

TESTIMONY BEFORE THE NEW YORK CITY COUNCIL FINANCE COMMITTEE

Michael Flowers, Chief Analytics Officer, Office of the Mayor

December 2, 2013

Good afternoon, my name is Michael Flowers, I am the Chief Analytics Officer for the City of New York. Since Hurricane Sandy hit New York City, my office – the Mayor’s Office of Data Analytics – has managed the collection, synthesis, analysis, and dissemination of the relevant data to ensure that recovery resources are allocated transparently, effectively, and equitably. I’ve been tasked by Deputy Mayor Holloway with developing the Sandy Funding Tracker website to provide transparency and accountability around the City’s use of federal disaster recovery and resiliency funds. We work closely with the Office of Management and Budget, the Housing Recovery Office and other agencies involved in the recovery effort. This site was launched today and I would like to take the opportunity to demonstrate the capabilities of the site and the information presented therein. Before we look at the site I’d like to note that this is the first version, we will continue to develop it further as we identify additional information that needs to be released.

New Yorkers can use the Sandy Funding Tracker to track the City’s use of federal disaster recovery and resilience funds provided through the Disaster Relief Appropriations Act, 2013 (Public Law 113-2), and Sandy Recovery Improvement Act of 2013 (SRIA). The Sandy Funding Tracker provides a Funding Summary, which gives an overview of all disaster recovery and resilience dollars allocated to date by funding type and funding details. The Sandy Funding Tracker also provides further detailed information about projects and programs in each major category of disaster relief funds.

The landing page provides a high level overview of the two federal funding sources for Hurricane Sandy funds administered by the City. They are the US Department of Housing and Urban Development (“HUD”) Community Development Block Grant Disaster Recovery (“CDBG-DR”) and the Federal Emergency Management Agency Public Assistance (“FEMA-PA”).

From here we can use the navigation tools to get a summary of the funding and the current status of those funds. All of the charts and tables are clickable and will provide more granular information on whichever area you are interested in.

For example, if we click on CDBG-DR, we see the breakdown, by category, of the \$1.77 billion grant allocation received from HUD in the first tranche of funding. This breakdown reflects the spending priorities outlined in the City’s CDBG Action Plan, which was developed in a collaborative process with stakeholders across the City. HUD has recently announced the second tranche of funding and we will incorporate those figures in the Tracker once the new Action Plan is finalized.

The Action Plan allocates the CDBG funding into five categories: 1) business; 2) administration and planning; 3) housing; 4) infrastructure and 5) resiliency. We have represented the allocation, the spending to date and the funds finalized.¹ If we click on any one of these categories we can see the specific programs those funds are dedicated to.

In the business category for example we see the City's four CDBG funded business recovery initiatives: 1) the Business Loan and Grant Program; 2) the Business Resiliency Investment Program; 3) the Infrastructure and Building Resiliency Technology Competition; and 4) the Neighborhood Game Changer Investment Competition. In this first release we have drilled down even further on a number of the programs. For the Business Loan and Grant Program for example we provide details by borough of the funds approved and the full time and part time jobs associated with those awards.

We have also provided this additional level of detail for the Build it Back program, which assists homeowners, landlords, and tenants whose homes and properties were damaged by the storm. We can see the applications to the program broken down by borough, along with the status of the application against the program milestones. We also provide a breakdown of applicants by zip code.

For the other source of federal funding, FEMA-PA, all funds are broken down by spending category and then further by City agency responsible for those funds. For example in funding for schools we see the breakdown between CUNY, the Department of Education and the School Construction Authority.

We designed the Tracker website to be user-friendly and accessible. The data visualizations and tables allow users to click through to get to more detailed information or they can use the navigation tools to target specifically what they are looking for. We have linked to the Tracker from the nyc.gov Recovery site, the one-stop-shop for NYC Recovery information. We have provided plain English definitions of all the terms employed so that users can better understand the information they are looking at and a user guide to assist with navigation.

We are committed to keeping all of this information current. All financial information will be updated quarterly and programmatic information will be updated monthly.

We already have significant expansions planned for the site including the addition of tracking progress over time and backend improvements to make update process seamless. The point of this site is to give New Yorkers clear and granular information about how and where Sandy recovery dollars are being spent, while ensuring that we respect the privacy of individuals receiving assistance.

¹ Allocation – total amount of federal dollars assigned to the City.
Spending - total dollars paid out by the City for specific activities as a result of Hurricane Sandy. This includes all Sandy-related costs, including capital and operating expenses.
Funds Finalized – total dollars transferred from federal sources to the City.

We welcome your feedback on the site and we will continue to improve it to increase accountability and efficiency, and ensure the funds are used in a transparent and equitable manner.

We are happy to answer any questions you may have.

Testimony of The Legal Aid Society Before the New York City Council Committee on Finance regarding the creation of a database to track the expenditures of funds in connection with recover efforts in the wake of Hurricane Sandy (Int. No. 1040-A).

December 2, 2013

Thank you Chairperson Recchia and members of the Committee on Finance for the opportunity to provide testimony today.

The Legal Aid Society and Hurricane Sandy

The Legal Aid Society is the oldest and largest legal services provider for low income families and individuals in the United States. Annually, the Society handles more than 300,000 cases and legal matters for low-income New Yorkers with civil, criminal and juvenile rights problems, including more than 44,000 individual civil matters as well as law reform cases which benefit about two million low-income families and individuals.

Through a network of sixteen neighborhood and courthouse-based offices in all five boroughs and 22 city-wide and special projects, the Society's Civil Practice provides direct legal assistance to low-income individuals. In addition to individual assistance, The Legal Aid Society represents clients in law reform litigation, advocacy and neighborhood initiatives, and provides extensive back up support and technical assistance for community organizations.

In the immediate aftermath of Sandy, Legal Aid staff members helped hundreds of Sandy victims in areas such as Coney Island, Red Hook, Far Rockaway and Staten Island. In order to provide comprehensive disaster relief assistance Legal Aid staff was on site at disaster centers, used its disaster relief hotline to connect with clients and in order to reach families in isolated communities, we utilized our Mobile Justice Unit vehicle to conduct outreach and intake. Since the storm, requests for our civil legal aid has increased exponentially and one year after the storm, the need has not subsided. As of October 2013, Legal Aid has directly assisted more than

5,800 families affected by the storm. Despite billions of dollars in public and private emergency aid, many of our clients - which include senior citizens, persons with disabilities, undocumented immigrants, small business owners, low-income renters and low-income homeowners - remain homeless, displaced or on the verge of foreclosure. We are here today to make sure that these individuals are not left behind in recovery efforts.

Introduction

The Legal Aid Society strongly supports the Sandy Tracker Bill (Int. No. 1040-A) and urges the Committee to bring the bill to the full body of the City Council for swift passage into law. In our testimony today, we will describe the experiences of our clients and client communities in the aftermath of Sandy to explain why this bill is so necessary. Additionally, we have several recommendations to further enhance the protections for our clients in this bill.

We believe that Int. No. 1040-A will provide critical accountability and oversight in disaster fund tracking. This bill contains important protections to the low-and mid-income families who have been disproportionately affected by the storm . We need to learn lessons from other jurisdictions and their experiences recovering from disasters. For example, during our recent Disaster Lawyering conference, we learned that eight years after Hurricane Katrina, low-and mid-income families in New Orleans are still struggling to re-build. 100,000 people have not returned and the \$700 million CDGB-DR grant awarded to help Katrina victims has been unaccounted for.¹ The result of New Orleans' failure to effectively use this grant is that now the federal government is demanding that those funds that were unspent, misspent or undocumented

¹ Office of Inspector General, Memorandum 2013-IE-0803, *Follow-Up of the Inspections and Evaluations Division on Its Inspection of the state of Louisiana's Road Home Elevation Incentive Program Homeowner Compliance*, Mar. 29, 2013 at <http://www.hudoig.gov/sites/def>

be returned.² Families in New Orleans did not have a law to protect them, such as the one proposed today. We hope that New York City can learn from this and become an example of best practices for post-disaster fund accountability.

