

**RESTORE LOUISIANA TASK FORCE**  
**October 14, 2016**  
**Louisiana State Capitol, House Committee Room 5**

*Approved*

**MINUTES**

**I. CALL TO ORDER**

**Mr. Jimmy Durbin**, former mayor of Denham Springs will be chairing the task force meeting today. Co-Chair Jacqui Wyatt is out of town so she will not be attending. She will be chairing the October 28<sup>th</sup> meeting. We will be rotating. We are keeping tabs of the task force members present at this point and we need one more but we can start. So again, welcome everyone to the Restore Louisiana Task Force meeting today. At this point we will call the meeting to order, it is 9:30 AM. The roll was then called.

**II. ROLL CALL**

**TASK FORCE MEMBERS PRESENT:**

Mr. Johnny Bradberry  
Mr. Roland Dartez  
Mr. Jimmy Durbin  
Ms. Suzie Elkins  
Mr. Michael Faulk  
Mr. Raymond Jetson  
Mayor Dave Norris  
Mr. Don Pierson  
Dr. James Richardson  
Mayor Ollie Tyler

**TASK FORCE MEMBERS ABSENT:**

Rep. Edward "Ted" James  
Mr. Adam Knapp  
Sen. Dan "Blade" Morrish  
Mr. Michael Olivier  
Rep. J. Rogers Pope  
Mr. Sean Reilly  
Mayor-Pres. Joel Robideaux  
Rep. Robert Shadoin  
Commissioner Mike Strain  
Dr. Shawn Wilson  
Ms. Jacqui Vines Wyatt

**SUPPORTING STAFF MEMBERS PRESENT:**

Patrick Forbes, Executive Director, Office of Community Development  
Rowdy Gaudet, Office of Community Development  
Lauren Nichols, Office of Community Development  
Lori Dupont, Office of Community Development  
Kayla Westmoreland, Office of Community Development  
Ray Rodriguez, Louisiana Housing Corporation

**Ms. Dupont:** 10 members present, we do not have a quorum.

**Mr. Durbin:** Without a quorum we cannot take official action on the minutes and will defer action until we have a quorum, we understand that there will be a quorum later. So with that, the meeting technically cannot convene because of lack of a quorum but we can proceed with the items on the agenda.

**IV. UPDATE ON U.S. CONGRESSIONAL APPROPRIATION**

**The Honorable United States Senator Bill Cassidy**  
**The Honorable Congressman Garret Graves**

**Mr. Durbin:** We have with us today our United States Senator Bill Cassidy. Senator Cassidy you may take the witness stand over here and welcome to our task force meeting. Senator, the mikes are hot.

**Senator Cassidy:** And they could be a huge problem. I thank you all for serving our entire state as we've had northern floods and Southern floods. Let me give you a report from D.C. if you will. First let me complement our federal delegation and our state leaders who have worked incredibly well together to get this initial, if you will, down payment on the money that our state needs. And I just cannot praise enough all members of our federal delegation. Republican, Democrat, Governor, and local officials. It really is an example of how to go forward. Some next things, without going into great detail, my office continues to work with different federal agencies as to how some people can stay in their homes even if they did not have flood insurance. We know there are some who didn't have flood insurance who were supposed to, some who didn't have flood insurance because they were told they didn't need it, and a third group that probably should have flood insurance but they've already paid off their house. So it wasn't mandated so they didn't have. We have three groups of folks in trouble. And then there are those who have substantially damaged. So we continue to working with them. If anyone has questions on that they can contact our office here or at our local office. Wherever they live, we can work with them to see if we can help them somehow find a way to stay in their home. Next let me speak specifically to what you are here for. Again we've got about \$438M in the initial down payment of the \$2.6B or \$2.8B that was originally suggested our state would need. There's kind of a growing acknowledgment. There may be more money required than that \$2.6B or \$2.8B that was originally spoken of now.

***Representative Edward "Ted" James, Mr. Adam Knapp, and Dr. Shawn Wilson joined the meeting.  
We now have a quorum.***

Among those that I am aware of is Corps of Engineers money for the Comite diversion as well as funding for the Comprehensive Amite Basin wide study of new options for the total watershed; \$92M in Social Services Block Grant; additional highway funding for those that have been disaster and there is a backlog of that. So, for Louisiana to have that cover there actually has to be I think it's about \$100M to cover or \$700M covered elsewhere in the nation, before we kind of move up in the Q. As well as money to reimburse law enforcement for increased expenses related to that. I guess the main point of me going through that list, is that we in the federal delegation need you to list those in kind of detail so that we can begin to advocate for that as we go back and as soon as you can come up with any additional federal funding that you think you need. From my perspective it would help if you, the Governor, or whomever, would most likely the Governor, would send a new letter to the president listing both how the dollars that have already been committed are being spent and then next listing the, of course first saying thank you, secondly listing the dollars how they spend and then the new dollars where it may be in addition to that which was previously requested with the justification. Additionally if there's any statutory or legislative language that might be required to also go through that. People from the state came up and testified the head of the Small Business Administration spoke and we're trying to coordinate that S.B.A. grant money with our loan money with grant money that may come down through CD B.G. or HUD and we're trying to work through someone who takes a loan will then be precluded from getting a grant. We're working on that. And again coming up with that letter would be very helpful to us and coming up with that letter as soon as possible would be particularly helpful. Jimmy I don't know if you have questions if not all that's going on.

**Mr. Durbin** opened the floor for questions.

**Mr. Bradberry:** Senator in your opinion, how does it make it more difficult for us to receive this \$2.5B more dollars that we're asking for, add to that as relates to the damage that's been caused on the East Coast by Matthew and so far, how difficult is that going to be now and not if you have other damages thrown into the mix here or in a lot of people across the country asking for more money. So what do you think our chances are getting what we were going to get?

**Senator Cassidy:** For some folks have a question regarding the CDBG money, which is already been committed, that only pertain to disasters as of a date certain. So the Matthew tragedy will be a separate pot of money, it will not, by statute, have the ability to draw from the \$500M that was already appropriated, number one. Number two, I actually think it any time you create more sympathy for people who are hurting, that helps. And there will be folks who will vote for a new disaster relief package because of Matthew that may not a voted for disaster relief, just because of the Louisiana floods. Nothing that they don't care but sometimes when suffering is brought to your doorstep, you have a little bit more understanding. Lastly I'll say, and this will be near and dear to your heart, infrastructure. We spoke about the disaster relief for infrastructure and how there's a \$750M back-log that I-95 corridor will have been terribly damaged by Matthew. So it may be that once that is in the queue of things to be funded that everything in front of it may get dealt with just so that we can bring I-95 up to the front. So it paradoxically it may help I'm not, I'm very sorry for all the disaster. And lastly I'll say, on terms of the housing going back to what I mentioned at the beginning, it may be a little bit late to get some statutes changed that will benefit folks who are right now deciding whether to stay in their home, but I think Matthew shows that we have to have a new approach as to how we take these federally guaranteed mortgages in disaster, after a disaster. And I think that may also

create a critical mass of folks interested in this issue. So even if it doesn't benefit us now, it will benefit us in that inevitable next problem.

**Mr. Bradberry:** The list that you rattled off, you know the Comite River Diversion, \$150M and so forth, that list was not originally in the \$2.5B request that correct?

**Senator Cassidy:** No, I think the Comite Diversion was but we've been told, you're shaking your head no, so maybe you remember differently.

**Mr. Bradberry:** We were told no at the last meeting, that it wasn't. So it's my understanding that it was not in the original list, that it is separate.

**Senator Cassidy:** I have to go back and look, I can't recall but it's always been understood. The President committed to funding it and it was always understood that that was going to be one of our priorities. And in fact this original pot of money, you know comes from a source that cannot be used for that it was always understanding of the federal delegation that the second part of money coming from different sources would be used to take care of Comite Diversion.

**Mr. Bradberry:** So my question is, that list that you rattled off, how probable is that list in getting approved and getting worked and how confident do you and a delegation feel about having success there? Because it's critically important.

**Senator Cassidy:** So I think you've raised a good point Johnny which is if we know that we have a decent chance of getting another \$2.2B or such like that, what are we going to spend it on? We can spend it entirely on housing, and not take care of Social Services Block Grant. So I think that your work here is so valuable that kind of give us a bead, a strategy if you will, on how to approach the second tranche of money and we very much on the federal side are depending upon you all to lay out the ground work, and we will speak to your colleagues as to how we can benefit. I see the mayor here and we're not forgetting North Louisiana either. Yeah I don't want to twist my arm after the say, so we need you all to give us that and see if we can make a case for it. There's a woman that it helps my mom she told me today she's still living in a hotel. And now she's just moving back. So the more we know of stories like that the more you'll give us a complete list the better will be.

**Mr. Bradberry:** And one more question on timing. What do you think the timing is for all of this?

**Senator Cassidy:** So there's a thought. It's not, we're hearing rumors and this is a rumor, so I don't know this for sure but when we come back from the election there will be a big budget bill, an omnibus if you will, and there's so much disaster activity now that there might be a special session just on disaster relief, and that of course would take in Matthew. So that will all be done in the lame duck session. So we anticipate that being passed of course, before the end of the calendar year.

**Mr. Bradberry:** Thank you Senator. Appreciate you being here this morning.

**Mr. Jetson:** Again, thank you very much Senator. You made a comment regarding people in SBA loans and being prohibited from participating in grants. Would you repeat that statement again?

**Senator Cassidy:** So, Dan Rees is here. When the Administrator Maria Contreras (sp) came and spoke to us the issue has always been if you take an SBA loan, does that keep you from being eligible for CDBG, and she suggested no, that you could negotiate, that it was not the case but then afterwards -

**Mr. Jetson:** Which one was that? So you can negotiate that?

**Senator Cassidy:** Well that was suggested, and then it was later, oh by the way maybe we can't do it after all. So Dan and I was speaking and the question is, how can we get it so that someone who did take an SBA loan can still benefit from a grant for at least a portion of that which they were to receive, and we are working on that right now.

**Mr. Jetson:** Would that be a prospective or would there be in a notion?

**Senator Cassidy:** We very much want it to apply now to the folks affected by this problem.

**Mr. Jetson:** Last question, just so that I'm clear, the focus of the effort is that even if someone has been put into what I call the SBA line and prohibited from standing in any other line, if they have been encumbered with that loan there opportunities to negotiate some other construct for their recovery would be available to them.

**Senator Cassidy:** That is our goal. Thank you.

**Ms. Elkins:** Well I basically have the same question that he did because for Katrina HUD allowed us to fund the homeowners that had taken out an SBA loan and the CDBG dollars were used to pay back that SBA loan. Well after Katrina, HUD came out with this new regulation that basically said if you apply for SBA money, for example if you have a \$40k repair bill and you receive \$40k from SBA then you're tapped out. It's a DOB so you can't get any money which a lot of people feel or unfair because if you said like for the CDBG dollars you know you're going to be eligible for this \$40k grant but if you needed to get up and running and you want to be able to keep your house and you got a loan well then you're stuck with that loan. So that I think is what everyone is basically talking about. It's just not fair to those that go out and get loan. Versus those that said let me get a complete grant.

**Senator Cassidy:** Well one thing we recognize is that the sooner that the community rebuilds and restarts, the more likely the community completely rebuilds and restarts, and if folks have an incentive to wait on getting a loan because there might be a CDBG they're going to delay that sort of thing going. So I think, I would like to think, the federal agencies understand

that dynamic and they want to avoid that sort of perverse incentive and they've expressed a willingness to work with us. So we'll just have to give you an update as it goes on but we're an active conversation about that right.

**Ms. Elkins:** Right because it is needed.

**Mr. Durbin** closed the floor to questions. Thank you Senator. Appreciate your presentation and being here today. I'd like to welcome our United States Congressman Garret Graves.

