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2018 NYC CHARTER REVISION COMMISSION
PUBLIC HEARING

HOSTOS COMMUNITY COLLEGE
120 EAST 149TH STREET, 2ND FLOOR
BRONX, NEW YORK, 10451

July 24, 2018
6:00 P.M.

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A P P E A R A N C E S:

COMMISSIONERS:

CESAR PERALES, Chair	KYLE BRAGG
MARCO CARRION	SHARON GREENBERGER
RACHEL GODSIL	MENDY MIROCZNIK
ANNETTA SEECHARRAN	JOHN SIEGAL
WENDY WEISER	

2018 - CHARTER REVISION - 7/24/2018

1 MR. PERALES: Good evening. I'm calling
2 this meeting to order. This meeting of the 2018
3 New York City Charter Revision Commission.

4 This is the -- our second round of borough
5 hearings. We are obviously in the Bronx. I
6 traditionally begin --

7 UNKNOWN SPEAKER: Mike a little closer.

8 MR. PERALES: I -- this is better? Yes?

9 I like to begin these meetings by telling
10 you my name is Cesar Perales and I am the chair
11 of this Commission and I would like the members
12 of my Commission to introduce themselves and I
13 will begin on the right all the way down here
14 with Marco.

15 MR. CARRION: All right. Good evening,
16 everyone. My name is Marco Carrion. I'm current
17 -- I currently serve as commissioner of the
18 Mayor's Community Affairs Unit.

19 MS. SEECHARRAN: Good evening. My name is
20 Annetta Seecharran and I'm the executive director
21 of Chhaya Community Development Corporation. And
22 it's nice to be home in the borough where I grew
23 up.

24 MR. SIEGAL: Good evening. John Siegal.
25 I'm a practicing lawyer and a mayoral designee to

2018 - CHARTER REVISION - 7/24/2018

1 the Civilian Complaint Review Board.

2 MS. GREENBERGER: Hi there. I'm Sharon
3 Greenberger. I'm the president and CEO of the
4 YMCA of Greater New York.

5 MR. PERALES: As I indicated my name is
6 Cesar Perales. I was formally the secretary of
7 State of New York. I previously served the
8 positions of house deputy mayor of the City of
9 New York. I am a former civil rights lawyer and
10 I've litigated a number of cases against The City
11 of New York on voting procedures.

12 MS. GODSIL: Good evening. My name is
13 Rachel Godsil. I'm currently a professor at
14 Rutgers Law School and the co-founder and
15 director of research for the Perception
16 Institute, an adsorption of social psychologists,
17 law professors and others focus on the role that
18 bias and other phenomena have to play in creating
19 inequalities that we're obviously as a country
20 striving to address.

21 I'm formally chair of the Red Guidelines
22 Board and was an associate counsel of NYC Legal
23 Defense Fund and a Previous Life. And it's an
24 honor to be here. Thank you.

25 MR. PERALES: Just some brief opening

2018 - CHARTER REVISION - 7/24/2018

1 remarks:

2 Regularly Mayor's of the City of New York
3 appoint commissions to review the City Charter
4 which is the City's constitution. It happens
5 several years.

6 And Mayor De Blasio decided this year that
7 he would appoint a Charter Commission with a
8 particular interest in mind. He wanted this
9 Commission to look at the City Charter and to
10 look in ways in which it can be changed to make
11 our city more democratic. He spoke specifically
12 about his concerns about getting big money out of
13 politics, making elections fairer. Certainly
14 eliminating the idea there's existing corruption
15 as a result of our current campaign finance rules
16 or certainly the appearance of corruption.

17 But at the same time a Charter Revision
18 Commission looks at the entire Charter and that's
19 what we've done during our many hearings, having
20 received many, many comments and having meetings
21 amongst ourselves, in which we did not take
22 testimony, but in which we discussed what we have
23 heard. All of this has been done publicly.

24 Everything we do is -- this is being
25 transmitted live. There's also a videotape that

2018 - CHARTER REVISION - 7/24/2018

1 is then put online so that we have been very
2 transparent in our process, hope to continue to
3 be transparent.

4 Just last week our staff issued a
5 preliminary report. That report directed us or
6 urged us to focus on some issues that we should
7 begin the second time around of hearing public
8 discussion we should begin to narrow our focus to
9 narrow on certain issues that have come up during
10 the first half of our work. They are campaign
11 finance reform, the method of elections in New
12 York City, a concept of civic engagement in our
13 city, community boards, community board reform,
14 and finally redistricting of the City Council and
15 how that takes place.