Problems that have arisen in recovery and rebuilding efforts

Through our work in affected communities, it is clear that there have been problems with the recovery and rebuilding of NYC after Hurricane Sandy. There is no transparency about where and how Sandy recovery dollars are being spent. Further, there is no way to assess whether recovery money is helping to re-build economic resiliency in vulnerable communities that were struggling before the storm. Legal Aid would like to highlight four major areas of concern:

1. Affordable Housing

The hardest hit by the storm were very low-income renters who made on average \$18,000 per year.³ According to FEMA, this group comprised 55% of the surge victims, the majority of whom were housed in public housing units along the coasts of Coney Island, Red Hook, Alphabet City, and the Rockaways.⁴ We are concerned that without the proposed bill there will be little fiscal accountability and affordable housing units will not be re-built in historically underserved communities. For example, the Rockaway peninsula is split from east to west along historic socioeconomic lines. The poverty rate in Far Rockaway to the east, which is densely populated with public housing developments and nursing homes, is 22 %. Whereas the poverty rate in Breezy Point to the west, is 2 %. We are concerned that Far Rockaway will be

² Bill Quigley, Keynote Address: *Disaster Lawyering Conference: SuperStorm Sandy*, Sponsored by The Legal Aid Society, ProBono.net, the City Bar Justice Center, Oct. 17, 2013.

³ FURMAN CENTER FOR REAL ESTATE AND URBAN POLICY, SANDY'S EFFECTS ON HOUSING IN NEW YORK CITY (March 2013), <http://furmancenter.org/files/publications/SandysEffectsOnHousingInNYC.pdf>.

⁴ Jonathan Mahler, *How the Coastline became a Place to Keep the Poor*, N.Y. TIMES (Dec. 12, 2012), http://www.nytimes.com/2012/12/04/nyregion/how-new-york-citys-coastline-became-home-to-the-poor.html?pagewanted=2&smid=tw-nytimes&partner=rss&emc=rss&_r=1&pagewanted=all&.

overlooked and become more isolated and underserved than it already is. The lack of funding sent to Far Rockaway for rebuilding will lead to the loss of affordable housing.

2. Contractor Fraud

In New York City, home improvement contractors must be licensed by the Department of Consumer Affairs. However, many of our low-income homeowner clients fell victim to unlicensed contractors who used the disaster as an opportunity to inflate estimates in order to cash in on FEMA funds and insurance proceeds.⁵ We have been working with numerous clients who paid unlicensed contractors thousands of dollars and received sub-par and sometimes non-existent repairs. Many of these families have used up their repair funds and are now desperately waiting to see if they qualify for the City's "Build it Back" program.⁶ However, that program is only expected to assist a small group of individuals and families with extreme damage to their home. Without assistance, these families will have to sell their homes or use up their limited savings.

3. Build it Back

The City's "Build it Back" program was introduced in Spring 2013 and is supposed to provide assistance to homeowners, renters and landlords impacted by Sandy. The program has received \$348 million in Federal funding via a CDBG-DR grant. Registration for the program began in July 2013 and as of November 1, 2013, 24,000 residents have applied for home repair or rental assistance. However, as of one month ago, only 1 person has been provided funding through this program. After the example of New Orleans, it is essential that we spend the funds given to New York for rebuilding. We do not want to be in the same situation as New Orleans is

⁵ CBS NY, Aug. 22, 2103, "Sandy Victims Say They're Being Scammed By Contractors", <http://newyork.cbslocal.com/2013/08/22/unscrupulous-contractors-scamming-sandy-victims/>. Also See, Chris Franciscani, Reuters, Nov. 23, 2012, "Crooked Contractors are Cashing in on Sandy Victims", <http://www.businessinsider.com/contractor-fraud-after-sandy-2012-11>.

⁶ <http://www.nyc.gov/html/recovery/html/homeowners/homeowners.shtml>

now where the federal government is now demanding that unaccounted funds be returned. We believe that Intro. No. 1040-A will hold New York City accountable for its CDBG-DR funds and ensure that the funds are actually used to repair homes so the money actually stays in NYC.

4. Low-Income Workers

After the storm, many businesses were forced to lay off employees or reduce their employees' hours. The Bureau of Labor Statistics reported that 31 extended mass layoff events related to Hurricane Sandy led to 6,759 worker separations in the months following the disaster.⁷ In November 2012, the month after Sandy, the number of workers who filed unemployment claims for the first time was 33% higher than the average number per month during the prior year. Many workers filed claims because they did not receive their wages for the week prior to Sandy since their businesses shut down and many records were destroyed. While billions of dollars in federal aid for rebuilding New York City is expected to create more jobs, it is uncertain whether working and low-income New Yorkers, who lost their jobs due to Sandy will be provided job opportunities to help rebuild after the storm. We are concerned that without this proposed bill New York City will emulate New Orleans post-Katrina, where much of the federal aid went to corporations, oil companies and developers who were not directly affected by the storm.⁸

For all these reasons, we support this bill as we believe that it will provide the necessary transparency and accountability to assist the City's most vulnerable individuals.

Client Story

Ms. M's story illustrates the challenges and difficulties our clients have faced with fraudulent contractors and the need for the proposed bill. Ms. M, a client of The Legal Aid

⁷ Press Release, Bureau of Labor Statistics, Extended Mass Layoffs – Fourth Quarter 2012 (Feb. 14, 2013), available at http://www.bls.gov/news.release/archives/mslo_02142013.pdf.

⁸ Bill Quigley, Keynote Address: *Disaster Lawyering Conference: SuperStorm Sandy*, Sponsored by The Legal Aid Society, ProBono.net, the City Bar Justice Center, Oct. 17, 2013.

Society who is single, makes \$32,000 per year and has worked as a special education aid at the New York City Board of Education for the past 14 years. Ms. M was in the midst of a divorce and lived in her Staten Island home when the storm hit. Ms. M fortunately had homeowners and flood insurance coverage. After her home was destroyed by Sandy, she employed a licensed contractor who took \$33,700 of her insurance proceeds and completed minimal work (approximately \$5,000 worth). Ms. M's home remained infested with mold and was completely uninhabitable. Ms. M could not live in her home and so she was forced to expend resources she did not have to rent an apartment. These unexpected expenses resulted in foreclosure proceedings and so she left the rented apartment and entered the City's Hotel Program. She is currently living in the Ramada Inn under the hotel program for Sandy evacuees.

The proposed bill would effectively reduce the number of cases like Ms. M by holding contractors accountable. It would deter fraudulent contractors who take advantage of disaster recovery funds and encourage competent contractors who provide quality service.

Legal Aid's Recommendations to Enhance the Protections of Int. No. 1040-A

The Legal Aid Society would like to offer the following recommendations to further enhance the protections in this important piece of legislation:

1. Under §3 of the current bill, we recommend that the effective date be **lowered from 90 to 30 days** after its enactment into law, since time is of the essence in re-building the homes and lives of Sandy victims;
2. Under §6-138(1) of the current bill, we recommend that the monetary value of "Hurricane Sandy Funds" be **lowered from \$100,000 to \$50,000**. If this does not occur, many low- and mid-income individuals will be left out of this process. The maximum amount of funds that a family can receive from FEMA is \$31,900. Further, many of our low-income

homeowner clients received less than \$30,000 in insurance proceeds after Sandy. With respect to this population, we foresee more issues with contractor fraud rather than privacy concerns. We would like to understand the way in which contractors who receive small grants will be held accountable;

3. We recommend that the Department of Finance **create a mediation program for victims of Sandy-related contractor fraud** that is similar to the New York State Department of Financial Services' mediation program for disputed or denied insurance claims for Storm Sandy Homeowners that was introduced by Governor Cuomo in February 2013.⁹ Mediation is a low-cost alternative to litigation for both homeowners and contractors. This program could potentially provide recourse to many low and mid income New Yorkers.