**Congressman Graves:** Thank you Chairman, Mr. Mayor, appreciate the option to be here and I appreciate the service of all of you. You're aware of the profound disaster, and the impact these disasters had. You're aware of the incredible statistics. We have areas in our community such as your former city that had profound impacts in regard to some of the pulmonary estimates indicating that 90% of the region was flooded in regard to residential and business areas. This is going to be a very tough recovery and you all are very well aware of the thousands and thousands of situations where you have people that. That have a flooded home that maybe \$50k-\$80k to repair it. They lost everything inside their house including their clothes, appliances, furniture, and everything else that they owned. In some cases they lost their cars as well. And folks can't be expected to have flood insurance. I think in all cases particularly when you consider the fact that by some measure this was a one thousand year storm and we have folks who have had profound impacts. When you put on top of that the fact that some of these people could be faced with having elevate their homes as well. If you take a concrete slab upgrade you could easily be talking about \$100k on top of all of these other costs. It makes the easiest thing to do the flip the keys right back over to the mortgage company and that ends up causing cascade effects through our community as we've all aware of the different entities that rely upon millage and property taxes, such as our police forces, our fire departments, our levee and drainage districts, our schools in many cases and so I want to number one say that I'm aware and I think all of us are that the funds that you know have under your control to a large degree aren't sufficient. They're not anything close to what we need to recover but I do think that we've got some folks that are right now really thinking carefully about what to do with their keys. Do they try and keep them or they flip them over to the mortgage company and so I just want to urge that as quickly as possible that you get a plan together where we can get this money out the door because these people need to make these decisions now we've been talking to HUD and there is a rule in place that prevents foreclosures and as I recall that rule basically expires right around now. And excuse me I take that back, I think it expires. I think it expires next month and we're talking with them about figuring out how to better dovetail it in with your timing to where folks aren't faced with foreclosure if there's a way for them to get out because of assistance they may receive here. Number two Senator Cassidy talked about the fact that we're going to be going back into a second round of negotiations and when you look at the timing right now federal government funded through December 9th and so it's most likely that these negotiations would end up coming to a head sometime around the first week in December. We just want to, I just want to urge that it's going to probably be much easier for our negotiations or better for our negotiations holistically, if we've got a plan submitted very clear on how these dollars are going to be spent. Because if we're going to go back and go advocate to 530, roughly, other members of Congress about this urgent need that we have in Louisiana and yet we haven't spent the funds that have been provided to date, it's going to, I think, undermine our argument to some degree. So I'd again urge that you act with urgency. And get the plan put together and submitted as quickly as possible. Personally I think there are three primary components that we ought to be focusing on and talking about a number one I made reference to and that's the families that are struggling to get back in their homes people that want to get back into their homes and back into their communities that have a financial gap there that makes it impossible for them to do so. Number two is obviously getting the businesses restarted. And I think that there are some businesses that need some financial assistance and number three in terms of a primary component is as Senator Cassidy was making reference to some of the flood protection components. I said earlier that many people are facing this threat to have to elevate their homes. And that's a simply breaks it, makes it impossible for people to move back in their homes when they're facing that extra and I've heard numbers as low as \$30k and I actually spoke to someone last week in Baker who was given an estimate of \$486k to elevate their home. So it's clearly a make or break in. Now I think that making individuals elevate their homes in the majority of cases is looking at it backwards, what we need to be doing is as Chairman Bradbury was discussing a little while ago is what we need to be protecting watersheds, we need to be making our communities more resilient, we build the Comite project, we build some comparable project in the Amite Basin below the confluence. In addition, we passed an amendment to the house a few weeks ago that authorizes an additional \$150M in flood protection work in the impacted area. If we can do that we can lower the baseline elevations and we can prevent or eliminate the need for many of these people to have to elevate their homes and businesses. You know by the way next time it floods instead of people sitting in their homes that are above the water and looking down at their flooded car and looking down at some of the other flooded homes that are adjacent to them and they're stuck there because they can't go to work because they can't navigate between the flooded structures. If we'd provide protection for the entire area it protects everything, the roads are underwater, the pump stations aren't underwater, the electrical infrastructure is not underwater and so I think that in many cases it's going to be more cost effective, a rough estimate is that the cost of elevating approximately

fifteen hundred homes would pay for the remaining Comite project and so I think there are many other benefits to that. So again lastly that third component looking at some specific infrastructure components or needs that could be covered into this initial allocation. Now pivoting looking forward Mr. Chairman, as Senator Cassidy noted, we're kind of going back into the second round of discussions and you can look back at other disasters such as Hurricane Katrina and largely what you saw as you saw funds coming in and lump sum at the beginning like was done here but then as we went on and for Hurricane Katrina if I recall correctly we actually did nine emergency supplemental(s) but we came back in the subsequent ones and we began making more tailored more prescriptive requests and recovery components and so I know that you all are juggling a lot of different things but I do want to urge that as you begin thinking in moving forward, what are some of the other prescriptive components? I heard Senator Cassy talking about mental health. We may need some specific cut outs for education, we may need some specific components for a law enforcement community, and making sure that we're all discussing what's doable in Congress and then of course what the needs are at home to make sure that we're all in the same page in regard to this, this next request, this next negotiation. So happy to answer any questions but again I appreciate your service, I urge you to move forward with the urgency and certainly happy to be as helpful as we can.

**Mr. Durbin** thanked Congressman Graves for coming and appearing today; and opened the floor for questions.

**Representative James:** Thank you Chairman and thank you Congressman for being here and for all of the work that you've been doing. Your office has been very responsive to my office and my constituents. We talk a lot about the homeowners but we also know that we have a bigger fragile renters population, so what are you guys asking of HUD there and can we carve out - (disruption by cell phone ringing) Back to the renters, we know after Katrina a very small and disproportionate amount of funding went to the renters so I want to make sure that we don't get rid of -

**Congressman Graves:** Rep. James you're exactly right and I failed to mention that whenever I talk about the homeowner component, obviously you've got an extraordinary needs and we've, as you well know, we've been working together with some of our same constituents trying to provide assistance and get those folks at least temporary housing in many cases and I think that's another example of you know I kind of consider that within the homeowner category. We've got a housing issue and some people don't have any housing options and other people don't have the financial where withal to get back into their homes and so I think that is an important component that needs to be addressed as well and I apologize.

**Representative James:** No problem and I'll make sure in the Housing Subcommittee that we don't forget that population because we get, I've had a lot of calls as you know because we work together, just don't want those folks to be left out.

**Congressman Graves:** Again thank you for raising that. I apologize.

**Mr. Bradberry:** You know I asked Senator Kennedy this, by the way thank you for coming -

**Congressman Graves:** Did you just make a prediction? You just said Senator Kennedy.

**Mr. Bradberry:** I'm sorry. I asked Cassidy this question so I'll ask you the same one that has to do with, again your thoughts, on our chances of really getting this money for the Comite River Diversion because I think it sets the stage for flood control in the area. And it's just you know raising baseline is critical to this whole journey.

**Congressman Graves:** Chairman Bradberry you and I have had some discussion on this including our fishing trip without fishing poles earlier this week was at this this week, we went toward a coastal restoration project. But when you look at what happened after Hurricane Katrina we did two things at the time and I was working staff for some of the delegation members. We number one we took virtually all of the authorized projects that we didn't have full funding and we fully funded them and we then came back and looked and said what needs to be done that's not included in here in order to get the community protected to the hundred year level of flood protection and beyond in some cases and we were able to take ideas like the Inner Harbor Surge Barrier, the Lake Borne (sp) surge barrier which is roughly a \$1.4B project had no history literally went from the back of an envelope this looks like a good idea because there was twenty five feet of storm surge right here at this confluence we authorized it and funded it. Now again you know I've had all these conversations but one of the things that really distinguishes Katrina and Rita from this disaster is that Katrina and Rita was all over the newspaper, it was all over the news, people around the world knew what was going on, and this one I remember going back to Washington. Look we've all been in it. We've all been in waist deep, in neck deep water, and I go back there expecting that everyone else had been through what we had been through and so it's about look we're going to need this \$2.6B for a flood. They're like what flood. You kidding me. You didn't. Thousand year flood you didn't know anything and no they didn't. Which is why we started trying to bring people down here and we brought about a dozen folks down here, you know. So my point in saying that is that this is a very different situation than Katrina. There's not the awareness of this one that there was before. I don't think there's the sympathy, there's the empathy that was there before, but I think that us fully funding Comite needs to absolutely be part of the request. I think that and you are well aware that the Army project doesn't quite have all the I's dotted and T's crossed on exactly what that is. I don't think that matters. I think we need to ask for it to be fully funded and then this third component that I mentioned earlier as you well know there are a lot of gaps we can fund the

Comite project, we can fund a comparable Amite project. If we can't efficiently get the water to the rivers through the various canals and bayous that serve as distributaries, then well flowing to the rivers then we're not going to be able to lower the base for elevation and truly provide people the security that they need to make these reinvestments back in their home and lower the base foot elevation so it is absolutely my suggestion that we quantify the Comite, Amite & these gap filler type projects to facilitate getting the water to the rivers and that 'fully funded' be part of this next request.

**Mr. Bradberry:** Having said that, there was an East Baton Rouge flood risk reduction project that was authorized by Worder (sp) in 1999 for \$112M, fundamentally. And then in 2007 I guess they increased that total amount to \$187M and that was to you know look at five basically sub basins the Jones Creek, Ward Creek tributaries, Bayou Fountain, Black Water Bayou and its main tributary, and Beaver Bayou. What do you think the chances are that we can really see this project come to fruition? That would really go a long way to alleviating the basic base line.

**Congressman Graves:** Based on when I made reference to gap fillers that's largely what I'm talking about and actually Paul Sawyer who's our chief of staff and in the room he was the one who wrote that provision and did all the negotiation on that in 2007. That's what I'm making reference to in regard to gap fillers. I think we've got to find those other components that help to facilitate getting the water to the various areas and in some cases forcing it through pumps, that needs to be part of this overall request. You know Chairman Bradberry I want to be clear I'm one of five hundred thirty five people up there. I can't sit here and guarantee you that we're going to get all this stuff funded and personally I was very disappointed by this I was first running negotiations went. But I will tell you that we've brought a number of members of Congress down here already Republicans, Democrats from around the country, every single one of them came here skeptics and left as advocates and I think that we're going have to continue a very aggressive education effort in getting some of the other members of Congress to help us out. Senator Cassidy made reference to Hurricane Matthew and how that may help us and I think it is going to increase awareness and demand for disaster funding which I think is helpful, making sure we get our component of that is as is going to be one of the challenging parts.

**Mr. Bradberry:** Yeah, I think the question that was asked to Senator Cassidy was, 'Will it dilute our efforts and risk the, I guess, chance that we will get the money we're asking for?'

**Congressman Graves:** Well I'll tell you the last round was certainly a big uphill battle because of lack of awareness. I think that there's going to be, you know, you look at the delegations, Florida, South Carolina, Georgia, and North Carolina. You've got a lot of folks and I think there's there was certainly a lot of TV coverage for Hurricane Matthew. So I think that without question, there will be a disaster component, I think it will be billions of dollars. It's going to be a lot about us making sure we get our relevant share of the pie which to some degree goes back to this. I think it is critical and let's be honest a lot of this is this negotiation is going to be based upon merit and metrics that we can demonstrate and there's going to be some politics there. I think the merit and metric part is something to be really important. We've got to make sure we have all the data the ammunition that quantifies what this disaster has done that way. Whenever the folks from these other comparable states come in with their Hurricane Matthew data and they say all right we need this much money you say OK great. When we extrapolate that formula to our disaster we get this much. And I assure you that would be significantly more money than otherwise we would get if that if that makes sense. So I think that making sure we have all of that data available to us as soon as possible is something that's going to be really important for us next round of negotiations.

**Mr. Bradberry:** Thank you for coming here sir. If there's anyone in our delegation that has an appreciation for our coast operations and what flooding means, it is this Congressman. So I really appreciate your expertise and your help in that area.

**Mayor Norris:** Congressman you seem to be especially well aware of all the special things that go on in special regulations and restrictions, and that's very helpful to us. In the course of the negotiations or discussions about a plan that could be presented, is there any realistic expectation that part of what would be recommended would be some special legislation from Congress or is it? Congress doesn't have a terrific record right now in moving fast on anything. Some of it I'm sure is agency regulations at the federal level so much actual legislation. There are a lot of people that are have been told in our community guys you've got a real problem there is there significant damage or this is a significant issue but there's not a program that fits that, or you're not eligible for it because of an income regulation or other things like that. Is it worthwhile to talk about some legislative changes, or some agency changes that might make this process more comprehensive?

**Congressman Graves:** Mr. Mayor, absolutely. I think it is and I noted earlier that the first funding assistance, as you know, is sort of a lump sum chunk of funds and in previous disasters of large scale like this there have been second and third negotiations to provide more prescriptive components. I think that it makes the most sense for you all to identify some of those obstacles and in some cases they are statutory, in some cases there regulatory, and in some cases they're simply bureaucrats and I think that they need to be identified. We need to identify all of those obstacles or impediments. Things that are making the recovery less efficient or driving up the cost and I think we need to attack those like we have in the past, such Hurricane Katrina provided broad flexibility in waivers to the state of Louisiana and I think in this case they're going to be some situations where that's going to be appropriate as well. And we'd be happy to work with you on that, in fact we're

headed up back to D.C. this month to go have some kind of preliminary discussions and bringing up some of those obstacles now before we get back into the more intense negotiations later this year.

**Mayor Norris:** And I think everybody, victims and legislators and others would prefer to have an opportunity to have some flexibility in some of the programs. This is an odd event in a lot of ways.

**Congressman Graves:** Well you know what's unfortunate is that you have an attempt by the federal government to sort of create a one size fits all disaster response and you know candidly in the majority of disasters, I guess you can say in regular disasters, it seems to work OK. Whenever you have an extraordinary event like this one, a catastrophic event like this one, I think you especially need some additional flexibility and need to be able to tailor or engineer the recovery to this actual disaster. And so we very much appreciate the opportunity to work with you on it.

**Dr. Wilson:** Good Morning Congressman and members of the committee. I apologize for my lateness. I guess in line with what the mayor just spoke, GOHSEP very early and the administration presented a recovery framework that we could use that would allow agencies to use existing resources to help communities as they recover to plan more effectively, more efficiently using some of those resources and one of the notes that were identified by DOTD was the inability to have some flexibility, so I just want to echo what the Mayor said that this is a good opportunity to look at that framework and figure out how does it integrate with NEPA and other restrictions that would allow us to spend dollars that we currently have more efficiently.

**Congressman Graves:** Thank you. And I'm sure you and Adam have many, many other questions to keep me here a really long time.

