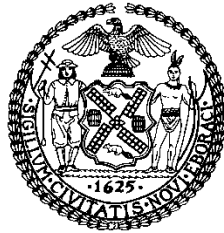


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THE COUNCIL OF THE CITY OF NEW YORK

**BRIEFING PAPER AND COMMITTEE REPORT OF THE
HUMAN SERVICES DIVISION**

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COMMITTEE ON AGING

Hon. Margaret Chin, Chair

September 21, 2020

OVERSIGHT: THE FUTURE OF SENIOR CENTERS AFTER COVID-19

INT. NO. 2030:

By Council Members Chin, Yeger,
Kallos, Maisel and Brannan (by
request of the Mayor)

TITLE:

A Local Law to amend local law number 19 for the year 2014, amending the administrative code of the city of New York relating to increasing the maximum income level qualifying for exemption for rent increases granted to certain senior citizens, and to amend local law number 39 for the year 2014, amending the administrative code of the city of New York relating to increasing the maximum income level qualifying for exemption for rent increases granted to certain persons with disabilities, in relation to extending certain provisions thereof

I. INTRODUCTION

On September 21, 2020, the Committee on Aging, chaired by Council Member Margaret Chin will hold an oversight hearing on *The Future of Senior Centers after COVID-19*. The Committee will also hear Introduction Number 2030 (Int. No. 2030), sponsored by Council Member Margaret Chin, regarding increasing the maximum income qualifying level for those applying to New York State’s Senior Citizen Rent Increase Exemption (SCRIE) and Disability Rent Increase Exemption (DRIE) programs.

The Committee has invited representatives from the Department for the Aging (DFTA) and various Aging advocates, stakeholders, and members of the public to testify.

II. BACKGROUND

New York City’s senior population has been one of the hardest hit by the COVID-19 pandemic. Since March, the City’s senior service providers have been scrambling to continue serving the seniors that used to be within their program portfolios and have, additionally, needed to change their services to account for sheltering at home, social distancing, and the steep increase in seniors needing basic services, such as food delivery.¹ Per Mayor Bill de Blasio and Governor Andrew Cuomo’s shelter at home orders, all 249 of NYC’s senior centers stopped group services in mid-March; in-person group programming at these centers was closed indefinitely and all programmatic aspects of senior services, such as DFTA’s Friendly Visiting Program, were required to switch to virtual services.²

DFTA, Senior Centers, and Home Delivered Meals Programs during COVID-19

¹ See Roshan Abraham, *Senior Centers Scramble to Aid Clients Amid Coronavirus Shutdown*, CityLimits , March 18, 2020, available at <https://citylimits.org/2020/03/18/senior-centers-scramble-to-aid-clients-amid-coronavirus-shutdown/>.

² *Id.*

At the time, while physical programming ceased, senior service providers were still responsible for providing both on-site and home-delivered meals (“HDM”) to food insecure seniors.³ The City’s senior services providers immediately transitioned from senior center congregate meals to, initially, grab-and-go meals at senior center sites, at personal cost.⁴ To address serious funding concerns among service providers at the time, on March 18, 2020, the Mayor’s Office of Contracts sent all City-contracted service providers, including senior service providers, a letter urging them to continue their services, while providing reassurance that the contracted costs would be reimbursed, including additional costs incurred for PPE, sanitation, and other measures taken to ensure the safe delivery of services.⁵ This letter provided ambiguous reassurances of reimbursement and service providers continued funding grab-and-go services and cleaning through their personal budgets.⁶

At the end of March, the grab-and-go system transitioned to a full emergency meal delivery service coordinated by DFTA and serviced through nonprofit and private food vendors and partnerships.⁷ This program was meant to centralize food distribution operations and manage more senior clients than those within the portfolios of senior service providers. However, DFTA’s program was besieged with problems, including complaints about lack of communication, missed or failed deliveries, and non-nutritious meals.⁸ In April, DFTA’s emergency meal delivery service was transitioned out of the agency and integrated with the newly established GetFood program, formerly operated by Kathryn Garcia, then Food Czar, and the Department of Sanitation

³ See Yoav Gonen and Christine Chung, *Food Czar To Oversee Meal Delivery for Elderly After Early Stumbles*, TheCity, Apr. 15, 2020, available at <https://www.thecity.nyc/life/2020/4/15/21247114/food-czar-to-oversee-meal-delivery-for-elderly-after-early-stumbles>.