Conclusion

Thank you for the opportunity to testify before the New York City Council Committee on Finance today on this incredibly important issue. The Legal Aid Society strongly support Intro. No. 1040-A. We believe that the implementation and enforcement of the proposed bill will go a long way to protect the rights of low- and mid-income New Yorkers who have been disproportionately victimized in the aftermath of Sandy. We look forward to working with all Council Members on these issues.

Respectfully submitted,

Fazeela Siddiqui, Esq.
The Legal Aid Society
Queens Neighborhood Office
120-46 Queens Blvd.
Kew Gardens, NY 11415
T: (718) 286-2465
fsiddiqui@legal-aid.org

⁹ Governor Cuomo Announces DFS Mediation Program for Disputed or Denied Insurance Claims for Storm Sandy Homeowners, Feb. 25, 2013. <http://www.governor.ny.gov/press/02252013-%20dfs-mediation-program-for-disputed-or-denied-insurance-claims>



11 Park Place, #701
New York, NY 10007
212.721.7996 goodjobsny.org

Testimony before the New York City Council Committee on Finance

Proposed Int. 1040-A, A Local Law to amend the administrative code of the city of New York, in relation to the creation of a database to track the expenditure of funds in connection with recovery efforts in the wake of Hurricane Sandy

December 2, 2013

Comments of Bettina Damiani, Good Jobs New York

Thank you for the invitation to testify today. My name is Bettina Damiani and I direct Good Jobs New York, a project of Good Jobs First based in Washington, DC in partnership with the Fiscal Policy Institute with offices in Albany and New York City.

Good Jobs New York promotes accountability to taxpayers in the use of economic development subsidies. Since our launch in 2000, we have worked to improve public participation in and transparency of these subsidy programs including the vast expansion of a searchable database of deals approved by the Industrial Development Agency (IDA) and the city's largest as-of-right economic development program, the Industrial and Commercial Incentive Program.

Our Database of Deals is available on our website, www.goodjobsny.org. We have also expanded a new section on our website "Eye on Hurricane Sandy Money" with news, resources, upcoming events and other materials related to promoting a transparent and equitable rebuilding. Since Hurricane Sandy we have provided technical assistance to and are actively engaged with the grassroots groups Alliance for a Just Rebuilding and the Sandy Regional Assembly.

At Good Jobs New York we feel uniquely qualified to work on rebuilding issues because after the attacks on Lower Manhattan in 2001 we became the go-to organization for various non-profits, elected officials and media to learn more about the proposed use of federal rebuilding funds via our Reconstruction Watch project. In addition, our parent organization, Good Jobs First, based in Washington, DC did a study on Gulf Opportunity Zone Bonds after Hurricane Katrina.

In our effort to help bring transparency to Hurricane Sandy related funds, over two months ago, GJNY submitted Freedom of Information Requests to the NYC Office of Management and Budget (for recipients of CDBG-DR funds) and the Industrial Development Agency (for a list of recipients from its loan, grant and any other financial programs). The OMB responded saying it would provide us information in the middle of January 2014.

Last week, we received a response from the NYCIDA. It is a woefully inadequate one. (Samples of the documents we received are attached at the end of our testimony.)

Good Jobs New York requested	Received from the IDA
Company name and address of beneficiaries	Redacted
Industry type by NAICS	None
Type of financial assistance received, (i.e. grants, loans, etc.)	Two redacted lists of "borrower" charts with loan amounts and date application was received
Number of employees at firm employed full-time and part-time before Hurricane Sandy	None
Number of jobs the firm expects to retain or create after Hurricane Sandy, full-time and part-time	None

Our tracking of federal 9/11 CDBG grants taught us that an entity charged with spending billions of dollars from behind closed doors does little to assure taxpayers that recovery resources are helping those most impacted by a disaster.

Sadly, more than a year after the storm the Bloomberg Administration process for allocating Sandy money is even more opaque than the LMDC. After Hurricane Sandy it is nearly impossible to follow public monies for Sandy recovery: who is deciding how programs are developed? How will the hardest hit residents and small businesses benefit from federal resources? How much has been allocated and to whom?

This secrecy is a major change by the City: The Bloomberg Administration made leaps and bounds in its transparency efforts over the years by providing the public more information about proposed subsidies via the IDA and made its public hearings procedures more accessible. These policies combined with Local Law 62, sponsored by Council Member Reyna, the city has the nation's most comprehensive, publicly accessible database of local discretionary corporate subsidies.¹

These types of resources can take years to allocate, and easily be spent on projects that have the most political support from powerful business and real estate interests rather than from a democratic planning process.² It doesn't have to be this way: New Yorkers deserve the right to know how billions of dollars in federal aid are being spent, who is benefitting, and what promises were made in exchange for the aid. And most importantly, communities and taxpayers deserve to know whether those promises were kept.

After reviewing the proposed bill GJNY has two suggestions and a clarification:

According to the US Department of Housing and Urban Development, (and amplified in August's report released by the Hurricane Sandy Rebuilding Task Force: Hurricane Sandy Rebuilding Strategy *Stronger Communities, A Resilient Region*), priorities for allocating funds focus on keeping neighborhoods affordable and expanding existing workforce programs. The best way to determine if residents are benefiting from disaster funds is to identify where employees hired as a result of the relief funds live. The proposed bill requires employees be listed by which borough they live in – too broad of a measure for a city with such huge economic disparity.³ We suggest that a more accurate way to establish if low-income New Yorkers are accessing jobs created by Sandy funds is to identify them by zip code.

A point worth clarifying regarding the database: The proposed bill states the database "shall be updated on a monthly basis". It is unclear if that means entries already in the database will be updated on a regular basis or just that new entries will be added monthly. We urge the council to ensure taxpayers can track the hiring practices of individual firms. For example: if a company receives funds and promises to create 10 jobs, will the database reflect a firm's hiring practices on a regular basis?

From the bill, it is unclear how the Sandy database would interact with other databases such as the Open Data Law and the EDC's Annual Investment Projects Report, mandated by LL62. To ensure taxpayers are provided with comprehensive subsidy information, Good Jobs New York recommends incorporating the data in this report into the existing one which will reinforce this council's commitment to transparency and accountability.

As an organization dedicated to making economic development subsidies more transparent GJNY is pleased that the council is moving forward to lift the veil that is currently on the allocation of Sandy-related public resources. A comprehensive Sandy tracker would be an invaluable tool for all New Yorkers, including members of the council, to help create an authentic dialogue between communities and rebuilding officials.

¹ Available at the Economic Development Corporation's website: <http://www.nycedc.com/about-nycedc/financial-public-documents> and Good Jobs New York "Database of Deals" <http://goodjobsny.org/subsidy-database>.

² Reports and analysis on Community Development Block Grants and Liberty Bonds can be found on GJNY's "Reconstruction Watch" section of our website: <http://goodjobsny.org/economic-development/reconstruction-watch>

³ Section 4 "the borough of the residence of employees on Hurricane Sandy funded projects..."

