

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON RECOVERY AND RESILIENCY

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October 11, 2017
Start: 1:20 p.m.
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HELD AT: 250 Broadway - Committee Rm,
16th Fl.

B E F O R E:
MARK TREYGER
Chairperson

COUNCIL MEMBERS:
Margaret S. Chin
Donovan J. Richards
Carlos Menchaca
Eric A. Ulrich
Steven Matteo
Bill Perkins

A P P E A R A N C E S (CONTINUED)

Amy Peterson
Director
NYC Mayor's Office of Housing Recovery
Operations

William Friedman
Acting Director
Storm Response Unite
New York Legal Assistance Group

Joseph Sant
Director of Homeowner Services
Center for NYC Neighborhoods

[sound check]

[pause]

[gavel]

CHAIRPERSON TREYGER: Good afternoon. My name is Mark Treyger and I am the chair of the Committee on Recovery and Resiliency. We are here today to discuss Proposed Introduction No. 1720-A, which would create a task force to evaluate Hurricane Sandy recovery efforts and develop recommendations about how our city and others can better prepare and respond to future natural disasters.

Over the last few months we have been painfully reminded of the devastation that natural disasters can bring. Our thoughts and prayers have been with all those impacted by the harrowing destruction of Hurricanes Harvey, Irma and Maria. Our fellow Americans, from the Gulf Coast to Florida to Puerto Rico to the U.S. Virgin Islands have turned to New York for disaster response support, relief, advocacy, and advice on how to approach the daunting task of recovery.

As we approach the fifth anniversary of Hurricane Sandy, we have made progress in our recovery and improving resiliency and emergency

1 preparedness, but there is much more work that needs
2 to be done. While our recovery has not always been
3 smooth, these challenges have helped us gain valuable
4 insight on how to navigate complex aid processes, how
5 to engage survivors in impacted communities as active
6 participants in the recovery process and how to
7 rebuild stronger, more resilient, better prepared
8 neighborhoods.
9

10 This task force would include
11 representatives from relevant government agencies and
12 members from each of the five boroughs to reflect
13 Sandy's wide-ranging impact across our city. The
14 task force would also be responsible for producing a
15 report analyzing the City's recovery efforts in
16 response to Sandy, including the process of repairing
17 or rebuilding single-family, multi-family and public
18 housing; how the City communicated with and provided
19 outreach to affected communities; the availability of
20 legal services; coordination with nonprofit
21 organizations and the faith community; availability
22 of emergency shelters; and much more. This analysis
23 will also help the task force develop holistic
24 recommendations for how to best approach disaster
25 recovery and emergency preparedness in the future.

2 I wanna thank Staten Island Borough
3 President James Oddo for his steadfast leadership on
4 Hurricane Sandy recovery efforts in his borough and
5 for his advocacy for review of the successes and
6 failures of our recovery efforts thus far.

7 This legislation is borne out of a shared
8 desire to ensure that we learn from the challenges of
9 Hurricane Sandy.

10 I wanna thank my colleagues as well who
11 have signed on -- Council Member Eric Ulrich and
12 Council Member Carlos Menchaca -- for their support.

13 I'd also like to thank those who
14 contributed to this legislation and to preparations
15 for today's hearing: Jeffrey Baker, Jennifer Wilcox,
16 Malaika Jabali, Patrick Mulvihill, Jonathan Seltzer,
17 and Anna Scaife.

18 The Committee looks forward to hearing
19 testimony today from the Administration and advocates
20 on Introduction 1720-A, and at this time I would like
21 to call on the Administration for the first panel.

22 I also want to note that we've been
23 joined by Council Member Perkins, Council Member
24 Menchaca and Council Member Ulrich. [background
25

1
2 comment][pause] Director Peterson, we'll just
3 quickly swear you in and we'll get started.

4 COMMITTEE COUNSEL: Please raise your
5 right hand. Do you swear or affirm to tell the
6 truth, the whole truth and nothing but the truth in
7 your testimony before the committee today and to
8 respond honestly to council member questions?

9 AMY PETERSON: I do.

10 COMMITTEE COUNSEL: Thank you.

11 AMY PETERSON: Good afternoon,
12 Chairperson Treyger; members of the Committee on
13 Recovery and Resiliency. I'm Amy Peterson, the
14 Director of the Mayor's Office of Housing Recovery
15 Operations. Thank you for inviting me to testify
16 today on Intro 1720-A, a bill to create a Hurricane
17 Sandy Recovery Task Force. And I'd also like to echo
18 the Chairperson's comments and thank Borough
19 President James Oddo for highlighting the need for a
20 formal task force to review and learn from the
21 lessons of Hurricane Sandy recovery.

22 The creation of a task force is something
23 the City has supported for close to a year now; Mayor
24 de Blasio called out the need to begin this
25 discussion last October in our Build It Back progress

1
2 update report. As Mayor de Blasio stated in his
3 opening letter of this report, Hurricane Sandy
4 confronted our city with unprecedented challenges; we
5 faced damage to homes and neighborhoods on enormous
6 scale; the City also made a critical choice in those
7 first few months after the storm that has shaped all
8 of our efforts since; the City decided to prioritize
9 keeping families in their homes and neighborhoods and
10 to prioritize homeowner choice in the process. That
11 strategy far different from those made by the state
12 or by other localities in past disasters put us on
13 the path we are still pursuing. We have already
14 begun a comprehensive evaluation of the successes and
15 shortcomings of Build It Back and the associated
16 recovery programs. We must and we will develop a
17 better model that can serve our city in future
18 crises. We remain committed to seeing this through
19 and we will learn the lessons necessary to help our
20 city and others facing similar crises in the future
21 to rebuild stronger.

