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**The New York City Council**

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**Committee Report of the Governmental Affairs & Human Services Divisions**

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**Committee on Economic Development**

Hon. Paul A. Vallone, Chair

**Committee on Education**

Hon. Mark Treyger, Chair

**Committee on General Welfare**

Hon. Stephen Levin, Chair

#### September 18, 2019

**Int. No. 1650:** By Council Members Adams and Kallos

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to the provision of information regarding the health bucks program and farmers markets

**Administrative Code:** Adds a new section 21-131.2

**Int. No. 1652:** By Council Members Ampry-Samuel and Kallos

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to ensuring that community gardens are not classified as vacant land by the department of city planning

**Administrative Code:** Adds a new section 25-116

**Int. No. 1653:** By Council Members Ampry-Samuel and Kallos

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of parks and recreation to collect and report data regarding community gardens reporting and permitting the sale of agriculture within community gardens

**Administrative Code:** Adds new sections 18-156 and 18-157

**Int. No. 1654:** By Council Members Ayala and Kallos

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to neighborhood awareness campaigns regarding farm-to-city projects

**Administrative Code:** Adds a new section 17-199.12

**Int. No. 1659:** By Council Members Chin and Kallos

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to a plan to identify and enroll seniors eligible for supplemental nutrition assistance benefits

**Administrative Code:** Adds a new subdivision e to section 21-131.1

**Int. No. 1660:** By Council Members Cohen and Kallos

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to creating a good food purchasing program

**Administrative Code:** Adds a new section 6-130.1

**Int. No. 1663:** By Council Members Espinal and Kallos

**Title:** A Local Law to amend the New York city charter, in relation to establishing an office of urban agriculture and an urban agriculture advisory board

**City Charter:** Adds a new section 20-e

**Int. No. 1664:** By Council Members Gibson, Levine and Kallos

**Title:** A Local Law to amend the New York city charter, in relation to requiring the office of food policy to formulate a 10-year food policy plan

**City Charter:** Adds a new subdivision d to Chapter 1

**Int. No. 1666:** By Council Member Kallos and the Speaker (Council Member Johnson)

**Title:** A Local Law to amend the New York city charter, in relation to the establishment of an office of food policy

**City Charter:** Adds a new section 20-H

**Int. No. 1673:** By Council Members Rivera and Kallos

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to city agency food waste prevention plans

**Administrative Code:** Adds a new section 16-307.2

**Int. No. 1675:** By Council Members Rose, Kallos and Chin

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to the distribution of information regarding summer meals

**Administrative Code:** Amends subdivision b of section 21-979

**Int. No. 1676:** By Council Members Rosenthal and Kallos

**Title:** A Local Law in relation to requiring the department of education to report on implementing scratch-cooked school food service

**Int. No. 1680:** By Council Member Vallone, the Speaker (Council Member Johnson) and Kallos

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to reporting requirements regarding the production, processing, distribution and consumption of food in the city required by Local Law 52 of 2011

**Administrative Code:** Amends paragraphs 19 and 20 of subdivision a of section 3-120 of subchapter 2 of chapter 1 of title 3

**Int. No. 1681:** By Council Members Van Bramer and Kallos

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to school food waste prevention plans

**Administrative Code:** Adds a new section 16-307.2

**Res. No. 1024:** By Council Members Louis, Kallos and Chin

**Title:** Resolution calling upon the New York State Office of Temporary and Disability Assistance (OTDA) to expand eligibility for the Supplemental Nutrition Assistance Program (SNAP) to public college students

**Res. No. 1025:** By Council Members Louis, Kallos and Chin

**Title:** Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation to opt into the Supplemental Nutrition Assistance Program (SNAP) Restaurant Meals Program to allow disabled, elderly and homeless SNAP recipients to use their benefits on hot meals and other prepared foods at participating grocery stores, delis and restaurants.

1. **Introduction**

On September 18, 2019, the Committee on Economic Development, chaired by Council Member Paul A. Vallone, the Committee on Education, chaired by Council Member Mark Treyger, and the Committee on General Welfare, chaired by Council Member Stephen Levin, will hold a joint hearing on a legislative package containing bills related to food governance; hunger; food waste; school food and nutrition education; equitable access to healthy food; and urban agriculture.

Int. No. 1650 would require information on the Health Bucks program be provided to all individuals who receive or apply to receive supplemental nutrition assistance program benefits. Int. No. 1652 would ensure that community gardens are not classified as vacant land in the Primary Land Use Tax Lot Output (PLUTO) data set. Int. No. 1653 would require data collection on community gardens. Int. No. 1654 would require neighborhood-specific public awareness and education campaigns on farm-to-city projects. Int. No. 1659 would require the City to create a plan to identify and enroll seniors eligible for supplemental nutrition assistance benefits. Int. No. 1660 would create a good food purchasing program. Int. No. 1663 would establish an office of urban agriculture.

Int. No. 1664 would require the City develop a food policy plan. Int. No. 1666 would establish an office of food policy. Int. No. 1673 would require food waste prevention plans for all city agencies with food procurement contracts. Int. No. 1675 would require the City to mail information about summer meals to every student eligible for the federal free and reduced price lunch program. Int. No. 1676 would require the City report on efforts to implement scratch-cooked food service in all New York City schools. Int. No. 1680 would amend and expand food metrics reporting requirements. Int. No. 1681 would require food waste prevention plans for schools.

Res. No. 1024 calls upon the New York State Office of Temporary and Disability Assistance (OTDA) to expand eligibility for SNAP to public college students. Res. No. 1025 calls for New York State legislation to opt into the SNAP Restaurant Meals Program.

The Committees seek testimony from the Mayor’s Office of Food Policy (MOFP), the Human Resources Administration (HRA), the Department of Education (DOE), the Department of Health and Mental Hygiene (DOHMH), the Department of City Planning (DCP), the Department of Parks and Recreation (DPR), the Mayor’s Office of Sustainability (MOS), the Department of Sanitation (DSNY), the Department for the Aging (DFTA), the New York City Economic Development Corporation (NYCEDC), and advocates, experts, and practitioners on food justice, food security, regional farming, urban agriculture, school food, nutrition education, food businesses, fresh food access projects, and food waste.

