

## Housing & Human Services Committee, Manhattan CB12 – March 2019

Committee Members Present: Ayisha Ogilvie (Chair), Fern Hertzberg, Bianca Guerrero

Committee Members Absent: Barbara Frazier (Asst. Chair), Waldys Cruz, Jay Mazur

Board Members Present: Richard Lewis, Isidro Medina

Public Members Present: Marshall Vanderpool

Public Attendees: Grant McKeown; Cain Sheeley; Bruce Robertson; Adam Frar; Brian Bernard; Cindy Teta (DHS); Cliff Ellernd; Thomas Hall; Lenishemarie Lopez; Noelanni Carr; Leilani Irvin; Michael Hano; Dr. Gary Altheim; Sharifah Harvey; Tireta Newton; Rachel Smith; Natalie Espino; Angelo Oriz; Phil Zablocki; Manel de la Cruz, Ramon Toribio

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### Opening/Update – Chair, Ayisha Ogilvie

#### 1. Discussion with DHS

- a. Homeless Shelter for Single Adult Males on 286 Audubon Avenue– Matt Borden, Dept. of Homeless Services (DHS) Assistant Commissioner; Leilani Irvin, Manhattan Borough Director – Office of External Affairs (DSS); Thomas (Tom) Hall, President of HELP USA; Frances Pierre, COO of HELP USA

Asst. Commissioner Matt Borden (AC BD) explained that the Mayor’s Turning the Tide plan aims to decrease the number of shelter sites and transform the way the City shelters people. For the first time, the census of unsheltered people remains flat. The plan focuses on prevention (providing 18x more funding for these services) and has moved 100,000+ out of shelter. DHS no longer opens shelters in the middle of the night.

Leilani Irvin (LI) is developing a community advisory board to provide an open line of communication from the neighborhood to the agency, and asks the board to recommend people who can help locate sites and acclimate new shelter residents.

Thomas Hall (TH) and Frances Pierre (FP) have worked in the shelter provider space for more than 10 years. One of them used to manage NYC’s adult shelter system. HELP USA was founded in 198 in Brooklyn. It provides domestic violence, homelessness prevention, childcare, and other programs for low-income families and children. It also has experience in housing production.

DHS plans on opening an adult men’s shelter on 26 Audubon Avenue. HELP USA runs shelters, has executive staff on site, and operates their own security and services. A gut renovation for the site, currently a 6-floor parking garage, is planned for an occupancy of 175 people. It will be a general adult men’s shelter (18+ year old males with nowhere to live), not specialized for residents with mental health or substance use disorder. HELP will assess residents, give them medical care, link them with housing vouchers and rental assistance programs, and prepare them to reenter the community and secure permanent housing. There will be 7 case managers and 3 housing specialists.

The planned shelter will have 12 security guards on site all day (3 shifts), all year (365 days). 4 guards will remain at the door, 8 will cycle through the shelter, and the building will have 73 cameras. The head of security is a former lieutenant from the City of New York, and former head of security for all of DHS. Operationally, HELP’s goal is to make sure the facility is safe, clean and secure.

**Ayisha Ogilvie** (AO) noted that the board will have a public hearing for transparency and community engagement.

**Richard Lewis** (RL), Board Chair, noted there will be many public hearings. The Community Board received notice of the planned shelter on 2/22/2019. There are other shelters in our district (the Armory, Women’s Health on 174<sup>th</sup> St., the hotel on 181<sup>st</sup> and Amsterdam, Lantin Group on 73<sup>rd</sup>, and small “rehab” units throughout district). Of shelter residents at the Armory, RL says that 10% are considered bad actors – they are discharge and often return. RL says the board needs to know what evidence-based practices DHS will implement at the new shelter to limit residents return to shelter.

Cindy Teta of DHS (CT) noted that the Armory is a specialized shelter for mental health.

AO asked about the rate for curfew arrival, and CT explained that it varies. Most residents return on time, though some can exceed curfew with a pass from their case manager. If a bed is available past curfew, the shelter will admit the client. If one is not, the client is moved to another shelter. DHS provides transportation.

AO asked about if clients are removed from the shelter system if they are noncompliant. CT noted that the shelter system tries to work with everyone and tries to promote positive changes in the client's life. TH noted that the best thing DHS can do is move a client to a shelter that is also HELP operates, within 1-2 miles of the shelter. Shelters in the Bronx and Wards Island are the closest.