A sample of information received by Good Jobs New York from
 the NYC Industrial Development Agency
 "Borrower Chart 1 - redacted"

Date Received	Borrower Name	Loan Number	Address	Zipcode	SBS Counselor	Date to Admin	Screen-Out	Date of Screen-Out Email to SBS Counselor, Colleen & Crew	Loan Amount	Date to Underwriters	Analyst
11/7/2012						11/7/2012	Yes	11/8/2012	\$25,000		
11/7/2012						11/7/2012	No		\$25,000		
11/7/2012						11/7/2012	Yes	11/17/2012	\$25,000		
11/7/2012						11/7/2012	No		\$25,000		
11/7/2012						11/7/2012	Yes	11/8/2012	\$25,000	1/11/2013	
11/7/2012						11/8/2012	Yes	11/8/2012	\$25,000	11/13/2012	
11/7/2012						11/7/2012	Yes	11/8/2012	\$25,000	11/17/2012	
11/7/2012						11/8/2012	Yes	11/9/2012	\$25,000	1/22/2013	
11/7/2012						11/8/2012	Yes	11/8/2012	\$25,000	11/19/2012	
11/7/2012						11/8/2012	Yes	11/9/2012	\$25,000	11/20/2012	
11/7/2012						11/15/2012	Yes	11/16/2012	\$25,000		
11/7/2012						11/8/2012	Yes	11/8/2012			
11/8/2012						11/8/2012	No		\$25,000		
11/8/2012						11/8/2012	Yes	11/8/2012	\$25,000	11/13/2012	
11/8/2012						11/9/2012	No		\$25,000		
11/8/2012						11/8/2012	Yes	11/9/2012	\$25,000	11/20/2012	
11/8/2012						11/8/2012	Yes	11/9/2012	\$25,000	11/20/2012	
11/8/2012						11/8/2012	Yes	11/9/2012	\$25,000	11/21/2012	
11/8/2012						11/8/2012	Yes	11/9/2012	\$25,000		
11/8/2012						11/8/2012	Yes	11/9/2012	\$25,000	11/20/2012	
11/8/2012						11/9/2012	No		\$25,000		
11/8/2012						11/9/2012	No		\$25,000	11/13/2012	
11/8/2012							No		\$25,000		
11/8/2012							No				
11/8/2012						11/14/2012	No		\$25,000		
11/8/2012						11/9/2012	Yes	11/13/2012	\$25,000	11/20/2012	
11/8/2012						11/8/2012	Yes	11/9/2012	\$25,000	12/10/2012	
11/8/2012						11/9/2012	No		\$10,000	11/13/2012	
11/9/2012						11/9/2012	Yes	11/13/2012	\$15,000	11/20/2012	
11/9/2012						11/9/2012	Yes	11/13/2012	\$25,000		
11/9/2012						11/9/2012	Yes	11/14/2012	\$25,000	11/17/2012	
11/9/2012						11/13/2012	Yes	11/14/2012	\$15,000		
11/9/2012						11/9/2012	Yes	11/14/2012	\$25,000		
11/9/2012						11/9/2012	Yes	11/14/2012	\$25,000	11/17/2012	
11/9/2012						11/13/2012	Yes	11/13/2012	\$25,000	11/20/2012	
11/9/2012							No		\$25,000	11/13/2012	
11/9/2012						11/9/2012	No		\$25,000		
11/9/2012						11/13/2012	Yes	11/14/2012	\$25,000	11/26/2012	
11/9/2012						12/6/2012	Yes	12/10/2012	\$25,000	12/11/2012	
11/12/2012						11/13/2012	No				



SERVICE EMPLOYEES
INTERNATIONAL UNION
CTW, CLC

HÉCTOR J. FIGUEROA
President

LARRY ENGELSTEIN
Executive Vice President

KYLE BRAGG
Secretary Treasurer

LENORE FRIEDLAENDER
Assistant to the President

VICE PRESIDENTS
SHIRLEY ALDEBOL
JAIME CONTRERAS
ROB HILL
GABE MORGAN
JOHN THACKER

Capital Area District
Washington 202.387.3211
Baltimore 410.244.5970
Virginia 703.845.7760

Connecticut District
Hartford 860.560.8674
Stamford 203.602.6615

District 1201
215.923.5488

Florida District
305.672.7071

Hudson Valley District
914.637.7000

Mid-Atlantic District
215.226.3600

National Conference of
Firemen and Oilers
202.962.0981

New Jersey District
973.824.3225

Western Pennsylvania District
412.471.0690

**Testimony of Shirley Aldebol, Vice President, SEIU 32BJ
NYC Council Committee on Finance, Sandy Tracking Bill Intro. 1040-A
December 2, 2013**

Good morning Chairperson Recchia and members of the New York City Council Committee on Finance. Thank you for the opportunity to provide testimony today. My name is Daniel Contreras and I am here testifying on behalf of Shirley Aldebol, a Vice President at SEIU 32BJ.

32BJ strongly supports the Sandy Tracker Bill (Intro. 1040-A) and I urge the committee to bring the bill to vote before the full body of the City Council.

I am here today because I want to make sure the City is making the best use of the public aid dollars going towards the recovery effort and, at the same time, is laying a strong foundation for how we deal with natural disasters, like Hurricane Sandy, in the future.

The public dollars should be distributed *equitably* to rebuild strong and resilient communities in all of the impacted boroughs. The funds should be used to provide *good jobs* for those doing the difficult work of rebuilding this City. And the funds should be distributed in a *transparent* manner.

However, this is not currently happening. In addition to the lack of transparency, there have also been reports of wage theft and worker safety violations in post-Sandy rebuilding.¹

This speaks to the need for strong standards in place for public contracting dollars. The City has the responsibility to ensure they are contracting with high road businesses that will give the City the best value for its recovery dollars. This means contractors that will comply with wage and safety standards and provide high quality employment opportunities for New York City workers.

The Sandy Tracker is a step in the right direction. By including data on job creation, wage rates, prevailing wage standards, and the track record of contractors receiving public recovery funds, this database will help promote the use of responsible employers and the protection of workers' dignity in publicly-funded rebuilding projects.

¹ <http://ndlon.altopolimigra.com/en/resources/research-reports/itemlist/tag/Baruch%20College>

It will also allow New Yorkers to see where aid money is being spent, so we can ensure it is being distributed equitably to those who need it most.

We encourage the committee to also guarantee that reporting enforcing mechanisms are put in place and that these reporting requirements apply retroactively to funds that have already been distributed.

32BJ strongly encourages the movement of this bill into the full body of the City Council and its passage into law. We look forward to working with all Council Members to support this issue. Thank you for your time.

**Testimony of Deputy Mayor for Operations Cas Holloway before the
City Council Committee on Finance**

**Proposed Intro 1040-A: Legislation to mandate the creation of a website to provide information
about City spending on Hurricane Sandy-related recovery efforts**

Monday, December 2, 2013

1pm – 250 Broadway

Good morning Chairman Recchia and members of the Committee on Finance. I am Cas Holloway, Deputy Mayor for Operations. With me today is the City's Chief Analytics Officer, Mike Flowers, as well as staff from OMB and other City agencies who will be available to answer questions as needed.

Since 2002, transparency has been a priority of the Bloomberg Administration: from the creation of 311 to the recent launch of the Open Data Portal—where New Yorkers can already access 1100 agency data sets—we strive to provide the public with the information they need to hold City government accountable for results. There is a specific precedent for tracking the use of federal funds: the City's Stimulus Tracker, created to provide transparency into the City's use of funding from the American Recovery and Reinvestment Act of 2009 (the "Stimulus"). Stimulus Tracker was described by the nonprofit research center Good Jobs First as "one of the best Recovery Act websites," that The Public Technology Institute characterized as being "at the forefront when it comes to deploying technology at the local level."

Building on that record, I am here today to testify about Intro 1040-A, which would mandate the creation of a website to provide information about City spending on Hurricane Sandy-related recovery efforts. In that connection, earlier today we launched a Sandy Funding Tracker website on the recovery section on NYC.gov that we believe goes a long way to achieving the goals of Intro 1040-A. While the site does not provide precisely the same information that Intro 1040-A would require, the Sandy Funding Tracker will give New Yorkers a high level of transparency into how much Sandy-related funding the City receives, and how and where it is spent. Moreover, the tracker can be updated and improved as the recovery continues; in fact, we are already at work on enhancements, including some job-related data that will be added to the site shortly. Mike Flowers will walk you through this new tool following my testimony.

