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Bronx Coalition for a Community Vision

Statement on the Jerome Avenue Rezoning after the City Council Land Use Committee Vote

More than three years after Mayor de Blasio announced his intention to rezone our neighborhood in the Bronx, the Mayor and City Council are now poised to pass a rezoning that falls far short of the vision that we created. The current plan will accelerate the displacement of current residents and businesses and fails to provide middle class wages and careers in the building and construction trades for local workers --all of which is unacceptable to us.

In 2014, Bronx Coalition for a Community Vision (BCCV) came together to ensure that residents of the communities targeted for rezoning were included in determining what the redevelopment would look like. We prioritized the preservation and creation of housing that is truly affordable to current residents, retention of the hundreds of businesses that have sustained the communities for decades, and the creation of job opportunities that would allow residents to thrive. The vision we created after one year of visioning sessions, community forums, and meetings with city officials was released and publicly shared in 2016. Our platform is grounded in the recognition that our residents are local experts deeply invested in staying in the community we have created together, and should be involved in defining what progress means for us, on our own terms.

Beyond initiating a community planning process for our community, we launched a citywide organizing effort that succeeded in passing multiple historic citywide policies. Our organizing contributed to passing Right to Counsel(Intro 214), which ensures that low income people have a right to be represented in housing court; a citywide Certificate of No Harassment pilot (Intro 152-B), which requires landlords to prove they have not harassed tenants before they can obtain permits to demolish or substantially renovate their buildings; and worker safety legislation (Intro 1447), which requires additional construction site safety training for all workers. Each of these pieces of legislation represents a solution to problems we were told for years could not be addressed because they were not politically or technically feasible. However, the hard work and dedication of countless Bronx residents and laborers proved this thinking wrong. Organizing truly changes what is possible.

And yet, despite these significant victories, we know that they cannot fully protect us against the consequences of a local rezoning that will dramatically alter who gets to live in our neighborhood. The Coalition based our platform on four key principles and will be evaluating the results of the rezoning according to the following:

STRONG ANTI-HARASSMENT & ANTI-DISPLACEMENT POLICIES FOR RESIDENTIAL AND COMMERCIAL TENANTS

For residential tenants, the City has committed to continuing a suite of programs that attempt to limit displacement through proactive outreach to tenants and landlords.. These are important programs that are needed in our community. But they are almost entirely all continuations of existing City programs and policies that the City could and would continue in this neighborhood whether a rezoning took place or not. They are also “last resort” fixes that are designed to lessen the impact of situations that have already reached crisis points. They do not address the root causes of the lack of affordability and safe housing in our community, and they do not counterbalance the effect of bringing in more than 4,000 units of new housing, the majority of which will be out of reach for current residents.

HPD has also committed to the preservation of 2,500 affordable units over the next two years; but again, the majority of these 1,500 units represent the continuation of work HPD is already doing in the neighborhood, *without a rezoning*. As for the additional 1,000 units the City has committed to preserving, it is not clear how they intend to keep them affordable. The best indication is that they will be preserved through the Partners in Preservation Program. But for this to work, Partners in Preservation must be well funded and include the right local stakeholders at the table. In addition, the \$200,000 the City is currently committing for tenant organizing as part of the program is far too little and must be increased. Any data compiled as part of the program, including the inventory of regulated affordable housing, must be made publicly available.

Commercial tenants, including auto businesses, will be directly displaced by the proposed rezoning. In various ways, at multiple junctures, the BCCV has called upon the Department of City Planning to modify its plans to allow for more of the existing businesses to stay, in conjunction with a meaningful relocation strategy that acknowledges the dwindling land available for auto businesses and the need for such businesses to operate in clusters. The City failed to modify its zoning plan to provide greater protections, and instead eroded the so-called “retention zones” it initially proposed not to touch. A range of training and service programs are being funded by the City, and while Council Member Gibson was able to secure a modest relocation grant fund, the future of these important small businesses, mostly made up of immigrants, is uncertain and at jeopardy.