Bianca Guerrero (BG) disclosed that she works for the Mayor and previously worked in the office of the Deputy Mayor for Health & Human services. She asked what social services will be provided on site. FP explained that clients will develop an individual living plan with case workers, and have access to individualized services including employment, benefits, and housing relocation. TH noted that there will be a director of housing services with 3 staff members. HELP USA will investigate all possible ways the client can gain financial resources. They will not necessarily try to rehouse in CB 12.

BG asked if HELP USA will give preference for homeless men in the district. AC MB said yes. DHS uses a borough-based approach but priority would be given to people in the district, no exact percentage.

Fern Hertzberg (FH) introduce herself as the Executive Director of Arc XVI Fort Washington, which, under contract with the City, operates 3 senior centers including one on 174<sup>th</sup> and a senior transportation center. Elderly homeless men and women are overlooked by the shelter system. Her organization is getting relocated across the street from the planned shelter. She asked if the shelter will serve seniors. She wants to be collaborative and make referrals because currently homeless seniors are spending full days at the senior center's day program, especially in Harlem. FH noted that 40% of the seniors that come to her centers report housing issues.

AC MB noted that the site will be for all ages, including seniors. It will not be specifically marketed towards seniors. TH is eager to talk with FH and invited her to visit HELP USA. He would like to work with her and the City to have the seniors assessed. TH asked if she is working with Home Base, DHS's neighborhood homelessness prevention centers. RL noted that Washington Heights organizations like CLOTH do collaborate with Home Base.

CT listed off Manhattan shelters that serve seniors: Valley Lodge and George Daily in Manhattan; Bergen in Brooklyn; and a Bronx shelter for women 50+. She notes that a great majority of DHS clients are seniors or aging. DHS welcomes recommendations about how to better manage this process.

AO asked if shelter residents will be able to leave during the day. AC MB noted that this is a widely spread myth: people are not allowed to stay in bed all day but they are not asked to leave the site. FP noted that there will be a reaction specialist on site for activities. CT emphasized that no shelters require that residents leave. If a client works all day or is not feeling well, they are allowed to stay in bed.

RL asked who selected the site and for its gross sq. foot. He also asked if an environmental impact study was done for the parking garage. He asked if clients will be asked to pay rent.

AC MB noted that DHS has an open RFP process and issued a wide call for sites. NYC is legally obligated to provide shelter so DHS needs new sites. Nonprofits and developers connect and submit proposals together. Once rated and approved, the shelter is built. This site will have 30,000 sq. ft. There are state regulations regarding headcount per sq. ft. All sites get an environmental assessment survey done before they open; this site is under review now. The site is set to open July 2019, according to LI. FP noted that residents have a right to shelter and will not pay rent. To the contrary, clients are encouraged to save money.

RL asked for the study before the public hearing, but the sooner the better. AO noted that construction has already begun at the site. TH said he will see if the contractor has a study from DOB; if yes, will send along. BG asked if they have any idea what the structure will look like. TH did not bring blueprints with him but will bring it to the public meeting.

Isidro Medina (IM) (who is also a CB12 Member and Executive Board Officer) introduced himself as director of the Washington Heights BID. He remarked that DHS comes to the community board on a month to month basis and did not reveal the specific location, which, to him, was a lack of respect. AC MB noted that contracts don't allow them to share the location until the site has been approved.

IM argued that the shelter site will hurt small businesses and that DHS does not know about small businesses specifically in Washington Heights. AC MB noted that it is inaccurate that shelters have a negative impact on businesses. In fact, shelter residents have disposable income and can bring more businesses. IM asked that DHS walk around the community and understand that businesses here are hurting. He said "don't bring all the problems east of Broadway, bring it west." BG noted that homeless people do not congregate on the east side: there are homeless people on the West Side, especially around Holyrood Church and the bus terminal.

LI explained that she goes to district cabinet meetings and can capture community concerns. She has not gotten flags about the site in this area and emphasized that street homelessness is separate from shelter.

AO noted that she is not a fan of NIMBYism but is concerned that DHS is not aware of the concerns about homeless people in the district. Project Renewal sends out people to ensure their residents are not bad actors. The transience of homeless people impacts the neighborhood and train stations. AO has been flashed and followed in the past. AC MB noted again that chronically street homeless people are different from shelter clients. RL argued that there is "no evidence" showing that shelter clients are not the problem. AC MB said he did not want to paint a broad brush, or criminalize or dehumanize homeless New Yorkers.