We believe that the Sandy Funding Tracker obviates the need for Intro 1040-A, and that we could work with the Council to provide additional information on the site that would largely cover the data that the law seeks to collect—with some adjustments and exclusions that we believe are necessary to protect individual privacy and ensure that the reporting requirements established for Sandy-related funding do not unduly burden the contractors who are helping thousands of storm victims to recover, or slow down the process of getting the funds distributed and put to work.

Recovery Funding Sources and Intro 1040-A

Since Sandy hit just over 13 months ago, I have testified to the City Council several times about our recovery progress, which continues on many fronts. Thanks to the leadership of Senators

Schumer and Gillibrand and the entire New York Delegation, Congress appropriated \$60 billion for Hurricane Sandy relief efforts: approximately \$10 billion to replenish the National Flood Insurance Program, and \$50 billion through the Disaster Relief Appropriations Act of 2013—the Sandy Recovery Act. Four Federal agencies received the bulk of that funding: HUD got \$16 billion to administer Community Development Block Grants; Federal DOT got \$13 billion for transportation investments; FEMA received \$12 billion for the Public Assistance and Individual Assistance programs; and the Army Corps received approximately \$5.3 billion for various purposes. The rest went to various other federal agencies.

The \$25 billion allocated to HUD and FEMA are the primary sources of funds available to New York City, and the administration is working aggressively to ensure that we get as much as possible to assist those impacted by the storm; repair and improve New York City's infrastructure damaged by Sandy; and make sure that New York City makes the investments necessary to protect all New Yorkers from the impacts of climate change that are already upon us. The Sandy Funding Tracker will enable New Yorkers to follow our progress in these efforts, which I will briefly summarize by funding source.

FEMA Funding

The City estimates that Sandy caused \$4.6 billion in damages to City infrastructure, and costs related to immediate recovery and clean-up operations. The City has spent \$1.6 billion on immediate disaster response through September 30 which, though substantial, is only a down-payment on the capital investments that will be necessary to fully recover and rebuild City infrastructure. Through September 30, FEMA has obligated approximately \$1 billion and we are working closely with them to recover the rest, as well as getting additional funding that FEMA makes available to build back existing infrastructure stronger. Craig Fugate and his team at FEMA have worked closely with us on this and we expect that the reimbursement process will continue for a number of months. As of today, New Yorkers will be able to follow the progress of these efforts through the Sandy Funding Tracker.

HUD CDBG-DR Funding

Congress appropriated \$16 billion to HUD to distribute in the form of Community Development Block Grants to assist homeowners in rebuilding where FEMA, insurance and other funding sources are insufficient to meet their needs. This gap is called "unmet need," and CDBG funding is intended to meet that need. In addition to homeowners, CDBG funding is intended to meet the unmet needs of businesses impacted by the storm, as well as the City's unmet needs (i.e., rebuilding costs and resiliency investments that FEMA aid does not cover).

HUD releases CDBG funding in "tranches" based on its calculation of unmet need. To date they have released \$11.1 billion (including \$580 million for non-Sandy disasters) of the \$16 billion that Congress appropriated through the Sandy Recovery Act—approximately 73% of the funding Congress made available, after federal sequestration is taken into account. Of this \$16 billion, the City has been allocated a total of \$3.2 billion in two tranches: \$1.77 billion in an allocation made in March, and \$1.447 billion that was just announced on October 28.

To use this funding, the City is required to develop an Action Plan that HUD must approve. The City's plan for the first \$1.77 billion tranche was submitted in April and approved by HUD on May 10; it allocated the first tranche of CDBG funding to four priorities, as follows:

- Our top and most immediate recovery priority is housing recovery; the City allocated \$648 million for housing programs, principally Build it Back, which funds and performs repairs to homes and multifamily homes, and will build a new home if a particular house was completely destroyed by Sandy.
- We allocated \$293 million for business recovery in the impacted areas, and have launched four programs, including a loans and grants program, investments in business resiliency, a Game-Changer Investment Competition to reward innovative ideas for spurring economic development in hard hit areas and a competition to develop resilient technologies.
- We allocated \$360 million towards the \$4.5 billion of infrastructure and damage and other repair costs that the City has already paid to meet immediate needs and conduct emergency repairs; and
- We allocated \$294 million to resiliency investments that will protect all New Yorkers, including mitigation for buildings and key coastal protection projects. These initiatives are part of the comprehensive resiliency plan Mayor Bloomberg released in June—*A Stronger, More Resilient New York*—that contains 257 initiatives to improve the City's resiliency to climate impacts now and well into the future.

Our progress in all of these areas can be followed on the Sandy Recovery Tracker, and we will use subsequent releases to the site to increase the level of detail reported in each category. Since the City's initial Action Plan was approved in May, we have worked closely with HUD to design these programs in a way that meets all federal guidelines and regulations. This extensive planning process, and the approvals we have received from relevant federal agencies, ensures that aid goes first to those New Yorkers who need it most, and that we can ramp-up these programs quickly, allowing us to draw down funds fast and effectively.

For example, since it launched in June, approximately 26,000 registrants have signed up for Build It Back, of which there are about 22,000 unique, eligible households. We are working with thousands of them to determine how much aid they are entitled to receive and go over their rebuilding options. More than 10,700 have completed their initial intake meeting to review financial documents and eligibility criteria. Nearly 1,000 have had a damage inspection. More than 200 have completed the entire intake and eligibility process and are now ready to review and select one of their award options. New Yorkers can follow the process of Build It Back step by step on the Sandy Funding Tracker.

As I noted earlier, HUD announced the allocation of a second tranche of \$1.447 billion of CDBG funding on October 28. While it is too early to talk specifics, we are in the process of updating our Action Plan, and a substantial amount of the second tranche will go to Build It Back and public housing. The public will have 30 days to comment on the City's proposed allocation of

these much-needed funds, and once the updated Action Plan is approved, those allocations will be reflected in the Sandy Funding Tracker.

A final note on the CDBG funding that HUD is responsible for allocating. As I noted above, of the \$16 billion HUD received in the Sandy Recovery bill, it has allocated \$11.1 billion, or 73%, accounting for the impact of federal sequestration. That means there is a significant amount of unallocated CDBG funding specifically designated to address New York City's unmet needs, which are substantial. Taking into account the second funding tranche, the amount the City has received falls significantly short of our needs in every category: housing, business recovery, resiliency and City operations. The bottom line is that we appreciate what HUD has already allocated, but we will need additional allocations to meet all of the needs of New Yorkers impacted by Hurricane Sandy.

Concerns with the Data Requirements of Intro 1040-A

As I noted at the outset, we believe that legislation is not needed to achieve the goals of 1040-A; instead we would be happy to work with the Council to enhance the reporting on the Sandy Funding Tracker, which Mike Flowers will review in just a few minutes. If the Council wishes to proceed with legislation on this subject, as drafted, Intro 1040-A will (i) impinge on the privacy of New Yorkers who choose to participate in Build It Back and other recovery programs; and (ii) impose unnecessarily burdensome reporting requirements on people and contractors that want to participate in the program that could depress participation.

Regarding individuals, the bill would require the City to publicly disclose every address of a homeowner that receives recovery funds and the names of every contractor in the program. This requirement is overly intrusive and potentially stigmatizing. That is one of the reasons why FEMA expressly prohibits this type of disclosure of FEMA aid recipients by law. Throughout the recovery process, from the inspection of buildings, to Rapid Repairs, to aid programs that we have coordinated with FEMA and not-for-profits like the Mayor's Fund, we have carefully guarded the privacy of homeowners and businesses, and will continue to do so.

