

NEW YORK CITY DEPARTMENT OF SOCIAL SERVICES
OFFICE OF LEGAL AFFAIRS

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IN THE MATTER OF:

PUBLIC HEARING: NYC DEPARTMENT
OF HOMELESS SERVICES SHELTER
SITING RULE

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DATE: December 2, 2024

HELD AT: ZOOM HEARING

APPEARANCES: MELVIN BROWNING
IAN BRONSTEIN
Moderators

ALSO PRESENT: SHELDON FINE
ISMAILA BADJI, French Interpreter
IVANA CORTES, Spanish Interpreter

DIGITALLY RECORDED PROCEEDING, TRANSCRIBED BY:
TRICIA GHRIST
ACOLAD

1 RECORDED VOICE: This meeting is being recorded.

2 MS. LAYLA-AL-MARZOOQI: Hello, French
3 interpreter.

4 MR. ISMAILA BADJI: Yeah. Bonjour. Good
5 morning.

6 MS. CHERYL WERTZ: Wait. Hang on a second.
7 Layla, you are not the name we were expecting, but okay.
8 We're going to put you into the French room right now.

9 MS. LAYLA-AL-MARZOOQI: Okay. Thank you.

10 MS. WERTZ: Ian, we are ready to get started.

11 MR. IAN BRONSTEIN: Okay. My name is Ian
12 Bronstein, with the New York City Department of Social
13 Services. Thank you for joining us in this hearing on the
14 proposed Department of Homeless Services Shelter Siting
15 Rule.

16 MS. WERTZ: Hang on. Go ahead, Ian. Sorry.

17 MR. BRONSTEIN: We're going to start in a few
18 minutes to give everyone a chance to join the meeting.
19 Everyone is muted at this point. Now, the interpreters
20 will introduce themselves and provide instructions on how
21 to receive interpretation services, first in French and
22 then in Spanish.

23 FRENCH INTERPRETER: (French introduction). My
24 name is Ismaila Badji [phonetic]. (French introduction).

25 SPANISH INTERPRETER: (Spanish introduction).

1 MR. BRONSTEIN: Okay. If you would like to
2 continue to listen to this proceeding, please select
3 English for the best experience. If you're using Zoom on
4 a computer, click the globe icon on the bottom. If you
5 are using a mobile device, click on three dots on the
6 bottom of your screen. If you have call -- if you have
7 called in, do not worry, you'll still be able to hear the
8 proceedings. And now I'm going to turn the hearing over
9 to Melvin Browning.

10 MR. MELVIN BROWNING: Welcome and thank you for
11 attending this hearing today. My name is Melvin Browning,
12 and I'm an Agency attorney at the New York City Human
13 Resources Administration. This is a public hearing
14 pursuant to the City Administrative Procedure Act, or
15 CAPA. In 2019, the New York State Senate introduced
16 legislation which proposed to amend Section 21-324 of the
17 administrative code of the City of New York to require the
18 New York City Department of Homeless Services, DHS, to
19 conduct a public hearing in the community district where
20 proposed new homeless shelter is to be located before
21 being sited. The purpose of the legislation was to
22 promote accountability and transparency by allowing
23 interested community members and elected officials to
24 voice concerns, including about public safety,
25 transportation, and educational accessibility regarding a

1 proposed homeless shelter. The bill was signed into law,
2 it became Chapter 383 of the laws of 2020. However,
3 Chapter 68 of the laws of 2021 further amended Section 21-
4 324 to require public information sessions rather than
5 public hearings, because a public hearing requirement
6 would cause unnecessary delays in the shelter siting
7 process. Public information sessions will continue to
8 provide the public the opportunity to raise questions and
9 concerns to DHS about proposed homeless shelters and their
10 locations without causing unnecessary delays. Section 21-
11 324 as amended imposes several requirements on DHS.
12 First, it requires DHS to establish a process for the
13 notification of new homeless shelters, which must include
14 notice to local elected officials and the community board
15 in which the shelter is to be sited. Second, it requires
16 that annual notices be sent to federal, state, and local
17 elected officials seeking potential locations for future
18 shelter. Lastly, it requires DHS to conduct at least one
19 public information session on the siting of any new
20 homeless shelter in the community district where such
21 shelter is to be located, and to post a time and location
22 of such information session no later than 14 days before
23 such session occurs. For the proposed state mandate, DHS
24 propose -- proposes a new -- proposed to establish a new
25 Chapter 6 within Title 31 of the Rules of the City of New