22 This task force can build on what we've
23 learned to date through our efforts to expand the
24 offerings of Build It Back, including adding a City
25 acquisition and buyout program with incentives and a

1 direct grant program; accelerating recovery through
2 zoning and other regulatory changes; and trying to
3 provide additional relief to homeowner impacted by
4 the complicated federal disaster duplication of
5 benefits requirement. As a result of these efforts,
6 as of today 99% of active homeowners have been served
7 through a construction start reimbursement check or
8 acquisition of their home and 87% of homeowners are
9 fully complete, including construction, reimbursement
10 and acquisition. These numbers have improved
11 dramatically in the last year, with the completion of
12 almost 1,700 construction projects.

14 The report last year went on to further
15 discuss what we have learned to date and how we can
16 take those lessons to prepare for future disasters,
17 including how we can strategize on the best way to
18 identify who is impacted, gather and share data on
19 damage assessments and beneficiaries; how do we
20 integrate case management and damage assessments from
21 initial response directly into recovery efforts.
22 This could dramatically shorten the case management
23 and damage assessment process used for Build It Back.

24 Before the next disaster, evaluate what
25 types of benefits we would offer to what types of

1 homes and communities, including immediate housing
2 recovery options, acquisition, reimbursement,
3 construction, and alternative mitigation. We should
4 use the knowledge gained from determining an
5 unbuildable site in the City Planning Resilient
6 Neighborhood efforts. How do we replicate what
7 worked and improve upon what did not work? We need
8 to figure out how to help communities navigate all
9 the benefits more rationally -- national flood
10 insurance, SBA [sic], HUD-funded programs and
11 nonprofit benefits -- make recommendations to the
12 federal government on how to do this and determine if
13 there are other ways to help homeowners access funds
14 to complete work on their own. We need to
15 rationalize the design and construction program
16 process, learn from our minimum program standard, the
17 regulatory requirements, the federal environmental
18 requirements, and site conditions. Will homeowners
19 elevate their homes on their own? Have we
20 established an industry of architects and contractors
21 that will continue to do this work? Are there loan
22 options?
23

24 Homeowners face hard decisions about
25 losing space in their homes versus elevating,

2 reducing risk and decreasing flood insurance rates.

3 Even in situations where the full value of the
4 construction and management of design and
5 construction was funded by Built It Back, some
6 homeowners elected not to do the work. For many
7 homeowners, abandonment of ground floor and
8 underground space is not a viable alternative to
9 actual elevation due to the loss of rental income and
10 the loss of valuable space that impacts future sale
11 value. The City can continue to evaluate viable
12 alternative mitigation measures and work to have
13 these measures recognized in the setting of flood
14 insurance rates.

15 As the de Blasio Administration continues
16 to invest in building a more resilient city, we look
17 for new ways and tools to promote the long-term
18 resilience of New York's most vulnerable
19 neighborhoods. It is our hope that the new task
20 force will help the City and our residents better
21 understand how we can utilize land use strategies to
22 creatively and responsibly enhance coastal
23 resilience.

24 This new task force and learn from and
25 expand on the extensive efforts already undertaken by

1 the Council, City agencies and others to glean
2 lessons learned from Hurricane Sandy recovery. For
3 example, the final report of the Hurricane Sandy
4 Houses of Worship and Charitable Organizations
5 Recovery Task Force that was established by Local
6 Law 18 and supported by Council Member Treyger; the
7 Department of City Planning's Resilient Neighborhoods
8 Study; the Multi-Family Flood Insurance Affordability
9 Study commissioned by the Mayor's Office of Recovery
10 and Resiliency; the Hurricane Sandy After-Action
11 Report and Recommendations; and REBUILD THE PLANE
12 NOW: Recommendations for Improving Government's
13 Approach to Disaster Recovery and Preparedness, which
14 was written by Holly Leicht, the former HUD Regional
15 Administrator for New York and New Jersey. Although
16 that's not an exhausted list, these efforts cover
17 some of the topic areas mentioned in Intro 1720-A and
18 would be useful starting points as the task force
19 begins to consider recommendations.
20

21 At this point I'm available to answer
22 questions.

23 CHAIRPERSON TREYGER: Thank you, Director
24 Peterson. I also wanna note that we've been joined
25 by Minority Leader Matteo, and before you arrived,

2 Minority Leader, we gave a big shout-out and thank
3 you to the Staten Island Borough President for his
4 leadership and really first calling for this and we
5 wanna appreciate that.

6 So just to be clear, Director Peterson,
7 and I appreciate your very, very thoughtful,
8 informative comments in the testimony today; does the
9 Administration support 1720-A?

10 AMY PETERSON: Yes, the Administration
11 supports 1720-A.

12 CHAIRPERSON TREYGER: That is much
13 appreciated and I would just note that there are a
14 number of items that you mentioned in the bill that
15 are important from us on a personal level, that we've
16 experienced in our districts personally, certainly
17 many of the areas that you laid out in your
18 testimony, which I agree with, deserve examination --
19 language access is another issue that you and I have
20 talked about and seen firsthand in our communities;
21 the ability to add capacity and greater partnerships
22 with the nonprofit sector to take on some of these
23 cases -- case management. And I just wanna read to
24 you, and I wanna add to the record, the testimony of
25 the Staten Island Borough President; there's a