This bill also seeks a high level of detailed reporting on contractors working in the program, as well as job data and other information. At the outset it is important to note that the City, through the Mayor's Office of Contract Services, and with considerable assistance from DOI, runs a vendor integrity and capacity program that I believe is without parallel anywhere in the country. So in terms of making sure that the contractors and other vendors in the program are following all rules and laws, you can be assured that they will. Regarding any additional reporting sought through Intro 1040-A, I believe we could come to an agreement fairly quickly on a level of reporting that is useful to provide on the Funding Tracker that would be consistent with much of what the bill seeks to collect, at least on an aggregated basis. For example, under Build It Back, the City has entered into Job Order Contracts with three prime contractors who will cover particular geographic areas. In a future Funding Tracker release, we can report the names of these prime contractors and all of the contract information sought in the bill, as well as data about subcontractors. With respect to job data, for each task order written under these prime contracts we can calculate the amount of labor required to do the work, which can serve as a proxy for job creation. Certain requirements of the legislation—such as salary reporting at

particular levels and distinguishing between “new” jobs and pre-existing jobs are impractical or unduly intrusive; but we are excited to work with you to establish a level of reporting that is useful, practical, and enables the contractors in our programs to focus on getting the work done.

In addition to the prime contractors who have a contract directly with the City under Build It Back, homeowners can choose their own contractor (CYOC) to do the work and the City will work with them to ensure that they pass a simple integrity check and meet other basic capacity requirements. For these contractors—who we expect will work on 1, 2 and 3 family homes—we anticipate being able to report the aggregated amount of CDBG funding being used to support the CYOC part of the program, and to list the names of the contractors who have been approved to do work. This is good for the contractors—who may be able to do Build It Back work for other homeowners—as well as the public, who will be able to find out who is doing Sandy-related recovery work.

Working with the Council on simple adjustments like this, we believe the Sandy Funding Tracker can serve as the tool that Intro 1040-A seeks to put in place. We believe that legislation is unnecessary to achieve these goals, but if legislation is to move forward, we want to work with you to make the changes described here and a few others to ensure that the privacy of those receiving Sandy recovery funds is protected, and that the contractors doing the work can focus on getting it done.

Now I’ll turn the floor over to the City’s Chief Analytics Officer, Mike Flowers, after which we’ll both be happy to take any questions.



Testimony of the Alliance for a Just Rebuilding before the New York City Council Committee on Finance regarding the creation of a database to track the expenditure of funds in connection with recovery efforts in the wake of Hurricane Sandy (Intro. 1040-A)

December 2nd, 2013

Good afternoon Chairperson Recchia and members of the Finance Committee. Thank you for the opportunity to provide testimony today. My name is Nathalie Alegre and I am Coordinator of the Alliance for a Just Rebuilding (AJR). The Alliance for a Just Rebuilding is a citywide coalition of over 40 labor unions, worker centers, and community, faith-based, environmental and policy organizations advocating for a just and equitable short-term recovery and long-term rebuilding in the wake of Hurricane Sandy. Our member organizations collectively represent some of most vulnerable New Yorkers in the areas most affected by Hurricane Sandy and across the five boroughs: low-income homeowners and renters, public housing residents, day laborers, and undocumented immigrants.

I am here to re-express and emphasize AJR's continued support for the Intro. 1040A-2013, also known as the "Sandy Tracker bill," and urge the committee to bring the bill to the full body of the City Council for swift passage into law before the end of the year.

Comprehensive public reporting of the use of federal funds in post-Sandy recovery and rebuilding in New York City is a critical first step toward achieving a just and equitable recovery for all. We applaud all of the specific reporting requirements outlined in Intro 1040-A. In response to the City's comments at the November 15th public hearing, we would like to note:

- Ensuring funds are well-spent is a critical priority responsibility of the City. **Contractors that are doing business with public aid should be open to renegotiating contracts – if they have already been awarded -- and the City must be willing to ask contractors for these renegotiations, much as the City has done in other situations where private businesses receive public subsidies.** Improving reporting requirements is not burdensome: many city public subsidy programs already require it.
- **The \$100,000 threshold for reporting should address some of the concerns regarding privacy for individual homeowners.** The intent of the bill is to open up the books of individual contractors receiving public funds, not the books of individual homeowners.

We would like to offer the following recommendations for further improvement of this important piece of legislation:

- To allow New Yorkers to track whether employment opportunities are being created in low-income areas of the city, employment information must be collected at the **zip code level**, not borough –level.
- Clarify that data would be available in a **non-proprietary, downloadable database** that provides the public and elected officials with the ability to better analyze information.
- Ensure **reporting enforcement mechanisms** are clearly put in place.

Although I have identified some recommendations that would improve this bill as currently written, I believe it represents a great step forward towards ensuring a more just and equitable rebuilding. Again, the Alliance for a Just Rebuilding strongly encourages the movement of this bill into the City Council and its passage into law.

Thank you for your time.

Nathalie Alegre
Coordinator
Alliance for a Just Rebuilding
c/o ALIGN
50 Broadway, 29th Floor
New York, NY 10004
Phone: (212) 701-9472

www.rebuildajustny.org

Alliance for a Just Rebuilding members include: 32BJ SEIU, 350.org, ALIGN, Arts & Democracy, CAAAV: Organizing Asian Communities, Center for Popular Democracy, Center for Social Inclusion, Coalition for the Homeless, Community Development Project at the Urban Justice Center, Community Environmental Center, Community Voices Heard, Consortium for Worker Education, El Centro del Inmigrante, Faith in New York, Families United for Racial and Economic Equality (FUREE), Good Jobs New York, Greater New York Labor-Religion Coalition, Hunger Action Network of NY State, Legal Aid Society, LiUNA Local 10, LiUNA Local 78 Asbestos Lead & Hazardous Waste Workers, Long Island Civic Engagement Table, Long Island Jobs with Justice, Make the Road NY, Mutual Housing Association of NY, National Day Laborer Organizing Network (NDLON), National Domestic Workers Alliance, New Economy Project, New Immigrant Community Empowerment (NICE), New York Committee for Occupational Safety and Health (NYCOSH), New York Communities for Change, New Yorkers for Fiscal Fairness, New York State Nurses Association (NYSNA), Occupy Sandy, Participatory Budgeting Project, Physicians for a National Health Program-NY Metro, Pratt Center for Community Development, Queens Legal Services, Red Hook Initiative, Respond & Rebuild, Retail Wholesale and Department Stores Union (RWDSU), Solidarity NYC, TWU Local 100, VOCAL-NY.



50 Broadway, 29th Floor
New York, NY 10004

T 212 631 0886
F 888 370 3085

www.ALIGNny.org

**Testimony to the New York City Council Committee on Finance regarding the
creation of a database to track expenditure of funds in connection with recovery
efforts in the wake of Hurricane Sandy (Intro. 1040-A)
December 2, 2013**

Good afternoon Chairperson Recchia and members of the Finance Committee. Thank you for the opportunity to provide testimony today. My name is Josh Kellermann and I am a Senior Policy and Research Analyst at ALIGN: the Alliance for a Greater New York. ALIGN is permanent alliance of community and labor organizations united for a just and sustainable New York.

I am here to express ALIGN's strong support for the Sandy Tracker Bill (Intro. 1040-A) and to urge the City Council to pass this bill without delay. I would also like to offer recommendations to further improve this important piece of legislation.