⁴ Based on Committee conversations with Senior Service Providers.

⁵ See Mayor’s Office of Contract Services, Letter to Human Service Provider Partners, March 18, 2020 (*on file with Committee staff*).

⁶ *Id.*

⁷ See Gonen & Chung, *Food Czar To Oversee Meal Delivery*, *supra* note 3.

⁸ See *id.*

(“DSNY”).⁹ DSNY and the GetFood program inherited DFTA’s list of senior clients and now the program runs separately from the HDMs still contractually provided by senior service providers. Before the pandemic, about 17,000 homebound seniors across the five boroughs were receiving meals each weekday from senior centers’ HDM programs; since March, this number has increased by 10 percent.¹⁰

DFTA, Senior Centers, and Programming during COVID-19

While DFTA senior centers have been physically closed since March 2020, providers have not entirely stopped providing services to the City’s older adult population. At the end of April, DFTA announced that it was transitioning its services and programming to remote and virtual services during the pandemic.¹¹ The agency reported that during the month of April alone, it had conducted more than 450,000 remote wellness check-ins, that they had connected nearly 1,000 volunteers with seniors through friendly visiting calls and video conferences, and that senior centers would also be offering virtual workshops and virtual fitness programs.¹² Senior service providers have also been working hard during the pandemic to connect older adults to classes, activities, and other similar programming either online over platforms such as Zoom or even over the phone.¹³ Such activities can range from art to exercise classes, lectures and discussion groups to religious services.¹⁴ Importantly, this virtual programming is available not only to those seniors

⁹ *See id.*

¹⁰ Roshan Abraham, *Snags Seen in Pandemic Policies for Senior Centers and Home Meals*, CityLimits, June 26, 2020, available at <https://citylimits.org/2020/06/26/snags-seen-in-pandemic-policies-for-senior-centers-and-home-meals/>.

¹¹ *DFTA Revamps Its Programs to a System of Remote and Virtual Services to Reach Older New Yorkers in Their Homes During Pandemic*, NYC Department for the Aging, April 30, 2020, available at <https://www1.nyc.gov/site/dfta/about/pr-remote-and-virtual-services-during-pandemic.page#:~:text=DFTA%20Revamps%20Its%20Programs%20to,Yorkers%20to%20limit%20social%20isolation.>

¹² *Id.*

¹³ *Join in Virtual Programming for Older Adults and Caregivers*, LiveOnNY, available at <https://www.liveonny.org/virtual-activities>.

¹⁴ *Id.*

who had previously participated in DFTA’s physical senior centers, but also to seniors who had not previously been connected with the DFTA system and their caregivers as well.¹⁵

In June 2020, DFTA also launched a new campaign, aired on local radio and on social media, focused on reducing social isolation among older New Yorkers during the pandemic.¹⁶ The campaign specifically promoted DFTA’s Friendly Visiting Program, which matches volunteers with older adults, and which has switched from in-person visitation to phone and video calls.¹⁷ Additionally, during summer 2020, DFTA required physically opening certain senior centers designated as cooling center sites for seniors to access air conditioning during heat waves.¹⁸ Senior centers that opened as cooling centers were prohibited from offering in-person programming and were required to adhere to social distancing guidelines and sanitization procedures.¹⁹

DFTA, Senior Service Providers, and the Future of Senior Centers

Importantly, although senior service providers have continued to provide meals and integral virtual services to the City’s impacted older adult population during the pandemic, they have faced lack of clarity, communication, and guidance throughout the process. Service providers have complained that they received and continue to receive last minute directives from DFTA, without proper explanation, are given conflicting guidance and instructions, and have been left without reassurance for the future of the community-based HDM program and, indeed, for the future of senior centers themselves.²⁰

¹⁵ *Id.*

¹⁶ Emily Davenport, *Department of Aging launches program to combat isolation of senior New Yorkers during COVID-19*, *amNY*, June 17, 2020, available at <https://www.amny.com/coronavirus/department-of-aging-launches-program-to-combat-isolation-of-senior-new-yorkers-during-covid-19/>.