1. **Background**

On August 1, 2019, New York City Council Speaker Corey Johnson released the report *Growing Food Equity in New York City: A City Council Agenda* (“*Growing Food Equity).*[[1]](#footnote-1) The report outlines budget and legislative proposals to build food equity in the areas of food governance; hunger; food waste; school food and nutrition education; equitable access to healthy food; and urban agriculture. Every person regardless of their income, race, gender, education, age, birthplace, or neighborhood should have equitable access to healthy food, which can come from many sources such as supermarkets, small grocers, non-profit stores, bodegas, restaurants, green carts, farmers’ markets, Community Supported Agriculture (CSA) programs, fresh food boxes, and community gardens. Yet many New Yorkers experience food insecurity and food-related illnesses, and there is inequitable access to fresh and healthy food options in many neighborhoods throughout the city, particularly in low-income communities of color.[[2]](#footnote-2)

There are numerous areas in our food system where more and improved interventions are needed to tackle food inequities. Many low-income areas continue to be underserved by affordable full-service grocery stores, and some gentrifying neighborhoods are losing affordable stores and gaining higher-priced ones. Farm-to-city programs like farmers’ markets, CSAs, and food box programs can struggle to compete in the food market with a growing influx of grocery and meal-delivery businesses and without growth in local farm businesses, who are themselves combatting low profit margins as they try to have competitive prices with other food retailers.[[3]](#footnote-3) Additionally, our food system has the opportunity to increase access to healthier, fresh, scratch-cooked meals to New York City’s 1.1 million school children. School food menus and kitchen and cafeteria infrastructure need significant investments to increase the participation rates and access to healthy food for our school-age children.

Further, New York City continues to face a “meal gap”—the number of missing meals that result from insufficient household resources to purchase food—of nearly 208 million meals.[[4]](#footnote-4) An estimated 1.09 million New Yorkers are "food insecure," meaning that they had difficulty at some time during the year accessing enough food due to a lack of resources.[[5]](#footnote-5) New York City’s food insecurity rate is 12% higher than the national rate, and 21% higher than New York State’s.[[6]](#footnote-6) While New York City’s current rate of food insecurity is declining, it is still higher than prior to the 2008 recession.[[7]](#footnote-7) From 2015-2017, 18% of all children, almost 9% of working adults, and almost 11% of seniors experienced food insecurity.[[8]](#footnote-8) Moreover, food insecurity is a significant challenge among college students. A March 2019 survey of 22,000 CUNY students across 19 campuses found almost half (48%) of respondents indicated that they experienced food insecurity in the previous 30 days.[[9]](#footnote-9)

Meanwhile, the inefficiency of our food system is staggering. While almost 41 million Americans do not have enough to eat, we also paradoxically waste food at alarming rates.[[10]](#footnote-10) Approximately 40% of all food grown in the U.S. is thrown away before it is eaten.[[11]](#footnote-11) Saving just one-third of food from becoming waste would feed the 41 million Americans who face hunger.[[12]](#footnote-12) On average, a New York City household wastes 8.7 pounds of food every week, despite that six pounds of this food is edible at the time it is thrown out.[[13]](#footnote-13) Food waste at individual and institutional levels can be curbed. Each year, 11 City agencies serve almost 240 million meals and snacks in a variety of settings, including schools, after school programs, public hospitals, and correctional facilities.[[14]](#footnote-14) Not only is this buying power an opportunity to reduce food waste, but to advance good food purchasing standards that help ensure that city-procured food advances goals that support five value areas: local economies, nutrition, valued workforce, animal welfare, and environmental sustainability.

The City also needs equitable access to green spaces, including through urban agriculture. Urban agriculture in New York City includes a rich history of community gardens, and newer food production and greening models, such as green roofs, and rooftop and vertical farms. Even after decades of existence, some community gardens still face struggles for survival against competing land interests. Urban agriculture spaces are key neighborhood assets in terms of food, education, community development, environmental protection, and improved health and quality of life. They are also one important tool cities have in the fight against climate change and the myriad of public health concerns that follow rising temperatures, such as asthma attacks and heat-related illnesses. Due to the “urban heat island effect,” cities are often two to eight degrees warmer than their neighboring suburban and rural areas.[[15]](#footnote-15) This is due to a combination of factors, including tall buildings, dark roofs and pavement that absorb heat, and lack of green space.[[16]](#footnote-16) The heat island effect is exacerbated in low-income communities of color that have long faced disinvestment and have less access to green space.[[17]](#footnote-17)

Government is uniquely positioned to partner with communities in the fight for a just and fair food system. Policy makers can ensure that systems are designed with food justice goals in mind to protect those most impacted by food inequities, and that more resources are reaching the communities where neighbors are engaged in this work. Government can also coordinate actions across agencies and systems, since we know that policy decisions made in areas like housing, environmental protection, climate change, criminal justice, education, transportation, and more have a direct impact on hunger, healthy food access, food business development, and green space. Yet food and agriculture work being done across many different City agencies continues without a codified, well-resourced office of food policy; a unified, comprehensive food plan with a formal community engagement strategy; or consistent and meaningful tools for measuring the impact of City agencies’ efforts to address food issues. Without governance reforms, the impact of City interventions to combat the social and economic food inequities that millions of our city’s residents combat each day remain limited.

*Growing Food Equity* includes tangible steps the City can take to make a difference in how our food system is run and ensure its risks and benefits are shared and not distributed inequitably. Along with budget priorities, *Growing Food Equity* outlines a legislative agenda to improve food equity, combat food insecurity and increase healthy food access for all New Yorkers. The following legislation is highlighted in *Growing Food Equity* and is being considered at today’s hearing.

1. **Legislation**

**Int. No. 1650**

Int. No. 1650 would require the HRA to provide information about the Health Bucks program and farmers markets to all individuals who receive or apply to receive SNAP benefits. Such information may be provided on paper or electronically, and would include how to receive health bucks, how health bucks may be spent and the location of farmers markets near the home address of SNAP applicants and recipients. This local law would take effect 90 days after it becomes law.

**Int. No. 1652**

Int. No. 1652 would require the DCP to categorize community gardens as open space, outdoor recreation, or other similar description, in the Primary Land Use Tax Lot Output (PLUTO) data set. Currently, the PLUTO database maintained by DCP and the Department of Finance classifies community gardens as vacant lots. This local law would take effect immediately.

**Int. No. 1653**

Int. No. 1653 would require the DPR to collect data on community gardens and issue an annual report summarizing this data. Additionally, this bill would require the DPR to study the citywide ecological impacts of community gardens. This bill would also direct the agency to develop a system to permit community gardens to operate farmers markets within community gardens. This local law would take effect 90 days after it becomes law, except that the department of parks and recreation shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules.

**Int. No. 1654**

Int. No. 1654 would require the DOHMH to conduct neighborhood-specific public awareness and education campaigns regarding the City’s farm-to-city projects, which includes farmers’ markets, community supported agriculture, food boxes, and fresh pantries. The Department would also be expected to post all relevant information to its website. This local law would take effect 90 days after it becomes law.

**Int. No. 1659**

Int. No. 1659 would require the Department of Social Services, working in collaboration with DFTA, to develop a plan to identify and enroll seniors who are eligible for supplement nutritional assistance benefits, but who are not yet enrolled to receive such benefits. While DFTA and City Meals on Wheels help screen homebound elderly New Yorkers for SNAP benefits, there are many seniors who are not connected to City services and unaware of the program. This local law would take effect immediately.