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1 York to implement notification and public information
2 procedures for new homeless shelters. Okay. Section 1,
3 Title 31 of the Rules of the City of New York is amended
4 by adding a new Chapter 6 to read as follows. Chapter 6,
5 Publication of Information Regarding New Homeless
6 Shelters. Section 6-01, Definitions. As used in this
7 chapter, the following terms have the following meanings.
8 A, conduct means directing, controlling, orchestrating,
9 hosting, coordinating, or participating in a public
10 information session. B, department means the New York
11 City Department of Homeless Services. C, new homeless
12 shelter means a facility that has not previously been
13 operated by the Department as a shelter. D, public
14 information session means an in-person or a virtual or
15 remote meeting, conference, assembly or other gathering
16 attended by department staff and open to the public. E,
17 shelter means any facility established and operated for
18 the purpose of providing temporary residential care to
19 homeless adults, adult families, or families with children
20 by the department or by a provider under contract or
21 similar agreement with the department applying for or in
22 receipt of temporary housing assistance. Emergency
23 homeless shelter means any facility with overnight
24 sleeping accommodations, the primary purpose of which is
25 to provide temporary shelter to recipients of temporary

1 housing assistance and opened during the state of
2 emergency declared by the mayor pursuant to Section 24 of
3 the executive law, or by the governor pursuant to Section
4 28 of such law, or pursuant to an emergency procurement.
5 Section 6-02, process for notification of a new homeless
6 shelter. A, after it has identified a proposed new
7 homeless shelter, but before registering with the city
8 controller, a contract to operate such a shelter, the
9 department will, one, provide written notice to all
10 federal, state, and local elected officials, as well as to
11 the community board of the community district in which the
12 proposed new homeless shelter is to be located, informing
13 them of such a facility and of the department's intention
14 to site a shelter at the facility. Such notice will
15 include: the location of the proposed new homeless
16 shelter, the capacity of the proposed new homeless
17 shelter, the population of the proposed new homeless
18 shelter will serve, the name of the provider selected to
19 operate the proposed new homeless shelter, if any, and the
20 anticipated opening date of the proposed new homeless
21 shelter. And, two, conduct at least one public
22 information session at which members of the public may ask
23 questions and make comments in the community district in
24 which the proposed new homeless shelter is being sited.
25 Three, post on the department's website the date, time,

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1 and location of a web link to such public information
2 session, as well as the address of the proposed new
3 homeless shelter no less than 14 days before such session
4 is scheduled to occur. And, four, accept written
5 questions and comments on the proposed -- on the proposal
6 to site a new homeless shelter within 14 days of such
7 public information session. D, the procedures in this
8 section do not apply to emergency homeless shelters,
9 provided, however, that in the event of an emergency,
10 homeless shelter will operate beyond a duration of the
11 state of emergency pursuant to which it was established.
12 The department will apply the notification requirements
13 described in the section before registering with the city
14 controller any contract or agreement to operate a shelter
15 at the same site. E, no later than March 31st of each
16 calendar year, the department will send written notice
17 electronically and by mail to all federal, state, and
18 local elected officials requesting that such officials
19 identify potential locations for new shelters in their
20 district. You are on mute, Ian.