¹⁷ *Id.*

¹⁸ *NYC Cooling Centers and Cool It! NYC Initiatives Available Tuesday to Help New Yorkers Beat the Heat*, *NYC Emergency Management*, July 27, 2020, available at https://www1.nyc.gov/site/em/about/press-releases/20200727_pr_nyem_cooling-centers-remain-open-on-Tuesday.page.

¹⁹ *Id.*

²⁰ Based on Committee conversations with Senior Service Providers.

To this end, on September 4, 2020, the Speaker of the Council, the Chair of the Aging Committee, and 23 other Council Members wrote a letter to Commissioner Lorraine Cortés-Vázquez, Commissioner of DFTA, Dr. Dave Chokshi, Commissioner of the NYC Department of Health, and Kathryn Garcia, Food Czar and Commissioner of the NYC Department of Sanitation, regarding the reopening of and future of DFTA senior centers after COVID-19.²¹ In the letter, the Council asks for clear communication and guidelines surrounding reopening plans, specifically defining for senior service providers what reopening means to DFTA and the Department of Health, explaining expectations for the upcoming senior center contract procurement process, and providing transparent timelines, metrics, and expectations for funding and reimbursement costs associated with reopening senior centers.²²

III. DFTA'S 2020 SENIOR CENTER CONCEPT PAPER

On August 21, 2020, DFTA released a Concept Paper to solicit recommendations on how the Department could further support the different types of senior centers in its network.²³ Additionally, the Concept Paper outlined some expectations for the agency's Request for Proposal (RFP) which is set to be released in fall 2020.²⁴ Senior center contracts are proposed to begin on July 1, 2021 and conclude on June 30, 2024 and the agency predicts that the total contract funding will be approximately \$170 million annually for a total of about \$510 million.²⁵ In preparation for the upcoming RFP, DFTA has:

- Conducted a community needs analysis;
- Interviewed various stakeholders;
- Reviewed current state data;

²¹ Letter from the Council to DFTA, DOH, and DSNY, September 4, 2020, on file with Committee.

²² *Id.*

²³ NYC Department for the Aging, "Older Adult Centers (formerly Senior Centers) Concept Paper," Aug. 21, 2020, available at

https://www1.nyc.gov/assets/dfta/downloads/pdf/community/OlderAdultCenterConceptPaper_08_20_2020.pdf.

²⁴ *Id.*

²⁵ *Id.*

- Conducted a literature review identifying what draws older people of different ages, from early 60s to the 90s and beyond, to attend centers;
- Held stakeholder engagement sessions on center operations and cuisine; and
- Convened a workgroup that focused on identifying best practices.²⁶

According to DFTA, the ideas put forth in DFTA's concept paper, for feedback and input, were informed by the agency's prep rational work.²⁷

Innovation Models

DFTA's Concept Paper outlines various service delivery models, and the agency indicates that it will encourage proposals to provide one model or mix models that work for its respective community.²⁸ The agency put forth the following 8 service models for providers' consideration:

- 1) Comprehensive model: Aims to offer a wide range of activities and services of broad appeal, sometimes on weekends and outside of regular business hours, to people of varying ages and interests within the community; this is often referred to as a "multigenerational model."
- 2) Wellness Center model: Highlights access to fitness centers and activities, such as evidence-based health promotion workshops, to promote strong positive physical and mental health outcomes. Often includes coordination with healthcare professionals and other partners.
- 3) Lifelong Learning model: Focus on intellectual stimulation and creative/art activities that are culturally and linguistically diverse. Often partners with other off-site organizations (such as libraries and arts organizations).
- 4) Continuum of Care model: Focused on providing health and wellness activities throughout the aging life span, tailoring activities and opportunities to older adults as they 'age-in-community' and transition from all levels of fitness, ability, and frailty. Often comprehensive collaboration with inter-disciplinary institutions and providers.
- 5) The Café model: Provides a restaurant-type setting for all ages, but also hosts activities and programs to enhance the physical and mental well-being of older adults.
- 6) Next Chapter model: Similar in some ways to the Lifelong Learning model, the Next Chapter model is distinguished by its emphasis on helping members explore possibilities to increase their financial security and independence. This is done through fostering older individuals' use of their skills and experiences to take on paid work, engage in civic activities, or participate in specialized volunteer programming. Some centers may also wish to create a learning institute as a centerpiece of this model to help participants enhance skills post retirement.

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Id.*

- 7) Entrepreneurial Center model: Use of diverse funding sources—such as philanthropic and other private funding or offering opportunities to generate income based on the skills of older adults—to help centers become more independent and provide more long term sustainability. May also offer non-traditional hours to meet diverse consumer needs.
- 8) Older Adult Centers without walls: Utilizes existing community resources to enhance the service model, expose centers to individuals who wouldn't otherwise attend a center event, and avoid duplication of programs/services. For example, a library that hosts a film appreciation event could co-sponsor that event with the local center and offer the center a table for information at the event. For reciprocity, the center would then host an event at their facility and invite the library to co-sponsor the event for center members and perhaps other interested community members.²⁹

Contracting and Units of Service

According to DFTA's Concept Paper, the agency intends to continue to mandate the provision of certain services but is exploring eliminating the required minimum service levels "in an effort to see some congruence between funding and proposed service units."³⁰ The agency aims to encourage proposers to develop realistic service levels by using historical data and projected community growth.³¹ According to DFTA, some minimum service levels, including meals, have been challenging for some senior centers to meet, while other centers were over-utilized based on these metrics.³²

Marketing/Advertising/Outreach

According to DFTA, some senior centers are experiencing "moderate rates of underutilization, i.e., they are serving fewer older adults than they have the capacity to serve."³³ Additionally, some groups of seniors, including those aged 60-74, attend senior centers at lower rates than their counterparts.³⁴ The Department is considering requiring that contractors submit

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.*

³² *Id.*

³³ *Id.*

³⁴ *Id.*

and implement an outreach and engagement plan that sets forth what they intend to do to recruit a selected population.³⁵

According to the Concept Paper, if a senior center falls 10 percent or below their proposed and contracted service levels for average daily participants or meals, DFTA will support them in creating strategies to increase their performance and will decide if the senior center's budget would require a corresponding adjustment based on its contract.³⁶

Emergency Preparedness

The Concept Paper also highlights that DFTA will require senior centers to have an imperative role in emergency preparedness, response and recovery to keep older adults safe. Senior centers are expected to work with DFTA's Office of Emergency Preparedness to coordinate preparedness actions, training activities and exercises.³⁷ Senior centers are also required to submit emergency plans to the office of emergency preparedness and such plans are expected to be updated regularly.³⁸

Other Concepts for the RFP Outlined in DFTA' Concept Paper

Senior Center Nomenclature: due to the stigma often associated with the term 'senior centers,' DFTA is inviting individuals to recommend alternative system-level nomenclature that older adults may prefer in lieu of senior centers.³⁹

- **Serving Diverse Populations:** DFTA plans to provide additional consideration to proposals that strive to attract younger cohorts who are not as connected to the system. Additionally, the agency intends to continue to award contracts to proposers who show knowledge of the community it is located in. This includes centers that attract racially, ethnically and culturally diverse members as well as members of various age groups, individuals with disabilities and members of the lesbian, gay, bisexual, and transgender community.⁴⁰