**Int. No. 1660**

Int. No. 1660 would create a good food purchasing program and advisory board. The advisory board would include the commissioners of agencies that execute food procurement contracts, seven members appointed by the Mayor and seven members appointed by the Speaker with knowledge of the good food purchasing program value categories. The advisory board would conduct baseline assessments of each agency’s food procurement processes, then develop and submit a five-year plan with one-year, three-year and five-year benchmarks. The advisory board would evaluate the contract bids that are submitted, and each agency may consider the board’s assessments. The advisory board would submit a progress report with recommendations to each agency, the Mayor and the Speaker, post the report on the website of the MOFP and hold a public hearing about its findings. This local law would take effect 120 days after it becomes law, except that the commissioners of each agency that executes food procurement contracts may take all actions necessary for its implementation including the promulgation of rules, before such effective date.

**Int. No. 1663**

Int. No. 1663 would establish an Office of Urban Agriculture and an Urban Agriculture Advisory Board. The Office of Urban Agriculture would conduct outreach, receive comments and respond to questions regarding urban agriculture, make recommendations about protecting and expanding urban agriculture, develop, in cooperation with other agencies and stakeholders, a comprehensive urban agriculture plan and make annual reports on progress made on such plan. The Urban Agriculture Advisory Board would consist of ten members and would advise and make recommendations regarding urban agriculture. This local law would take effect 120 days after it becomes law.

**Int. No. 1664**

Int. No. 1664 would require the MOFP develop a comprehensive 10-year food policy plan in consultation with agencies, community based organizations, community leaders and other stakeholders that focus on food policy, food equity, food justice and food insecurity. The plan would set goals to reduce hunger, improve nutrition, increase access to healthy food, reduce food waste, develop and improve food and farm economies, and increase urban agriculture and sustainability. The MOFP would also be required to submit to the Mayor, the Speaker of the Council, and post on its website a report assessing the city’s progress toward the identified goals. The assessment would be based on food metrics data gathered in accordance with section 3-120 of the administrative code. This local law would take effect 120 days after it becomes law; provided, however, that the mayor and any affected city agency may take any steps necessary for the implementation of this local law before such effective date.

**Int. No. 1666**

Int. No. 1666 would establish an Office of Food Policy. The office would be responsible for, among other things, developing and coordinating initiatives to promote access to healthy food in the city; increasing access to and utilization of food support programs; coordinating on the development of the annual food system metrics report with the office of long-term planning and sustainability; and working with the department of health and mental hygiene to update agency food standards. This local law would take effect 120 days after it becomes law, except that the mayor’s office shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

**Int. No. 1673**

Int. No. 1673 would require all city agencies with food procurement contracts to develop and implement a plan for reducing food waste. This bill would require each such agency to designate a coordinator to produce annual reports including information on the agency’s food waste prevention plan and measures taken to implement such plan. This local law would take effect 90 days after it becomes law, except that the commissioner shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

**Int. No. 1675**

Int. No. 1675 would require the DOE to mail information about summer meals to the home address of every student eligible for the federal free and reduced price lunch program. Although summer meals are available to every single person aged 18 and under across New York City, reports indicate that the program is under-utilized. This local law would take effect immediately.

**Int. No. 1676**

Int. No. 1676 would require the DOE to report to the council information regarding the Department’s efforts to implement scratch-cooked food service in schools and related nutrition and health programming. This local law would take effect immediately and is deemed repealed 120 days after submission of the report required by this local law.

**Int. No. 1680**

Int. No. 1680 would require the Office of Long-Term Planning and Sustainability to expand its annual Food System Metrics Report to include additional information regarding: (1) the changing patterns of the retail availability of food; (2) the number of people eligible for public food programs but not enrolled; (3) the number of retailers who accept SNAP or other public benefits; (4) the density of fast-food establishments; (5) the number and percent of sub-populations experiencing food insecurity; and (6) the metrics charting progress towards reducing inequities in the distribution of food and diet-related diseases. OLTPS would also need to consider other sources of citywide data in developing the annual Food System Metrics Report. This local law would take effect 90 days after it becomes law.

**Int. No. 1681**

Int. No. 1681 would require the Chancellor of the DOE to work with school sustainability coordinators to develop a plan for reducing food waste. This plan would be submitted to DSNY for recommendations, as well as the Speaker of the Council. The bill would require DOE to submit an annual report with information on DOE’s actions to implement its food waste prevention plan and the Chancellor’s updates to such plan. This local law would take effect 90 days after it becomes law.

**Res. No. 1024**

Res. No. 1024 calls upon the New York State Office of Temporary and Disability Assistance (OTDA) to expand eligibility for the Supplemental Nutrition Assistance Program (SNAP) to public college students. New York should join Pennsylvania, Massachusetts, Illinois, and New Jersey in taking state action to increase college students’ eligibility for SNAP. Due to federal law, most able-bodied students who are enrolled in college at least half-time are not eligible for SNAP unless they meet certain criteria. However, states can expand the regulations addressing college students’ eligibility for SNAP to include any program that qualifies as “career and technical education” under the Carl D. Perkins Career and Technical Education Act of 2006. This could include programs that provide a recognized postsecondary credential or certificate, or that provide skills needed to prepare for further education and careers in current or emerging professions.

**Res. No. 1025**

Res. No. 1025 calls upon the New York State Legislature to pass, and the Governor to sign, legislation to opt into the SNAP Restaurant Meals Program to allow disabled, elderly and homeless SNAP recipients to use their benefits on hot meals and other prepared foods at participating grocery stores, delis and restaurants. Some disabled, elderly, or homeless SNAP recipients cannot easily cook meals or do not have access to needed kitchen facilities. Currently in New York State, SNAP recipients cannot use their benefits to purchase prepared foods. However, any state can allow for the purchase of prepared food by opting into the Restaurant Meals Program authorized under the 1977 Farm Bill. Currently Illinois, Arizona, 11 counties in California and one county in Rhode Island participate in the program.

Int. No. 1650

By Council Members Adams and Kallos

..Title

A Local Law to amend the administrative code of the city of New York, in relation to the provision of information regarding the health bucks program and farmers markets

..Body

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-131.2 to read as follows:

§ 21-131.2 Information regarding health bucks and farmers markets. a. Definitions. For purposes of this section, the term “health bucks” means the coupons issued by the department of health and mental hygiene for use at farmers markets provided to recipients of supplemental nutrition assistance program benefits.

b. The department, in collaboration with the department of health and mental hygiene, shall provide information regarding health bucks and farmers markets in the city to each individual who receives or applies to receive supplemental nutrition assistance program benefits. Such information may be provided on paper or electronically and shall include, but need not be limited to, how to receive health bucks, how health bucks may be spent and the location of farmers markets near the home address of such individual.

§ 2. This local law takes effect 90 days after it becomes law.

NAB

LS # 6074

7/24/19

Int. No. 1652

By Council Members Ampry-Samuel and Kallos..Title

A Local Law to amend the administrative code of the city of New York, in relation to ensuring that community gardens are not classified as vacant land by the department of city planning..Body

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 25 of the administrative code of the city of New York is amended to add a new section 25-116, to read as follows:

§ 25-116. Community gardens. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Community garden. The term “community garden” means a garden registered with the department of parks and recreation that is located on city-owned property and is appropriate for the cultivation of herbs, fruit, flowers, nuts, honey, poultry for egg production, maple syrup or vegetables.