16 With that in mind, we will invite anyone in
17 the audience who wishes to speak. We will limit
18 speakers to three minutes each. I will be the
19 timekeeper I think because usually I'm the bad
20 guy and tells you you've gone over your time.
21 And with that, let us begin.

22 We're going to have I think panels of two
23 people at a time but given the borough president
24 of Manhattan has made a trip to the Bronx I think
25 we'll let her start and then after that we will

2018 - CHARTER REVISION - 7/24/2018

1 ask the testifiers to come up two at a time.

2 MS. BREWER: Thank you very much. I never
3 leave Manhattan but it's an honor to be in the
4 Bronx. I wasn't able to go last night so I'm
5 here and I made it and I appreciate the
6 opportunity so thank you Mr. Chair and the
7 members.

8 I think -- I know your many interesting
9 topics that you're considering but I'm going to
10 focus more on the community boards which is one
11 of the ones you just mentioned. I do have board
12 expertise. I served on my community board and as
13 a council member for 12 years and now as borough
14 president I interact with the community boards a
15 great deal. So I am in favor of increasing
16 community board diversity and ensuring that
17 boards represent the populations and interest in
18 each district. As borough president, I think
19 we've done a great deal to address these issues
20 and I'll talk more about such in my testimony.

21 But I want to make it very, very clear
22 upfront that I oppose term limits for community
23 board members. Community board members have a
24 really important role in the land-use process in
25 this city from understanding what can and cannot

2018 - CHARTER REVISION - 7/24/2018

1 be built in their districts to meeting with
2 nonprofit and for profit developers to
3 negotiating with developers and ultimately
4 crafting advisory opinions on each and every
5 project that comes before the city.

6 Community board members must understand land
7 use and all it entails in New York City and this
8 is not an easy task. Members must know about
9 zoning tax incentives, housing, finance,
10 landmarking and much more. It's knowledge that
11 takes full-time students and planners years to
12 accept and community board members must learn it
13 all as part-time volunteers and learning the
14 zoning techniques and H3D program zoning have the
15 battle. Figuring out how these technical rules
16 and program apply to particular developments is
17 complicated and time consuming. I believe
18 strongly that it's only when community board
19 members have masters all of the above can they
20 meet developers on that of an equal footing.

21 Developers are not term limited. Lobbyists
22 are not term limited and neither are the
23 expensive lobbyists as I've indicated, land use
24 lawyers are not term limited. In fact their
25 price is increased as their experience does.

2018 - CHARTER REVISION - 7/24/2018

1 Only when community board members have masters on
2 the complexity of land use can they sufficiently
3 analyze applications, negotiate effectively and
4 positively plan for their communities. The level
5 of expertise needed increases when phased with
6 entire neighborhood rezonings as we have seen in
7 east Harlem and Inwood and my borough and many
8 others. In short it is more than just
9 constitutional memory that we need on community
10 boards.

11 Let me be clear, we need people with
12 developed expertise and land-use matters.
13 Expertise that takes years to learn. Without
14 this I guarantee you community boards will remain
15 at a severe disadvantage when considering
16 land-use applications. Negotiating to make
17 projects better for the neighborhood and crafting
18 resolutions. Now, I know and I believe strongly
19 not everyone should be on boards forever.

20 I am proud that during the five years I've
21 been borough president we have had a 60 percent
22 turnover in board members. I don't know if
23 that's true in all the boroughs but that is true
24 in Manhattan. This is due to natural turnover
25 obviously among members but sometimes because we

2018 - CHARTER REVISION - 7/24/2018

1 scrutinize attendance records we observe members
2 and we are in constant touch with the board.
3 This has led us to decline to reappoint board
4 members with bad attendance. I call them and
5 told them. I call those who are unable to
6 fulfill their responsibilities and I call those
7 who have delayed poor judgment regarding conflict
8 of interest and I took them off.

9 It's important to know that we have been
10 able to make changes because of an extensive
11 outreach and recruitment process. It gives us a
12 big and better pool of applicants to choose from.
13 Elements of our outreach and recruitment could be
14 codified since community boards cannot truly
15 represent communities if people do not know they
16 exist. So we have online applications. We've
17 done social media we've distributed flyers all
18 across the districts and as a result we have
19 community and civic and labor and all these
20 different organizations having their own sessions
21 and then getting their people to apply. These
22 steps have enabled us to increase applications
23 for membership from 500 in 2017 to 1,047 in 2017.
24 So we replace board members who are not
25 adequately doing their job with those who better

2018 - CHARTER REVISION - 7/24/2018

1 represent their communities. It's a lot of work
2 and in this way we have made Manhattan boards
3 younger, diverse and reflective of their
4 community.