1 paragraph here that I think is really worth sharing
2 out loud that reads: "As you move forward with the
3 consideration of this legislation, I ask that the
4 task force really be assigned to focus on the housing
5 end of the equation. In a few weeks it will be five
6 years since the storm struck and we still have New
7 Yorkers who have not returned to their homes. The
8 housing part of the recovery, starting with the Rapid
9 Repairs Program and continuing with Build It Back,
10 has been the primary cause of angst for too many New
11 Yorkers and resulted in a widespread loss of faith in
12 government. My objective in the August 30th letter
13 calling for the creation of this task force was to
14 prompt an examination of a decision that led to the
15 Build It Back model of recovery which predates the
16 current Administration as opposed to alternative
17 models such as voluntary acquisitions in the most
18 vulnerable areas." And I thought that was really
19 worth sharing out loud because in our last hearing we
20 talked about some of these decisions before, and
21 we'll get to examine those decisions before, and
22 again, I thank you for navigating yourself; it's a
23 tough job and I don't envy the position that you're
24 in and you and I have had some intense but also
25

1 enlightening conversations and I thank you for being
2 a partner along the way.

3
4 I just wanna note if any of my colleagues
5 have any other questions for the Director. Council
6 Member Bill Perkins; I'm sorry.

7 [background comment]

8 COUNCIL MEMBER PERKINS: Thank you very
9 much for your presence. So five years since and they
10 have not returned to their homes?

11 AMY PETERSON: [background comment]

12 Yeah. So we are currently completing the Build It
13 Back program; the majority of the people who are
14 still in construction may have returned to their
15 homes and then moved out for construction, but there
16 are some people who haven't been in their homes since
17 the storm.

18 COUNCIL MEMBER PERKINS: And so how are
19 they managing not living in their homes and what
20 alternative arrangements have been... are they using or
21 have been made to accommodate their needs and..

22 AMY PETERSON: Yeah.

23 COUNCIL MEMBER PERKINS: how are they
24 experiencing that? That's a long time to be out of
25 your home.

1
2 AMY PETERSON: Yeah, so one of the big
3 decisions that this Administration made and I think
4 needs to be thought about in a task force moving
5 forward is the decision to pay for rental assistance
6 during construction, so when people have been... have
7 to relocate to take advantage of the elevation and
8 rebuilding and the construction is ongoing we
9 reimburse people for their rental and we actually can
10 lease apartments for them, so that's been a big part
11 of the program. The other piece that I think is
12 really important for this task force to understand is
13 the difference between those two groups of people;
14 right, who are people who never were able to return
15 to their home versus people who returned to their
16 home and then left their homes to elevate or rebuild,
17 and doing a better job I think of differentiating
18 between those groups early on in the process.

19 COUNCIL MEMBER PERKINS: So for those
20 folks who were not able to return to their homes,
21 give me an idea of... a picture of what's happening
22 with them and how many of them are we talking about?

23 AMY PETERSON: So I don't have the exact
24 number, 'cause as I said, the majority of the people
25 that we're working with now are people who did return

1
2 to their homes because of Rapid Repairs and then were
3 in the process to have their homes elevated and so
4 we're working with them. So the number of people who
5 didn't return to their homes and have never been back
6 in their homes is much smaller than that.

7 COUNCIL MEMBER PERKINS: Okay. So those
8 who have not been able to return; are they... who's in
9 touch with them; who's working... [crosstalk]

10 AMY PETERSON: So if they're in the Build
11 It Back program, we work with them continually and
12 there's a lot of both nonprofit support and support
13 from Build It Back to move forward.

14 COUNCIL MEMBER PERKINS: So do you... but
15 you don't know how many such people you're working
16 with?

17 AMY PETERSON: So I know how many people
18 are in construction right now, but I don't know how
19 many people never returned and anyone who's in
20 construction right now, which is, you know, almost
21 everyone in our program is getting rental support, so
22 at this point in time everybody is getting rental
23 support from us when they're... and under construction.

24 COUNCIL MEMBER PERKINS: Okay. So when
25 you say rental support; what does that mean?

2 AMY PETERSON: We pay their rent on a
3 monthly basis... [crosstalk]

4 COUNCIL MEMBER PERKINS: You pay... fully
5 their rent?

6 AMY PETERSON: Yes.

7 COUNCIL MEMBER PERKINS: Uh-huh. And
8 what... what are the range of those rents, do you know,
9 by any chance?

10 AMY PETERSON: Uhm so it is a higher
11 level than the kind of standard fair market rent, and
12 there are people in the audience who know this by
13 heart; I don't know this by heart, but we can give it
14 to you. But it's a fair rent based on the family
15 size.

16 COUNCIL MEMBER PERKINS: And... and just...
17 How are they doing?

18 AMY PETERSON: So good... I mean so one of
19 the problems all along has been encouraging people to
20 take advantage of our program, relocate for a period
21 of time, and people have really wanted to stay in
22 their communities or near their schools and so we put
23 in place a temporary housing services program which
24 works with Center for NYC Neighborhoods and NYDIS
25 that actually helps people rent apartments during

1 that period of time; actually can lease apartments
2 for them and really works for people who have
3 difficulties with that to make that happen.
4

5 COUNCIL MEMBER PERKINS: Okay, so I have
6 some other questions, but I'll... [background comments]
7 I'm sort of concerned about what's... how are they... how
8 are they doing kind of a thing; are they... are they
9 managing; are they [background comment] likely to
10 return to uhm...

11 AMY PETERSON: Yeah, so certainly the
12 people who we're constructing new homes for and
13 elevating homes for are returning home every day and
14 we've had a lot of people return home recently and
15 they're excited to be in what are, you know safe
16 homes that will protect them from future storms.