Land Use Category. The term “land use category” means a value assigned by the department of city planning to each tax lot in the primary land use tax lot output database that describes how the tax lot is being used.

Primary Land Use Tax Lot Output database. The term “primary land use tax lot output database” means the data file compiled and maintained by the department of city planning that contains land use and geographic data at the tax lot level, or any successor data file that is similar in form or function.

b. The department of city planning shall not assign community gardens the land use category of vacant in the primary land use tax lot output database, but shall instead assign such lots a land use category describing the lots as open space, outdoor recreation, or other similar description.

§ 2. This local law takes effect immediately.

AW

LS #9627

8/1/19

Int. No. 1653

By Council Members Ampry-Samuel and Kallos

..Title

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of parks and recreation to collect and report data regarding community gardens reporting and permitting the sale of agriculture within community gardens

..Body

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 18 of the administrative code of the city of New York is amended to add new sections 18-156 and 18-157 to read as follows:

§ 18-156 Community garden data collection and reporting. a. Definitions. For the purposes of this section, the term “community garden” means a garden authorized by the department of parks and recreation that is located on city-owned property and is appropriate for the cultivation of herbs, fruit, flowers, nuts, honey, poultry for egg production, maple syrup or vegetables.

b. Data collection and reporting. Not later than July 1, 2020, and annually thereafter, the department shall submit to the speaker of the council and publish on its website a report containing the following information about each community garden authorized by the department:

1. Number of garden members;

2. Number of trees in the garden;

3. Pounds of compost produced;

4. Pounds of produce grown in the garden;

5. Pounds of produce donated by each garden;

6. Number of bee hives maintained in each garden;

7. Number of chicken coops maintained in each garden;

8. Dollar amount of supplemental nutritional assistance program funds used to purchase produce from each garden;

9. Dollar amount of special supplemental nutrition program for women, infants and children farmers’ market nutrition program funds used to purchase produce from each garden;

10. Dollar amount of seniors farmers’ market nutrition program funds used to purchase produce from each garden;

11. Dollar amount of health bucks used to purchase produce from each garden;

12. Annual revenue generated by each garden, including source of revenue;

13. Annual costs incurred by each garden;

14. Number of urban agricultural education events conducted by each garden, including number of participants;

15. Number of arts and cultural events sponsored by each garden;

16. Hours of agricultural workforce development training provided by each garden;

17. Number of full-time and part-time positions funded by community gardening groups, or any nonprofit, botanical garden, or other organization that relates to the support of community gardening; and

18. Number of hours per week each garden is accessible to the general public.

c. Ecological impacts study. No later than one year after the effective date of the local law that added this section, the department shall conduct and submit to the speaker of the city council and post on its website a study of the citywide ecological impacts of community gardens. Such study shall include, but not be limited to, the following:

1. The amount of carbon dioxide and other greenhouse gases in the atmosphere;

2. Storm water runoff and storm water management systems; and

3. The urban heat island effect.

§ 18-157 Community garden farmer’s markets. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Community gardener. The term “community gardener” means a registered member of a community garden, as defined in section 18-156.

Farmers market. The term “farmers market” means a market operated on city-owned property wherein farmers can sell produce directly to consumers.

b. The department shall establish a program to permit community gardeners to operate farmers markets for the sale of produce cultivated within community gardens.

§ 2. This local law takes effect 90 days after it becomes law, except that the department of parks and recreation shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules.

AW

LS #11578

8/6/19

Int. No. 1654

By Council Members Ayala and Kallos

..Title

A Local Law to amend the administrative code of the city of New York, in relation to neighborhood awareness campaigns regarding farm-to-city projects

..Body

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.12 to read as follows:

§ 17-199.12 Farm-to-city projects. a. Definitions. As used in this section, the following terms have the following meanings:

CSA. The term “CSA” means community supported agriculture partnerships, usually formed between farms and consumers, which allow communities or community members to invest in farms in exchange for regular receipt of such farms’ produce.

Farm-to-city project. The term “farm-to-city project” refers to neighborhood- or community-based local fresh food projects, which include, but are not limited to, CSAs, farmers’ markets, food boxes and fresh pantries.

Farmers’ market. The term “farmers’ market” means an open-air market held for the sale of products grown, raised, caught or baked by regional farmers, producers and fishers to the general public and that does not have a fundraising component. A farmers’ market may be run a large, centrally-managed network, or by a single community organization, garden group, neighborhood or community.

Food box. The term “food box” means a program that aggregates fresh produce from participating providers and enables consumers to purchase or acquire fresh, regionally-grown produce at a set price that is typically below retail value.

Fresh pantry. The term “fresh pantry” means a program that collects fresh produce from local providers and donates them at no cost to local food pantries, homeless facilities, soup kitchens and other community centers for distribution.

b. Neighborhood-specific awareness campaign. The department shall develop materials and conduct neighborhood- and community district-specific public awareness campaigns and culturally-sensitive education campaigns, in each of the designated citywide languages as defined in section 23-1101, regarding all farm-to-city projects available in each community district and neighborhood throughout all five boroughs. The department shall also post all relevant information, broken out by neighborhood, community district and zip code, on its website.

§ 2. This local law takes effect 90 days after it becomes law.

SIL

LS #11590

07/29/19

Int. No. 1659

By Council Members Chin and Kallos..Title

A Local Law to amend the administrative code of the city of New York, in relation to a plan to identify and enroll seniors eligible for supplemental nutrition assistance benefits..Body

Be it enacted by the Council as follows:

Section 1. Section 21-131.1 of the administrative code of the city of New York, as added by local law number 134 for the year 2017, is amended by adding a new subdivision e to read as follows:

e. The annual report required in subdivision d of this section shall:

1. Identify the specific barriers to enrolling and recertifying eligible seniors who would benefit from participation in the supplemental nutrition assistance program, with particular consideration given to seniors who are unable to travel to senior centers, whether due to physical limitation or lack of access to transportation or other reason, and seniors who are not receiving other city-provided services; and

2. Set forth the department’s plan, developed in collaboration with the department for the aging, to overcome such barriers to enrollment and recertification, including, but not limited to, any plan to implement a mobile enrollment and recertification program to reach eligible seniors who are unable to travel to senior centers and who are not receiving other city-provided services.

§ 2. This local law takes effect immediately.

NC

LS #6490

7/18/19

Int. No. 1660

By Council Members Cohen and Kallos

..Title

A Local Law to amend the administrative code of the city of New York, in relation to creating a good food purchasing program

..Body

Be it enacted by the Council as follows:

Section 1. Title 6 of the administrative code of the city of New York is amended by adding a new section 6-130.1 to read as follows:

§ 6-130.1 Good Food Purchasing Program. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Good food purchasing program. The term “good food purchasing program” means a program that sets standards and goals for food procurement by city agencies and provides a comprehensive set of tools, technical support and a verification system to assist city agencies in meeting those goals over time.