5 At the same time we've reappointed those who
6 have long-term expertise in land use and zoning.
7 Some of them who took the laboring or the large
8 community rezonings to heart. I do endorse a
9 uniform application, some basic procedural
10 standards. For example, each borough president's
11 office should have in-person contact with
12 applicants.

13 But I will caution against taking too much
14 flexibility away from the borough presidents. I
15 have heard that in certain years some borough
16 presidents have had trouble finding sufficient
17 applicants. In Manhattan we are inundated with
18 applications and have combined the approaches of
19 group and individual interviews for applicants.
20 In addition to ensure that borough presidents are
21 always striving to increase the diversity and
22 representation of their boards. I would require
23 that, one, the applications give applicancy
24 options of disclosing demographic information.
25 And two, that borough presidents be required on

2018 - CHARTER REVISION - 7/24/2018

1 annual basis to accomplish a demographic make up
2 of each board alongside the demographics of each
3 district. We do that already.

4 Finally, a few quick notes on training.
5 They are vital. Trainings are vital in order for
6 the community boards to be effective. My offer
7 provides technical assistance to boards on land
8 use issues on parliamentary procedure on all the
9 issues regarding budgeting and resolution,
10 writing and conflict of interest and using data
11 and planning. We constantly add new workshops as
12 needs arise.

13 I must also commend and recommend expansion
14 of two successful technical assistance programs.
15 The fund for the City of New York has years
16 running urban planning fellows program in which
17 recent planning graduates are trained in place in
18 community board offices for a year. They are
19 invaluable resources for boards bringing a level
20 of expertise that is not always readily
21 available.

22 And whether through this or other means,
23 boards should be supported in bringing an urban
24 planner to assist with their land-use work and
25 the issue. The challenge of course is that these

2018 - CHARTER REVISION - 7/24/2018

1 graduate students leave after a year and the fact
2 the boards need a more full-time land-use
3 planner.

4 My office working with Beta NYC has also
5 developed a tech fellows program in conjunction
6 with CUNY's public service court program and also
7 the fund for the City of New York and other
8 funders. We train students in the use of open
9 data, the bill that I passed in City Council, to
10 help communities and work closely with community
11 boards to analyze issues, produce maps and
12 develop applications and enable boards to
13 function more effectively.

14 Resources to help boards in obtaining and
15 working with the data they need are critical. I
16 think it's important to require Do It to work
17 with the boards in responding to those data needs
18 which the boards believe are necessary to
19 properly fulfilling their responsibilities. As Beta
20 NYC recommends and their great staff, this could
21 be aided by requiring do it to respond to the
22 boards district needs statements insofar as they
23 relate to technology and data.

24 MR. PERALES: (Inaudible.)

25 MS. BREWER: I'm summing up.

2018 - CHARTER REVISION - 7/24/2018

1 The additional funding boards received this
2 year is a start. They're expected to do a lot
3 with a little. And they do provide constituents
4 services and we all know they need additional
5 staff.

6 But my message is very clear that in order
7 to be in response effectively with the land use
8 and the zoning community they must be full-time
9 in terms of the staff and they must have the kind
10 of long-term expertise that I described earlier.
11 We cannot have term limits for community boards.
12 Thank you very much.

13 MR. PERALES: Thank you. Let me say that
14 I'm so glad that you're here because when we have
15 heard from so many people about community boards.
16 The model they often give is Manhattan --

17 MS. BREWER: Thank you.

18 MR. PERALES: -- and what happens in your
19 county and so I'm very pleased. I'm also
20 impressed by the amount of turnover.
21 Sixty percent is a significant number. But the
22 truth is we're trying to figure out what to put
23 in the Charter that will make all of the borough
24 presidents manage their community boards a little
25 bit more like Manhattan does.

2018 - CHARTER REVISION - 7/24/2018

1 Let me -- I rather than just compliment you
2 I've got a question: This issue of online
3 applications and requirements for applicants to
4 be interviewed no matter who, do you think your
5 fellow borough presidents would find that an
6 infringement of their authority?

7 MS. BREWER: I don't think so. I mean, the
8 issue is it is time consuming. We started out
9 with one process. Everything is online. I
10 believe that the other borough presidents are
11 doing the online application. The work is
12 interviewing 1,047 people. And the way we did it
13 is we did it in groups so it's not an individual
14 1,047.

15 First, we did it by the topic and then we
16 did it by the community board. You can figure
17 that out what makes sense for your borough. But
18 you do need to interview those who apply.