**Dr. Wilson:** Anything to keep you from the transportation task force.

**Congressman Graves:** I am well aware. Well aware. I'm sure Adam's got a whole book question but one of the things we brought up in the meeting with the governor on the 26th if I remember correctly is after Hurricane Katrina we were able to negotiate what referred to as alternative arrangements underneath the White House Counsel Environmental Quality has the ability to do that. I think that that is absolutely applicable in this case, we have brought it up to White House. We made reference in that meeting. I discussed it with HUD as well and I think that's something that should be presented in this case and we're going to follow back up. I think next week with C.E.Q. the White House Counsel Environmental Quality that would grant such alternative arrangements to help facilitate or tailor again the recovery for this disaster and make it much more efficient and I assume that you and Chairman Bradberry would agree that in regard to the hurricane protection system. It did facilitate the recovery yet still had much respect for the environment and ultimately can address all the mitigation impacts, mitigate the impacts.

**Mr. Durbin:** I think that's it Congressman Graves. We certainly ask you to come back here at our request or you on your own.

**Congressman Graves:** Absolutely, be happy to. Thank you sir.

**Mr. Durbin:** I mean you offer good insight. Wait, we do have another question.

**Mr. Bradberry:** It's much more of a comment than a question. I want to make sure that you know some of the comments I've made and what we've been focusing on are the parishes as associated with East Baton Rouge and Livingston and so forth but obviously we have a wider range of parishes that have been affected.

**Congressman Graves:** I wasn't aware that, sir.

**Mr. Bradberry:** And I want to make sure that the people the public hears that we are just as concerned and aggressive towards fighting for those parishes as we are the ones that were mentioned here just previously you know.

**Congressman Graves:** Absolutely. And certainly. Congressman Abraham and Congressman Boustany that represent some of the other areas have been very vocal about those other impacts. So you're exactly right.

**Mayor Tyler:** Good morning. Thank you also for being here this morning and I want to echo the sentiments of Chairman Bradberry, and of course the Mayor from West Monroe, and say to you I know that you don't represent us in the northern part of the state but I am from the northwest part of the state, Shreveport, Louisiana, and we did have flooding. For back in March and prior to that and I just want you to know that we will be looking to you as we will to other congressmen to not forget that we have people there who are hurting and they are also needing assistance for recovery. So I want to thank Senator Cassidy, and I think he's left the room, for his comments but we will also be trying to represent those folks, we have a lot of people who lost a lot there in northwest Louisiana.

**Congressman Graves:** No, thank you for that here. No, absolutely. You're exactly right. And obviously you get somewhat centric based on what you've been swimming in. And but again the delegation members and the senators have all been very vocal about ensuring that we address the challenges in the entire state and I think it's awful that our state has been through

so many challenges over the last few months, last several months and certainly we're all going to continue working together. We're a small delegation, we're going to be much better if we are working together, much stronger.

**Ms. Elkins:** It's just a comment. You were talking about the regulations, as far as environmental or housing rehab where you are just rebuilding, or repairing a house, now requires that you do a physical full-blown environmental assessment, which takes about ninety days is really ridiculous. How do you tell someone who isn't in their house and they want to get there, 'Sorry we have to stop because we have to do an environmental review.' I think that's something that if you could do anything...

**Congressman Graves:** Yes ma'am. Number one the way that it would work for something like this program that you are designing now is that they would do a programmatic one so it wouldn't be required for each individual house. But going back to the comments that Secretary Wilson and I were discussing, under the alternative arrangements for compliance with the Environmental Government Policy Act. There is precedent whereby you can effectively go build the project and then you can come back and quantify the environmental impact and do mitigation measures after the fact and that's exactly what's happening right now on the project that Chairman Bradberry is managing down in south Louisiana, the New Orleans area, and I think that model would make a lot of sense here because delaying folks the financial assistance to these homeowners for an additional ninety days is another make or break it type scenario that's just inapplicable in a crisis like this.

**Mr. Durbin:** The floor is closed for questions. Thank you Congressman Graves.

### **III. APPROVAL OF SEPTEMBER 28<sup>TH</sup> MEETING MINUTES**

**Mr. Durbin:** We are going back to the minute's item on the agenda. We now have a quorum. I ask for the motion to adopt the minutes.

**Mr. Jetson:** So motioned.

**Rep. James:** Seconded.

**Mr. Durbin:** All in favor say Aye.

*All members were in favor of approving the minutes from September 28, 2016 meeting.*

**Mr. Durbin:** Minutes are adopted. I read the minutes last night and certainly if you haven't, and I hope you have, they are absolutely terrific. The person to my right is the person to give credit to, Ms. Dupont.

### **VII. PRESENTATION FROM OCEAN COUNTY LONG TERM RECOVERY GROUP**

**Ms. Sue Marticek, Executive Director**

**Ms. Melissa H. Luckman, Esq., Visiting Assistant Clinical Professor of Law  
Director of the Disaster Relief Clinic**

**Mr. Durbin:** Next we have two ladies here from the northeast part of the United States. Ladies if you will come forward. They lived through Superstorm Sandy. We have with us to my right, Ms. Marticek, Director of the Ocean County Long Term Recovery Group, and to my left we have Ms. Melissa Luckman, Visiting Assistant Clinical Professor of Law and the Director of the Touro Disaster Relief Clinic. Welcome. Thank you for traveling here and I understand from my brief discussion early this morning that you have visited some of the flood areas in Livingston Parish. So let's begin with you Ms. Luckman and your presentation.

**Ms. Luckman:** Thank you for having us. I just want to give a little bit of background. So I'm Melissa Luckman. I'm the Director of the Touro Law Center Disaster Relief Clinic. We are the only non-profit, pro-bono legal service provider in New York still providing all legal services related to Superstorm Sandy for homeowners. One of the unique facts about our clinic is that we were not in existence prior to Sandy because it was really our first major catastrophic flooding event and within three days of the storm based off a seed grant from an alumni of the school we had a hotline up and running. We were doing referrals and advice and counsel, we were fundraising, doing food and clothing drives, and it's now evolved, nearly four years later, we are fully funded by the state under CDBG dollars and philanthropic dollars into a full service legal clinic. We provide any service to homeowners. So from FEMA initial submissions of recruitments we work directly with their CDBG program, which is called New York Rising. Any contractor litigation and contractor fraud, which right now is rampant in New York. We do all real say transactional work for our clients as well. Mortgage Modification, Deed in Lieu, and short negotiated payoffs for homeowners, as well as a lot of policy work our senators, and our clinic has been

very fortunate to have a lot of media coverage. We are constantly in Newsday, which is our local newspaper like your Advocate, we get a lot of spots on local television stations and what we're really promoting is outreach clinics into our communities. So we've hosted over one hundred twenty five clinics in the communities that were hit hardest, in our libraries, schools, churches, temples, and we offer one on one consultations and full representation for our clients. Today and we have some really good numbers. We've represented over 1300 homeowners where over \$2.5M that we've gotten from FEMA for homeowners who had flood insurance. We've helped over 200 homeowners through the CDBG program and advocated for a policy change within that program which did need a lot of revisions after it was initially set up and we've been fortunate to work hands on hands with them. We are invited to monthly meetings and weekly telephone calls with the Governor's Office on Storm Recovery who runs our CDBG program and we continue to do outreach. I mean four years later we are not anywhere near completion. I have two walk in clinics scheduled for the following week when I'm back up in New York and it's extremely disheartening to still have 50, 60, 70 homeowners still coming to these clinics for years out and New York is really in bad shape. They just started, unfortunately, to see the value of a nonprofit community very recently and we are, you know, here to offer any help any assistance that we can possibly provide to Louisiana. We would never want to see what happened to New York happen anywhere else in our country.

**Ms. Marticek:** Thank you. My name is Sue Marticek and I am the Executive Director of the Ocean County Long Term Recovery Group. We had our first meeting one month after the storm. At that time my role in the recovery was a female volunteer agency liaison. So I'm hoping that I can offer some insights from both. From a federal side and also from the non-profit side. I think if I can just give you a quick little timeline. The storm happened October 29, 2012. December is when the preliminary flood maps come out for our communities. It's the first time that homeowners realize that it's not about just putting back sheetrock and flooring and furniture that they have to now build their home 6, 8, 10 feet in the air. It's a game changer. Then we go into the next phase which is for our homeowners that did have flood insurance. Many of them were lowballed so they did not have the resources that they could have had from their insurance policy. Then we go into opening up our state construction program, which is in New Jersey, it is called Rent. There are some challenges to do with the program, but if you are able, as a homeowner, to navigate those first steps then the big punch comes in and it's contractor fraud. We have contractor fraud so rampant that unfortunately the dust has not settled. And it may not settle for a couple years to really know but we know as non-profits because we deal with all the people who are stuck. So our goal of reaching out to you guys, and I want to thank the Baton Rouge Area Foundation for sponsoring us to come down here, was really to say we all have to do a better job. We have people who are not returning back home who did nothing wrong in life. They paid their taxes, their mortgage, and their insurance, for decades and because of the systems, that were ineffective they are not getting back home. So we are here to hope that we can give you some insights and I hope that this is a beginning of a conversation with you guys and that we want your folks to end up better than ours did. So thank you.

**Mr. Durbin:** We will now open the floor for questions.

**Mr. Jetson:** First to comment. I had the wonderful pleasure of having a phone conversation with these ladies about a month ago it feels like and the one thing that came through very clearly in our conversation was we are still living this and there are lessons that have been learned a very hard way that we certainly want to make certain that the people of our state don't go through. For that I am thankful to you and I apologize for asking you to distill such a significant set of experiences into bullet points but as we begin to think about this work, if there were three things that you would tell us to be most attentive to, based on your experience, what would they be?

**Ms. Marticek:** Collaboration. You have, you need a full court press in this recovery. Meaning that you have to have your government, your business community, and your nonprofits working together. If you spend the resources in silos, you're never going to have enough resources. So I think one of the things that unfortunately we did not get off the ground in New Jersey, and Melissa touched on it a little bit, was I don't think that the nonprofit, faith based, philanthropic community was weaved into the plans, the discussions, and the feedback loops, and unfortunately it was a missed opportunity to really leverage some of those resources. So I have to say just having this task force today and seeing that you have a lot of different people from the community, I think you guys are in a step in the right direction. The fact that we spent two hours yesterday talking to some of your state people on the housing program in the disaster case management program, that's pretty much more than we were really allotted. Most certainly in the beginning of this disaster with our state. So I guess we're taken Louisianans.

**Mr. Jetson:** I know you've been hearing and I think you said you've been to eight restaurants and so you all are official at this point.

**Ms. Luckman:** I can say in New York, and I think in New Jersey as well, a lot of emphasis was put on speed and speed is important but it's not the number one factor in getting homeowners home. You know in New York a hundred thousand our checks are being put into homeowners' hands in December 2013 and they had no idea what to do with it. There was no rhyme, there was no reason, there was no emphasis on communities redeveloping, it was just based upon singular households

and you see the effects now. We have blocks and blocks where we have one or two people home. We have homes that are elevated but people have abandoned them, they don't have the funds, there's been contractor fraud. And you know coming together and looking at Community Resiliency and helping homeowners getting those funds in their hands when they need it but in the fashion of communities, will help you not just recover quickly but it will look towards future resiliency and as we see, flooding events are becoming too common you know it's all too often and I know that I'm preaching to the choir because Louisiana's had a lot more flooding than New York has but on a high tide, I have blocks that flood and they're flooding the same homes that still haven't been repaired from Sandy. So these homeowners will never get home. They're walking away. They're leaving New York. You know we're losing taxpayers, we're losing, and homes are in foreclosure. Communities themselves have wiped themselves out. Businesses are closing and I know that New Jersey has seen and experienced the same things.

**Mr. Jetson:** So the notion of collaboration and how critical it is to have all of these parts working together. Who sets that table? Where is the place in this process based on your experiences where that collaborative thinking and acting and accountability should resign?

**Ms. Marticek:** Well unfortunately I can't speak to experience because we really did not have that but I would say that just making sure that as you set up your subcommittees, that you include different people from the different factors. I mean we had many businesses that worked hard and took out SBA loans to get back up and running and unfortunately the community did not come back around them so they ended up folding anyway. Also the philanthropic community, you know. So I always try and look at it this way, I was look at the government. I mean they've got to be there for the big money pot and things but there's black and white rules that they must stay in and you have your business community that is going to be needing it but let's you know there are there. Bottom line is, the green, the dollars they're needing. They needed to be working in fairly, but the nonprofits, this is like a secret weapon. Because they're the grey matter. They do the touchy, feely things. They can change plans. You know, we institute. I have a white board in my room that my whole office hates when they see that I erased the board because it means something's not working. We had to put it up on a board and figure it out and that has able to make my Long-Term Recovery Group be the most successful group and I think having flexibility, having being able to assess something and realize it not working. Put adjustments in and tweaking a program is an invaluable job.

**Mr. Jetson:** So, in the construct of this there are committees that are established looking at various aspects of the recovery, which taken together would hopefully present a comprehensive perspective on it. Am I hearing you that it then would be to our best interest in these committees to make certain that we are not just talking in their co-chambers put that there are intentional efforts to reach out to those various segments in some way or another?

