugo. I am the NYPD
15 Clergy Liaison for PSA2, which services East New York
16 and Brownsville, and I do community affairs. So, as a
17 liaison to the community, we receive so many phone
18 calls from the shelters, and the phone calls that we
19 receive are something that this community could
20 definitely help us out with. There are fights about
21 food if you can believe that in New York city, right?
22 Just food, food alone. It'll be things like the
23 people go into the shelters and when we'll get phone
24 calls, people need food because either it was bad, it
25 was received in all kinds of ways. They said that

1
2 they would send 200 meals. Instead, there were only
3 50 meals for 300 people and so on and so forth. When
4 people are in the shelter system, they're already at
5 their lowest. They're already at their lowest. They
6 already have a situation in which, you know, I go
7 into a situation where I see these people and they
8 need to get the services that they need. For them not
9 to be able to get the food that they need so that
10 they can move forward and get the services that they
11 need to get out of the system is inhumane. And so
12 that's why what you guys are doing is very important.
13 You know, for us to have to call a person like
14 Rethink, which is an amazing organization, to help us
15 (TIMER CHIME) with something... Thank you.

16 CO-CHAIRPERSON WON: Finish your last
17 thought.

18 JEANETTE LUGO: For us to have to call
19 Rethink to help us with situations that deal with the
20 shelter, it doesn't make any sense. You know what I
21 mean? Let's give the resources to people that are
22 willing to help the people and have something in
23 place that can make us be able to do something better
24 so that people can live a better quality of life.

25

1
2 CO-CHAIRPERSON WON: Agree. Thank you so
3 much. And our last panelist.

4 SHARON BROWN: Hello, my name is Sharon
5 Brown. As I testify, I would just say, remember
6 Israel, release the hostages, let Yahweh's people go.
7 Okay. There is enough money to pay for people to go
8 directly into apartments and houses. There's been a
9 fight over the shelters over and over, over food. I
10 was here at a hearing before and they talked about
11 how horrible the food was, and I thought something
12 would be done then. And to my chagrin, we're here
13 again talking about how horrible the food is. So, not
14 only are the shelters keeping people in shelters when
15 they have the money to pay for the shelter beds, they
16 probably are at astronomical rates. They could put
17 people directly into the homes and pay that money for
18 apartments and houses. So, food situation, because I
19 was here the last time and it did not get cured then,
20 and it was not a major thing that people went in and
21 made sure the food was better, until they take them
22 out and put them directly into apartments, which I'm
23 expecting them to start doing, they need to give them
24 individual refrigerators in the shelters. They have
25 space. They can get small ones with a freezer in it.

1
2 They can also, along with the refrigerator, they can
3 give them some kind of food stamps or whatever. And
4 they can also give them hot food allowance,
5 restaurant allowance. I was here the last time.
6 Again, I'm reiterating, it did not change. So, we
7 need to press them to give them refrigerators and
8 make sure they can get increases in whatever
9 financing they need and get restaurant and hot food
10 allowance ASAP. Thank you.

11 CO-CHAIRPERSON WON: Thank you so much.

12 SHARON BROWN: Remember Israel.

13 CO-CHAIRPERSON WON: Thank you. You're
14 dismissed.

15 And we're now going to go to online
16 testimony. One second. Okay. Do I just call them or
17 do I have to read anything? Okay. Okay. Now we're
18 going to hear from a representative from Malikah.

19 You are now unmuted. If you could take
20 yourself off mute and testify.

21 SERGEANT-AT-ARMS: You may begin.

22 RANA ABDELHAMID: Good afternoon. I'm
23 testifying on behalf of Rana Abdulhamid and on behalf
24 of Malikah. Our organization didn't initially set out
25 to focus on asylum work, but when we began working

1 with asylum seekers through IDCNY (sic), we quickly
2 learned how urgent the food issue was. One story that
3 particularly stays with me is the story of a Sudanese
4 woman who was so malnourished that she couldn't
5 breastfeed her child. She had been receiving food
6 that was not only subpar, but also not halal. For
7 her, this was not just an inconvenience, but it was a
8 direct conflict with her faith. Halal food is a
9 religious obligation for Muslims. It's not a matter
10 of preference or choice. Thanks to the support of
11 Council Member Won's office, we've been able to
12 distribute over 8,000 halal hot meals to asylum
13 seekers. Every week, we visit shelters in Long Island
14 City and provide meals, but we hear from people over
15 and over again the same. The food they are given is
16 of poor quality. At times, we have heard anecdotally
17 that some have been misled into thinking that they
18 were receiving halal food, only to find out later
19 that it contained pork or non-halal ingredients. This
20 isn't just about food; it's about faith, dignity, and
21 respect. For these individuals, eating something that
22 isn't halal isn't just a dietary mistake. It's a
23 violation of their core beliefs and an infringement
24 on their right to practice their religion. What's
25

1
2 even more difficult to grasp is the mismanagement of
3 food contracts in the millions of dollars allocated
4 to feed people in need. Whenever I see in the news
5 that millions of taxpayer dollars are being spent on
6 food contracts, I feel devastated. How is it that in
7 a city like New York, one of the wealthiest cities in
8 the world, we are spending millions, but our
9 neighbors are still going hungry and being denied the
10 food that they need. These contracts, instead of
11 providing adequate, culturally competent food, are
12 putting people at risk. The money is being spent, but
13 it's not reaching those who need it the most.
14 Instead, it's being mismanaged, leaving vulnerable
15 communities with food that isn't nourishing, isn't
16 (TIMER CHIME) culturally appropriate...

17 SERGEANT-AT-ARMS: Thank you. Your time's
18 expired.

19 RANA ABDELHAMID: And isn't what they
20 deserve. I urge the City Council to take immediate
21 action to address the mismanagement of these
22 contracts and ensure the food provided to asylum
23 seekers and all New Yorkers meet their basic dietary
24 needs and respects their cultural and religious
25 practices. For Muslims, eating halal is about living

1
2 in alignment with their faith. Our neighbors should
3 not have to choose between their faith and their
4 survival. We must do better. Thank you for your time
5 and consideration.

6 CO-CHAIRPERSON WON: Thank you so much for
7 testifying.

8 We have now heard from everyone who has
9 signed up to testify. If we have inadvertently missed
10 anyone who would like to testify in person or online,
11 please let us know by putting it in the chat or visit
12 the Sergeant's table to complete a witness slip now.

13 Okay, seeing that we have no one else, I
14 would like to note again that written testimony can
15 be reviewed in full by Committee Staff, can be
16 submitted up to 72 hours after the close of this
17 hearing by emailing it to testimony@council.nyc.gov.
18 Thank you so much for coming to this hearing. This
19 hearing is now adjourned. [GAVEL]

20

21

22

23

24

25

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date February 27, 2025