19 I think people who apply they fill out a
20 very lengthy application, the borough of
21 Manhattan. It takes time but it's not rocket
22 science and I think it gives a more diverse
23 opportunity for the community to feel that
24 they're included. What could be of assistance
25 from the administration or others is doing the

2018 - CHARTER REVISION - 7/24/2018

1 demographics. That takes time. All of this data
2 to gather it takes time so that would be
3 something that perhaps some help would be needed.
4 And there may be ways in the participatory
5 budgeting now there's a lot of outreach done.
6 There could be some piggy backing on other kinds
7 of outreach efforts. But I do think you end up
8 with a better community representation.

9 MR. CARRION: Thank you, Borough President,
10 for your testimony.

11 So what struck me is something you've said
12 which I thought about in relation to term limits
13 is that you've heard that in some boroughs unlike
14 in Manhattan there's not enough applicants to be
15 on community boards so what do you think could be
16 done to encourage communities to -- or members of
17 communities to apply to be on community boards.

18 MS. BREWER: Well, obviously we've had some
19 success for instance the unions and the story
20 keepers represented by hospitality alliance and
21 other organizations have done their own training
22 so then those folks apply. We obviously do all
23 of the, you know, flyers and the social media. I
24 do think you have to feel like I have a chance so
25 that has to be part of the buzz.

2018 - CHARTER REVISION - 7/24/2018

1 Otherwise, if I do all of this application
2 and this outreach then I have a chance of, you
3 know, getting on the community board so it has to
4 be a little bit of that kind of hope and then I
5 think also what we do with those who don't get on
6 because I always feel terribly because there
7 aren't that many vacancies. You know, it's 25
8 each year.

9 We work with the council members we take
10 their recommendations but what we do then is we
11 meet with nonprofits. We have like a meet and
12 greet and we have all of the nonprofits of
13 Manhattan meet with the individuals who didn't
14 get on.

15 And hopefully lots of nonprofits, as Sharon
16 probably knows, needs board members and so we try
17 to get some board members that way. You have to
18 keep in touch with those who don't get on and
19 maybe hope the next year they do get on.

20 So it's a lot of work but I do think when
21 you do that kind of outreach then people are more
22 engaged. Maybe they'll show up for the board,
23 they'll get their friends to show up, their
24 community organizations to show up. It's a
25 process. And eventually you have to have

2018 - CHARTER REVISION - 7/24/2018

1 long-term commitment to that process.

2 I hope that answers your question but it's
3 work and I think we have done -- it's not easy
4 sometimes because you have members who have been
5 out for a long time and the neighborhood has
6 changed. That's the complaint that I get from
7 other boroughs.

8 I teach at hunter I send my students to the
9 community boards. That's how I really find out
10 what's going on and you know sometimes they'll
11 say I was the youngest one by 40 years or
12 sometimes they welcome me open arms so.

13 The other thing is that community boards
14 have to be friendly. They have to be, you know,
15 they have to make sure the community is welcomed
16 and the community has to -- that's also part of
17 it but my students tell me a lot. Ms. So thank
18 you so much for your contributions on this
19 subject and it's obviously one about which you're
20 quite expert.

21 One of the questions that the staff
22 suggested that we seek input with is with respect
23 to the kind of technical support that would best
24 provide the community boards with the technical
25 expertise they require for the land use issues

2018 - CHARTER REVISION - 7/24/2018

1 they describe and also how do we craft that in a
2 Charter proposal that doesn't eliminate their
3 discretion of borough precedents to a greater
4 degree but at the same time provides some union
5 format across boroughs? Be very curious to hear
6 --

7 MS. BREWER: I'll try. So obviously I was
8 chair of the Technology Committee in the City
9 Council and I passed the Open Data Bill. And
10 it's my experience, particularly the land use,
11 because that is the real planning function of the
12 community boards is that you have to know what is
13 existing in your neighborhood in order to be able
14 to say to a developer, you know, we need senior
15 housing, we need affordable housing for this
16 demographic, etcetera.

17 We need open space, we need cultural and so
18 on and that comes with data. You know better
19 than I, data driven. So in the past, to be
20 honest with you, the community boards had pieces
21 of it but nothing that they could rely on. So
22 we're trying, I would say to answer your
23 question, we're doing a small bid but helping the
24 community boards it takes funding to be able to
25 know and use the open data portal because right

2018 - CHARTER REVISION - 7/24/2018

1 now it's a hit and miss.