**Ms. Luckman:** Yes, the nonprofit community, that's boots on the ground with these homeowners. They're going to give you the most valuable feedback that you can possibly ever get. The program, they learned about six months ago and we're four years out. For a very long time we knocked on their doors and we tried to help them make changes to their program and they did not want to hear it at all. And now we are their secret weapon because when they need help, they call us for help. I mean we are their direct referral, we are their first phone call. So, having the nonprofit, you've a lot of great legal aides out here, a lot of legal service providers, you, your loss recovery groups that are set up, including them will give you the best insight on what's working, what's not working, and what homeowners or the problems that multiple homeowners are facing daily.

**Mr. Jetson:** We discussed earlier this notion of addressing communities rather than one hundred individuals who live in a community but thinking community in terms of the recovery. One, are there any barriers to doing that that we should be aware of? Secondly, logistically do you have any advice and counsel as to how to approach that?

**Ms. Luckman:** I think the person who should maybe be promoting into the community is someone who's very close within the community. I think if you have someone from the state program or someone from a higher governmental level that doesn't have an everyday presence in a community, I don't think it's going to work. I think the homeowners are going to say 'I think I still don't have a voice' and that's important as homeowners go through their recovery. They need to have a voice so to say. If you know a pastor, someone who runs a church, someone who's hands on with the community every single day to bring up the idea. Listen we want to work. We want to build community resiliency. We want everyone to recover together. You know, what's their best option? Is it a community project like that spoken about earlier? Is it doing demo in doing modular homes? You know give everyone the same playing field and I think having people feel that they're being treated equal, and having their voices heard, is one of the first steps to a proper and complete recovery.

**Mr. Dartez:** Good morning ladies. Thank you for being here. It's sobering to know it's four years out and you guys still have the challenges and hurdles that you are facing to go off Mr. Jetson's comments. We work in Louisiana with two groups, Association of General Contractors and the Louisiana Realtors Association. You talked about homeowners and contractors, these guys are proactive of rooting out fraud and deceptive practices and really proactive with their membership to be good faith players. When you talk about the groups that you guys have been working with, are these folks included? As you

know, in Louisiana these groups play a major role and insisting these groups and getting to the result you guys are facing because of Hurricane Sandy.

**Ms. Marticek:** So in New Jersey I think that they have played a bigger role with the direct connection with the states than with the non-profits. But I would say for New Jersey one of the things that I think came into play was our first shot out of the gate at a construction program was that New Jersey learned all the lessons from Louisiana. So they decided that they decided that they would control the entire program which would make sure that the money didn't just go out and into the homeowners hands and they would just lose track of it. So again, on paper, I guess it looked good and when it got into action after one year of only producing I believe sixty-four homes, there was a lot of pressure. What are you doing with all the money in New Jersey? Then instead of making tweaks to the program, they eliminated the program. So, for us in the non-profits, we had that first year thinking that we were only going to be taking care of the people who did not fit into the state program. The state would take care of these people, and we would be dealing with this small sect of people who did not qualify for the program. Well, one year later when they got rid of the program, it meant everybody was going to start getting money into their hands, and that is where we as non-profits went from like a 'mom and pop' to like a 'Fortune 500', realizing that we had to get out into the community and educate the homeowners on the program. I've done 75 different workshops in New Jersey just to get out in explain it to the community and we've had people tell us time and time again 'I learned more in two hours at your meeting than I did in two years'. So, the idea of working in collaboration, having the state, having some of the legal entities, the mental health all in one place, getting out into the communities where they can come to a workshop and understand what is happening. I always say, these people went to bed expecting a bad storm and they woke up in a 4-year nightmare that they can't get out of, and there's no light at the end of the tunnel. So, if you guys can work together to make sure that whatever programs you come out with is explained into the communities I think that would go a long way.

**Rep. James:** Thank you ladies for coming. A couple questions. Do you guys partner with any of the law schools in your area? We have two wonderful law schools here with legal claim experience, and I'm wondering if you partner with them. Secondly, have you reached out to any of the law schools here, in Baton Rouge, or even in New Orleans, to talk them through this process as well?

**Ms. Luckman:** I run the program that is based in the Touro Law School of Law. So, we are the law school program. I did reach out to Christopher Owena (sp), a student from Southern. I know they just opened a disaster relief clinic and we've been keeping in contact. Unfortunately, just scheduling wise, we were unable to meet, but we've actively been speaking, to make sure that we can provide any assistance to them as well.

**Rep. James:** Yes, please reach out to them because I know that they've expressed an interest and we also have these legal Southeast Legal Aide here as well. Have you met with those guys?

**Ms. Luckman:** We met with Laura Tuggle, and we also met with Avion (sp) in New Orleans Civil Justice Center. We have been trying to connect with the legal entities as well. I can tell you that, at home, people felt a lot safer coming to a law school, coming to a non-profit, because there was a lot of fraud that happened after Sandy. A lot of private counsel did get involved and people need to make a living, obviously, and that's okay, but our homeowners felt safe knowing that we were there for them, not to make one dollar, we covered all legal fees, I mean we covered everything under the CDBG program for homeowners. We were able to assist so many people that otherwise would never have even sought legal counsel. It was certainly a great program.

**Rep. James:** I agree. I think our legal aid clinics here would greatly benefit from your knowledge and expertise with what you guys have gone through, but I agree 100% of my constituents would feel more comfortable going to bed with that type of service because they've already been through so much, so to have those guys there to offer their freebie rate is very important to them.

**Mr. Knapp:** Thank you for being here. As many have said, we appreciate you making the time to be here and it's nice to hear you saying, you guys, my wife and I have a running competition in our house between you guys and you all, and we ended up with your guys reports. You spoke about businesses in the SBA and some of the challenges. I would love to ask you to say a little bit more about that and if you can add to that some of the sobering reality of businesses who have not reopened and tell us a little bit about what that experience has been like.

**Ms. Marticek:** I will say that some of the challenges that you had mentioned already this morning about taking out an SBA. Well, trying to explain to a homeowner that a small business association loan is for them, because most people's SBA and they say I'm not a business, I'm a homeowner and they throw the application in the garbage. The problem with that is the way the FEMA program is set up that you need to apply to SBA to get into an additional area of funding, so that was, for the homeowners, very confusing. Then for those that took out an SBA loan and then realized that they missed out in New Jersey. Our maximum was \$150k. They felt that since they took out a loan that they should have been able to receive a grant and then pay off their loan. They were extremely upset. I know we have Congressman Garther (sp) was working on a bill

in Congress to not have that be counted as a duplication of benefit (DOB) but certainly for the homeowners it was very confusing about the SBA loans. For some people, it worked out great. Unfortunately, our Senator Menendez worked hard to reopen our SBA loans, which this year, because our homeowners are so short of money that they needed some way to get some more of these people cross the finish line. Unfortunately, after three years of trying to keep your head above water, even if you had the best credit before the storm, the chances that you have it now are slim to none. Most of these people cashed in their savings, cashed in their 401k, charged up all their credit cards. One of our big challenges in New Jersey which hurt us was, we had homeowners that cannot return to their home. They're paying their taxes, their insurance, and their mortgage on a home they cannot live in. Now they also must pay for rent someplace else. My long-term recovery paid out about \$2M just in rent to keep these people's heads above water because the state did not have a program set up yet, it took them a little while. So, the money that was supposed to go for paying for sheet rock and nails, ended up going to pay for rents, because otherwise these people would have spiraled right out of control. So, certainly the SBA loans for the homeowners were confusing, for the businesses, I'm not too familiar except for the fact that some of the people that were trying for some of those loans did say that they had some difficulties. It's heartbreaking to have a local pizza parlor work hard get the loan, fix up their place, and then because the community is still not back up and running in two or three years, it didn't take long for those guys to close back down, so that was some of our challenges with that.

**Ms. Luckman:** And just a follow up on that, in New York we do a lot of legislative work and policy change in our clinic and one of the areas that we've been working with our senators from day one was not necessarily removing SBA loans from the Stafford Act, because that is obviously legislative policy change which could take a very long time, but working together to kind of carve out niches where an SBA loan maybe could be used to cover an unmet need that a state program wouldn't cover so that it wouldn't hurt someone to do in a duplicative fashion and that's been one of the projects that we're working on actively with our New York state senators and maybe there's opportunity for us to work on that together, with Louisiana, to try to get more money into homeowners hands. Also, regarding SBA loans, I mentioned timing earlier and timing is always an issue. Unfortunately, the fact that S.B.A. loans are out day one and CDBG dollars don't come out until much later or a program is up and running so much later, I think that's where there is room to make some change. You know if homeowners could wait a little bit longer to get an SBA loan or a program could roll out a little bit sooner, even if it's with the help of the nonprofits or the philanthropic community, a lot less people would be reliant on loans, or at least have them be a lower value than \$100k to \$200k SBA loans.

**Mayor Norris:** Just a few things have come to mind as you two are discussing. First, on your legal aid or your association in New York, who applied for the CDBG funding? Also, is that an annual funding?

**Ms. Luckman:** Our school wrote a grant proposal for the CDBG funding. When I got hired two and half years ago, it was a six-month contract. So, I had to do all the renewals, which typically just came with an audit and in-person meetings. So, I've had two meetings with the state and our extensions have been based off our numbers, which is kind of fortunate and unfortunate, in different respects. So yes, we've just had to put in for the extensions and they've allowed us to even roll over if philanthropic community dollars have come into play. They've allowed us to kind of move our dollars around so that the state wouldn't come back and take money back from us. They let us extend our time, as well.

**Mayor Norris:** So, your school initiated the CDBG requests?

**Ms. Luckman:** Yes.

**Mayor Norris:** Okay, I have a couple more questions. Did you ever elevate any houses and find that to be an economical way to help people?

**Ms. Luckman:** So, I think it's dependent, I think elevation was helpful to the younger community, to homes where complete communities elevated. A lot of our homeowners and in the clinic, we focus on low to moderate income and seniors and people with disabilities, so for that community it's been extremely hard to have them elevate. A lot of homeowners are doing it because they're doing it with state assistance and then they're selling their homes. They simply can't get into their home.

**Mayor Norris:** Old people. We old people have a hard time climbing up.

**Ms. Luckman:** Some of our homeowners had to elevate their homes ten feet, we aren't talking one or two feet. You go down these blocks and you see these houses and they're up in the air. I couldn't, I wouldn't, want to walk up and down the steps every day.

**Mayor Norris:** Were those houses that were on the coast and maybe they did that just so they could have a better view?

**Ms. Luckman:** No, they were substantially damaged, all the homeowners that lifted. I would say 85% of them were substantially damaged, and a lot of them did not have the option to not elevate, very few people that work with our clinic did, our program had something called like optional elevation, where you could opt in by a certain date to elevate your home, and very few people did.

**Mayor Norris:** So, that's not realistic from terms of numbers. That's not very realistic way to try to solve some of the problems we have here.

**Ms. Luckman:** I think you must look at the base load elevation of the community because also what happened with our program, which they did highly incorrectly, was again they wanted money out the door, they did visual inspections of people's homes. So, if they saw a four-foot water line in the house, they'd say you can just elevate four feet and you're fine. Then the next-door neighbor water line was two feet, you can elevate two feet. So, there wasn't even a standardization across the board, which is why it didn't work. Had there been a standardization for measurements and elevation, I think it would have been a great program.

**Mayor Norris:** In the areas that were affected by the storm, have you seen any numbers about bankruptcies. Obviously, they are up but do you know any?

**Ms. Marticek:** I think we have the highest foreclosure rate in the country at this moment. They're trying to pass some foreclosure bills to assist people, but beyond a shadow of a doubt, the foreclosures just keep going up and the trajectory-

**Mayor Norris:** So, bankruptcies and repossessions are very significant.

**Ms. Marticek:** Well the bankruptcies that we see are not so much on the homeowners, the bankruptcies are on the contractors that are committing fraud and then going bankrupt.

**Mayor Norris:** Well, that's a positive. And what about what are the government entities? How are they being affected? Their revenues, property tax, sales tax; what are they doing to survive?

**Ms. Marticek:** My hometown is down \$880M to this day of retales (sp). So, the people that never got a drop of water in their house are now feeling the effects of Sandy.

**Mayor Norris:** So, that's one of the things you notice, you didn't have to get flooded to have a real problem.

**Ms. Marticek:** Nope and that's why I said it does need to be a full court press, you need to realize it's about the entire community coming back.

**Mayor Norris:** I think a lot of people are missing that face. Hey, I didn't get flooded, I'm very successful, however, my business seems to be tailing off quite a bit here lately and people aren't going to restaurants or they aren't going to the movies, or they aren't going to a lot of places. That's why a community wide effort is so important. Thank you for your input.

**Ms. Luckman:** Just to follow up on that as well, Long Island is very split and a lot of people who weren't affected, just because of how the island is formed, they don't even know that Hurricane Sandy work is still going on. They assume because it's on the TV that everyone's home and there's no more problems in the community, so we do outreach to everyone. Like educational, whether it be a TV spot, a newspaper, a spa, just educating people on what's still happening to make them aware of it. Once you don't see it, it's you know out of sight, out of mind, and it can't be like that. It's important to keep everyone educated on how recovery is going because eventually you're right, there could be no water in our house but the businesses are going to be gone. Homeowners are going to leave and it does affect the entire community.

**Mr. Faulk:** Speaking of legislation, have you been able to evaluate and maybe look at what are some possible changes in federal legislation that need to be made to address some of these issues? Number two, have you been in contact with our legislative delegation? We had Senator Cassidy and Congressman Graves here and they were talking about the upcoming session after the election that there may be an opportunity to change some of this, because now we are also focusing on the issue with Matthew and flooding and everything.