Michael Hano (MH) expressed sympathy to IM's concerns. He noted that 181<sup>st</sup> is a hub for the businesses. If the Mother Cabrini school was replaced with a shelter instead of a Success Academy, no one would allow it because of neighborhood politics.

AC MB emphasized that the City has sited shelters on 58<sup>th</sup> St off Billionaire's row, in Ozone and College Park, and in brownstone Brooklyn. DHS is consciously looking to see shelters sited equitably.

MH noted another problem: this community board needs to be more equitable and make sure it treats everyone the same. He asked DHS about environmental impact. Construction has already begun. Contractors don't do an environmental impact study; they get permits from DOB.

TH said he will reach out to the person doing the renovation and ask them for copies of the environmental study to pass along to the committee.

AO asked about the City's relationship to the contract. AC MB noted that we pay HELP for services and HELP pays rent. They have a four-year lease with an option to renew for 5 years.

MH asked what happens if someone with mental health needs would be placed in this shelter. CT explained that all clients go through intake at one of 4 assessment shelters. If a person just simply does not have a place to live, they will go to a general, non-specialized shelter. If a client is not a good fit for a general shelter or needs more services, they can be moved to a specialized shelter. At the end of the night, if a client with mental health needs loses their bed, they maybe transferred to a general shelter if no beds are available at a specialized one. The client would be moved back to the specialized later the next day. Since there is a 3% vacancy rate for single adult shelters it is hard for DHS to anticipate where they will place clients.

AO noted that based on past discussions, the need is for more housing, not more shelters. AC MB noted that the shelter population has remained flat, and BG added that flat is objectively better than an increase in shelter population. Ramon A member of the public named Ramon Turido (sic) noted that it costs a lot of taxpayer money to keep people housed in hotels and other non-traditional types of shelter. The City could pay a month in rent for the cost of said housing. AC MB noted that that's why the City is closing down hotels and costly shelters sites by 2023.

## **b. Fort Washington Armory Governance**

AO explained that this is a continuation of many HHS meetings on the Fort Washington Armory (cross street: W 168th St.) The Armory building is home to the Armory Foundation National Track & Field Hall of Fame, Growth and Development Services, Police Athletic League, Columbia Teaching & Learning, SEIU 1199, the New Balance, Children's Aid Society and many other entities. The community is concerned with governance of the building, and many have advocated for addressing the issues for well over 6 years. The building is governed by DHS but DHS has not appeared before the board on this matter until now despite requests by both the Board and Elected. GDS, one of the building occupants, had raised concerns about governance for a while and was recently issued an eviction in December, 13 days after the governance issue was calendared with the Housing and Human Services Committee. DHS didn't appear at that time. BP representative Natalie Espino was present at that meeting and informed HHS Chair Ayisha Oglivie that her request that they appear was made. CB12 issued a resolution requesting a stay of the eviction. The consensus of the HHS Committee prior to the resolution was voted on was that the primary person who has most raised the flag about concerns in this building (which has basis) is being evicted. Resolution asked for extension for GDS to complete fiscal year.

AO quickly ran through the following questions which were submitted to DHS prior to the meeting but not in enough time for them to reply as their request for questions came only days before.

1. Does DHS have a specific mission/guidelines for how the Fort Washington Armory is to be utilized/operated?
2. Please provide copies of existing licenses for all occupants at the FWA
3. Please provide information about licenses, space rentals, and unused space as well as their durations at the FWA. (10 year history minimum.)
4. Please provide information about past RFQ's/RFPs related to FWA spaces if any.
5. How are utilities (i.e.: water, electricity, heat) and maintenance managed and paid for? by who?
6. What are the standard procedures at DHS for assessing public health outcomes within the FWA? Are there reports related to that which can be reviewed?
7. What is the arranged that allows for the Fort Washington Armory to operate as Armory on the Hudson?
8. What is the current procedure in place for entities other than the current occupants to lease/license space at the Fort Washington Armory?
9. Please provide previous audits over 10 years of all occupants in the FWA
10. Are payments made for leasing/licensing space at the FWA listed in Checkbooks NYC?
11. Was DHS aware that the Victory Cafe applied to Community Board 12 for a Liquor License at the FWA?
12. What process is currently in place for current licensees to protect their due process rights with regards to continuation and/or termination of license?

