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**The New York City Council**

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**Committee Report of the Human Services Division**

Andrea Vazquez, Deputy Director

**Committee on General Welfare**

Hon. Stephen Levin, Chair

#### February 10, 2020

**Proposed Int. No. 1650-A:** By Council Members Adams, Kallos, Ayala, Gibson, Lander, Rivera, Constantinides, Powers, Reynoso, Cabrera, Richards, Koslowitz, Brannan, Chin, Torres, Rodriguez, Cohen, Van Bramer, Rosenthal, Dromm, Holden, Vallone, Levine, Yeger, Gjonaj, Perkins, Grodenchik, Salamanca, Treyger, Cornegy, Eugene, Levin, Deutsch, Barron, Maisel, Cumbo, Moya, Lancman, Rose, Ampry-Samuel, Miller, Menchaca, Koo, King and Ulrich

**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

**Proposed Int. No. 1659-A:** By Council Members Chin, Kallos, Ayala, Gibson, Lander, Powers, Rivera, Yeger, Cohen and King

**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:** Amends section 21-131.1

**Proposed Res. No. 1024-A:** By Council Members Louis, Kallos, Chin, Ayala, Gibson, Reynoso, Lander, Brannan, Rosenthal, Adams, Cornegy, Lancman and Cohen

**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.

**Proposed Res. No. 1025:** By Council Members Louis, Kallos, Chin, Ayala, Gibson, Reynoso, Lander, Powers, Brannan, Rosenthal, Adams and Cohen

**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 February 10, 2020, the Committee on General Welfare, chaired by Council Member Stephen Levin, will hold a hearing on Proposed Int. No. 1650-A, Proposed Int. 1659-A, Proposed Res. No. 1024-A, and Res. No. 1025. The Committee previously held a hearing on the above legislation as part of 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 on September 18, 2019, jointly with the Committee on Economic Development, chaired by Council Member Paul A. Vallone, and the Committee on Education, chaired by Council Member Mark Treyger,

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. 1650-A**

Proposed Int. No. 1650-A would require the Human Resources Administration (HRA) to provide information about the health bucks program and farmers’ markets in the city to all individuals who receive or apply to receive supplemental nutrition assistance program benefits. This local law would take effect 180 days after it becomes law.

Since introduction, this bill has not significantly changed.

**Proposed Int. No. 1659-A**

Proposed Int. No. 1659-A would require the Department of Social Services (DSS), in collaboration with the Department for the Aging (DFTA), to develop a plan to identify and enroll seniors who are eligible for supplement nutritional assistance program (SNAP) benefits, but who are not yet enrolled to receive such benefits, and to assist enrolled seniors with SNAP recertification. This local law would take effect immediately.

Since introduction, this bill has been amended to additionally include that, beginning on April 1, 2021, and annually thereafter, DSS and DFTA would be required to provide a report to the Council regarding the method of SNAP enrollment and recertification, an overview of the public campaign for seniors eligible for SNAP, and year-over-year comparison of senior SNAP enrollment versus eligible seniors.

**Proposed Res. No. 1024-A**

Proposed Res. No. 1024-A 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. In 2011, researchers at the City University of New York (CUNY) estimated that 39 percent of CUNY students were food insecure. Due to federal law, most able-bodied students who are enrolled in college at least half-time are not eligible for SNAP unless they work 20 hours a week. However, states can expand the regulations by exempting students in certain college and training programs from the work requirement. New York should join Pennsylvania, Massachusetts, Illinois, and New Jersey in taking state action to increase college students’ eligibility for SNAP.

**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.

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Proposed Int. No. 1650-A

By Council Members Adams, Kallos, Ayala, Gibson, Lander, Rivera, Constantinides, Powers, Reynoso, Cabrera, Richards, Koslowitz, Brannan, Chin, Torres, Rodriguez, Cohen, Van Bramer, Rosenthal, Dromm, Holden, Vallone, Levine, Yeger, Gjonaj, Perkins, Grodenchik, Salamanca, Treyger, Cornegy, Eugene, Levin, Deutsch, Barron, Maisel, Cumbo, Moya, Lancman, Rose, Ampry-Samuel, Miller, Menchaca, Koo and Ulrich

..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 coupons issued by the department of health and mental hygiene that are redeemable for fruits and vegetables at farmers’ markets in the city.

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 individuals who receive or apply 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 in the city.

§ 2. This local law takes effect 180 days after it becomes law.

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Proposed Int. No. 1659-A

By Council Members Chin, Kallos, Ayala, Gibson, Lander, Powers and Rivera

..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. Subdivision d of 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 to read as follows:

d. Beginning April 1, 2021[February 1, 2018], and annually thereafter, the department, in coordination with the department for the aging, shall submit a report to the speaker of the city council regarding the department's activities with respect to supplemental nutrition assistance enrollment and recertification for seniors. Such report shall provide an overview of the department's activities with respect to supplemental nutrition assistance enrollment and recertification for seniors, including the public campaign and the enrollment and recertification program, and shall include (i) the number of seniors enrolled in the supplemental nutrition assistance program in the previous calendar year; (ii) the number of seniors recertified for the supplemental nutrition assistance program in the previous calendar year; [and] (iii) a comparison of the annual rate of enrollment for seniors versus the number of seniors in the city that the department estimates are likely to be eligible based on readily available community data such as census data; (iv) identification of 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 reasons, and seniors who are not receiving other social services; and (v) a plan, developed in collaboration with the department for the aging, to overcome such barriers to enrollment and recertification to reach eligible seniors who are unable to travel to senior centers and who are not receiving other social services. [Beginning on February 1, 2019, the] Such report shall also indicate how the data required by this subdivision compares to the previous year. The report shall further indicate the method by which seniors enrolled in or recertified for the supplemental nutrition assistance program, whether online, by mobile application, by telephone, by paper application, or by other means.

§ 2. This local law takes effect immediately.

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Proposed Res. No. 1024-A

..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, Chin, Ayala, Gibson, Reynoso, Lander, Brannan, Rosenthal, Adams, Cornegy, Lancman and Cohen

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, In January 2020, Governor Cuomo included the expansion of college student enrollment in the State of the State presentation, which would allow for community college students working at least half-time in career and technical education courses to be exempt from the 20 hour work requirement 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.

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| Res. No. 1025    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.    By Council Members Louis, Kallos, Chin, Ayala, Gibson, Reynoso, Lander, Powers, Brannan, Rosenthal, Adams and Cohen    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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