17 COUNCIL MEMBER PERKINS: And what are the
18 challenges that they may be experiencing, even as
19 they're moving in the right direction; are they
20 having some difficulty?

21 AMY PETERSON: Yeah, so I mean I think
22 there are challenges for a lot of people who suffer
23 from... who deal with storms, especially people who had
24 kind of bad mortgage situations before the storm, and
25 so those are some of the challenges that we work

1 with; we have financial counselors and legal
2 counselors to help them with that. We've had a great
3 partnership with the nonprofit community and the
4 disaster case managers and NYDIS to help people with
5 other needs that they have.
6

7 COUNCIL MEMBER PERKINS: Thank you.

8 Thank you.

9 AMY PETERSON: Uhm-hm.

10 CHAIRPERSON TREYGER: Sure and great
11 questions, colleague. And I will just note that, you
12 know I'm in touch with some of those folks that
13 you're speaking about and you know one of the issues
14 that we still have to work on now but I hope the task
15 force will also address is the issue of expanding
16 capacity, because not many firms had the capacity or
17 the expertise initially to deal with homes that are
18 elevated or rebuilt and plus we had homes that are
19 attached, so it's kinda hard to elevate those types
20 of properties, and so there are still -- and I will
21 credit the Administration for agreeing to the
22 temporary rental assistance, but the challenge has
23 been also finding a landlord that will grant you a
24 six-month lease or eight-month lease when standard
25 leases are longer, but those are issues that we do

1 plan to examine. I know that my colleague, Council
2 Member Menchaca has questions.
3

4 COUNCIL MEMBER MENCHACA: Thank you,
5 Chair and thank you to this Committee in partnership
6 with Director Peterson and your staff; I think this
7 task force I'm also very excited about and really, in
8 the vein of and the spirit of the bill, that I just
9 wanna underscore that the report will include but not
10 be limited to the analysis of and then all the ideas
11 that I think that have already been... but I think
12 there's opportunities there to even grow that list,
13 to really think about people that have been on the
14 ground that can offer us new spaces to think about,
15 to analyze and I'm really happy that the Chair
16 started with lifting those who have been impacted by
17 the recent hurricanes and also thinking about people
18 in Mexico, because so much of what we're doing does
19 not... this is not just about hurricanes; this is about
20 the impacts to natural disasters that impact our
21 lives and our homes and the rebuilding and the
22 recovery of neighborhoods in a city. And so I just
23 wanna say thank you; I hope that this can leave us
24 with a legacy of commitment by a city and offer to
25 other cities right now, and even thinking about

1
2 everything that's coming back from Puerto Rico and
3 the U.S. Virgin Islands that can actually benefit
4 from this; this is not just about New York City, this
5 is really a global conversation that will continue to
6 happen and allow governments, municipalities that are
7 gonna be on the ground more than any other
8 governments, the opportunity to learn from, and so as
9 someone who -- and I think all of us were on the
10 ground after Superstorm Sandy, I think this is the
11 right time to do it. No questions, though I will say
12 that I think it's an important thing to make sure
13 that these reports are in multiple languages and that
14 they are able to be digested into different
15 communities -- the day laborers have a big chapter in
16 that immediate response and so as we lift up all
17 those who were there at the beginning, we need to
18 make sure that not only do we honor that, but go back
19 to them for that analysis. Thank you.

20 CHAIRPERSON TREYGER: Thank you, Council
21 Member Menchaca. And yeah, the hope is that this
22 report has the potential to shape changes to federal
23 policy, in rules and regulations, I mean that's the
24 goal here, it's really to cement these lessons
25 learned into the form of changes to federal rules and

1 policies. You and I have been to a number of
2 meetings where we have to brake the painful news to
3 people that there are federal rules that prohibit
4 certain things from happening and it's frustrating
5 and it's not just in New York City; it's happening
6 sure across the country that the same rules apply
7 there too, and so this could be the blueprint for
8 change across the land. If none of my colleagues
9 have any questions, I think we're good. Thank you,
10 Director Peterson. [pause] Alright, I'd like to
11 call up William Friedman from New York Legal
12 Assistance Group and Joseph, I think, from the Center
13 for NYC Neighborhoods. [background comments][pause]
14 'Kay, I guess Mr. Friedman you can begin. [pause]

16 WILLIAM FRIEDMAN: Okay. Chair Treyger;
17 Council Members and staff.. [background comments] it's
18 not coming through? Chair Treyger, Council Members
19 and staff, good afternoon and thank you for the
20 opportunity to speak to the Recovery and Resiliency
21 Committee regarding the creation of a Hurricane Sandy
22 Recovery Task Force. My name is William Friedman and
23 I am the Acting Director of the Storm Response Unit
24 of the New York Legal Assistance Group (NYLAG).

2 NYLAG is a nonprofit law office dedicated
3 to providing legal services in civil law matters to
4 low-income New Yorkers. NYLAG serves immigrants,
5 seniors, the homebound, families facing foreclosure,
6 renters facing eviction, low-income consumers, those
7 in need of government assistance, children in need of
8 special education, domestic violence victims, persons
9 with disabilities, patients with chronic illness or
10 disease, low-wage workers, low-income members of the
11 LGBTQ community, Holocaust survivors, veterans, as
12 well as others in need of free legal services.