AC MB asked that the committee to forward these questions to DHS (LI and AC MB). He clarified that the lease allows either party (DHS or GDS) to terminate the contract within 30 days. He provided some background on armories throughout New York City, and noted that DHS maintains the structure of the building and the utilities in the building at a high cost. He agreed that in the past, the licensing process was not transparent. At present the City only has direct licenses with GDS, the Armory Foundation, PAL. He stated AF is allowed to lease the building. The Chair, AO highlighted that this assertion ran contrary to statements by the Armory Foundation in January that all other occupants in the building were licensees of DHS and not the Armory Foundation. He acknowledged that GDS's eviction ended up being far messier than it should have been, that Dr. Gary has done a lot of work in the neighborhood, and that he (AC MB) as offered to assist GDS in locating a new space. He stated DHS expanded the eviction notice to 90 days due to issues with the mailing. He also noted that City is steward of public land and that the Armory is public land.

AO noted that the building is underutilized during non-track months, and there is ample space within that community-based organizations in the neighborhood desperately need. Space at the armory is either not utilized properly or not run correctly, which raises questions and concerns. On more than one occasion, the Armory Foundation has rented out the building or issued a change of schedule that affected other entities in the building (i.e. an H&M fashion show that canceled classes/access at the SUNY Attain Lab, as well as, other occupants). The license AO has seen says that the Foundation can not sublease the building in this manner.

BB noted that the committee needs to understand the Foundation's authority in the building, provided by DHS either in writing or through a public meeting.

FH recalled an example: Isabella Geriatric Center used Armory space for a walking/exercise program for seniors, previously at a minimum price. The Foundation raised the price from \$5,000 to \$15,000, forcing Isabella to end the program, which the committee and community present found to be outrageous. It has been communicated to the Chair that some seniors have resorted to exercising at home since.

AO recalled that when she raised this issue with the Foundation at the CB12 HHS Meeting in January. Rita Finkel remarked that Dr. Norbert Sander took this action due to his personal conflict with Betty Lehman a Director of the Isabella Geriatric Center (also currently CB12 Board Member and Executive Board Officer)

FH noted that the space should serve the community. A lot of Foundation programs bring in kids from out of the area and even out of state. AC MB said he would look into it and reiterated that he would like these issues written out.

AO noted that we need clarity on the power structure here and accountability measures here, because there is currently no accountability which forces the board to suss out what's happening. She noted that this should not take years to resolve. She recalled another example of outrageous conduct in the Armory: there was up until recently a queen size bed for a living space in one of the rooms being used by a Jack Pfeiffer who worked with the Armory Foundation.

Michael Hano (public) noted that residents are concerned and they want the truth. When he asked the Armory Foundation, he was told by Jonathan and Rita (last names?) that the Armory does not sublease any space. The Parks Department also was unaware that they could use space in the building when the Foundation is not utilizing it as is stated in the contract. MH also stated he was confronted by Jack Pfeiffer who asked him what he was doing in the building (at the time JF was in robe and slippers) on an evening he was participating in a meeting at GDS.

AC MB clarified that Parks can use the space if it doesn't conflict with the Foundation's activities. AO reemphasized that Parks did not even know they could use the space AC MB claimed that the Foundation did meet with the Parks Department.

MH said the space should be made available for the public during off-season for track. The Foundation claimed that the Parks Department did not reach out to them. There was a 2014 resolution drafted to examine governance; former Board Chairs George Fernandez & Shah Ally did not allow it. Glennis Aquino an employee with the Foundation was recently put on the community board. Community board members, including the recent former Chair Shah Ally (recent) has been added to the Armory Foundation Board. MH noted that the public has asked for DHS to show up on this matter for months, and that residents would like GDS to stay.

Dr. Gary and AC MB had a discussion about statements made by telephone and whether DHS has been transparent (for instance not learning of objections to or helped GDS as Dr. Gary thought was promised).

AO read aloud the clause of the Armory Foundation license which allows the Foundation to hold space for track, not other purposes. Rentals are not allowed by the license. The board needs clarity on what is allowed in the building.

AC MB emphasized that he takes us seriously and asked for all of our inquiries and concerns in writing.

MH asked if AC MB was aware of article 5 in the licensing agreement, which says that subleasing requires prior consent of the licensor. AC MB said he was not aware.

Lineshe thanked DHS for coming and urged for DHS to meet quickly and reconsider GDS's eviction. GDS may not get 500 visitors but it still impacts people's lives.