³⁵ *Id.*

³⁶ *Id.*

³⁷ *Id.*

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ *Id.*

- Innovations in funding and other types of support: DFTA’s Concept Paper indicates that the RFP “may” include a question about how proposers plan to utilize volunteers, private donors, grants, contributions etc, and in-kind partnerships with healthcare providers and academia to enhance the experience of senior center participants.⁴¹
- Innovations in programming at the centers: The department also encourages commenters to the concept paper to offer their ideas around how senior centers can make their programming more innovative.⁴²
- Data Management: DFTA will require senior centers to set aside funds in its budget for an experienced database manager to ensure complete utilization and maintain of DFTA’s Senior Tracking, Analysis, and Reporting System (STARS) and other mandated databases.⁴³

IV. CONCLUSION

At this hearing, the Committee aims to open dialogue between DFTA and senior service providers about how to best move forward with regards to reopening senior center buildings. Additionally, the Committee aims to hear from DFTA about what plans the agency has for reopening, including specific timelines, metrics, and reimbursement details, how DFTA will be approaching the future senior center procurement process given the currently uncertain future of senior centers, and what DFTA envisions for the future of senior centers in a post-COVID world.

V. ANALYSIS OF LEGISLATION

Analysis of Int. No. 2030

Int. No. 2030 would authorize extending the current income eligibility limits for the Senior Citizen Rent Increase Exemption (SCRIE) and the Disability Rent Increase Exemption (DRIE) until June 30, 2022.

Section 1 of this bill amends section 5 of local law number 19 for the year 2014 to expire on June 30, 2022.

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.*

Section 2 of Int. No. 2030 amends local law number 39 for the year 2014 by increasing the maximum income qualifying level for the SCRIE and DRIE programs and extends the new sunset date for this legislation to June 30, 2022.

The bill provides that the local law would take effect immediately and would be retroactive to and deemed to have been in full force and effect as of July 1, 2020.

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Int. No. 2030

By Council Members Chin, Yeger, Kallos, Maisel and Brannan (by request of the Mayor)

A Local Law to amend local law number 19 for the year 2014, amending the administrative code of the city of New York relating to increasing the maximum income level qualifying for exemption for rent increases granted to certain senior citizens, and to amend local law number 39 for the year 2014, amending the administrative code of the city of New York relating to increasing the maximum income level qualifying for exemption for rent increases granted to certain persons with disabilities, in relation to extending certain provisions thereof

Be it enacted by the Council as follows:

Section 1. Section 5 of local law number 19 for the year 2014, amending the administrative code of the city of New York relating to increasing the maximum income level qualifying for exemption for rent increases granted to certain senior citizens, as amended by local law number 24 for the year 2017, is amended to read as follows:

§ 5. This local law shall take effect July 1, 2014 and shall expire and be deemed repealed June 30, [2020] 2022; provided that the amendment to section 26-509 of the administrative code of the city of New York made by section three of this local law shall not affect the expiration of such section and shall be deemed to expire therewith.

§ 2. Section 5 of local law number 39 for the year 2014, amending the administrative code of the city of New York relating to increasing the maximum income level qualifying for exemption for rent increases granted to certain persons with disabilities, as amended by local law number 24 for the year 2017, is amended to read as follows:

§ 5. This local law shall take effect on the same date as a chapter of the laws of 2014 amending the real property tax law relating to the tax abatement and exemption for rent regulated and rent controlled property occupied by persons with disabilities; and providing for the repeal of certain provisions upon expiration thereof, as proposed in legislative bill number A. 9744, takes effect, and shall expire and be deemed repealed on June 30, [2020] 2022; provided that, notwithstanding any other provision of law, any renewal application that was received before the

effective date of this local law and that would have been timely if received on or after such effective date, pursuant to paragraph (6) of subdivision m of section 26-405, paragraph (6) of subdivision b of section 26-509, or subdivision (c) of section 26-605 of the administrative code of the city of New York, shall be deemed to have been received on or after such effective date; and provided further that the amendment to section 26-509 of the administrative code of the city of New York made by section two of this local law shall not affect the expiration of such section and shall be deemed to expire therewith.

§ 3. This local law takes effect immediately and is retroactive to and deemed to have been in full force and effect as of July 1, 2020.