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**The New York City Council**

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**Committee Report of the Governmental Affairs Division**

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**Committee on Economic Development**

Hon. Paul A. Vallone, Chair

#### February 10, 2020

**Proposed Int. No. 1664-A:** By Council Members Gibson, Levine, Kallos, Ayala and Lander

**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 §20-i

**Proposed Int. No. 1666-A:** By Council Members Kallos, the Speaker (Council Member Johnson), Ayala, Gibson, Lander, Ampry-Samuel and Rosenthal

**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-i

1. **Introduction**

On February 10, 2020, the Committee on Economic Development, chaired by Council Member Paul A. Vallone, will hold a second hearing on Proposed Int. 1664-A, in relation to requiring the office of food policy to formulate a 10-year food policy plan, sponsored by Council Member Vanessa Gibson, and on Proposed Int. 1666-A, in relation to the establishment of an office of food policy, sponsored by Council Member Ben Kallos. The Committee first heard prior versions of these bills on September 18, 2019.

Proposed Int. No. 1664-A would require the Mayor’s Office of Food Policy (“MOFP”) to develop a 10-year food policy plan. Proposed Int. No. 1666-A would establish the Mayor’s Office of Food Policy and its responsibilities.

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**

**Proposed Int. No. 1664-A**

Proposed Int. No. 1664-A would require the Mayor’s Office of Food Policy (“MOFP”) to consult with relevant agencies, community based organizations, community leaders and food system stakeholders that focus on food policy, food equity, food justice and food insecurity in the development of its 10-year food policy plan. 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. This version was amended from the original to include recommendations from stakeholders and the administration to require a progress report every two years after the initial ten-year plan is released, as well as a sunset provision to repeal the local law after twelve years.

**Proposed Int. No. 1666-A**

Proposed Int. No. 1666-A would establish the Mayor’s Office of Food Policy. The office would be responsible for, among other things, providing recommendations to the mayor and agencies regarding food policy; coordinating multi-agency initiatives relating to food policy; performing outreach to food policy advocates, community based organizations, academic institutions, and other entities to advance the city’s food policy; and supporting initiatives that are designed to promote access to healthy food. This version was amended from the original to include recommendations from stakeholders and the administration regarding outreach to food industry advocates as well as coordination across mayoral agencies.

Proposed Int. No. 1664-A

By Council Members Gibson, Levine, Kallos, Ayala and Lander

..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. Section 20-i of the New York city charter, as added by a local law for the year 2020 amending the New York city charter, relating to the office of food policy, as proposed in introduction number 1666 for the year 2019, 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 no later than 180 days after the effective date of this section. The office shall consult, as the director deems appropriate, agencies, community based organizations, and community leaders and other stakeholders that focus on issues including but not limited to food policy, food equity, food justice and food insecurity in developing this plan. Such plan shall, at a minimum, make recommendations relating to:

(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 implementation strategies for agencies to achieve the recommendations made pursuant to paragraph 1 of this subdivision and any other food policy recommendations made by the office of food policy, and benchmarks by which to measure the city’s progress.

3. No later than two years after the submission of the report required pursuant to this subdivision and every two years thereafter, the office of food policy shall prepare and submit to the mayor and the speaker of the council, and post on the office’s website, a report that describes the city’s progress toward the recommendations made pursuant to paragraph 1 of this subdivision and any other food policy recommendations made by such office.

§ 2. This local law takes effect upon the same date as a local law for the year 2020 amending the New York city charter, relating to the office of food policy, as proposed in introduction number 1666 for the year 2019, takes effect and is deemed repealed 12 years after it becomes a law.

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Proposed Int. No. 1666-A

By Council Members Kallos, the Speaker (Council Member Johnson), Ayala, Gibson, Lander, Ampry-Samuel and Rosenthal

A Local Law..Title

A LOCAfdfA 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-i to read as follows:

§ 20-i. Office of food policy. a. Definitions. For the purposes of this section, the term “director” means the director of the office of food policy.

b. The mayor shall establish an office of food policy. Such office may be established within the office of the mayor or any department or office 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 or office.

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

1. Provide recommendations to the mayor and agencies regarding food policy;

2. Coordinate multi-agency initiatives relating to food policy;

3. Perform outreach to food policy advocates, community based organizations, academic institutions, and other entities to advance the city’s food policy; and

4. Support initiatives that are designed to promote access to healthy food, including but not limited to initiatives designed to promote healthy food access for communities that have historically had inequitable access to healthy foods due to economic, racial, or environmental factors.

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

ARP

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2. Id. at 4-6 [↑](#footnote-ref-2)
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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)
7. Hunger Free America, The Uneaten Big Apple, *supra* note 5 [↑](#footnote-ref-7)
8. *Id.* [↑](#footnote-ref-8)
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10. Feeding America, Food Insecurity in the United States, *available at* <https://map.feedingamerica.org/> (last visited September 10, 2019) [↑](#footnote-ref-10)
11. Wasted: How America is Losing Up To 40 Percent of its food Farm to Fork to Landfill, Second Edition of NRDC’s Original 2012 Report, National Resource Defense Council, (2017), *available at* <https://www.nrdc.org/sites/default/files/wasted-2017-report.pdf> [↑](#footnote-ref-11)
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14. NYC Food Policy, Food Metrics Report 2018, <https://www1.nyc.gov/assets/foodpolicy/downloads/pdf/2018-Food-Metrics-Report.pdf> [↑](#footnote-ref-14)
15. Calma, Justine, How New York City Is Tackling Extreme Heat in a Warming World, Grist (July 16, 2018), *available at* <https://www.wired.com/story/how-new-york-city-is-tackling-extreme-heat-in-a-warming-world/>. [↑](#footnote-ref-15)
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