## **1. OMB Preliminary Budget FY'20**

The committee reviewed OMB's preliminary budget for fiscal year 2020 as it pertains to the board and committee's priorities, submitted in the fall.

For capital items, item 38 was not considered a budget request; 41 could be funded in part; and 42 was sent to DOITT. DOITT said it does not provide hardware or software.

For expense items, OMB said agencies would try to accommodate requests within existing resources. The exceptions were items 4, 6, and 18. Item 4 does not satisfy the board's request because it ignored the rent-burdened aspect of our request. AO will talk about items 6 and 8 with LI.

AO wants the board to make suggestions about how to tweak this process, since an item may fall under 5 other agencies' request. Agencies are then unresponsive when the committee or chair follows up. OMB should talk to each agency before sending this back to us. She will follow up with Richard regarding how to proceed responses like "we will try to fund within existing budgets." FH noted that this means they are not likely to happen, since our items will require that agencies do more.

## **2. Rent Reform**

Bianca drafted a preliminary resolution. AO went to the Black and Latinx caucus weekend in Albany, and learned that the legislature probably won't look at rent reform until June. The committee should not wait until June. AO learned that issues around licensing were not currently being considered (i.e. licensed apartments by big nonprofits that override rent regulation, like for Columbia Presbyterian). She learned from Andrea Shapiro of Met Council that a rent reform resolution was recently passed by Community Board 6; Shapiro will send to us.

FH disclosed that she is on the Northern Manhattan Agenda and a de-facto part of their housing committee. The draft resolution is close to what that committee has been working on. She thinks Manhattan Legal Services, NMIC, and Northern Manhattan for Sale would agree, and that resolution is in line with what community advocates are calling for.

BG noted that she pulled information from the Housing Justice for all agenda, Democratic Socialist of America's universal rent control agenda, and local op-eds outlining rent reform ideas. She also pulled from the Furman Center, Citizens Budget Committee, and CUNY Dominican Studies Center reports.

AO acknowledged that Bianca did a lot of great work for this draft resolution. She recalled that Daryl, another committee member, said that licensing issue could count as discrimination of lawful income. AO has heard from some residents that they have been told they could not get transfers (?) because they were not a doctor or nurse. FH asked if we know how many apartments the licensing issue affects; AO said she would follow up but thinks its at least 20 buildings.

Cliff Elkin (public) who has tied to Good Shepherd Church and Met Council on Housing noted that the Committee should check out City & State NY's "New York is Closer to Universal Rent Control Than You Think." He noted that we should correct the draft to clarify that Senator Stewart-Cousins is majority leader. He praised the committee for a very thorough discussion of the GDS-Armory situation.

MH requested that we double check that MCI allow landlords to charge 1/60<sup>th</sup> of the cost of any improvement.

## **3. New Business**

FH explained that a federal judge recently decided against the MTA and in favor of advocates by ruling that the complete renovation of the Middletown Road train station did not address accessibility. The judge not only ruled that the MTA is wrong but also forced the door wide open for additional lawsuits. She would not be surprised in Disabled in Action sued the MTA regarding the elevator replacement and rebuild without accessibility at the 168<sup>th</sup> St. station for the 1 train. comes out regarding our own elevator replacement and 168<sup>th</sup> rebuild without accessibility. She noted that civil rights and human rights are being used, and that fellow board member Richard Allman has a draft resolution on the matter. FH will send it to the board chair and Traffic & Transportation committee.

AO would like the committee to be aware of local bills so that we could weigh in on them. She circulated information about the Trump administration's changes to public charge, and said the committee should be aware and weigh in on the status of the changes. She also noted that Oregon passed universal rent control. NYS should follow.

BG noted that the Department of Consumer Affairs provides free tax prep events with childcare. United Way and H&R Block have a site that allows people making under \$66,000 to file their taxes for free. FH added that NMIC does this for free on Saturdays.

AO is staying tuned to Lynn Patton's stays at NYCHA complexes. She noted that CitiBike offers \$5 membership to NYCHA residents and people enrolled in SNAP: the first 45 mins are free with a \$5 membership. She said she should circulate an old article n tenants versus nonprofit landlords from NYT.

FH noted that HEAP opened its annual opportunity to receive benefits for utilities. HEAP benefit is automatically added to EBT card for people who already receive benefits. Those who do not receive benefits need to apply and there are income guidelines.

#### **4. Adjournment**

Meeting adjourned at 10:17 PM.