2 When the developer -- so how you -- that in
3 other words, it would be within the Charter I
4 assume to talk about the fact that this open data
5 portal should have relevance in a real way to the
6 community boards. And the second thing I would
7 say is that this issue of planning. You know,
8 maybe we don't have a planner for every single
9 board but they do need more staff to be able to
10 counter this planning on slot.

11 In Manhattan we've been doing it for a
12 while. The fact of the matter is we've had more
13 ULURP's in Manhattan in my five years than all
14 the other five boroughs combined. The Inwood
15 community, which is facing a rezoning now, never
16 had a ULURP of any magnitude in terms of
17 rezoning. So all five boroughs are going to find
18 out what it's like to deal with this zoning
19 situation.

20 So in terms of the way in which it fits into
21 the Charter, I don't know that I can be specific
22 but I can say use of data, planning experts and
23 finding a way that the use of -- figuring out how
24 to use your planning staff in a way that focuses
25 both on the rezoning and the aftermath of the

2018 - CHARTER REVISION - 7/24/2018

1 rezonings because you're going to have does this
2 work in East Harlem -- rezoning passed now
3 there's a whole committee with the community
4 board to figure out are all the aspects of the
5 rezoning being implemented? Rezoning doesn't end
6 when the next amendment or the rezoning passes.
7 It's a very long process.

8 MR. PERALES: Does anybody else have any
9 questions?

10 MS. BREWER: Hi, John.

11 MR. SIEGAL: Hi, how are you? Thank you for
12 coming and --

13 MS. BREWER: Thank you.

14 MR. SIEGAL: -- you make a forceful argument
15 about term limits but I'm interested in your view
16 on term limits or terms or requiring rotation of
17 leadership positions and particularly committee
18 chairs on community boards. I get the expertise
19 needs to be retained but why do the same people
20 need to have the committee chair on the same
21 issue for decades.

22 MS. BREWER: I totally agree with you on
23 that. In fact, in the borough of Manhattan we
24 have had the bylaws redone leaving a little bit
25 of wiggle room in diversity but generally trying

2018 - CHARTER REVISION - 7/24/2018

1 to do a boiler plate because they had different
2 kinds of term limits or no term limits. I'm a
3 believer. I mean I think it can be discussed in
4 term limits for chairs and term limits for
5 committees. That's a very different discussion
6 than something like -- like Ethel, who's been for
7 a long time on Board 7 and who could tell you
8 what happened in 1992 because guess what? So can
9 the lobbyists, so can the land use, and so can
10 the developer. And so if that expertise is not
11 there then that developer is going to be able to
12 do a lot more damage to the community.

13 I just was -- learned that, you know, there
14 was just a meeting the other day in Harlem with
15 many, many developers. No community board
16 members. Everybody talking about what's in the
17 pipeline and no community input, nobody from the
18 area having any discussion. That's the kind of
19 issue that needs to be countered, to be honest
20 with you, in terms of the community.

21 The community boards are now listened to and
22 I think much thanks to the CAU and others much
23 more than ever because they are where the people
24 come to present. And so that called advisory
25 opinion particularly on land use issues is

2018 - CHARTER REVISION - 7/24/2018

1 listened to very, very carefully. It is talked
2 about, discussed and evaluated all through the
3 process. So that is an important advisory
4 opinion.

5 MR. SIEGAL: Thank you.

6 MS. BREWER: Thank you very much.

7 MR. PERALES: Thank you for coming all the
8 way from Manhattan.

9 MS. BREWER: It's so far.

10 (Laughter.)

11 MS. BREWER: Thank you.

12 MR. PERALES: We now have our actual first
13 panel: Nunzio Del Greco, and Mark -- I'm not
14 sure I can pronounce the last name Gjonaj.

15 UNKNOWN SPEAKER: Council Member Gjonaj.

16 MR. DEL GRECO: Good evening. Is that okay?

17 MR. PERALES: Yes. Mr. Del Greco, I'd like
18 to do the councilman first, if that's possible.

19 MR. GJONAJ: Good evening. Is that okay?

20 MR. PERALES: Yes.

21 MR. GJONAJ: Good evening. I want to thank
22 all of my fellow Bronxites who came out tonight
23 to personally get involved in this critical
24 issues that will change and shape our city.
25 You've done your borough proud. And to the

2018 - CHARTER REVISION - 7/24/2018

1 borough president of Manhattan I thank her for
2 visiting this great borough but remind her that I
3 visit her borough almost daily.

4 UNKNOWN SPEAKER: (Inaudible.)

5 MR. GJONAJ: I also want to thank all of the
6 commissioner members, especially the chair,
7 Mr. Perales, who for his generosity of giving
8 time and his expertise to serve for this great
9 city.