Value categories. The term “value categories” means the five values that are the basis for the food procurement standards and goals included in the good food purchasing program, which are environmental sustainability, local economies, health, valued workforce and animal welfare.

b. Standards. The mayor’s office of food policy shall establish a good food purchasing program that shall be based on value categories. The mayor’s office of food policy shall reevaluate the standards and goals of such program every five years.

c. Good Food Purchasing Advisory Board. The application of the good food purchasing program established pursuant to subdivision b shall be overseen by a good food purchasing advisory board. The mayor’s office of food policy shall convene such advisory board. Such advisory board shall include the following members:

1. The commissioner of each agency that executes food procurement contracts or such commissioner’s designee;

2. Seven members appointed by the mayor, including an individual with knowledge regarding all five value categories, an environmental sustainability advocate, an expert in nutrition, an individual representing food system workers, an animal welfare advocate, an individual representing local farm owners and an individual representing local farm workers; and

3. Seven members appointed by the speaker of the council, including an individual with knowledge regarding all five value categories, an environmental sustainability advocate, an expert in nutrition, an individual representing food system workers, an animal welfare advocate, an individual representing local farm owners and an individual representing local farm workers.

d. Baseline assessment and report. On or before December 1, 2020, and annually thereafter, the advisory board shall conduct a baseline assessment of the food procurement process for each agency that executes food procurement contracts and publish a report with its findings. Such baseline assessment shall evaluate the food procurement contracts of each agency and how such contracts meet the goals of the good food purchasing program. The reports required pursuant to this subdivision shall be posted on the website of the mayor’s office of food policy.

e. Agency procurement goals and plans. Within six months of completing the initial baseline assessment required by subdivision d, the advisory board shall develop and submit to each agency a five-year plan that includes one-year, three-year and five-year benchmarks to measure each agency’s progress toward achieving the good food purchasing program goals. Such plan shall include a process for each agency to consult with the advisory board regarding incorporating good food purchasing program standards into the agency’s requests for proposals, at the agency’s discretion. Such plans shall be reevaluated and revised by the advisory board every five years thereafter based on the progress of each agency in achieving the good food purchasing standards.

f. Bid assessment. The advisory board shall evaluate food procurement contract bids that are submitted in response to the requests for proposal of each agency that solicits food procurement contracts. Each bid shall be evaluated and scored under the good food purchasing standards. The board shall complete such evaluation and score and submit it to the relevant agency for consideration within 30 days of receipt of the complete bid. Each agency may consider the advisory board’s assessment and score as part of its evaluation of the food procurement bids it receives. Such evaluations and scores shall also be posted on the website of the mayor’s office of food policy.

g. Progress Report. On or before June 1, 2020, and annually thereafter, the advisory board shall submit a report and recommendations to each agency that solicits food procurement contracts regarding its progress toward achieving the good food purchasing standards and hold a public hearing regarding the results of the progress report. Such report shall also be submitted to the mayor and the speaker of the council, and posted to the website of the mayor’s office of food policy.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioners of each agency that executes food procurement contracts may take all actions necessary for its implementation including the promulgation of rules, before such effective date.

JG

LS # 10095

07/25/19 10:40 AM

Int. No. 1663

By Council Members Espinal and Kallos

..Title

A Local Law to amend the New York city charter, in relation to establishing an office of urban agriculture and an urban agriculture advisory board

..Body

Be it enacted by the Council as follows:

Section 1. Chapter one of the New York city charter is amended by adding a new section 20-e to read as follows:

§ 20-e. Office of urban agriculture. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Director. The term “director” means the director of the office of urban agriculture.

Office. The term “office” means the office of urban agriculture.

b. The mayor shall establish an office of urban agriculture within the office of long-term planning and sustainability. Such office shall be headed by a director who shall be appointed by the mayor and shall additionally employ at least one staff member who has expertise in urban planning.

c. Powers and duties. The director shall have the power and the duty to:

1. Conduct education and outreach to promote urban agriculture and inform the public about urban agriculture, its benefits and ways to participate;

2. Receive comments and respond to inquiries related to urban agriculture;

3. Make recommendations to the office of long-term planning and sustainability and the heads of relevant agencies with respect to protecting and expanding urban agriculture for the purposes of sustainability, resiliency, environmental protection, health, community development and small business planning;

4. Develop the urban agriculture plan required pursuant to section 3-131 of the administrative code, and beginning one year following the submission of the urban agriculture plan and annually thereafter, submit to the mayor and speaker of the council and post on the office's website a report detailing progress made on the recommendations, initiatives and priorities that result from such plan; and

5. Establish a program in coordination with the office of long-term planning and sustainability, office of food policy, department of parks and recreation, department of city planning, department of housing preservation and development and other relevant agencies to:

(a) Ensure that policies are in place to implement the urban agriculture plan required pursuant to section 3-131 of the administrative code;

(b) Support technical research for advancing urban agriculture legislation and policy within the city; and

(c) Receive and respond to comments, questions and complaints with respect to such program.

d. The mayor shall establish an urban agriculture advisory board to advise the director, mayor and the council on issues relating to urban agriculture.

1. The urban agriculture advisory board shall be composed of the following members:

(a) One expert in urban agriculture policy, appointed by the speaker of the council;

(b) Three advocates who specialize in urban agriculture businesses, such as urban agriculture technology and urban agriculture companies and collectives, two appointed by the mayor and one appointed by the speaker of the council;

(c) Three advocates who are knowledgeable about community gardens or community land trusts, two appointed by the mayor and one appointed by the speaker of the council; and

(d) Three advocates from organizations that work on justice-related issues in the context of urban agriculture, such as climate justice, restorative justice and social justice, two appointed by the speaker of the council and one appointed by the mayor.

2. Each member of the urban agriculture advisory board shall serve at the pleasure of the officer who appointed the member. In the event of a vacancy on the task force, a successor shall be selected in the same manner as the original appointment. All members of the urban agriculture advisory board shall serve without compensation.

3. The urban agriculture advisory board shall keep a record of its deliberations and determine its own rules of procedure, which shall include a procedure or mechanism by which members of the public may make submissions to the board. The first meeting of the urban agriculture advisory board shall be convened within 120 days after the effective date of the local law that added this section.

4. Within 18 months of the effective date of the local law that added this section, the urban agriculture advisory board shall submit recommendations to the director, the mayor and the council. After such date, the urban agriculture advisory board may submit recommendations to the director, the mayor and the council as appropriate.

§ 2. This local law takes effect 120 days after it becomes law.