**Ms. Luckman:** We haven't reached out to be delegation but we will. Anyone, and that goes across the board, if there's any organizations that we haven't contacted, please let us know. Our clinic is actively involved in looking at the NFIP authorization in 2017. We've started some proposals. We've been trying to make legislative change from the beginning. I can say that it's a lot easier to make a change that doesn't necessarily need to go through the legislative policy that maybe comes in the form of a short-term waiver or you know a niche, we call them like easy wins. When we speak to our senators we ask what can we ask for that won't get any pushback? Maybe there is no large costs are something that. So, that's what we focus on to just keep recovery moving, but we have tried to, I mean we have proposals, millions of proposals in my office, looking at flood reform and policy reform. Most of them focusing on substantial damage and SBA loans not being duplicative of duplication of benefits against the CDBG programs.

**Ms. Marticek:** So, I know your numbers are showing that you have about 30k people that have flood insurance. So, you know as you have the white board up on your wall, you must try to bucket the different types of situations that people are in and for my long-term recovery group we've given out \$5.8M in direct services. The shame of it is 80% of our people had flood insurance, they should have never been at my table. And so, while it is not a large number, I still think if you're trying to stretch out resources that those 30k people that have a contract that should be paid out fairly need to be paid out fairly. Melissa and I have a unique situation, we combined have over 400 cases in flood insurance and I'm here to tell you for a fact that it was not a few bad apples that did things. It is a system that is broken with the flood insurance. So, my hope is that would be one area that we can help you all with. Let's get those people the money that is rightfully owed to them in their insurance policy. Combine that with some education of what the landscape. Whether there's going to be substantially damaged or not and what they have to do and hopefully with those two things they're going to be self-reliant and they can

kind of get on. Then you must deal with your next people who are eligible for your federal grant that's going to come down so that's going to be another group of people that they're going to be able to get some of this money. You combine it with the education and they're going to be all right. And then you've got that group that is not compliant, that's going to be your toughest group and that's where you're going to need to get your philanthropic in your faith base in the CDBG dollars working together because that is going to be how you're going to have to get them. I just want to add, I talk a lot but I'm trying to be good today, but I mean I talk to people throughout the country, whether it be within FEMA, within the national realm and I'm here to tell you, Matthew is a big one and what that means is once their dust settles, they are going to be taking a lot of resources, not only in money, but in the volunteer, non-profit builders. I must tell you they are saving our state now because we have people that have such big gaps that can't be filled by any program. The only way they're recovering is by taking the resources, compiling it with some of these groups. Now they're going to be started setting up camp for Matthew soon. So, if there is a way that you guys can work together and figure out some way to get some projects going here, so they can start setting up their camps. There's something very healing about having people pay their own way to come from the Midwest down here, sleep on cots, in a church, and come to your house every day, say a prayer or work for a week, and then thank you for letting them serve you. That is a beginning of a mindset change for people so that would be one thing that perhaps isn't on anyone's radar but they are a valuable service. Not only in just a rebuilding, but what happens is, we just got a check last week from somebody, I think from Kansas, that came, had a great experience and went back to their church and said how great everything was and they sent us a check for \$9k. That \$9k goes to pay for materials for other volunteer groups to come in and I think you're going to have to have that in the mix to make a big impact here.

**Mr. Faulk:** You said you talk a lot but you've probably made more sense in the words in which you shared and I think, Mr. Chairman, is the stark reality that this recovery is going to take a while. You look at Katrina. You look at the Sandy. You look at New York. This recovery is going to take a while and it's not going to be within the scope of the time that we're going to be together working, but I think people need to get the mindset. The cities, the communities, the people, the various entities, that are impacted by this, this going to be a long process.

**Ms. Elkins:** Two questions. One, contractor fraud. Did you have anything in place to the state to avoid it upfront?

**Ms. Luckman:** New York Rising did not. We have a great consumer affairs, there's one office in each county, so we cover two counties on Long Island, but the state programs completely look past any stopping grounds for that. When homeowners applied to the program, all they had to do is write down the contractor's name on their application, could've been their son, it could have been someone whose name is on the newspaper, it could have been anybody. They didn't ask for a proof of license, they didn't ask for proof of insurance, they didn't themselves and our state program assigned a case worker to each applicant. I mean each case we're going to multiple applicants. It wasn't even their job to look on a Consumer Affairs website and see if there were complaints, and verify that they were licensed, and that was a huge mistake. In the initial handbook from New York Rising, there's a clause that says if it's proven that there's contractor fraud this state will either re-inspect and allocate more money, or they'll reduce your duplication of benefits. When they realized how rampant it was, they removed the entire portion of that from the handbook. So, we have judgments against contractors, and the state program is just, they're not able to, or they're not willing to, do anything to remedy about it all.

**Ms. Marticek:** So, for New Jersey, like I said, they started out with a program that did have those checks and balances in place, they had twenty-nine contractors that were vetted by the state, and a homeowner could come in and use one of those twenty-nine contractors. Then they switched the programs and they were so close to getting it right. Two weeks before they got rid of the program one of the builders came to me and he said I'm so happy, they finally came up with the unit pricing because it was getting a little crazy between everybody bidding and the numbers were so off. We all thought that was a great thing and then, unfortunately, like two weeks later they got rid of the whole program. But the idea of having contractors, obviously vetted, having them have an escrow account that the money all went into, and a check was written only after inspections and then bonding the projects. When they were getting rid of the first program, I remember we went to the state to tell them that we were concerned without the bonding that there's no leverage for a homeowner, and they just felt that would have limited the number of contractors that would have been able to do that. So, I certainly think that some type of bonding, as some type of help, so that it's not just the homeowner because these people, I had twelve thousand senior citizens and they're the hardest hit with the contractor fraud because the nice contractor that came looked just like my nephew, so I signed the contract.

**Ms. Elkins:** I totally agree. You know the lower income, they don't have the capacity, so you must make sure that they understand about contractor fraud so that they don't give money up front, because this happened a lot after Katrina. The contractors come in, said they needed \$5k for the materials and we'll be back next week. Well, they took the \$5k and they are gone. They need to understand that you need to have contractors that are licensed and bonded, they need to have a contract, just simple things that we know. We work in this all the time, but if you're a homeowner, you don't work in this all the time. My other question I have is you talked about the loss to your county, in New Jersey.

**Ms. Marticek:** That is a town, one town.

**Ms. Elkins:** OK. I know that there was a program that was approved by HUD that would reimburse, or give monies, to local governments that could show that they had a loss and that they were going to lose fire protection or police force and things like that. Did your town use that or tap into that?

**Ms. Marticek:** Yes, they did tap into all of that. There were more programs that help the town's tax base and those programs were around to help for three years. We're coming up on four. So now is when those people who did not have a drop of water in their house are seeing that those subsidies to help that the community get back are no longer there. And there's only two ways to make that budget work, either cut services or raise taxes, and at some point, there's only so many services you can cut before you must start raising taxes. So that's what we're entering in for this year. Now this year is like that first bite that's gone beyond the impacted area.

**Ms. Elkins:** This is the part that I was curious about because that's the first time in disaster recovery that program was developed. I know when I was in New Jersey to work with them on that, with the state, and talking to HUD about getting those monies, because the locals were severely impacted. I just wondered if it worked.

**Ms. Marticek:** So, I think it worked to hold back for the three years that it was there, but like I said this is like that the first year, where you get into a different reality.

**Mayor Tyler:** I too would like to thank you for sharing with us this morning your experiences and lessons learned from your disaster. My question is, are you familiar with, did you learn from your experiences, that there were national type philanthropic organizations or foundations that has as their mission to help with recovery when there is disaster. Are you familiar with any national organizations?

**Ms. Marticek:** So, we were a big media event. My town has the roller coaster in the water so we got a lot of mileage off the rollercoaster in the water, all the boats and the houses flipped around. So, we did get a lot of money from the philanthropic community right after the storm. I would say part of the challenge is now, as I sit here today, I am waiting for a grant to see you have how far my organization goes into 2017 because it looks like right now, I'm going to be closed in March if I don't get additional funding, because we are no longer the, you know 'Sandy who', you know we're gone. You guys with not having a named storm, again that that is going to be challenging and as we talked yesterday to some of the other people in the state, it's going to be about orchestrating the stories, you need to make sure that you are constantly telling the stories out there, and then I think the other idea is there's a lot of foundations that put money into nonprofits all year long for all different types of programs, but the reality of it is, if your community doesn't come back, the money that they have invested for years into the into the community is going to fall by the wayside. And, our domestic violence is up, our alcoholism is up, drug abuse, elder abuse. So, instead of just saying that I'm a foundation and I don't fund disaster relief. I think we've got to change that mindset and say it's about bringing back a community resilience and that could help kind of dredge that mindset of people, so that maybe someone who wouldn't normally fit into that parameter, because I will tell you it is hard to combat that increase in all those different areas. As far as international, I don't think that, again in the beginning when we had the media attention, but I must agree with Melissa, because we have people within our own counties who bump into us at the convenience store and will start talking, and even in their own county they are surprised we are still doing this. We're kind of a nation ADD. So, I think the more that you become a good story tellers the better you all are going to be.

**Mr. Durbin:** It's 11:03 and I know you ladies must make it to Louis Armstrong Airport in New Orleans. We have one final question.

**Ms. Elkins:** You mentioned that a program didn't work, which housing program was it, was it rehab, reconstruction, was it the construction, was it the rental? Which one didn't work that you said you got rid of, the state did?

**Ms. Marticek:** That was from New Jersey, it was there. They called it Pathway C. That was the one where the state oversaw the entire construction program. The state took the owner's step, the construction program was going to come to fruition and then when they got rid of that, the onus was 100% on the homeowner.

**Ms. Luckman:** In New York, we had in Manhattan and in the boroughs, we had Built It Back, which functioned the same way and the state had complete control and they just scrapped the entire program. They just bid out the rest of the money they had to contractors to finish the work because the program got no one home. They were the subject of a recent frontline taping and they were just dumping money into houses that will just never be livable for homeowners and they just got rid of that entire program as well.

**Mr. Durbin:** The floor is closed for questions. We are moving back to Item 3 with the date on the extension resolution presented by Ms. Dupont.

### **III. DISASTER APPLICATION DEADLINE EXTENSION RESOLUTION UPDATE**

**Ms. Dupont:** If you go to tab three of the binders, all members. There is a letter from Mr. George Robinson, FEMA Regional Administrator. Our request from the resolution made by the task force at the previous meeting was approved and the deadline was extended from October 13, 2016 to November 14, 2016. There is also a copy of the letter that Mr. Mark Riley, State Coordinating Officer, provided, and the signed and finalized resolution made by the task force on September 28, 2016.

### **V. RESTORE LOUISIANA TASK FORCE WORKING GROUPS**

#### **Mr. Rowdy Gaudet, Chief of Staff, Louisiana Office of Community Development**

**Mr. Gaudet:** Thank you Mr. Chairman, members. My presentation today is more process and structure in terms of breaking you all into smaller working groups. If you recall in your first meeting we had brief discussion, you all had a brief discussion, about breaking into working groups and the task for the staff was to go back and research what the Louisiana Recovery Authority had done in terms of breaking into subcommittees. Also in that first meeting, you had a presentation regarding the National Disaster Recovery Framework and how that the framework is a collaborative process bringing together federal and state agencies and resources, bringing them to bear to support a recovery. So, what we have endorsed for you all is to align your working groups with these existing recovery support functions and I'll go to, I won't spend much time on all the slides, I wanted you all just to basically have the information and the breakdown.

**See PowerPoint presentation, available on the Restore Louisiana Task Force website.**

**Mr. Gaudet:** The only two points I want to make on this, and that is effectively the end of the PowerPoint presentation, is a disaster recovery framework, while it's relatively new, we did utilize it after Hurricane Isaac, but what I would submit to you is the creation of this task force and your alignment with these recovery support functions in plugging into those resources that are now at your disposal, you all have an opportunity to create a model. Not only for future recoveries in Louisiana but really for future recoveries across the country. So, feel no constraints in what you request from these agencies in terms of data, in terms of outreach. You heard the two ladies from New York New Jersey just talk about looking outside of the realm of just those agencies and looking to nonprofits, you all should feel free to do what you do in your professional lives and that is make it successful through plugging you in. The second point I'd make there is the six recovery support functions. Certainly, should not function in isolation and you what you see is some crossover and certainly some overlap so for instance when we have conversations about agriculture and Commissioner Strain, his name may happen to be on the natural and cultural resources, but we have discussions about agriculture, obviously that it impacts economic development, impacts infrastructure. So, there's crossover an overreach amongst them all. If you all determine that floodplain management or flood prevention is that is an area you'd like to delve into that probably crosses functions of four of these recovery support functions and our office, to the extent that we can, we'll support you in making sure we bring to bear all the necessary resources to support whatever you want to put together related to those. I would offer Mr. Knapp, if you would take a couple of minutes, his group met, I believe just yesterday. The Economic group, Mr. Knapp is the lead.