10 The issues that this Commission will
11 consider and weigh on will determine the future
12 of how more than 8.5 million people live and
13 interact with the government. So thank you,
14 again, for agreeing to take the time away from
15 your work, community, and family and friends to
16 make sure that we give New Yorkers a voice in
17 helping determine the City's future.

18 My first point to question the Charter
19 Revision itself which is circumventing the
20 Council's authority where the referendum's should
21 be on issues that can be legislated -- shouldn't
22 be on issues that can be legislated. And the
23 issues that you had brought up earlier can all be
24 legislated in The City of New York. Secondly I
25 take the position of opposing of any term limits

2018 - CHARTER REVISION - 7/24/2018

1 when it comes to community boards. I thank the
2 generosity of those men and woman who truly
3 understand the needs of their community and seek
4 to empower them in the roles that they currently
5 have.

6 I do however support term limits on any
7 mayoral chair or Commissioners that are appointed
8 by the mayor to two-year terms and must be
9 approved by the City Council. Commissioners and
10 chairs can be reappointed to a second-year term
11 -- second two-year term by the mayor but they
12 must go through the council hearing process again
13 to reassess their tenure and agency objectives
14 for the future.

15 Secondly, I would like to propose a small
16 business Commission to oversee the current laws
17 and policies that govern small businesses in New
18 York City as well as future proposed laws and
19 policies. This Commission would be independent
20 and oversee the work of the CBS.

21 Thirdly, I would like to see this Commission
22 consider a two percent annual tax increase cap on
23 real estate taxes. Cap the real estate tax levy.
24 And we know that the taxes, the tax rate is
25 approved by Albany but we certainly have the

2018 - CHARTER REVISION - 7/24/2018

1 ability to cap the levy.

2 This year in this budget that was recently
3 approved we saw \$1.5 billion increase in real
4 estate taxes. Year over year for the next
5 four years we have projections of \$1 billion
6 increases in real estate taxes for all New
7 Yorkers. We have the ability to cap the
8 increases. And lastly, but not least I'd like to
9 see the budget process for negotiation be less
10 dense and give more authority to the City Council
11 and a greater role in setting the term in the
12 agencies spending limits.

13 And with that I'm open to any questions.

14 MR. PERALES: If you'll allow me to -- we
15 accept courtesy to elected officials. I'm going
16 to have the Commission ask him questions in case
17 he's got to leave, with your permission?

18 I just want to comment. I don't have a
19 question but the reason the Charter Revision
20 Commissions generally look at issues that could
21 be legislated is because they're often not
22 legislated by City Council. In other words,
23 while you may be within your authority you may
24 not be able to put the votes to get something
25 passed. For years mayors have appointed the

2018 - CHARTER REVISION - 7/24/2018

1 Charter commissions who have passed legislation
2 of that kind.

3 But something else that I think it's
4 important for you to understand. We don't pass
5 anything. We put it before the voters so that it
6 really is I think a very democratic process. It
7 may be different for members of the council to
8 pass a piece of the legislation but by referendum
9 we can put it before the voters and I think
10 you'll agree democracy often works well when you
11 got a question directly to the voters.

12 MR. GJONAJ: Chair, if I may and I
13 completely agree with you, except that in this
14 particular borough, which is about 1.4 million
15 people. If you look at the attendance of tonight
16 it is anything but transparent when we have
17 involvement with lack of sufficient notice.

18 And you brought up another interesting point
19 that mayors have had Charter -- charters
20 throughout the years to address issues that may
21 not come up in the form of legislation in the
22 City Council. I can assure you that this City
23 Council is a very aggressive and eager council
24 willing to take on the challenges. But when the
25 mayor appoints the entire Commission and it only

2018 - CHARTER REVISION - 7/24/2018

1 looks at predetermined set of issues that is not
2 democracy.

3 The issues that are -- the issues that were
4 mentioned from term limits, to community boards,
5 to redistricting, campaign finance rules and so
6 and so forth is just a small set of issues that
7 truly impact New Yorkers day in and day out. And
8 this looks like more of an individual assessment
9 of the needs of New York. And not on behalf of
10 eight and a half million residents.

11 MR. PERALES: I think it would be
12 in-appropriate for me to engage you in a
13 disagreement but let me just say that the mayor
14 did not ask us to look at redistricting, nor did
15 he ask us to look at community boards. These are
16 things that have come up because of the people
17 who come and testify or send us comments. I can
18 assure you that I don't believe I contemplated
19 all of these issues that have come up --

20 MR. GJONAJ: Thank you, Chair.

21 MR. PERALES: I'd like to turn it over to
22 other members of the Commission.

23 Annetta.

24 MS. SEECHARRAN: I have a question.

25 Thank you, Council Member, for your

1 testimony.