Best Practices

Intro. 1040-A will provide much-needed centralization of information and comprehensive, project-specific reporting on Sandy recovery and rebuilding investments. NYC's Sandy Tracker Bill reflects several best practices that are already in place in many programs around the country, including here in New York City. Requirements stipulated in Intro. 1040-A are not precedent setting, burdensome, or unparalleled. Rather, these are essential, basic steps to ensure money is well-spent, that public resources meet expressed objectives, and that New Yorkers get their money's worth from recovery and rebuilding investments.

New Jersey's Sandy Transparency online database is a clear and simple example of how to provide essential information to the public and to decision makers on this spending.¹ New Jersey's one-stop web site has easy to understand pie charts, and allows users to view fund allocations and expenditures, as well as program descriptions by federal agency, state agency, county, and municipality.

The Federal government's website, recovery.gov, which tracked spending under the American Recovery and Reinvestment Act of 2009, provides another useful example of transparent spending. [Recovery.gov](http://recovery.gov) allows the user to search projects by address, zip code, city, or county. The information available includes the aid recipient's name, funding received, completion status, and the jobs created by quarter.

The New York City Economic Development Corporation's Local Law 62 Project Information Spreadsheet provides data on current recipients of NYCIDA funds.² Among the 126 columns of information, the NYCEDC provides the following information on recipients: name of recipient, address of project, type of assistance provided prior to the current

¹ <http://nj.gov/comptroller/sandytransparency/>

² <http://www.nycedc.com/about-nycedc/financial-public-documents>

year, in the current year, and total amount to be received over the life of the subsidy, estimated job creation and actual job creation by part-time and full-time, temporary and permanent positions, percent of workers earning below \$25,000, \$25,001-\$40,000, \$40,001-\$50,000, and more than \$50,001. Lastly, it includes the percent of workers that are New York City residents and whether the recipient provides health benefits to its full time and part time workers.

These three websites clearly point to the fact that the information being requested by Intro. 1040-A is already part of functioning systems in NYC and around the country.

Recommendation: Zip Code Data

The current version of the Sandy Tracker bill does not require the collection of employment information by zip code, but only requires borough-level reporting. Job creation data by zip code would allow New Yorkers to track whether employment opportunities are being created in low-income areas of the city, whereas borough-wide data would prevent the ability to draw such conclusions. This is important for understanding the impact of this spending on low-income New Yorkers, but also for understanding whether employers are complying with Section 3 of the Housing and Urban Development Act, which mandates that low-income workers make up 30% of new hires.

As a practical consideration, if a business must report the borough of residence of its employees, it surely has the zip code of those employees as well. In addition, most CDBG funding requires the payment of prevailing wages by prime contractors and subcontractors. Documentation must be supplied through certified payroll, which includes the address and zip code of workers. Accordingly, zip-code data is easily accessible and already available. We urge the committee to consider changing the requirement of borough-level reporting to zip-code level reporting on employment information.

Recommendation: Technology

I'd also like to raise a point about technology. It is unclear from the proposed legislation whether data will be available in a non-proprietary, downloadable database. One way to do this is to ensure that the interface for the Tracker is created with input from NYC's tech community, with particular attention to usability.

It is essential that the Sandy Tracker comply with NYC Administrative Code, Title 23, Chapter 5: Accessibility to Public Data Set (NYC's open data law). The datasets that are accessible through the database interface should also be fully available on the NYC Open Data portal (nyc.gov/data) in disaggregate form. Data on the open data site should be updated every time the Tracker database is updated (ideally weekly).

Recommendation: Accountability

Lastly, there does not appear to be an enforcement mechanism included in this legislation. What is to prevent a business from simply refusing to provide data to the city? We suggest adding a reasonable penalty to this law that compels compliance.

Although I've identified some recommendations that would improve this bill as currently written, I believe it represents a great step forward towards ensuring a more just and equitable rebuilding. ALIGN strongly encourages the movement of this bill into the full body of the City Council and its passage into law. We look forward to working with all Council Members to support this issue. Thank you for your time.



103-04 39TH AVENUE #105
CORONA, NY 11368
718-426-6564

2 December 2013

Re: Support for Int 1040-A, the Sandy Tracker Bill

Dear Honorable Members of the New York City Council Committee on Finance:

On behalf of 7,500 faith leaders, congregations, and survivors of Hurricane Sandy in Far Rockaway, Rockaway Beach, Howard Beach, Broad Channel, and Coney Island, please accept the **strong support of Faith in New York for Intro 1040-A, the Sandy Tracker Bill.**

Faith in New York is a growing interfaith, multicultural federation of 53 congregations representing 60,000 families in 16 City Council districts in Queens, Brooklyn, and Manhattan. Over the past 13 months, Faith in New York has directly assisted over 11,000 victims of Hurricane Sandy, many of whom are still struggling over a year after the storm to recover as a result of high levels of poverty, unemployment, rising rents, substandard living conditions, legal documentation of immigrants, and still damaged neighborhood-level infrastructure. On September 29, 2013, over 500 faith leaders and Sandy survivors with Faith in New York led a tour of the Rockaways with our allies from the Alliance for a Just Rebuilding and mayoral candidate Bill de Blasio, where he and his wife Chirlane saw and heard firsthand the ongoing pressures facing thousands in a community that was struggling economically before the storm hit.

We support this common sense legislation for the following reasons:

1. Int 1040-A would **restore confidence** in the city's leadership that it will be responsive to the needs of Sandy victims. The recovery effort to-date has been painfully slow:
 - a. **Rapid Repair:** in Far Rockaway, over 8,000 homes were still without heat well into the cold winter month of December 2012 as the Rapid Repair Program dealt with contractor and logistical challenges
 - b. **Build it Back:** thousands of homeowners have signed up for the program but are still waiting for help to arrive as the program has been delayed since August 2013. Families evicted from hotels in September have moved back to still-damaged homes, and are depleting their savings to fix their homes in time for the cold winter months.

Sandy survivors and taxpayers are losing faith every passing day that the city's leadership will deliver on commitments it made to prioritize billions in federal aid for the hardest hit communities.



103-04 39TH AVENUE #105
CORONA, NY 11368
718-426-6564

2. Int 1040-A would **shine a light** on how billions of dollars in federal Sandy aid are directly benefitting communities hardest hit by Sandy. The communities struggling the most before Sandy are now suffering the most. Sandy victims and taxpayers across the city deserve to know how those who continue to suffer will tangibly benefit from our promised collective investment of public resources.
3. Int 1040-A would **incentivize city agencies and contractors** to ensure that billions in federal aid benefit the middle and low-income communities ravaged by Sandy. According to Senator Charles Schumer, \$6.3 billion in federal Sandy aid will be appropriated to New York in 2014 alone. Those funds should be invested to reduce growing economic inequality in NYC and create long-term opportunity for Sandy victims through good local jobs, job training opportunities, and safe working conditions.

We also offer one improvement to the bill that would increase its effectiveness and transparency:

1. The bill should provide more detail about which neighborhoods workers live. Currently, the bill only details the borough of residence of jobs created with Sandy funds. The bill **should require transparency of the Zip Codes of residence of employees** on Hurricane Sandy projects because it would further incentivize contractors to hire from communities hardest hit by Sandy, where high levels of poverty and unemployment persist.

Faith in New York urges the honorable members of the City Council Committee on Finance to support Int 1040-A with the above amendment so that Sandy victims and New Yorkers are given confidence that billions in Sandy funds will actually benefit those hardest hit and who continue to struggle.

Thanks and blessings upon your work,

Joseph McKellar
Executive Director



LOCAL 78

ASBESTOS, LEAD & HAZARDOUS WASTE LABORERS

30 CLIFF STREET, 6th FLOOR
NEW YORK, NY 10038-2825

Tel. (212) 227-4803
Fax: (212) 406-1800

Testimony to the New York City Council on Finance regarding the creation of a database to track the expenditure of funds in connection with the recovery efforts in the wake of Hurricane Sandy (Intro. 1040-A)

New York City Council

250 Broadway

New York, NY 10007

December 2, 2013

Good afternoon Chairman Recchia and members of the New York City Council Committee on Finance. My name is Stephen Benavides, and I serve as the Director of Research at the Asbestos, Lead, Hazardous Waste Laborers' Local 78, which is part of the 500,000 member strong Laborers' International Union of North America (LIUNA). Thank you for the opportunity to provide testimony on the Sandy Tracker Bill today.