13 The Storm Response Unit focuses its
14 assistance on victims of Sandy and provides
15 assistance with legal issues arising from the storm.
16 We are thrilled to learn that the Committee is
17 creating a task force on the lessons learned from
18 Sandy. One of the paramount challenges facing Sandy
19 victims was the lack of a sufficient disaster
20 recovery infrastructure to respond to the
21 catastrophic level of damage caused by the storm. It
22 is only by thoroughly studying the Sandy recovery
23 efforts successes and failures that we can properly
24 prepare to address the challenges of future
25 disasters. In the past few months we've seen three

1
2 more major weather disasters strike the United
3 States. The ongoing effects of climate change will
4 continue to increase the risk of all coastal areas
5 within the country. We commend the Committee on its
6 mission to learn from Sandy and make the appropriate
7 preparations for the unfortunate eventuality of
8 another catastrophic storm striking the city.

9 NYLAG Storm Response Unit has
10 participated in assisting victims of Sandy since the
11 first days after the storm. Although NYLAG was
12 displaced from its Lower Manhattan office for ten
13 weeks, the Agency established the Storm Response Unit
14 within 48 hours of the storm, bringing its Mobile
15 Legal Help Center to affected areas even before
16 electricity was restored to many neighborhoods.

17 Since then, NYLAG has continuously
18 provided high-quality legal services in the areas of
19 disaster benefits, housing and foreclosure,
20 homeowners and flood insurance, and consumer
21 protection to victims of the storm. We have
22 represented clients in over 13,000 legal matters and
23 assisted these clients in accessing over \$59 million
24 in benefits.

2 Disasters touch all aspects of life for
3 those affected and the issues are further compounded
4 by the cross-section of federal, local and private
5 recovery resources. By building a team focused on
6 disaster assistance, NYLAG Storm Response Unit has
7 been able to respond to the needs of our clients; we
8 have seen firsthand the struggles that our clients
9 have faced throughout the recovery process, from the
10 initial deployment of Rapid Repair to the creation of
11 the Build It Back program and the many changes in
12 direction the program would eventually take. We have
13 also assisted our clients in related matters,
14 including difficult insurance claims processes, loss
15 of access to housing, and contractor fraud. We have
16 quickly responded to changes in the landscape for
17 survivors of the storm; for example, when FEMA
18 announced in March [bell] 2015 that it would reopen
19 all 144,000 national flood insurance claims, the
20 Storm Response Unit immediately mobilized to assist
21 affected clients. Similarly, NYLAG responded quickly
22 to various announcements of fallbacks of federal and
23 state funds that were allocated in the immediate
24 aftermath of the storm.

1
2 NYLAG Storm Response Unit remains the
3 only free legal service provider in New York City
4 that is still accepting new clients with Sandy-
5 related issues. In addition to assisting our clients
6 with the recovery process, we have recently partnered
7 with the Center for NYC Neighborhoods to provide
8 legal counseling on long-term resiliency-focused
9 construction and flood insurance rates. We have
10 remained committed to the idea of helping our clients
11 reach a stable and permanent resolution to the
12 problems caused by Sandy.

13 As a leader in the field storm recovery
14 legal services, NYLAG's vast experience has been
15 tapped recently by other states experiencing
16 catastrophic storms. NYLAG has provided trainings to
17 attorneys in Texas and Florida in relation to
18 Hurricanes Harvey and Irma, and is working to reach
19 colleagues in Puerto Rico as the islands works to
20 recovery its basic infrastructure. NYLAG has also
21 recently worked with Chief Judge Janet DiFiore's task
22 force on legal assistance related to Hurricane
23 Harvey.

24 Given our past work on helping Sandy
25 victims and our continuing commitment to creating a

2 resilient city, we are pleased to be able to offer
3 expertise to the Committee to either participate in
4 the task force or open up our experience to other
5 members of the task force.

6 I want to thank Chair Treyger and the
7 Committees for holding this important hearing and
8 continuing to focus on a mission of making New York
9 City more resilient to future disasters. We look
10 forward to continuing to work with the Council and
11 the Mayor's Office in these resiliency efforts.

12 CHAIRPERSON TREYGER: Thank you much and
13 we'll have a question, but after we hear testimony
14 from both sides, so please.

15 JOSEPH SANT: Good afternoon. My name is
16 Joseph Sant and I am the Director of Homeowner
17 Services at the Center for NYC Neighborhoods. I'd
18 like to thank Committee Chair Treyger and members of
19 the Committee on Recovery and Resiliency for holding
20 today's hearing on the creation of a Hurricane Sandy
21 Recovery Task Force. I'll say a little bit about the
22 Center.

23 The Center for NYC Neighborhoods promotes
24 and protects affordable homeownership in New York so
25 that middle- and working class families are able to

1 build strong, thriving communities. We were
2 established by public and private partners including
3 the City Council and the Center meets the diverse
4 needs of homeowners throughout New York by offering
5 free, high-quality services. Since our founding in
6 2008, our network has assisted over 40,000 homeowners
7 with matters ranging from foreclosure prevention,
8 post-Sandy repair and rebuild, flood insurance, and
9 more.
10

11 As an organization that advocates for
12 residents in New York City's flood-prone
13 neighborhoods, we applaud the proposed bill and we
14 support it. As we witnessed more severe storms
15 battering cities and towns in Texas, Florida and
16 Puerto Rico; the U.S. Virgin Islands, the time is
17 right to capture in a holistic way the many lessons
18 we have learned as a city in the aftermath of
19 Superstorm Sandy and operationalizes those lessons so
20 that we can better withstand and recover from future
21 storms.