21 MR. BRONSTEIN: Apologies. Anyone who wishes to
22 comment on the rule will have three minutes to speak. We
23 will not be answering any questions or responding to your
24 comments today, but please know that we will consider all
25 comments received as we finalize the rule. If you wish to

1 submit written testimony, the deadline is midnight
2 tonight. Comments can be emailed to DHS rules. That's D-
3 H-S, R-U-L-E-S at dhs.nyc.gov. So far, we don't have
4 anyone who has signed up to speak so far, but we'll go in
5 the order in which you indicate that you wish to speak.
6 If there's anyone who wishes to testify, please raise your
7 hand in -- okay. Please raise your hand. If you need
8 help, let us know in the chat. If you have joined the
9 hearing by calling in, you can raise your hand by pressing
10 *9. By raise hand, you can do it physically, I did see
11 one person do so, but there's also a hand raise feature in
12 Zoom that can be used. Okay. I see one so far. So, if
13 we can unmute Sheldon Fine, I'll be giving you three
14 minutes.

15 MR. SHELDON FINE: I just want to say that I
16 wrote in this morning as required, but nevertheless, like
17 to begin. I'm Sheldon Fine. I am representing Community
18 Board 7 in Manhattan. I'm co-chair of the Health and
19 Human Services Committee. We have had gradually more and
20 more successful interaction with DHS and DSS on shelters.
21 The most recent event was very much in line with Chapter
22 6. It was held -- event was held in the community close
23 to where the siting was going to be with the people from
24 the community having easy access to it. I think Chapter 6
25 is very reasonable and very in line with what, at times,

1 has been successful. In a number of years ago, I met with
2 Mayor Bloomberg, and he agreed at Gracie Mansion that we
3 have a 30-day notice and sent a memo out to that effect,
4 which is probably on file. I think the two things that
5 would be most helpful is that 30 -- at least 30-day notice
6 to the community boards and the elected officials who then
7 should be in communication with schools, neighborhood
8 associations. And what was most successful after our last
9 event, 106th Street was in agreement to meet with the
10 neighborhood associations and a couple of other
11 stakeholders by DHS before the opening so that any issues
12 that might have -- might come up could be ironed out in
13 advance for a successful opening. Our community board and
14 community, although there's always objections to anything
15 with a shelter name, have been very cooperative when open
16 to communication, and we hope that that can be
17 incorporated here. I think that this is a good step
18 forward, Chapter 6, and we hope to continue working with
19 DHS on future projects. Thank you.

20 MR. BRONSTEIN: Thank you. I do not see any
21 other hands up, but if someone would like to enter, please
22 do so or raise the Zoom hand up feature, or let us know in
23 the chat. I'll be asking every few minutes. If people
24 have just joined us and they wish to testify about the
25 proposed rule regarding shelter siting, I'd ask them to

1 raise their hands again in the chat or press *9, and also
2 ask if they need translation assistance. I do think
3 they'll be announcing that periodically until about 11:00
4 or until we -- until otherwise directed. And if anyone
5 has joined us since I last spoke, if they wish to testify
6 about the proposed DHS rule change regarding shelter
7 siting, do please raise your hand in the chat, or press *9
8 if you're calling in by phone. And if you need
9 translation assistance, please also let us know. Okay.
10 Is there anybody who has just joined us that I don't see?
11 If anyone does still wish to testify about the proposed
12 DHS change regarding shelter siting, please raise your
13 hand in the chat, or press *9 if you're calling in by
14 phone. And if you need translation assistance, please
15 also let us know. Okay. We'll open it just a couple more
16 minutes. Again, if I'm not seeing you, but, yeah, if you
17 just joined us, you wish to testify about the proposed DHS
18 rule change regarding shelter siting, please raise your
19 hand in the chat or press *9 if you're calling in by
20 phone. If you need translation assistance, please also
21 let us know. Okay. Thank you everyone for coming today
22 and sharing your thoughts on DHS' proposed rule. This
23 concludes the public hearing.

24 FEMALE VOICE: Goodbye.

25 (Proceeding Concluded.)

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C E R T I F I C A T E

I, Tricia Ghrist, certify that the foregoing transcript of proceedings in the New York City Department of Social Services - Office of Legal Affairs, Matter of Public Hearing/NYC Department of Homeless Services Shelter Sitting Rule, was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Tricia

12/4/2024

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Gabrielle Atkinson