**Mr. Knapp:** Sounds like I was brown-nosing for getting started early. Probably was Mayor. We had five things that we want to just report out to today that our group talked about yesterday and thank you for the clarity Mr. Gaudet on the things you have shared. Now to be brief, or attempt to be. The first was we want to get straight to the heart of the question of the CDBG allocations. It's going to be one of the primary tasks of our working group, to make sure that we were advocating for, and recommending how, to allocate those dollars, especially related to economic recovery. A recognition that housing and infrastructure recovery, among others, are going to have very high priorities and so we asked between our first working group in our second one to get some information about historical percentages of allocations to economic recovery as a percentage relative to the total amount of, for example CDBG so that we could come forward with a recommendation that for whatever number of CDBG dollars Louisiana receives, that we have a reference point for what is a proper reference point for economic development, with a recognition again that housing and other priorities are significant. We don't want economic recovery and small business recovery to be to be under-represented but also don't want to be asking for what is perhaps too much or not a proper priority for those other needs. But also, a recognition that SBA disaster loans necessarily aren't enough to assist and that there should be absolutely some amount of assistance that goes toward economic recovery. The second category of discussion was around what you just laid out, the National Disaster Recovery Framework and an encouragement that we believed it was a good idea for us to remain in alignment with our working group and with that economic recovery support function. We did however have a question. Which is the responsibility of our working group. In the balance of other priorities and so with the example that you gave of Commissioner Strain's name being on one category,

is it our task in the working group, this is probably silly question for today but we want to try to clarify for the next one, and it may be something that other working groups will be confused about, is it our obligation as a working group to be contemplating agricultural recovery or is that going to fall to the one that's led by Commissioner Strain? So, we want to have a little better understanding. Is it the working groups responsibility, as somebody said 'What is our swim lane' And we want to make sure everything that we were supposed to be doing and thinking about. The third item we talked about and it's come up already today, we're concerned about having a recommendation today. Not having yet received any kind of type of waivers for the recommendations and that could put barricades or barriers around what can be designed relative to what was designed after Katrina in terms of programs and so again encouraging and a lot has been already talked about potential waivers and encouragement that our working group was supportive that a waiver be sought to try to get greater flexibility to bring that number down from 70% to 50% that has been done before. If that's possible. We also discussed that in the working group we recognize that the Davis Bacon and the environmental reviews could create some challenges for the speed in recent resources of programs for economic recovery. We know that it will be challenging perhaps to consider those or go after those but that in a small business where you're going to be doing most of your construction within the four walls of a commercial office building that it is pre-existing that perhaps environmental reviews or Davis Bacon aren't necessarily a policy, especially in the conditions of small businesses who are doing construction and those constraints did come up in our discussion yesterday. The fourth category we talked about was the need for better intelligence about what's happening to businesses today. Not having a whole lot of information from the SBA and FEMA yet, specifically on business impact and the conditions of the challenges facing businesses today. How many are planning to reopen? What resources they need to reopen? What kind of assistance would they most benefit from in terms of CDBG allocations or programming? We were discussing whether that's possible to go out and do some additional assessment of businesses, both related to the August event and the March event, which is now you know six months passed and to try to make sure we were paying attention to business recovery for the March event as well. And then the fifth was we spent some time looking at, and OCD staff did a great job of giving us some examples of past economic recovery programs, we started to look at the urgent need, perhaps for bridge loans, to get dollars out quickly. Perhaps out of the first allocation of CDBG that has come. If it's possible to design a program that would work around a bridge loan to get funds out quickly, as was done after Katrina. And, looking at the Small Business Grant and Loan Program which was focused on trying to get a mixture of services that were additional to what the SBA provides after a disaster but with a further focus on business resiliency. Agricultural programs we talked about and then a specific need perhaps for more business case management. The challenges we see a lot around a lot of businesses is not knowing what the conditions of their recovery look like yet. And perhaps a need for additional hand-holding through that process especially for small business owners and communities that have seen substantial damages. So those are the big five things that we talked about as a group. Mr. Secretary, who's with us, he did a great job, his staff Mr. Witty, of carrying us through that conversation yesterday. If others have other things to add, I'd happily be amended.

**Mr. Durbin:** The floor is opened for questions. No questions.

## **VI. HOUSING IMPACT ANALYSIS FOR DR-4263 & DR-4277**

**Shona M. Gibson PE, FEMA Region 6 Civil Engineer**

**Ms. Gibson:** Good morning. So, what I'm going to do today, I'm going to be providing a lot of data. I work for FEMA Region 6 as a Civil Engineer. I've been here since March. I was here helping with the last disaster, I'm here for this disaster. My job back at the Region is, and I have worked with a couple of you through mapping processes, I oversee the mapping functions program in Louisiana. But here in this disaster, I oversee our Hazard and Performance Analysis Group and we process a lot of data. So, what I'm going to be doing is showing you a lot of data and when I cannot tell you how to spend your allocations or what to do with it, I'm hoping some of the data that we give you or that I present here today just helps inform your strategy and helps inform some of your decision making in my work with Casey and his group closely. This is just a high level overview. It can be refined and we work with Casey. I've already got some ideas after listening to some of the previous speakers on how we can work on refining some of this to help. So, that's what this is, it's a lot of numbers and it's my intent, is hopefully can help you with making some you know as you moving forward in making decisions and strategies.

**See PowerPoint presentation, available on the Restore Louisiana Task Force website.**

**Ms. Gibson:** So, that's it. I mean that's basically what I came here for. Casey wanted me to go through some of this impact and structure data. We can break it down even further. My building analysis and my building stock,

I think is classified by residential and public. I don't think it separates out by commercial, but I think I can break it down even further into residential and public type facilities. We have a lot of data to work with Casey, a lot to help provide that data to help strategize is what it's there for.

**Mr. Tingle:** Casey Tingle with the Governor's Office of Homeland Security and Emergency Preparedness and I just want to provide a little bit of the state's perspective. Obviously one of the goals of this was to provide to the task force some initial data relative to the potential impacts to buildings, the extent of the impact and the extent to which that impact happened within and outside the special flood hazard area. One of the things that as Shona and I discussed previously, one of the unique things about this event was that the data supports that higher standards in the community's work in a lot of instances, Shona I don't know if you want to just highlight that just for a minute.

**Ms. Gibson:** Yes. I must remember off the top of my head; I don't have it on the slide but I did do an analysis where we looked at the structures that received one foot of inundation or less, and across the foot of an area, the data shows I think it was about thirty-five thousand structures that received one foot or less of inundation. Of those, about half of those were preform structure so there would not have been a standard for them to build to but the other half were built during when there was a firm in effect and not subject to a higher standard like a foot of freeboard standard. So, our data showing even in this event, even that was such a large event, there would have been significant structures that would have been spared some inundation if there were some freeboard requirements in place. Another thing and this one we're getting ready to start doing some briefings on and we can inform you guys when we do that we did do what we call loss of structure study and that's where we go and look at previously mitigated structures that have been funded by federal dollars, whether it be CDBG or HMGP money and we go back and we look at those and we look at how they were tested in this, about how they performed in this event, and if they hadn't been elevated or acquired, because we look at both, the losses that they would have occurred if they hadn't been elevated and this was unique in that we had back to back of and so we were actually able to look at quite a few structures twice but the two events and in every case where a homeowner had made the decision to go higher than what was required, the grant pays to the BFE or the minimum standard required by the community, in every case where the homeowner decided to pay out of their pocket to go higher, they were spared and sometimes they were spared just inches. It was quite interesting. So, the data is out there and the data that we're seeing in these two events are out there to support that higher standard than it's something I hope the state looks at moving forward as communities look at moving forward. But our data that as we're going back to looking at that in every case in both events those that chose to go that extra step did and were spared.

**Mr. Tingle:** So, as the task force in the subcommittees do the work we just wanted to make you aware of some of the data out there that can help to inform some of those discussions and should this data or you know additions to this or clarifications or modifications of this information be helpful or be needed as you move forward. Certainly, to make ourselves available to assist in any way that we can. I think there are a couple of you know big lessons here one is. The flooding doesn't stop at what we call the flood zone. And I think we all know that and have you know have learned that lesson in the past and it's a lesson that we just have to keep learning and keep reminding our citizens of the need in the important role that flood insurance plays in a situation like this and for those communities or individuals and businesses that are located within what we may refer to as an AG zone or outside of the special flood hazard area, that the flood insurance is relatively affordable and is a critical first line of defense because I think what you've heard you know anecdotally what you've heard today and in the previous meetings is that the disaster assistance options that are on the table as a result of these events are not sufficient to put back what was there and so flood insurance has an important part to play in that and we need to make sure that program is functioning the way that it should but it's not just there's a lot of confusion out there in terms of when a mortgage company or an insurance agent may talk about where you don't have to have it and how that gets into internalized or understood as I don't need it or I can't have it and trying to do a better job making sure that we understand that and better communicate that because it really is a critical first step in the recovery process and what we're going to have as a result of this event is significant losses that are not covered by flood insurance that again is as you've been working with them in hearing. We're talking about gaps, we're talking about unmet needs, and that's a that's a big part of that.

**Mr. Durbin:** The floor is opened for questions.

**Mr. Bradberry:** Ms. Gibson, I stepped out when you were starting the presentation but does this structure impact analysis include the Northern parishes?

**Ms. Gibson:** It does not. That doesn't mean I can't do one, it's just this is a little unique. I don't normally have building stock data available to me and we didn't have that available in 4263 and as this event was unfolding and it became clear it was going to be significant the data started pouring in. I am working on getting the rest of the data from the northern parishes so I can do the same thing on the 4263 parishes, I just couldn't do in time for this meeting.

**Mr. Bradberry:** Will you, do it? I think it is important that we have a realistic picture.

**Ms. Gibson:** Yes, absolutely.

**Dr. Richardson:** When you say structure analysis, you're not talking only about home and houses, you're talking about other structures as well.

**Ms. Gibson:** These are residential and public structures, schools, anything that's owned by government.

**Dr. Richardson:** Of all the residential are you meaning home ownership by homeowner or single or multi family?

**Ms. Gibson:** The building information I have available doesn't break it down that way. It doesn't break it down by whether it's multi-family or single-family, it's just a residential building stock.

**Dr. Richardson:** But you could also break it down into smaller geographic areas too, could you not? Like Denham Springs, or any area we wanted to do, like that?

**Ms. Gibson:** Yes. I absolutely could.

**Dr. Richardson:** That might be useful to have.

**Ms. Gibson:** We can work on that. I made some notes based on the previous ladies that spoke on some ways I want to look at it.

**Dr. Richardson:** It's just looking at the dots here, it looks like it is every place. And all those numbers you have. I know we have elements of who is covered by insurance, who is not, can you put that as well?

**Ms. Gibson:** We had a lot of conversation about that before this. The problem with insurance on, especially 4277, and why I can do a better job on 4263 is there's about a two to three-month lag on the insurance information when it gets to us so we still do not have specific insurance information on 4277 even from the initial claims that were made. We have it by insurance company, but we don't have it by geographical area yet. So, that's just going to be a lag. That is an analysis that we'll have to come back and refine as we start getting those numbers in but we just don't have it yet and that's just a function of the system.

**Mr. Tingle:** What we are working with is, for this recent event is, where the claims are. We don't have the data yet to be able to quantify how much those claims are and geographically where those amounts fall but we largely do know have an initial estimate now for the claims are so I think that is something that we could overlay with the analysis.

**Dr. Richardson:** And these are the claims through FEMA?

**Mr. Tingle:** Through NFIP.

**Mr. Bradberry:** Sorry, I should have asked this question earlier. Initially has the USGS are they going to provide you more information? If you look at this map on structure impacts there's a lot of dots that are not in the blue area, so are they refining their information?

**Ms. Gibson:** So, those two things I can say to that. Those are the initial individual assistance claim and some of those have gone back and we've gone back and there's no claim. So there's actually there's three aspects to that. So, that's number one, number two is some of the areas, especially areas like Pointe Coupee and Iberville, some of those were more a function of insufficient drainage systems, than the actual affects from the river inundation.

**Mr. Bradberry:** Does that mean the USGS doesn't have data information?

**Ms. Gibson:** Right, so in those areas where it was an insufficient drainage the USGS information will not cover that. There were some areas in St. Tammany Parish, I will put a copy on this where U.S.G.S. personnel were unable to access, they were gated communities, and they weren't to access to go in and find the high watermark. So, there's a couple of those. As they process their information, it is going to be a little more refined than ours. In ours, the upper areas of the basin were a little harder for us with our limited tools and expertise to refine it like they will do. They have a four-month period of performance so we're about almost a month in so as they work and process those, it will refine those areas.

**Mr. Bradberry:** Do you think that the changes that will be made by them, which is refinement, will change your-

**Ms. Gibson:** I think overall, I think in the big picture, I don't think it's going to make a big difference in the numbers. I cross referenced the one foot statistics that I threw out at you all, I worked with individual assistance, where they have gone through all their claims, done their inspections to refine it and our numbers are close, even with the missing parishes, like Pointe Coupee, and things like that, our numbers are within 5% as far as actual numbers, so I don't think it's going to change drastically. There will be some changes but I think within 5% to 10% is my gut feeling.

**Mr. Knapp:** It's great data. Do you have a way to add to this the SBA data or is this just possible to see this information with through the FEMA inspections?

**Ms. Gibson:** When you say SBA data, what do you mean, which SBA data?

**Mr. Knapp:** In the SBA, there's a great deal of information captured about damage assessments, as well as the sort of flood insurance data. I'm just curious to see if there's a way-

**Ms. Gibson:** I can work with the SBA reps and see if they can share that. It's just a matter of me adding it to the G.I.'s system and then running the processes on it and it would just be a matter if I can and if they can provide me the data to do that and if it's in a format that allows me to do that.