REAL AFFORDABLE HOUSING

There are two things to consider about the affordable housing that will be created after this rezoning: the levels of affordability of the units, and the guarantees to ensure that the targets the City is announcing will actually come to fruition. The City fails on both counts.

The City has promised that a significant share of the new housing will be affordable. But the City’s commitment letter makes clear what we’ve been warning all along – that the only guaranteed affordable housing this rezoning will bring are Mandatory Inclusionary Housing (MIH) units, which will make up, at most, a quarter of the new housing created. MIH primarily serves families making almost \$60,000 a year - more than double the median income in our area.

The City says they will incentivize the development of affordable housing that exceeds MIH requirements. However, creating an incentive is different than a firm commitment with guarantees that deeply affordable housing will be built. If anything, by encouraging drastic market changes in our community, the rezoning makes it less likely that developers will take HPD subsidy, and in the City's best-case scenario, only about half of the new apartments will be subsidized. This means that only about 200 of the new apartments - 5% of the total - will be for families making below 30% AMI, even though almost *half* of the families in the Jerome Avenue rezoning area make below that amount. Residents don't feel that this rezoning is for them, because the numbers do not reflect who currently lives in our community.

A set of opportunities that the City has committed to advancing includes the development of housing on five sites for public land. The standard for affordability on these parcels is entirely within City control, and we expect to work closely with the City to ensure that these deals bring meaningful benefits to our community - including the permanent and deep affordability both MIH and HPD subsidies fail to provide. HPD has also stated that developers who take HPD subsidy under ELLA or Mix and Match will be required to make an additional 15% percent of all units permanently affordable, above the share of units that are required to be affordable under MIH. As of today, HPD has said that it will negotiate with developers directly in a per-building basis to determine how affordable these "permanently affordable" units must be. The Coalition believes this requirement presents another critical opportunity to secure permanent and deep affordability, and we look forward to working with the City to develop a clear and consistent commitment to deep affordability for these units.

GOOD JOBS & LOCAL HIRE

Community members have a strong interest in ensuring we get jobs when redevelopment comes to our neighborhoods, for several reasons. Our taxes help fund subsidies that enable these projects to happen. Subsidies and other funding mechanisms often shortchange the public services community members need most – like good public education and technical college systems. In order to justify the tradeoff of diverting those funds to redevelopment, community members need to see substantial, measurable benefit, including getting new job opportunities. Finally, redevelopment fuels gentrification and makes it harder for community members to stay in neighborhoods our families have occupied for generations. By providing local residents with real chances to work on these projects, we increase the likelihood our economic self-sufficiency and self-determination will not decline when redevelopment increases the cost of living.

The final plan has some provisions that might increase the supply of workers, but almost nothing that requires contractors to engage in the system to hire local workers. This package is incomplete and will not make a substantial difference in hiring outcomes.

Expand local hiring incentives in HPD Financed developments

None of these provisions create incentives of any kind. At best, these are gentle encouragements. There are no stated requirements or rewards for hiring local workers. Outreach plans are a good start, but on their own not enough to ensure full implementation and maximize the number of neighborhood residents who will get jobs on these projects. It is imperative to follow through on requiring reporting and track outcomes so that community members understand whether and how the projects have benefited our neighborhoods. In addition, there is considerable evidence that HPD's existing approach of requiring employers to post open positions in a central clearinghouse (HireNYC) doesn't work, because of the nature of the construction job market and the way hiring happens in construction. For example, to get hired onto a construction job, and in particular to be called up into an apprenticeship program, aspiring job seekers have to be qualified and be already enrolled in the program. Waiting until workers are needed to advertise job openings does little to ensure workers will be in the pipeline and ready to work when the openings arise. Additionally, many contractors bring their own workers with them. There will be fewer new opportunities created if the City does not require apprenticeships and lay out a process for making sure some new workers are brought into projects.

Continue upholding responsible contracting and labor standards for affordable housing projects receiving City subsidy

Responsible contracting is the only strategy for ensuring job quality. The administration has not defined responsible contracting and how it is enforced to understand how powerful this mechanism may be. Continuing to do something that is already in place is the bare minimum the administration could offer. Given the scope of redevelopment on the horizon for our community, it seems important to establish strong standards that can guide its evolution.