2 I wanted to ask you regarding your
3 recommendation to not put forth limits on
4 community boards. It is an issue that the
5 borough president talked about extensively in the
6 last testimony and we've heard throughout the
7 various hearings. And it's become, as you know,
8 it's become sort of leading issue. I'm really
9 curious because we've heard so many compelling
10 arguments for term limits but I'd like for you to
11 elaborate a little bit more about what you see or
12 recommendations that you have that would ensure
13 diversity of community boards in the Bronx.

14 MR. GJONAJ: Well, certainly I think we all
15 understand the importance of community boards and
16 their generosity of time as volunteers. The
17 expertise that's needed to properly accept the
18 responsibility of determining of what's in the
19 best interest of the community from zoning issues
20 and other needs of a community take time. And
21 when you establish yourself as an expert in the
22 many needs or the area that community boards
23 interact with we have a shift as those members
24 become chairs of their committees and so on and
25 so forth. That expertise takes quite an amount

2018 - CHARTER REVISION - 7/24/2018

1 of time for an individual to learn and get to be
2 able to appreciate the impacts that they may have
3 on their community.

4 So the term limit concerns are not such an
5 issue for me when it's the expertise that is
6 needed. I look to empower community board
7 members and give them more authority on what's in
8 the best interest of the community that they
9 represent. They are the stake holders. They
10 live there, work there, raise families there. It
11 shouldn't be predetermined by an elected official
12 what's in their best interest or any agency or
13 department. They are on the ground they know
14 what's best for that community and they do it as
15 volunteers.

16 MR. PERALES: Anyone else with questions?

17 (No response.)

18 MR. PERALES: Hearing none, I want to thank
19 you for your testimony.

20 MR. GJONAJ: Thank you, Chair.

21 MR. DEL GRECO: Good evening, Charter
22 Revision Commissioner Chairman Cesar Perales and
23 Commissioners. Thank you for this opportunity to
24 speak.

25 My name is Nunzio Del Greco. I am president

2018 - CHARTER REVISION - 7/24/2018

1 and chief executive officer of the Bronx Chamber
2 of Commerce. For nearly 35 years I have been a
3 public servant helping small businesses and
4 professionals to be more successful. Founded in
5 1894 the Bronx Chamber of Commerce is the voice
6 for businesses in Bronx county. And I believe
7 we're the oldest chamber in The City of New York.
8 Membership in the Bronx Chamber of Congress
9 includes businesses ranging from large
10 corporations, cultural institutions, universities
11 and colleges, hospitals and medical centers,
12 nonprofits and mid-sized to small companies.

13 As the concept of community boards was
14 introduced more than 50 years ago added to the
15 City Charter in 1963 and proven to be an
16 important vehicle for civic engagement in The
17 City of New York, a small business Commission
18 would provide a vital voice for the business
19 community. As the organization representing
20 small businesses in the Bronx, I strongly believe
21 that a small business Commission should be
22 established with the revision of the New York
23 City Charter.

24 Legislation is often introduced and city --
25 and agency decisions made that have highly

2018 - CHARTER REVISION - 7/24/2018

1 damaging and controversial effects on businesses.
2 These events usually happen with little to no
3 consultation from the business community with
4 more than 6,000 laws in the books that regulate
5 the functioning permitting, taxing,
6 certification, licensing, fining, contracting, et
7 cetera of small businesses. More needs to be
8 done to give this important economic engine a
9 voice.

10 A small business Commission made of actual
11 small business people is the only way to bring
12 the level of understanding and clarity to the
13 effect of laws on small businesses. Similar to
14 the concept of a community board a small business
15 Commission made up of businessmen and women
16 appointed by each council member, the mayor, the
17 comptroller and public advocate would give
18 businesses a voice and assure that the -- I'm
19 sorry, consistency of businesses are finally
20 represented.

21 Amazing accomplishments can be achieved
22 working in partnership with elected officials,
23 city agencies and the Bronx Chamber of Commerce.
24 That concludes.

25 MR. PERALES: Thank you very much.

2018 - CHARTER REVISION - 7/24/2018

1 Do I see a hand down there?

2 MS. GREENBERGER: So I'm just curious if you
3 could expound a little bit on what that's -- what
4 the scope of the Commission would be. What would
5 40s be? What would you see its primary function?

6 MR. DEL GRECO: Yeah, I think the Commission
7 should be consulted prior to imposing a
8 legislation. They should be in the loop and
9 consulted.