**Mr. Knapp:** The second part of the question is about the question that was asked earlier about whether this is all structures, or I think the information was at this is residential and governmental structures. Is it possible to see business data in a similar way?

**Ms. Gibson:** You know that came up yesterday actually, a presentation yesterday, and that there's a lot of interest in business so that is an after action for me to see what I can do about that.

**Mayor Norris:** I guess I didn't understand when you were talking about different types of flooding you said something to the effect that one bit of information is characterized by not have an adequate drainage, what is the other category?

**Ms. Gibson:** There was not the insufficient drainage, where the drain systems just weren't enough to carry the water so it backed up in neighborhoods or in certain subdivisions. There are some he mentioned that some of the data of the dots on the maps fall outside of the inundation area. Those were individual assistance claims, some of those just weren't claims, that people just filed a claim, but they weren't flooded so that's one of the other categories. So, those are the two main categories. The other category is the actual inundation from the rising river and that's what USGS data captured, their high-water marks captures the inundation from the rivers.

**Mr. Tingle:** The way that I would describe the two is, one you might refer to as flash flooding that occurs initially and goes down relatively quickly, whereas the riverine flooding from a rising river or rising stream occurs in some cases takes a little bit longer to develop it may last longer as well. I think the USGS data is more focused on the inundation from the river and stream flooding as opposed to actually-

**Mayor Norris:** Sort of like backwater flooding as opposed to just overloading of the system.

**Ms. Gibson:** Correct, because even USGS data will capture back water flooding on a lot of the rivers and up their tributaries. There is a subdivision in Pointe Coupee especially where it was just clearly a drainage issue. The drainage there was nowhere for the water to go downstream and the actual culverts that make up the system just they did it just couldn't handle the flow on it and or to do a backup in the streets and then back up over and into the structures.

**Mayor Norris:** You know, one other question. Flooding doesn't pay any attention to parish boundaries. So, is there any way that your data can be reconfigured to show basins?

**Ms. Gibson:** Yes, and that's a note from listening to some of these other speakers that I wrote. I want to look at the concentration of each community. You know where we had the clusters, you know large, and look at what flooding source particularly is affecting it because that is something that can help drive some decisions.

**Mayor Norris:** And that is going to require our communities and parishes to work over parish lines. Work together.

**Mr. Durbin:** The floor is closed for questions. We now will move to the presentation from Mr. Forbes.

## **VIII. GRANT AWARD UPDATE & OVERVIEW OF HOUSING PROGRAMS**

**Pat Forbes, Executive Director, Louisiana Office of Community Development**

**Mr. Forbes:** Thank you, Mr. Chairman, members of the task force. I will get started. As your agenda described I'm Pat Forbes, Executive Director, LA Office of Community Development. I will get start started with a grant award update as you've heard and probably read in the front page of the news today, Louisiana is receiving a little under \$438M of the \$500M appropriation that was in the continuing resolution. The next step in that process, I want to walk through this with you because we will be going through this again when we get the next appropriation, but the next step in that process is that HUD produces a Federal Register notice, they have the appropriation language from Congress now that they must follow that but they must add flesh to that skeleton, if you will, to describe for us how the money may be spent. Having already told us yesterday what the allocation is for the state, we're obviously working very hard on putting together the pieces that we can of the next step of the process. Once HUD publishes a Federal Register notice, then we as the state will submit an action plan to HUD for approval that describes how we'd like to spend the money, within the constraints of the language that Federal Register notice in the appropriation. Federal Register notice can often take months, two to three months. We are having conversations with HUD all the time we expect them to turn this one around in weeks rather than months and we also expect contingent on the work of this task force and the continual gathering of data to be able to turn around an action plan shortly after the Federal Register notice is published. Obviously, there are some constraints that that Federal Register notice will place on us so we must incorporate those into the action plan but for the most part our work with you is to prioritize funding, get plans in place, and understand how we want to spend the money so that when the Federal Register notice is published we can get that action plan to HUD shortly thereafter. The next step of the process is that HUD has up to sixty days to review and approve or reply to that action plan. So you can see the timeline out in front of you. I assure you we're doing everything we can to shorten the pieces over which we have control and we'll also be working closely with you because a big part of this is prioritization of funds and completion of that action plan. I want to go back speaking about the appropriation the allocation addresses a question that Mr. Bradberry brought up earlier about the different funding sources. It is completely correct that the \$2.8B requested before was not inclusive of the other pieces of funding the SSBG, the Comite River Diversion, other Corps projects, all those are separate requests that the Governor has made of the president and will reiterate now that we've gotten the initial appropriation. But they will be in addition to Community Development Block Grant requests. We're going to go to the housing presentation now. First, this is a long presentation. I apologize to you for that in advance but I will say that understanding the options before us and the implications of each of those options for this appropriation is critical to the decisions that we're all going to be making together and consequently there's a lot of information here. I will take as long or as short a time as you need to get to the bottom of it. I also want to make clear that this presentation has a whole lot of words and a whole lot of data in it, I will not be reading every word, I will not be trying to hit every data point. The important thing about today is to look at this from a very high level, have the information in the presentation available to you for review, and then to get back together with you. We would propose phone calls, additional meetings, small group meetings, one and ones, so that we can answer questions you have about what you see and dig as deeply as each of you would like to and to answer each of the different questions. While we will not be making a recommendation at this meeting from the staff, I will say that in our opinion the focus of this first appropriation is very much going to have to be on housing for the most part. Homeowner housing, and for the most part low to moderate income homeowners. There are far more needs obviously than the funds we've been appropriated so far. Consequently, there must be a prioritization of where this first tranche of funds goes. And so, it is a matter of prioritization based on urgency and we know that these low to moderate income communities are the most likely to be devastated by flooding, the least likely to be eligible for SBA loans, least likely to have flood insurance, and consequently potentially the most damaging to a community because the loss of residents is so much more likely. As has been stated before, we expect the Federal Register notice to require 70% LMI primary benefit to low to moderate income. We may or may not ask for a waiver for that depending on your deliberations and your recommendations. Certainly, with the next tranche of funds that request would be necessary. And finally, what you will see here today is strictly focused on programs aimed at homeowners. There are innumerable programs that we will need to talk to you about rental programs, first time homebuyers, small rental, multi-unit rental,

infrastructure, economic development, all those things are in the future at this point. For right now we will focus on the single-family home owner programs that are available.

**See PowerPoint presentation, available on the Restore Louisiana Task Force website.**

**Mr. Durbin:** The floor is open for questions.

**Mr. Jetson:** Thank you very much and I would encourage you to not be apologetic because it is a bevy of important information to drive decision making and so I thank you for it, even though I have an allergy to details. So, under your, and I'm going back your potential populations to serve documents, major-severe, no flood insurance, 32,018. It's the one right after your August floods data. So, that 16,672, that means that roughly half of the people who had severe damage and no flood insurance met the LMI criteria? Is that how I should understand those numbers?

**Mr. Forbes:** 16,672 in the August floods were LMI, no flood insurance. Correct. So, half of the people without flood insurance were low to moderate income.

**Mr. Jetson:** Homeowner renter breakdown, seventy-five, twenty-five, and so you, what I thought I heard you say earlier or was that almost a recommendation, certainly don't want to put words in your mouth, that the initial effort be focused exclusively at homeowners, is that correct?

**Mr. Forbes:** Yes, sir.

**Mr. Jetson:** So, we would basically, at least in the early stages of whatever it is that we do, be prevented from doing anything from those resources that would be attached to that effort that would be responsive to the needs of renters.

**Mr. Forbes:** To be clear, I would not prevent you from doing anything. you as a task force.

**Mr. Jetson:** No, if we follow that recommendation, the consequence of that is that the 25% of individuals, both of those impacted, who were renters, would not be able to participate in those part, of that part of resources.

**Mr. Forbes:** That's correct. We would write an action plan to HUD that described our use of the funds and if that action plan didn't include a rental assistance program, then we wouldn't have anything in that tranche of funds for renters. That's not to say that we can't amend the action plan if we went through. Months down the road. We certainly can amend and change the priorities of the funding but that's correct. If it were not in the initial action plan, it wouldn't be eligible for funding.

**Mr. Jetson:** As you talk about the state implemented rehab and construction. You made mention earlier of a projected average of seventy thousand. How would that relate if at all to a potential state implemented rehab program.

**Mr. Forbes:** First it helps us make the ask. Second it helps us budget for the program but it wouldn't drive the cap certainly.

**Mr. Jetson:** So, would it be treated as an average, or would it be treated as a here's the amount?

**Mr. Forbes:** It would become almost meaningless. Once we got an appropriation and designed a program because it wouldn't matter what would matter at that point would be the cap and the activities that you allowed is eligible.

**Mr. Jetson:** The cap on the appropriation individually or a cap to the program itself?

**Mr. Forbes:** The program could set both individual assistance caps and a program cap in that. It will certainly have a program cap in the action plan but you could also decide to set a cap of say \$150k on any given applicant.

**Mr. Jetson:** Under that program, one of the challenges that you referred to was a homeowner's inability to select their own contractor, if we moved in that direction, would it be possible to make certain that inherent in that program is some type of grieving process or a grievance process so that homeowners who passionately disagreed with some decision made by that contractor would have a clear and transparent process by which they could assert their disagreement.

**Mr. Forbes:** Yes, in fact HUD's rules normally require that you have a written appeals process in place.

**Mr. Jetson:** Pat, I will say to you without any attempt to be either humorous or insulting, but that there are legal rules in place that allow people to assert their disagreement now, but people never figure out how to get them and how to get there and so if we adopted this approach where people are prevented from selecting their own contractor, then one of the things that would be of great interest to me is that there is some ability to assert a disagreement with that decision and to have it arbitrated by some third party.

**Mr. Forbes:** Yes, sir. I would add to that that mentioned earlier we had some really good meetings with the folks from New Jersey and New York yesterday and one piece of advice they gave us that makes total sense and that we plan on following up on is integrating whatever housing program we come up with our disaster case management process which is ongoing as we speak in all the impacted communities and that helps provide assistance and guidance to the homeowners or the renters as they're engaged in this process to have some of that knowledge. The other thing we heard that you heard today was about the workshops that they held all over the state to help educate people, so the more educated people are about whatever program we do, the better the program will work both for them and for us.

**Mr. Jetson:** So, there would be then an advisable precursor to the to the execution of a program where there was some type of public information campaign that took place to make certain that people understood the nuances of the program before the trigger was pulled on it rather than after.

**Mr. Forbes:** I think it would be imperative to the success of the program, whatever program you pick.

**Mr. Jetson:** In terms, and I apologize for stepping back, with the potential unmet need to serve homeowners with major severe damage and no flood insurance, there is a line item for \$676M for program delivery and administrative costs. What is anticipated by that amount?

**Mr. Forbes:** We must pay the contractor who does all the intake and eligibility determinations. And the flow of the funds and all those pieces, who connects the people building the house with the eligible applicant, who performs the environmental reviews, does the compliance, who keeps the files, who puts the software in place for tracking all the grants so that we can prove up the HUD that we spent the money appropriately.

**Mr. Jetson:** So, you also use or at least I hear the word contractor as a singular entity.

**Mr. Forbes:** I'll clarify that. I don't mean to express a choice for one or the other, it was just that if you go with the two-contractor model, if you will, one who is the administrator or and one who is fixing houses right. My comment only applied to the administrator, those functions aren't included in the \$70k but they're required to get the money from DC in to the construction of that house.

**Mr. Jetson:** So, thank you for that clarification, as it relates to the contractor who is fixing up the houses. As you envision or understand the historical practice of this program is there a single entity who receives that contract and funding to do the work for all impacted homeowners who would be participants in the program.

**Mr. Forbes:** There are different models out there. There is the turnkey operation you could have the administrative contractor and the contractor who's doing the repair work all be the same but it could all be one contract with the state. There's another model. I think New Jersey. I know that New York had. Different regions and they assign a contractor to each region so and in that case the answer to your question would be no. There's also the potential model of having multiple contractors who are doing the construction and you assign them based on geography, their capacity, their performance on past houses that they've built for you. Things like that, all of those are open. Whether it's just one contractor or multiple.

**Mr. Jetson:** Allow me to be just blatantly transparent on the issue. One of the things that I am seriously concerned about is making certain that to the degree these resources are expended within our state that we make certain that we invest in the economy of the people who live and do business in our state and I am further concerned that there is a diversity in those who participate in the program so that disadvantaged businesses, women owned businesses, and others have an opportunity to have access to those resources and so I would be profoundly disappointed if a single entity from out of this state or any in this state would to get those resources and there would not be that opportunity for people who are well qualified to do the work, to have an opportunity to access those resources.

**Mr. Forbes:** Yes, sir. I will say that there is no way for anybody, if a single contractor were picked there's no way for them to bring in all the labor and all the help that they need to do the work and in fact the Governor has made it clear in the Shelter at Home program that it's imperative that we have local people doing the work, we want we have made this case with HUD that having the funds spent with folks and businesses here is part of driving the recovery.

**Mr. Jetson:** Thank you. And I'm not, and I want everybody to work and do the jobs in there, but I also want to make certain that businesses can participate. Two final questions, you made a comment earlier about the potential constraints on the utilization of dollars on the approach based upon to touch points for potential constraints were the appropriation itself and in the register notice. To your knowledge at this point are there any constraints beyond the 70% LMI that you anticipate?