22 We're appreciative that the proposed bill
23 will create a task force that will include an
24 analysis of the role of nonprofit organizations and
25 the availability of legal services. The kinds of

1 supports that are provided by nonprofit legal
2 services firms, housing counselors; disaster
3 caseworkers are critical components of disaster
4 recovery. At the time Sandy hit, I was an attorney
5 at Legal Services NYC and I saw how the civil legal
6 aid sector was one of the first responders to the
7 disaster. Lawyers and paralegals, including my
8 colleague Will here, were quick to establish clinics
9 in communities hard hit by the storm so that
10 residents could seek help with accessing federal
11 benefits, filing insurance claims and cutting through
12 red tape to get insurance funds released quickly from
13 mortgage banks. Housing counselors were also
14 critical to helping homeowners get relief from paying
15 their mortgages after the disaster, including
16 accessing forbearance and preventing payment spikes
17 when those forbearance periods ended.

18
19 In 2013, thanks to support from the
20 Mayor's Fund to Advance New York City, the Center was
21 able to provide more than \$2 million in grant support
22 to 19 housing counseling and legal services
23 organizations located in the most impacted
24 neighborhoods in Queens, Brooklyn and Staten Island,
25 and these investments in these on-the-ground

2 providers kept these critical supports in place
3 during the initial phase of housing recovery during
4 the first year after Superstorm Sandy, serving over
5 3,500 residents, and this infrastructure has
6 continued to serve New Yorkers throughout the
7 recovery.

8 In 2014, with support and oversight from
9 the Mayor's Office of Housing Recovery Operations, we
10 leveraged [bell] this same network of nonprofit legal
11 providers and housing counselors to provide
12 counseling assistance to homeowners in the Build It
13 Back program. That network includes New York Legal
14 Assistance Group, Neighborhood Housing Services of
15 Brooklyn, Staten Island Legal Services, Brooklyn
16 Legal Services, Mutual Housing Association of New
17 York, CAMBA, and Mobilization for Justice, formerly
18 known as MFY. These services have helped thousands
19 of homeowners with many of the challenges associated
20 with housing recovery including foreclosure, dealing
21 with unaffordable SBA loans, handling complex federal
22 duplication of benefits requirements, negotiating
23 with mortgage servicers to release their insurance
24 funds, and for interested homeowners navigating the
25 acquisition process. We have focused on providing

2 clear and accurate information about the rising cost
3 of flood insurance and how to cope with changes
4 brought on by new maps and federal reforms, and we
5 have also provided advocacy services that help
6 homeowner with disputing determinations that they
7 disagree with.

8 Over 4,000 homeowners have been counseled
9 by this program and counselors are available at help
10 desks located at each of the Build It Back
11 Construction Service Centers to serve clients on
12 demand and by appointment at our providers' local
13 offices.

14 The Center has also had an opportunity to
15 work with the City -- and Amy Peterson mentioned this
16 in her testimony -- and the nonprofit faith-based
17 sector to develop a first of its kind temporary
18 housing services program for Sandy-affected
19 homeowners undergoing long-term construction
20 projects, and this is a joint effort with HRO, New
21 York Disaster Interfaith Services and the Center.
22 And this is responding to a need expressed especially
23 by low- to moderate-income homeowners worried that
24 they would not be able to afford temporary housing
25 and would miss out on elevation or rebuild

1 assistance. So this program helps homeowners find
2 and pay for temporary rentals; a key aspect of this
3 program is it directly pays rent so that rather than
4 having homeowners advance funds and wait for
5 reimbursement they can have that rent paid directly,
6 which is critical for cash poor households in mid
7 recovery [sic].

8
9 So there are many lessons that we've
10 learned in the course of deploying these programs,
11 but I think chief among them, first among them would
12 be the need for the City and nonprofit providers to
13 integrate their efforts and achieve a level of
14 coordination as soon as possible. The level of
15 coordination that we've reached at this stage of the
16 recovery between nonprofits and City agencies is I
17 think at this point very good; though there is always
18 room for improvement, it took time and hard work to
19 get to where we are, but the good news is, if we
20 study and learn from our current operations and our
21 current models in the event of another disaster like
22 Sandy, we won't have to start from scratch.

23 Do I have any time **[inaudible]**?

24 [background comment] Okay, I'll wrap up.

1
2 I just wanted to also mention one other
3 initiative which is our Home Resiliency Audit
4 Program. So this is a program that is funded with
5 support from the Governor's Office of Storm Recovery
6 and for eligible homeowners we will send an engineer
7 to the home to assess the home's risk of flooding and
8 recommend mitigation measures. We work with Dewberry
9 engineers to create a proprietary home resiliency
10 technical review process that is designed to assess
11 the kinds of residences and housing that is common to
12 New York City's floodplain. And the engineer's
13 technical review results in a report that explains to
14 a homeowner their exposure to flood risk, recommends
15 retrofits that would make the home more resilient
16 against future storm damage, and generates a
17 financial breakdown that shows the homeowner the
18 potential benefits they may realize in terms of
19 reduced flood insurance premiums. This program is
20 available to one- to four-family homeowners as well
21 as multi-family building owners who are advised by
22 our partner on the project, Enterprise Community
23 Partners. It's available in select neighborhoods
24 that requested this program in their New York Rising
25 Plan.

1 So I'll end there and I just wanna thank
2 you very much for the opportunity to testify today;
3 I'll end with one additional note, which is that
4 while the Center is engaged in many areas of recovery
5 and resiliency, we don't claim to speak for anyone
6 else in the city in the nonprofit sector, including
7 our partners; there's a diverse sea of opinions among
8 our agencies and there are many agencies, including
9 disaster case management, faith-based organizations,
10 voluntary organizations active in disaster who are
11 integral to recovery as well and their viewpoints are
12 very important to represent in any analysis. So we
13 look forward to continuing to work with you on this.