Laborers' Local 78 represents asbestos, lead, and hazardous waste handlers, which includes disaster response in all five boroughs of New York City, Long Island, and New Jersey. Local 78's 4,000 members are the hard working employees for nearly 200 signatory environmental contractors performing 80% of all asbestos and hazardous waste removal in the area.



Local 78 members and environmental workers are our “Second Responders” when terrorist attacks or natural disasters occur. When properly trained and certified to do the job required, we protect the public at large from widespread exposure to hazardous and cancer-causing contaminants and environmental waste released during these unfortunate events. Local 78 ensures that private residences, government buildings including schools and hospitals, and the public at large are protected.

I am here to express Local 78’s strong and continuing support of the Sandy Tracker Bill (Intro. 1040-A) and urge the committee to **bring the bill to the full body of the City Council** for swift passage into law. We would like to offer the following recommendations to further improve the bill;

- Local 78 recommends that the database tracking system created by Sandy Tracker Bill (Intro. 1040-A) stand separately and independent of any similar system being constructed by the Bloomberg administration. In the first hearing, the Bloomberg administration representative openly opposed passage of the bill for numerous reasons. This misguided opposition creates serious doubt whether it is wise to rely on an exiting administration to coordinate the merger of any Sandy Tracking systems.
- Local 78 strongly recommends that local, state, and federal funds distributed to contractors for any and all Hurricane Sandy funded projects be tracked retroactively to day zero. This is to ensure that all funds are accounted for, not just those funds allocated in the second tranche. This will assist in identifying predatory and fraudulent contractors that targeted New York City in the most vulnerable early days of the storm, and throughout the entire rebuilding and rehabilitation process.
- Local 78 recommends that any and all subcontractors performing work on projects that are recipients of Sandy related funds be subject to the same reporting requirements as the primary recipient or general contractor. This is to ensure that if workers employed by subcontractors are subject to wage theft, exposure to carcinogens and other hazardous materials, health and safety violations, misclassification, or any other violations of law, that the government and the public are aware of the fact as soon as possible.

- Local 78 recommends that any and all contractors, including out of state contractors who receive Sandy related funds are required to report participation in and/or membership of any and all national disaster response or emergency management associations.

Laborer's Local 78 joins all coalition members of the Alliance for a Just Rebuilding and other supporting community, labor, and faith organizations in supporting transparency and equity in post disaster rehabilitation and reconstruction. Thank you for your time.

Respectfully Submitted,

Stephen Benavides

A handwritten signature in black ink, appearing to be 'S Benavides', written over a horizontal line.

Director of Research

Laborers' Local 78

30 Cliff St. 6th Fl.

New York, NY 10038

**Testimony to the New York City Council Committee on Finance regarding the
creation of a database to track the expenditure of funds in connection with recovery
efforts in the wake of Hurricane Sandy (Intro. 1040-A)**

December 2, 2013

Good afternoon Chairperson Recchia and members of the New York City Council Committee on Finance. Thank you for the opportunity to provide testimony today.

El Centro del Inmigrante was founded in 1997 to improve the lives of immigrant workers and their families until they can achieve full civic participation in the USA.

The members of our center work in construction landscaping, demolition and other day labor activities. We provide a space where workers can access Health and Safety certifications, ESL and GED classes, legal services and discuss the issues they face on a daily basis as workers and members of the community they live.

In the aftermath of Hurricane Sandy our organization was transformed into a seven day per week recovery center offering assistance to hundreds of immigrant survivors too traumatized or in fear of going to Restoration Centers due to their immigration status. We also served as a place to train and distribute equipment to the workers doing clean up and demolition.

In the aftermath of hurricane Sandy our workers organized day laborer volunteer brigades and descended into the beach areas of Staten Island to distribute supplies and they offered their own hands to help residents clean their homes. The volunteer brigades continued every weekend once workers started to get hired to do much of the clean up and demolition done by contractors in the area. We were witnesses of the dangerous conditions many workers faced. Many lacked the minimal protection such as masks and gloves. Through donations and the help from private foundations we were able to secure personal protective equipment and our workers helped distributed hundreds of safety kits to other workers doing work in the area. At the same time we provided trainings on how to use this personal protective equipment.

According to a recent study from Baruch College, 82% of workers experienced wage theft and 91% were exposed to hazardous conditions, these unconscionable statistics come to no surprise when we look at the disproportionate number of fatalities suffered by Latino workers (74% according to a report by Center for Popular Democracy) The City of New York must take bold steps to stop with the rampant abuse that workers face on a daily basis and that ultimately affect all workers.



We would like to issue the following recommendations:

- That the current version of the Sandy Transparency bill require the collection of employment information by zip code. This will enable a more detailed analysis of whether the most economically vulnerable neighborhoods are both getting adequate aid and actively gaining on economic benefits in the shape of jobs.
- It is unclear from the proposed legislation whether it will allow the data to be available in a non-proprietary, downloadable database. Online databases are most useful if the data can be easily downloaded into an excel document that can be sorted and analyzed. We encourage this to be included in the legislation.
- We encourage the committee to also ensure reporting enforcing mechanisms are clearly put in place.

El Centro del Inmigrante strongly support the passage of Sandy Tracker Bill (Intro 1040-A) as a necessary first step to curve the crisis our workers are facing, ensure only, good contractors receive public funds and survivors of the storm can get a quick and lasting recovery. We encourage the movement of this bill into the full body of the City Council and its passage into law. We look forward to working with all Council Members to support this issue.

Thank you for your time.



**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 12/2/13

(PLEASE PRINT)

Name: Elaine Short

Address: 321 Beach 57th St. Far Rockaway

I represent: Faith in New York

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1040 Res. No. _____

in favor in opposition

Date: 12-2-13

(PLEASE PRINT)

Name: Stephen Bagnales

Address: 30 Cliff St. 6th Fl. NY

I represent: Labors Local 78

Address: 30 Cliff St. 6th Fl.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1040 Res. No. _____

in favor in opposition

Date: 30 Dec 2013

(PLEASE PRINT)

Name: Bettina Damiani

Address: _____

I represent: Good Jobs New York

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1040-A Res. No. _____

in favor in opposition

Date: _____

Name: Fazeela Siddiqui (PLEASE PRINT)

Address: _____

I represent: Legal Aid Society

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1040 Res. No. _____

in favor in opposition

Date: _____

Name: Michael Flowers (PLEASE PRINT)

Address: City Hall

I represent: Office of the Mayor

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1040-A Res. No. _____

in favor in opposition

Date: 12/2/2013

Name: Daniel Contreras (PLEASE PRINT)

Address: _____

I represent: SEIU 32BJ

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 12-2-13

(PLEASE PRINT)

Name: Jorge Torres

Address: _____

I represent: EL CENTRO DEL INMIGRANTE

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1040-A Res. No. _____

in favor in opposition

Date: 12/2/2013

(PLEASE PRINT)

Name: Nathalie Hegre

Address: 50 Broadway, 29TH FL, NY 10004

I represent: Alliance for a Just Rebuilding

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1040-A Res. No. _____

in favor in opposition

Date: 12/2/13

(PLEASE PRINT)

Name: Josh Kellermann

Address: 50 Broadway, 29th FL

I represent: ALIGN: Alliance for a Greater NY

Address: _____

Please complete this card and return to the Sergeant-at-Arms.