**Mr. Forbes:** We have communicated with HUD preferences that we have for Federal Register notice language. They are, the secretary, at liberty to waive certain things like that 70% LMI. They are not able to waive by the constraints of the appropriation environmental, fair housing, Davis Bacon, and I think the non-discrimination. Those four things I think they can't waive but other things are a waivable and so the Federal Register notice includes a list of disaster waivers and we have weighed in with HUD about what we'd like to see.

**Mr. Jetson:** On that list of things that we have said we would like to see, is there any variation of the 70% LMI and what it is that we have asserted we would like to see?

**Mr. Forbes:** We have not asked for that at this point but we have talked to them about the waiver and they have made it clear that any waiver from seventy to fifty would require a robust defense of the need for that waiver.

**Mr. Jetson:** Why would we want to go from seventy to fifty LMI?

**Mr. Forbes:** Typically, in disaster recovery, and this is not typical, and I will this is going to be sort of a two-part answer. Typically, you will serve about 50-55 to 60% of the people you serve will be low to moderate income with disaster funds because the disaster doesn't know people's incomes when it comes to their houses. So, in Katrina Rita we were at something like 54% benefit primary benefit too low to moderate income Gustav like we were just above 50%, in Mississippi they were below 50% they asked for additional waiver to go below 50%. In this tranche of funds, I don't know that we would,

depending on the program design that we come up with together, if in fact the people that we seek to address are all low to moderate income then a waiver from 70% to 50% for this appropriation would be unnecessary.

**Mr. Jetson:** Final question, there was, and to my knowledge, an \$11M CDBG allocation or appropriation, whatever is the appropriate term, to the City of Baton Rouge. Is there any correlation or potential for coordination of those resources that is related in any way to this work?

**Mr. Forbes:** It absolutely is, and the reason the secretary allocated those funds to Baton Rouge and \$1.3M to Lafayette is specifically for the disaster and we have already been in contact with both city governments about coordinating our efforts and providing technical assistance for expenditure and planning for those funds.

**Ms. Elkins:** I have a comment. You know that as a committee, and if we're going to be making decisions, we need to have the data because data drives the policy. We need to know for SBA, how much damage. I mean we're working in a void right now to even help you with where the money should go. Should X percent go into economic development, should X go into rental, or whatever, and I think you know it's you need to have the data by parish on all these things that we've talked about. How many SBA loans went to Livingston Parish? What were the amounts all those things? How many houses were severely damaged? I mean those houses are outside of a flood plain. So, we know they have flood insurance. How many of those were substantially damaged that we know were in a flood plain that must be elevated? Those calls are going to be very substantial and listening to the lady there it looked like she said fifty thousand versus thirty or had more than three feet of water around it. So those are going to be. I mean seventy thousand won't cut it. But what with those and I think we need all this data so that we're not making decisions in a vacuum.

**Mr. Forbes:** I agree completely.

**Ms. Elkins:** You guys need to give us the data that we need to make these decisions and to be able to use in our committees. And on the housing that you are also talking about, there are several combinations of what Pat gave that you can do instead of one contractor. I think New Jersey had 26 contractors. So, there's a variation on all of that, you just need to work with it, play with it, and see what's going to work best. And I have one question, why did HUD change from fifty to seventy percent?

**Mr. Forbes:** I don't know, the first time they did that was South Carolina, Texas appropriation and they, South Carolina, as I understand it did not seek a waiver because they served exclusively low to moderate income folks because their appropriation was so small. I anticipate when we get the second appropriation and we start having to address infrastructure, other housing needs of non LMI folks, rental housing, business recovery, that we're going to need the waiver.

**Ms. Elkins:** That is going to tie your hands.

**Mr. Forbes:** What they have made clear to us is that we must make the case for the waiver. I think when we look at inundation areas, impacted populations, all the data that we have will support the position that as we go to the full recovery process, we will need the waiver to fifty percent.

**Ms. Elkins:** I can give you the justification that we used and how we did it to get them to lower it to 28%.

**Mr. Bradberry:** The big question I have is about the environmental review process. I mean you know the big thing here and the critical thing is getting people back in their houses and if we must review that process is just ninety days in my opinion. Sometimes would be minimal. So, what do you think are the chances are that we can get that either reduced, adjusted or for that matter eliminated totally?

**Mr. Forbes:** I think there are two different answers. First, I want to make sure you know that we are already doing what are called Tier one environmental reviews for the impacted parishes so that we can have as much done as possible before the actual properties are identified. To answer your question about the next step onto your two so I don't know I think that with this first appropriation it is about getting HUD to our common understanding about the negative impacts of that requirement on our recovery and the minimal value of doing that. The Governor is engaged in that process already; we have sent information to HUD and we'll continue to work with them but that's going to be because the way the language was written. They cannot waive any of the environmental regulations. So, we've got to work within the regulations to try to find a way to do what we're trying to do for what we hope will be the second appropriation. The objective would be to get into the legislation something that it least doesn't prohibit the secretary from waiving environmental rules. That's been I was about to say difficult but impossible to this day there are many in Congress who that's just a third rail for them and they will never allow it but that doesn't mean that it's not worth asking at least for limited exemptions in the appropriation language for the types of things we're talking about without throwing in the huge value of environmental reviews for doing things like infrastructure improvements.

**Mr. Bradberry:** Forgive my bluntness, but I don't see a whole lot of confidence in what you just said that we might be you have an effect.

**Mr. Forbes:** It was not intended to provide a great deal of confidence.

**Mr. Bradberry:** Try hard.

**Mr. Forbes:** Thank you, sir, we will.

**Mr. Bradberry:** My last question has to do with the 25% program fees and administrative fees. How did you get the 25%? I'd rather have that money go to the people.

**Mr. Forbes:** We all would, we absolutely all would. The truth is that when we're spending federal funds there are a lot of hoops to jump through and those don't occur for free. We're always looking for ways to do that more efficiently with compensation for instance I talked about a compensation program earlier like our homeowner assistance program, the Road Home program that we did, those amounts are much lower in the 11% range but you don't have to go out and verify a construction, you don't have to verify receipts, and you know there are all those parts that are not necessary. No environmental review.

**Mr. Bradberry:** Are you telling me that the 25% is a historical good historical number?

**Mr. Forbes:** I'm telling you that in New York it's 45%. We are using the best data available to us to estimate that the again I'll go to the number we were talking about earlier. The seventy thousand dollars, it's only purpose is for us to try to one make a request and two to budget. We absolutely want to drive that number down. We just don't want to under ask at this point when we know what we know about how much it cost to run other programs.

**Mayor Norris:** I hope I'm not asking too simple a question which certainly could be to say we're talking about a house that's basically destroyed by the flood. And it's going to be torn down to determine it's going to be torn down and it's going to fifty thousand dollars' mortgage on it but the person is a low to moderate person. How do you resolve that if you want to try to rebuild? Who pays the mortgage off or how does the mortgage provider get his money?

**Mr. Forbes:** If we can leave the interim period out there, that might be handle with the interim mortgage assistance program or something like that and just think about the equity in the house and the principal remaining. That person was paying a note, fifty-thousand-dollar note, before the storm. When we're done. Program works right and they're eligible and all that they have a new house sitting there and they're still paying that fifty-thousand-dollar mortgage to their bank.

**Mayor Norris:** Let me ask you a couple of things. They're going to be a lot of instances where people are living in a house but they don't have a clear title to it, it's in the state or, can any money be provided to help clear or develop a clear title on a property?

**Mr. Forbes:** There are a few different pieces to that one. You heard the lady earlier talking about helping people with legal services. We've provided legal services to homeowners to help clear title loan properties, we can write policies that allow rehabilitation of homes without one hundred percent clear title, if we can establish partial ownership and residency. But Jeff help. Am I getting that right? OK. So, if for a buyout it's a little different. We can and have to get clean title but to help somebody get back in their home we don't necessarily have to have a clean title.

**Mayor Norris:** And they would have the same deal they had before the flood?

**Mr. Forbes:** Yes.

**Mayor Norris:** Last question. Once we determine the parameters within which the money is going to be spent and we have two different events one in North Louisiana one in south Louisiana and I were talking about allocating funding based on parishes, are we talking about allocating funding based on cases, our just who comes first. You know we're seven almost seven months into this event so in some ways northern Louisiana is ahead of some of the processes. So, I don't understand how that's going to work.

**Mr. Forbes:** First I will say that the appropriation language said all disasters in 2015, prior to the date of the enactment. So, that would include both of our floods. The second thing I will say is that HUD, if they stick to their most recent pattern, will tell us where to spend some very large portion of that money based on their calculations of most impacted and sorry Jeff do you remember the most distressed. So they will define based on the did if you remember those maps that we were showing earlier the density of the impacts they'll look at the density of impacts but also look at the vulnerability of the populations who live in each of those areas and they'll tell us. We've got a spend. In fact, I'll give you an example in Isaac we had to spend eighty percent of our money in St John Parish, Plaquemines Parish, and several census tracts in other parishes that they had established to be most impacted and distressed. So, they're going to tell us some of that. The next step of the process will be for you to decide if we run a state-run housing program it would probably be irrespective of parish lines; it would look at whatever priorities you set and then we would go address those priorities in order. When you start talking about infrastructure, economic development, maybe some other pieces. There are multiple models you can run those from the state directly granting or you can sub grant to parishes and let them make those priority calls. You can let them make the priority call and the state spend the money, so that will be up to you. And when we get into the infrastructure portions we'll describe those options like we have today for these housing but that is very much except for HUD's restrictions of where we spend the funding in most distressed and impacted that will be up to the task force.

**Mr. Knapp:** I want to echo Ms. Elkins always accurate comment about the need for data and if you could and I don't know that this would be available help us get some understanding of the parish by parish breakdown of low to moderate income homeowners. So, that as we are contemplating the choice you're asking us to consider how that will affect those who are

not LMI and how that will affect the community break down that some communities may be more able to recover than others and I understand that as we're considering that policy that one specific data point made may turn out to be quite important as we look at disparities of income and considering how that program design would fit. I would love to ask also a question of you or if there are others we should ask it might it might have been something appropriate to ask the congressman and the senator, \$437M is less than a third of the price tag of the lowest cost option you've considered here which would be a NFIP, only for those without NFIP, only low to moderate income, is a \$1.38B price tag, we would afford 38% of it or so, that doesn't fund any renter's, doesn't fund any infrastructure, that doesn't fund any eco development. How would we write an action plan and even start down that path for a program that was a construction focused state run program when only potentially a third of the pool of necessary folks would be served by it to run is the assumption if we were to go down that path that we would just simply stop the program for whoever is come in the door in less than additional appropriations come in, is that what you contemplated for that design?

**Mr. Forbes:** It's what's been contemplated by me again I think that would be a task force recommendation to the Governor. But what all we can think about is if we look at what we see is the most vulnerable and most impacted because they don't have insurance and they're low to moderate income and we know that we can only reach a third of those folks. It may be that not only will those folks need assistance but probably the majority of them are going to need assistance. Yes, we're going to have to prioritize because at this point while we have every expectation of going to Washington and getting additional funds we need for recovery, we don't have that right now. So, we're going to have to have a program design that allows us to start serving people based on some criteria, those criteria can be geographic locations, they can be income based, level of flooding, whether they're in the floodplain, all those things could potentially be criteria but that will be part of the process.

**Mr. Durbin:** No further questions.

**Mr. Forbes:** I would like one last comment, there is a housing fair Saturday, housing resources fair at Southern University Law Center. The disaster housing task force has been hard at work. That's a bunch of federal and state agencies and non-profits working together to help people figure out their housing approaches and they have a fair on Saturday from 9AM-6PM and that's just to help individuals get through their process of where they are right now and understand all the resources that are out there for them. Thank you.

**Mr. Durbin:** The last item on the agenda (Individual Assistance and SBA Process) is going to be deferred at the request of the person requesting it be given.

## **X. OTHER BUSINESS**

**Mr. Durbin:** I know you have received in the mail a questionnaire from the Senate and Governmental Affairs Committee and it's your confirmation questionnaire. So, I just ask all of you if you haven't looked at it, it's required. It's a request that you fill out the questionnaire and to complete your appointment. So, just fill it out and return it ASAP to the Senate and Governmental Affairs Committee, which is shown on the second page of your letter, to Yolanda Dixon's (sp) notice. Also, in your packet you have a Stafford Act update, Mr. Knapp you requested this, we will start receiving these on a bi-weekly basis. For all members, please leave your binder, take the contents, so they can be updated. Also, the next meeting is Friday, October 28, 2016, 9:30AM, House Committee Room 5, where we are today.

**Mr. Durbin:** I now open the floor for Public Comment period. No public comments. Public comment period is satisfied.

## **XI. ADJOURNMENT**

**Mr. Durbin:** To adjourn is in order.

**Mr. Jetson:** Motion to adjourn.

**Mr. Durbin:** Multiple seconders.

**Meeting was adjourned at 12:54 PM.**

Respectfully Submitted,  
Jimmy Durbin  
Former Mayor, City of Denham Springs  
Co-Chair of the Restore Louisiana Task Force

Date Approved: *October 28, 2016*

Minutes were unanimously approved. *LD*