Create a new "Jerome Program Manager" position, which will oversee all business and workforce strategies related to the Jerome Avenue rezoning

Hiring a program manager to serve Jerome Avenue projects is a benefit to the program, but its impact will be determined by what requirements are set forth in the program itself. As it is currently written, it appears to be a position that would help businesses. Community members will need to understand how that position is intended to serve our interests and how it will be accountable to our needs. The rest of the program does little to safeguard the interests of community members who see the threat of gentrification looming on the horizon. If this position were to help to create a comprehensive community benefits approach that included stronger job quality standards, a process for contractors to request local workers, and support for community organizations and apprenticeship programs to get local workers into the pipeline, then it would be a huge benefit. But when the rest of the program is defined in a more piecemeal way, it is challenging to see how this position can anchor the outcomes community members want to see.

Conduct Workforce Outreach and Recruitment Events; Connect Jerome corridor residents to construction training programs

Outreach and recruitment events and the Green Jobs Corps may help to create a supply of local job seekers who want to work on these projects; it will have little impact

on whether contractors choose to hire them. These are good elements of a more comprehensive program but on their own they do not tend to turn the tide and create a critical mass of hiring for low-income job seekers and job seekers of color in redevelopment construction.

Partner with Council Members to launch the Jerome Avenue Local Hiring and Responsible Contracting Working Group

This working group is possibly the most important and potentially innovative element of the proposal. There are multiple models from other projects including the Social Justice Committee for the Port of Oakland's Modernization Project Labor Agreement. The workgroup would be more impactful if it is charged with implementing a more comprehensive program. But even within the terms laid out here, the workgroup could have an important role to play. The workgroup will need to have access to good data, including real-time hiring numbers as noted above, and have a clear scope of work. It will be important for the workgroup to have the ability to require developers and contractors to appear before it, to recommend remedial hiring processes for projects that are underperforming and to issue independent findings on whether outcomes are meeting goals.

REAL COMMUNITY PARTICIPATION

The real community participation that was brought into this process over the last three years has been the result of our collective organizing. From the 1,500+ people that have participated in our visioning sessions, to the more than 500 people who attended the Scoping Hearing, and the hundreds of people that attended public hearings and agency meetings, we have raised our voices clearly. The mark of real community participation, however, is best measured in how well community input is actually incorporated into the final content of a plan. By that measure, the City has failed to hear us.

This is our community, these are our lives, and we have no choice but to continue to pursue a right to stay and to have access to a decent quality of life. We have called for formal opportunities to shape the future of our neighborhood, some of which have been committed to through the rezoning, although not sufficiently. These include: the Southwest Bronx Housing Task Force, the CONH Program, the Partners in Preservation Program, the Local Hiring and Responsible Contracting Working Group, and the Public Health Task Force. We will continue to organize to ensure our participation in these efforts help implement our vision. We have also been calling for community oversight of mayoral commitments and we hope and expect that as Council Members Gibson and Cabrera engage with the Administration on oversight, community members will be included in these processes.

In short, the Mayor's response to our comprehensive community vision was insufficient. Sadly, the local terms of the Jerome rezoning continue an ill-conceived and dangerous course that the Mayor has dug in on. De Blasio's vision for affordable housing is characterized by the targeting of low-income communities of color who continue to suffer the effects of historic disinvestment.

The plans for these targeted communities are slight variations on a common theme: upzonings which bring in market-rate units coupled with subsidized units that are too expensive for existing local residents to afford, accelerating displacement and gentrification. Attached to these units are promises of infrastructure investment, though not to address existing unmet needs, but instead tied to how many new units a community will accept, and to address the priorities of higher income new residents. To dress up the effort, a package of services and programs also gets added at the end. Taken in sum, it's a gentrification and displacement plan.

We refuse to be displaced. Our work is part of a legacy of resistance in the Bronx, rooted in community building, mutual support, coalition formation, and organizing for the power to change what is possible. We owe our continued struggle to those who came before and those who are coming next, and we will fight on.