NAB

LS #4391

8/5/19

Int. No. 1664

By Council Members Gibson, Levine and Kallos

..Title

A Local Law to amend the New York city charter, in relation to requiring the office of food policy to formulate a 10-year food policy plan..Body

Be it enacted by the Council as follows:

Section 1. Chapter 1 of the New York city charter, as added by a local law of the city of New York for the year 2019 amending the administrative code of the city of New York, relating to the office of food policy, as proposed in introduction number , is amended by adding a new subdivision d to read as follows:

d. Food policy plan. 1. The office of food policy shall develop a comprehensive 10-year food policy plan in consultation with agencies, community based organizations, community leaders and other stakeholders that focus on food policy, food equity, food justice and food insecurity. Such plan shall, at a minimum, address the following goals:

(a) Reducing hunger;

(b) Improving nutrition;

(c) Increasing access to healthy food;

(d) Reducing food waste;

(e) Developing and improving food and farm economies; and

(f) Increasing urban agriculture and sustainability.

2. Such plan shall include a strategy and framework for agencies to achieve food policy goals and benchmarks by which to measure the city’s progress.

3. Within 18 months of the effective date of the local law that added this section, and every two years thereafter, the office of food policy shall prepare and submit to the mayor, the speaker of the council, and post on the office’s website, a report that assesses the city’s progress toward the goals identified in paragraph 1 of this subdivision and any additional food policy goals set by such office. Such assessment shall be based on the food metrics data gathered pursuant to section 3-120 of the administrative code.

§ 2. This local law takes effect 120 days after it becomes law; provided, however, that the mayor and any affected city agency may take any steps necessary for the implementation of this local law before such effective date.

JG

LS # 5814/6177

07/25/19 4:43 PM

Int. No. 1666

By Council Member Kallos and the Speaker (Council Member Johnson)

..Title

A Local Law to amend the New York city charter, in relation to the establishment of an office of food policy

..Body

Be it enacted by the Council as follows:

Section 1. Chapter 1 of the New York city charter is amended by adding a new section 20-H to read as follows:

                     § 20-H. Office of food policy. a. Definitions. For the purposes of this section the following terms have the following meanings:

Director. The term “director” means the director of the office of food policy.

b. There shall be an office of food policy. Such office may, but need not, be established in the executive office of the mayor and may be established as a separate office or within any other office of the mayor or within any department the head of which is appointed by the mayor. Such office shall be headed by a director who shall be appointed by the mayor or by the head of such department. The director shall hire staff for such office as needed.

                     c. Powers and duties. The director shall have the power and duty to:

                     1. develop and coordinate initiatives to promote access to healthy food for all residents of the city of New York;

                     2. increase access to and utilization of food support programs for those who cannot afford to purchase food;

                     3. coordinate with the office of long term planning and sustainability on the development of the annual food system metrics report as established by section 3-120 of the code; and

                     4. work with the commissioner of health and mental hygiene to update the city agency food standards for all meals or food supplies that are purchased, prepared or served in agency programs or other relevant settings.

§2.  This local law shall take effect takes effect 120 days after it becomes law, except that the mayor’s office shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

ARP

LS # 4044/5442

8/7/2019 12:17 PM

Int. No. 1673

By Council Members Rivera and Kallos

..Title

A Local Law to amend the administrative code of the city of New York, in relation to city agency food waste prevention plans

..Body

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 3 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-307.2 to read as follows:

§ 16-307.2 City agency food waste. a. Definitions. As used in this section, the following terms have the following meanings:

Covered agency. The term “covered agency” means every city agency that enters into a food purchase contract.

Food products. The term “food products” means the types of fresh fruits, vegetables and field crops identified on the list promulgated by the New York state commissioner of agriculture and markets pursuant to subdivision eight-a of New York general municipal law section 103.

Food purchase contract. The term “food purchase contract” means any contract entered into by an agency for the direct purchase of food products or processed food.

Processed food. The term “processed food” means the types of foods that have been altered from their natural state, using methods including, but not limited to, canning, freezing, cooking, mixing, chopping, refrigeration, dehydration, liquefaction, and emulsification identified on the list promulgated by the New York state commissioner of agriculture and markets pursuant to subdivision eight-a of section 103 of New York general municipal law.

Surplus food. The term “surplus food” means any food products or processed food obtained through a food purchase contract that is not used for the purpose for which it was purchased and that would otherwise be discarded or uneaten.

b. Agency food waste prevention plans. Every covered agency shall, no later than July 1, 2020, prepare and submit to the commissioner for approval, a food waste prevention plan. The commissioner shall submit each approved agency food waste prevention plan to the speaker of the council not later than seven days after such approval. Such plan shall conform to applicable provisions of law and, at a minimum:

1. Identify surplus food that may be safely donated;

2. Identify methods to reduce the amount of surplus food;

3. Develop procedures for the safe, efficient donation of surplus food; and

4. Include any other provisions as are necessary for the reduction of surplus food and the handling of surplus food that may be donated.

c. Food waste prevention coordinator. Upon approval of an agency’s food waste prevention plan by the commissioner, each covered agency shall designate a coordinator to oversee implementation of the plans required in subdivision b.

d. Report. On or before January 1, 2021 for the period between the date of enactment of the local law that added this section through January 1, 2021, and annually thereafter for the previous 12-month reporting period, each agency food waste prevention coordinator established pursuant to subdivision c shall submit a report to the head of such coordinator’s respective agency and to the commissioner. Such report shall include, at a minimum:

1. A summary of actions taken to implement the food waste prevention plan;

2. Proposed actions to be taken to implement such plan; and

3. Updates or changes to any information included in such plan.

The department shall consolidate the information contained in all reports prepared pursuant to this subdivision and include such information as part of the department’s annual recycling report required pursuant to subdivision k of section 16-305 of this chapter.

§ 2. This local law takes effect 90 days after it becomes law, except that the commissioner shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

AS

LS # 9274

8/7/19

Int. No. 1675

By Council Members Rose, Kallos and Chin

..Title

A Local Law to amend the administrative code of the city of New York, in relation to the distribution of information regarding summer meals

..Body

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 21-979 of the administrative code of the city of New York, as added by local law number 4 for the year 2018, is amended to read as follows:

b. No later than June 1, 2018, and annually thereafter no later than June 1, the department shall make available information regarding summer meals including, but not limited to, locations where such meals will be available, the times and dates during which such meals will be available and any guidelines regarding eligibility for such meals. Such information shall be:

1. posted on the department’s website, the website of any city agency collaborating with the department and the website of the 311 customer service center; [and]

2. distributed to council members, borough presidents, community boards, community education councils, parent associations and parent teacher associations[.] ; and

3. mailed to the home address of every student eligible for the federal free and reduced price lunch program and shall include the three locations nearest to each such address where such meals will be available.

§ 2. This local law takes effect immediately.

NAB

LS #11650

7/30/19

Int. No. 1676

By Council Members Rosenthal and Kallos

..Title

A Local Law in relation to requiring the department of education to report on implementing scratch-cooked school food service

..Body

Be it enacted by the Council as follows:

Section 1. Scratch-Cooked School Food Service. a. Definitions. For purposes of this section, the following terms have the following meanings:

Department. The term “department” means the department of education.