14 CHAIRPERSON TREYGER: Thank you very much
15 and just to follow up. When do you expect the
16 process to expand to other neighborhoods with the
17 Home Resiliency Audit program?
18

19 JOSEPH SANT: Beginning in November, the
20 start of November we'll be relaunching Flood Help
21 NYC, which is... [crosstalk]

22 CHAIRPERSON TREYGER: Right.

23 JOSEPH SANT: the portal where homeowners
24 can sign up for these services; it'll be opened up to
25 the initial neighborhoods of Coney Island, Brighton

1 Beach, Seagate, Manhattan Beach, Gerritsen Beach, and
2 Sheepshead bay.

3
4 CHAIRPERSON TREYGER: Right; this was
5 borne out of the New York Rising program.

6 JOSEPH SANT: That's right.

7 CHAIRPERSON TREYGER: Right and uh yeah,
8 many areas; Southern Brooklyn initially not a part of
9 it, but we had to explain why it's... [background
10 comment] thank you for that. A question for NYLAG
11 and we thank you for your partnership. Will NYLAG,
12 and is NYLAG, but will NYLAG assist Build It Back
13 participants with filing like Article 78 petitions
14 during their appeal process of certain decisions...?
15 [crosstalk]

16 WILLIAM FRIEDMAN: That we would not.
17 Based on our legal counseling relationship with the
18 Center for the NYC Neighborhoods and the Build It
19 Back program in and of itself, it's a step beyond
20 what we would be able to do. I think we're able to
21 steer applicants towards relatively constructed paths
22 in which to challenge decisions that they disagree
23 with and help them put together the best presentation
24 of those ideas so that the program can understand
25 what the issues are and try to separate it a little

1 bit from the let's say hostility that people will
2 have, because it is of course their home and they are
3 disagreeing with issues of their home, but assisting
4 them with litigation would be something beyond what
5 we can do.

7 CHAIRPERSON TREYGER: So what if they
8 lack the capacity to file such a petition **[inaudible]**
9 financially speaking...? [crosstalk]

10 WILLIAM FRIEDMAN: Uhm yeah, it's
11 definitely a very difficult process in Article 78 and
12 there's a very fast turnaround; it's a four-month
13 statute of limitations generally, so there's not a
14 lot of time for individuals to see alternative
15 assistance. So if somebody has a particular need, we
16 have many pro bono partners; we can try to send
17 people to the Bar Association to get further advice,
18 but it is beyond something that we would be able to
19 assist them with.

20 CHAIRPERSON TREYGER: And do you have a
21 list of legal organizations that can provide them
22 assistance?

23 WILLIAM FRIEDMAN: In terms of direct
24 legal organizations, unfortunately there are no other
25 free legal services organizations that are taking on

1
2 Sandy-related cases, so it was really up to the
3 private bar and/or taking pro bono cases from the
4 private bar to assist these applicants.

5 CHAIRPERSON TREYGER: This is a little
6 bit concerning because there are some folks who are
7 going through a difficult time and lack the means,
8 but this is something I'd like to follow up on
9 separately, outside this hearing.

10 We'll call on next my colleague, Council
11 Member Ulrich.

12 COUNCIL MEMBER ULRICH: Thank you,
13 Mr. Chair and thank you both for your testimony. I
14 wanna thank you for the good work that NYLAG and
15 Center for NYC Neighborhoods has done in my district
16 in the Rockaways and in particular, the communities
17 on the mainland -- Hamilton Beach I know has
18 benefited greatly from the legal assistance that
19 NYLAG has provided.

20 I actually have a question for Mr. Sant
21 regarding the audit program that's funded -- the Home
22 Resiliency Audit program. I think I'd spoke to one
23 of your colleagues several months ago, Rachel; does
24 that ring a ba... [crosstalk]

1 JOSEPH SANT: Yeah, she's our deputy
2
3 director. Yeah, she's... [crosstalk]

4 COUNCIL MEMBER ULRICH: Alright. So at
5 the time I expressed concern that Broad Channel was
6 not included in this program and... [crosstalk]

7 JOSEPH SANT: That's right.

8 COUNCIL MEMBER ULRICH: and then I see
9 the list of communities that you're expanding to --
10 Brighton Beach, Seagate, Coney Island, Manhattan
11 Beach, Gerritsen Beach, Sheepshead Bay -- I still
12 don't see Broad Channel on the list.

13 JOSEPH SANT: Right.

14 COUNCIL MEMBER ULRICH: Why is Broad
15 Channel excluded from the audit program when that was
16 a community that the bay and the ocean like
17 completely submerged the community underwater; it was
18 one of the hardest hit neighborhoods in my district,
19 hands down.

20 JOSEPH SANT: Sure. Sure. Yeah. And we
21 would love to serve the residents of your district.
22 The way that the program, which is a pilot program,
23 is funded is through the New York Rising program's
24 participatory budgeting process. I can't give you
25 all the details about how that process worked, but

1 communities in geographic boundaries that were set
2 forth by the Governor's Office of Storm Recovery
3 formed committees, voted on what services they would
4 like to have in their neighborhoods, and so if the
5 community voted for residential technical assistance,
6 we're able to -- basically, if they made a choice to
7 put funding towards that program we're able to serve
8 those neighborhoods; if that program were to be voted
9 into another district plan, we would be able to serve
10 them as well.

