



Legislation Text

File #: Res 1749-2013, **Version:** *

Res. No. 1749

Resolution calling upon the New York City Housing Authority to delay the release of any Requests for Proposals to lease land until residents have utilized Tenant Participation Activity funds to consult with legal and technical advisory staff to understand and respond to lease plans and resident feedback has been incorporated into these plans.

By Council Members Mendez, Chin, Mark-Viverito, Arroyo, Barron, Brewer, Dromm, James, Koppell, Lander, Palma, Richards, Rose, Van Bramer, Williams, Wills and Lappin

Whereas, The New York City Housing Authority (“NYCHA”) is the largest provider of public housing in the nation; and

Whereas, There are 334 NYCHA developments consisting of 2,596 NYCHA buildings with 178,914 public housing units; and

Whereas, Most of NYCHA’s buildings were built in the 1940s or 1960s; and

Whereas, Sixty-six percent of NYCHA’s current revenue comes from federal funding, thirty percent comes from rent, and four percent comes from grants and local government funding; and

Whereas, NYCHA’s federal capital grants, which comprise the bulk of its capital funding, have declined substantially since 2001, falling from \$420 million annually to \$270 million annually; and

Whereas, As a result of the loss of governmental funding, NYCHA has encountered difficulty maintaining its infrastructure, resulting in unmet or delayed repairs and upgrades to brickwork, roofs, elevators, building systems and apartment interiors; and

Whereas, In 2006, NYCHA conducted a physical needs assessment where it identified that \$25 billion will be necessary over the next 15 years to keep NYCHA’s housing stock in a good state of repair; and

Whereas, In order to generate revenue and address the funding gap, NYCHA intends to lease land on

the grounds of its housing developments to developers who will be allowed to build residential towers; and

Whereas, NYCHA is considering such deals at all of its developments but has presently identified eight housing developments in Manhattan at which land including parks, playgrounds, parking lots and a community center will be leased for primarily residential development; and

Whereas, NYCHA will be issuing Requests for Proposals (“RFPs”) to solicit companies to lease and develop these selected sites; and

Whereas, From March to April 2013, NYCHA made a series of presentations on the proposed lease plans to residents at affected developments; and

Whereas, Despite these meetings, residents have not yet had the opportunity to consult with technical advisors in order to provide meaningful feedback on NYCHA’s proposals; and

Whereas, Land disposition is a complex issue, and technical advisors can help residents evaluate and opine on the land-use, zoning and legal issues related to the disposition of NYCHA land; and

Whereas, Residents should be able to access Tenant Participation Activity (“TPA”) funds provided by the U.S. Department of Housing and Urban Development (“HUD”) for the purposes of securing and consulting with necessary technical advisors; and

Whereas, HUD rules, set out in Part 964 of Title 24 of the Code of Federal Regulations, require each Public Housing Authority (“PHA”) to distribute TPA funds at its developments in order to promote public housing resident participation in the PHA’s operations; and

Whereas, TPA funds can be used by Resident Associations (“RAs”) to fund programs to promote community involvement, leadership development and educational as well as cultural enrichment programs; and

Whereas, Annually, HUD provides NYCHA with \$25 per public housing unit to be used for the purposes of resident participation in NYCHA operations; and

Whereas, Of those \$25 earmarks, \$15 per unit may be allocated to fund resident participation activities and \$10 per unit may be used to pay for the administration of such activities; and

Whereas, In 2012, NYCHA announced that there was \$15 million in unused TPA funds; and

Whereas, In order to access TPA funds, RAs have to submit proposals to their Citywide Council of Presidents (“CCOP”) district chair; and

Whereas, The CCOP chair then has ten days to notify NYCHA in writing of its approval or disapproval of the proposal; and

Whereas, If the CCOP chair does not make a decision on the proposal within the allotted time, NYCHA then reviews the proposal and makes a final decision; and

Whereas, In 2010 Community Voices Heard conducted a study titled, “Democracy (In)Action: How HUD, NYCHA and Official Structures Undermine Resident Participation in New York City Public Housing” (“the study”); and

Whereas, The study found that the current resident participation system leaves thousands of residents unrepresented, and that a majority of residents are unaware of the system and its processes; and

Whereas, Further, NYCHA does not publicize the availability and existence of TPA funds, and the study found that only a small percentage of residents even knew that HUD provides NYCHA with money to support resident participation; and

Whereas, NYCHA Chairman, John B. Rhea, has indicated at New York State Assembly and New York City Council hearings, his support for residents accessing and using TPA funds for the purposes of technical assistance on the proposed land lease plans; and

Whereas, NYCHA should effectively communicate with residents to ensure that they are aware of the resident participation system and its processes and streamline the application process to make TPA funds more readily accessible to residents; and

Whereas, The release of the RFP as currently proposed would not allow enough time for residents to access TPA funds to consult with independent technical advisory staff including legal, architectural, engineering, environmental, land-use and community organizing professionals and to utilize these resources to

provide recommendations on any plans to lease public housing land; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Housing Authority to delay the release of any Requests for Proposals to lease land until residents have utilized Tenant Participation Activity funds to consult with legal and technical advisory staff to understand and respond to lease plans and resident feedback has been incorporated into these plans.

LS# 4653
GP
04/22/2013