Scratch-cooked food service. The term “scratch-cooked food service” means food service that prioritizes the preparation of meals or snacks on a daily basis at or near the site of consumption with ingredients in their most basic form.

b. No later than 180 days after the effective date of this local law, the department shall submit to the speaker of the council a report regarding its efforts to implement scratch-cooked food service in all schools in the city school district of the city of New York. Such report shall:

1. Describe the department’s efforts, including, but not necessarily limited to, those made in partnership with any external provider, to implement scratch-cooked food service in schools, including a list of the schools in which such efforts have been made, a list of any such external providers, and an assessment of the effect of such efforts on participation in, and satisfaction with, school food services and waste of school-provided food;

2. Describe the department’s efforts to accommodate the special dietary needs of participants of scratch-cooked food service, including the department’s consideration of the cultural customs of food service participants in meal planning;

3. Describe the department’s efforts to provide age-appropriate nutrition education to students, in particular in connection with scratch-cooked food service, toward the goal of improving students’ understanding of the role of nutrition in physical and mental health; and

4. Identify barriers, if any, to the department’s ability to implement a city-wide scratch-cooked food service program that incorporates culturally appropriate meals and age-appropriate nutrition education.

§ 2. This local law takes effect immediately and is deemed repealed 120 days after submission of the report required by section 1 of this local law.

NC

LS #9122

7/10/19

Int. No. 1680

By Council Members Vallone, the Speaker (Council Member Johnson) and Kallos

..Title

A Local Law to amend the administrative code of the city of New York, in relation to reporting requirements regarding the production, processing, distribution and consumption of food in the city required by Local Law 52 of 2011

..Body

Be it enacted by the Council as follows:

Section 1. Paragraphs 19 and 20 of subdivision a of section 3-120 of subchapter 2 of chapter 1 of title 3 of the administrative code of the city of New York, as amended by local law number 52 for the year 2011, are amended to read as follows:

19. the number of vendors at greenmarkets, farmers' markets and similar markets operated by the council on the environment of New York city or any successor entity, and the average number of vendors at such markets, sorted by borough; [and]

20. for the report due no later than September first, two thousand fourteen, and in every report thereafter, contents of the report on food security as required by subdivision j of section 20 of the charter;

§ 2. Subdivision a of section 3-120 of subchapter 2 of chapter 1 of title 3 of the administrative code of the city of New York, as amended by local law number 52 for the year 2011, is amended by adding new paragraphs 21, 22, 23, 24, 25 and 26 to read as follows:

21. the changing patterns of the retail availability of food, disaggregated by neighborhood;

22. the number of individuals or households eligible for public food programs but not enrolled in such programs, disaggregated by race, age and gender of the individual, and disaggregated by community district for households;

23. the number of retailers who accept SNAP or other benefits, disaggregated by community district;

24. the density of fast food establishments, where such term has the same meaning as set forth in section 20-1201 of the code, disaggregated by community district;

25. the number and percent of various sub-populations experiencing food insecurity based on most recent available census data; and

26. the metrics charting progress towards reducing socioeconomic, racial and ethnic inequities in the distribution of food insecurity and diet-related diseases.

§ 3. Section 3-120 of subchapter 2 of chapter 1 of title 3 of the administrative code of the city of New York, as amended by local law number 52 for the year 2011, is amended by adding a new subdivision a-1 to read as follows:

a-1. The report required by subdivision a of this section shall incorporate other sources of data including, but not limited to, the mayor’s management report, annual city budget reports, the department of health’s annual community health surveys and restaurant data, the department of education’s reports on the use of school meals, and the New York state department of agriculture and markets’ food retail database.

§ 2. This local law takes effect 90 days after it becomes law.

YJY/ARP

LS # 5813

7/29/19 11:24 AM

Int. No. 1681

By Council Members Van Bramer and Kallos

..Title

A Local Law to amend the administrative code of the city of New York, in relation to school food waste prevention plans

..Body

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 3 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-307.2 to read as follows:

§ 16-307.2 School food waste. a. Definitions. As used in this section, the following terms have the following meanings:

Chancellor. The term “chancellor” means the chancellor of the city school district of the city of New York.

Food products. The term “food products” means the types of fresh fruits, vegetables and field crops identified on the list promulgated by the New York state commissioner of agriculture and markets pursuant to subdivision 8-a of section 103 of the general municipal law.

Food purchase contract. The term “food purchase contract” means any contract entered into by the department of education for the direct purchase of food products or processed food.

Processed food. The term “processed food” means the types of foods that have been altered from their natural state, using methods including, but not limited to, canning, freezing, cooking, mixing, chopping, refrigeration, dehydration, liquefaction, and emulsification identified on the list promulgated by the New York state commissioner of agriculture and markets pursuant to subdivision 8-a of section 103 of the general municipal law.

School. The term “school” means a school of the city school district of the city of New York.

Surplus food. The term “surplus food” means any food product or processed food obtained through a food purchase contract that is not used for the purpose for which it was purchased and that would otherwise be discarded or uneaten.

b. Food waste prevention plan. No later than July 1, 2020, the chancellor shall prepare and submit to the commissioner a food waste prevention plan, in consultation with the sustainability coordinators designated pursuant to subdivision c of section 16-307.1. Such plan shall include, but need not be limited to, the following information:

1. Any foods served by schools that the chancellor determines may be safely donated;

2. Any methods the chancellor has identified to reduce the amount of surplus food in schools;

3. Any procedures the chancellor has identified that would allow the department of education or a school to donate surplus food safely and efficiently; and

4. Any other provisions that the chancellor determines would further the reduction of surplus food and improvement of the handling of surplus food that may be donated by the department of education or a school.

c. Review by commissioner. The commissioner shall review the plan required pursuant to subdivision b of this section within 30 days of its submission and shall submit recommendations on the plan to the chancellor. The commissioner shall simultaneously submit a copy of the chancellor’s plan and the commissioner’s recommendations to the speaker of the council.

d. Report. On or before February 1, 2021, and annually thereafter, the department of education’s sustainability director designated pursuant to subdivision a of section 16-307.1, in consultation with the sustainability coordinators designated pursuant to subdivision c of section 16-307.1, shall submit a report to the chancellor and to the commissioner. Such report shall include, at a minimum, for the preceding calendar year:

1. A summary of actions taken to implement the food waste prevention plan;

2. A summary of actions that the chancellor proposes be taken to implement such plan; and

3. Any updates or changes the chancellor makes to any information included in such plan.

e. The department shall include the information contained in the report prepared pursuant to subdivision d of this section as part of the department’s annual recycling report required pursuant to subdivision k of section 16-305.

§ 2. This local law takes effect 90 days after it becomes law.

JG

LS # 10402

8/7/19

Res. No. 1024

..Title

Resolution calling upon the New York State Office of Temporary and Disability Assistance (OTDA) to expand eligibility for the Supplemental Nutrition Assistance Program (SNAP) to public college students.