12 COUNCIL MEMBER ULRICH: So one of the
13 people who served on that committee, Mr. Mundy, was
14 very active in my district on resiliency issues and
15 other... he's the civic president, coincidentally. You
16 know I remember the time they voted or recommended
17 that the New York Rising money be set aside for the
18 Sunset Cove project, among several other minor
19 capital projects in that area, but it's a small
20 community and it wouldn't take a lot of money or
21 extra personnel to expand this home audit program
22 that you're providing to almost every other
23 neighborhood in the city that's being... that was
24 affected by Hurricane Sandy, to expand it to Broad
25 Channel, even though they technically may not have

1 voted for that portion of the New York Rising ballot
2 or whatever it was. You're probably only talking
3 about... at this point, maybe a 100; maybe even less,
4 because the people have already gotten elevation
5 certificates, they've already gotten surveys done,
6 they're already halfway through or almost done with
7 the Build It Back program -- God willing, they'll all
8 be done soon -- so it's not like you're talking about
9 you'd have to do the whole town... [crosstalk]

11 JOSEPH SANT: Right.

12 COUNCIL MEMBER ULRICH: I just think that
13 with the amount of money that these nonprofit groups
14 are getting, my philosophy is, if you do it for one
15 you should do it for everyone and not just do it for
16 some and Broad Channel is a community that was
17 severely impacted by the storm and that's not to say
18 that these other neighborhoods that you're serving
19 were not also impacted, but Broad Channel, the two
20 bodies of water literally met, you know, at the
21 elevation at five feet... [crosstalk]

22 JOSEPH SANT: Right.

23 COUNCIL MEMBER ULRICH: in the middle of
24 Cross Bay Boulevard and I just wanna make sure that
25 Broad Channel, when you expand this pilot program,

2 that you would consider going into Broad Channel. It
3 is so important that the homeowners there don't fall
4 through the cracks, because they are going to get
5 crushed by skyrocketing flood insurance premiums when
6 the Biggert-Waters Act expires and when all the news
7 cameras stop covering Hurricane Sandy anniversaries
8 five years from now, the working class and the
9 middle-class people in Broad Channel -- and I won't
10 be in office by then; I'm term limited, but the
11 working class and the middle-class people in Broad
12 Channel, they're gonna get screwed on their insurance
13 rates and so if there's any way to help them through
14 a program like this, and it wouldn't cost us a lot of
15 money, please, please take that back to your higher
16 ups at Center for NYC Neighborhoods. I'm pleading
17 with you, this is important and we really can't leave
18 anybody behind.

19 JOSEPH SANT: I hear you and you have my
20 commitment; we'll explore every funding avenue
21 available to expand to Broad Channel. If it's not
22 through the GOSR and New York Rising process, we'll
23 look at other options as well **[inaudible]**...
24 [crosstalk]

1
2 COUNCIL MEMBER ULRICH: Thank you. Thank
3 you very... I appreciate it; thank you very much.
4 Mr. Chair, thank you.

5 CHAIRPERSON TREYGER: No, and I thank
6 you, my colleague; he raises a very good point, you
7 know we learned in recent testimony and previous
8 hearings that apparently over 80% of homeowners,
9 property owners who were paying flood insurance or
10 might be overpaying flood insurance, based on
11 outdated information and some folks are not aware
12 about the elevation certificate that can be used to
13 potentially lower their premiums once they provide it
14 to their insurance company, but that piece of paper
15 is not cheap and that's the issue and so I do wanna
16 echo that I do think that this is a very valid issue
17 and I wanna offer my support to my colleague that we
18 need to help all impacted communities.

19 If there are no other questions..
20 [background comments] Council Member Perkins.

21 COUNCIL MEMBER PERKINS: Yeah, I just
22 wanna... you know I represent a more urban area and so
23 what are the challenges in terms of resiliency in
24 neighborhoods like Harlem where we have a substantial
25 number of homeowners, brownstones and the like, do we

1
2 have these resiliency challenges as well or is that a
3 phenomenon that is outside of those types of
4 neighborhoods? Some of them in the Bronx..
5 [background comment] Some are in the Bronx as well
6 **[inaudible]**... [crosstalk]

7 JOSEPH SANT: I'd be happy to try to
8 answer that. So I think every neighborhood has both
9 common challenges and unique challenges. One way
10 that individual building owners can learn about their
11 flood risk and what they should be concerned about is
12 to go to FloodHelpNY.org, it's a citywide resource;
13 any building owner in New York City can access that,
14 punch in their address and understand if their flood
15 zone is changing and this is happening throughout
16 many of the coastal neighborhoods and sometimes
17 farther inland than you'd expect, where they might be
18 moving from what FEMA considers a moderate risk zone
19 to a high-risk zone; that's happening in certain
20 neighborhoods, including Lower Manhattan, so it's
21 not... Manhattan's not untouched. To know for sure you
22 could go to that, go to FloodHelpNY; find out. We do
23 offer, through Enterprise Community Partners as well,
24 a multi-family building resiliency audit. So you
25 know, we don't just focus on one to four; at the

1
2 Center that's our focus, but our partners are able to
3 provide the same process, send a building engineer
4 out; do a technical assessment. Some of the issues
5 are the same; some of them are different; we know
6 that a lot of them... the multi-family building owners
7 are primarily concerned with continuity -- are their
8 power systems going to be in place if there is
9 another storm; how long is it gonna take to get that
10 back -- and there's a lot more options for multi-
11 family building owners to sort of lower operating
12 costs and become more resilient at the same time, so
13 I would certainly encourage any of the building
14 owners in your district to look into that as well.

15 COUNCIL MEMBER PERKINS: Thank you very
16 much.

17 CHAIRPERSON TREYGER: Thank you,
18 colleague, and if there are no other questions, this
19 hearing is adjourned. Thank you.

20 [gavel]

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23
24
25

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date October 17, 2017