..Body

By Council Members Louis, Kallos and Chin

Whereas, Students at community colleges are more likely to come from low-income families (71 percent) than students at senior colleges (54 percent); and

Whereas, Recent studies have suggested that food insecurity may present an impediment to students reaching their academic goals; and

Whereas, Food insecurity is the lack of access, at times, to enough nutritionally adequate food for an active, healthy life for all members of a household; and

Whereas, One recent study of basic needs insecurity among college students found that 36 percent of all university students were food insecure, while finding significantly higher percentages of 56 percent and 42 percent among community college students in the last two years of the study, respectively; and

Whereas, Locally, in 2011, researchers at the City University of New York (CUNY) estimated that 39 percent of CUNY students were food insecure; and

Whereas, A small survey of low-income students at CUNY found that 74 percent experienced “very low food security” while the remaining 26 percent experienced “low food security”; and

Whereas, Another recent survey study cites that one in four CUNY students, or approximately 60,000 undergraduates, experience food insecurity; and

Whereas, The Supplemental Nutrition Assistance Program (SNAP, formerly known as the Food Stamp Program) is the nation's largest domestic food and nutrition assistance program, providing assistance to millions of eligible low-income people; and

Whereas, SNAP provides assistance to recipients by offering monthly electronic benefits that can be used to purchase food at authorized stores and farmers’ markets; and

Whereas, Benefit levels for SNAP are based on criteria including, but not limited to, household size and income levels; and

Whereas, To participate in SNAP, a student in college at least half time must meet the income eligibility for SNAP and be employed for an average of 20 hours per week; and

Whereas, If a college student-is enrolled in a SNAP Employment and Training (SNAP E&T) program, they are exempt from the 20 hour work requirement; and

Whereas, Federal regulations allow states to determine whether certain training programs not funded under the SNAP program are comparable to a SNAP E&T activity; and

Whereas, Students enrolled in a training program that has been deemed comparable to a SNAP E&T activity may receive SNAP if otherwise eligible; and

Whereas, Some states, such as Pennsylvania and Massachusetts, have made regulatory changes to their state SNAP programs to expand eligibility to community college students by determining their enrollment in community college is comparable to a SNAP E&T activity; and

Whereas, As the State agency that administers SNAP, the New York State Office of Temporary and Disability Assistance (OTDA) should certify academic programs within CUNY and State University of New York (SUNY) as comparable to a SNAP E&T program so that students will be eligible for SNAP; and

Whereas, As low-income public college students are elevating their job prospects and earning potential, they should not be denied access to benefits providing a basic necessity; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Office of Temporary and Disability Assistance (OTDA) to expand eligibility for the Supplemental Nutrition Assistance Program (SNAP) to public college students.

CP

LS 10111

7/29/19

Res. No. 1025

..Title

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation to opt into the Supplemental Nutrition Assistance Program (SNAP) Restaurant Meals Program to allow disabled, elderly and homeless SNAP recipients to use their benefits on hot meals and other prepared foods at participating grocery stores, delis and restaurants.

..Body

By Council Members Louis, Kallos and Chin

Whereas, According to Feeding America, the nation’s leading hunger-relief organization, 1.2 million New Yorkers were food insecure in 2017; and

Whereas, Food insecurity is the lack of access, at times, to enough nutritionally adequate food for an active, healthy life for all members of a household; and

Whereas, New York City’s food insecurity rate is 12 percent higher than the national rate, and 21 percent higher than the New York State rate; and

Whereas, The Supplemental Nutrition Assistance Program (SNAP), formerly known as the Food Stamp Program, is the cornerstone of the nation’s safety net and nutrition assistance programs, providing assistance to millions of eligible low-income people; and

Whereas, Benefit levels for SNAP are based on criteria including, but not limited to, household size and income levels; and

Whereas, SNAP provides assistance to recipients by offering monthly electronic benefits that can be used to purchase food at authorized stores and farmers’ markets; and

Whereas, SNAP not only helps low-income people purchase food, but it also provides an economic benefit to communities; and

Whereas, As of May 2019, over 1.5 million people were receiving SNAP benefits in New York City; and

Whereas, Currently in New York, SNAP recipients cannot use their benefits to purchase prepared foods; and

Whereas, However, any state can allow for the purchase of prepared food with SNAP by opting into the Restaurant Meals Program authorized under the United States Food and Agriculture Act of 1977 (known as the Farm Bill); and

Whereas, The United States Department of Agriculture, which funds and runs SNAP, allows states to make restaurants available to SNAP recipients who are aged 60 and over, have proof of disability or have a homeless certification letter from a shelter or other provider; and

Whereas, Currently Illinois, Arizona, 11 counties in California and one county in Rhode Island participate in the program; and

Whereas, Allowing the disabled and elderly to use SNAP benefits for prepared meals will help those who may have physical limitations to preparing a meal; and

Whereas, New Yorkers experiencing homelessness can only use their SNAP benefits on limited items that do not require cooking due to lack of access to cooking facilities; and

Whereas, While the Department of Homeless Services provides meals to these individuals at their homeless shelter or commercial hotel, SNAP recipients who are experiencing homelessness do not have the flexibility to buy food on the go and choose their own food; and

Whereas, Allowing SNAP benefits to be used on prepared foods would allow people the choice and flexibility to use their SNAP benefits to feed themselves and their families; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, legislation to opt into the Supplemental Nutrition Assistance Program (SNAP) Restaurant Meals Program to allow disabled, elderly and homeless SNAP recipients to use their benefits on hot meals and other prepared foods at participating grocery stores, delis and restaurants.

CP

LS 11577

7/31/19

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2. Id. at 4-6 [↑](#footnote-ref-2)
3. Kyle Lawson, Membership groups offering farm fresh food on Staten Island struggle with declining participation. Staten Island Live (June 11, 2019), *available at* <https://www.silive.com/news/2019/06/membership-groups-offering-farm-fresh-food-on-staten-island-struggle-with-declining-participation.html>; Jodi Helmer, Why Are So Many Farmers Markets Failing? Because The Market Is Saturated, NPR (March 17, 2019), *available at* <https://www.npr.org/sections/thesalt/2019/03/17/700715793/why-are-so-many-farmers-markets-failing-because-the-market-is-saturated> [↑](#footnote-ref-3)
4. Food Bank For New York City, Research, Reports and Financials: Fast Facts, *available at* <https://www.foodbanknyc.org/research-reports>, (last visited September 10, 2019), (hereinafter, Food Bank for New York City, Fast Facts). [↑](#footnote-ref-4)
5. Hunger Free America, The Uneaten Big Apple: Hunger’s High Cost in NYC, New York City Hunger Report, 2018, Hunger Free America, *available at* <https://www.hungerfreeamerica.org/sites/default/files/atoms/files/NYC%20and%20NYS%20Hunger%20Report%202018_0.pdf> (hereinafter, Hunger Free America, The Uneaten Big Apple). [↑](#footnote-ref-5)
6. Food Bank For New York City, Fast Facts, *supra* note 4. [↑](#footnote-ref-6)
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