10 MS. GREENBERGER: So it's an advisory --

11 MR. DEL GRECO: Yes.

12 MS. GREENBERGER: -- Commission? Okay.

13 MR. PERALES: Have you submitted written
14 testimony?

15 MR. DEL GRECO: Yes.

16 MR. PERALES: Thank you because it's an
17 interesting idea and something I think we have to
18 consider.

19 MR. PERALES: Let me thank both of you for
20 coming here. I really do appreciate it for
21 taking the time.

22 MR. GJONAJ: Thank you. John Bonizio, Ken
23 Miles.

24 MR. BONIZIO: Good evening, Mr. Chairman,
25 members of the Commission. My name is John

2018 - CHARTER REVISION - 7/24/2018

1 Bonizio. I have the distinct pleasure serving as
2 the chairman of the Business Development
3 Committee of the Bronx Chamber of Commerce and
4 also as the founder and chairman of the
5 Westchester Square Business Improvement District
6 up here in the Bronx.

7 I have submitted to speak on two issues but
8 because our President Del Greco did such a great
9 job bringing forth the business Commission I'm
10 going to skip over that and run to number two.

11 This issue is the coordination of business
12 improvements and the mobile vending industry.
13 And particularly as that applies to the user
14 rights that are granted to bids by local laws and
15 by city contract.

16 The mobile vending industry, which has
17 recently received a great deal of present support
18 from select members of the New York City Council,
19 represents a unique set of circumstances
20 requiring attention from a significant cross
21 section of agencies throughout the city. DCA,
22 DOH, DOT and the NYPD all have somewhat of a say
23 in the rules and regulations that govern mobile
24 vending in the city. Unfortunately what appears
25 to be overregulation actually results in a lack

2018 - CHARTER REVISION - 7/24/2018

1 of understanding between agencies and results in
2 little to no actual oversight.

3 Exacerbating the problem is the illegal
4 transferring of city issued permits which has
5 resulted in usurious grain market that preys upon
6 immigrant vendors. An area supported by the
7 city's 75 improvement districts, this failure to
8 regulate is especially egregious.

9 More than 93,000 businesses in bin districts
10 pay hefty assessment fees of more than
11 \$150 million per year to enhance city services
12 and support the imaging cleanliness of their
13 districts. Mobile vendors makes no such
14 investment and often commit flagrant violations
15 of the laws and rules of oversight agency. Often
16 they monopolize parking spaces beyond allowable
17 limits. Store perishable able items in
18 non-climate containers. Operate with fraudulent
19 licensing, block sidewalks and walkways, fail to
20 meet sanitary codes, promote litter and plant
21 themselves for days at a time without moving
22 their units for nightly cleaning as is required
23 by law. This problem is about to become worse as
24 legislation introduced in the council to impact
25 the green market seeks to increase City-issued

2018 - CHARTER REVISION - 7/24/2018

1 permits by a thousand more units, thousands of
2 more units.

3 Legislation is needed to allow bid
4 organizations to have a say in the type and
5 number of mobile vendors who set up shops on the
6 streets in bid districts. As legal entities
7 legislated by local law bids are under contract
8 with the City and actually have user rights
9 granted by the City.

10 Quote, to undertake or permit commercial
11 activities or other private uses of the streets
12 or other parts of the district in which the city
13 has any real property interest. That's from
14 article two of the City Council's contracts with
15 the bids. Having already been Granted these
16 rights laws should be enacted and actually
17 protect the City from breaching its contracts
18 with the 75 bids.

19 Charter revisions that would grant such
20 powers to the quasi agency bids will protect the
21 City's interest and enable and organized
22 coordination of vendor usage and a large portion
23 of the City's commercial space.

24 MR. PERALES: Thank you.

25 Mr. Miles, we'll turn to you and then we'll

2018 - CHARTER REVISION - 7/24/2018

1 come back with questions.

2 MR. MILES: Thank you to the members of the
3 Commission.

4 My name is Ken Miles and I'm a member of
5 Community Board 9 in Manhattan West Harlem.
6 Today I want to focus on two areas: Civic
7 engagement and community boards.

8 Civic engagement: Is civic engagement in
9 infrastructure a need for the City of New York?
10 I would argue it is. Since we are in BX the
11 birth place of hip hop it felt right to quote the
12 rapper and actor Will Smith who said recently,
13 "At this point I think what makes a great MC is
14 the same thing that makes a great father, makes a
15 great husband, makes a great politician, makes a
16 great human being and it is your commitment to
17 your evolution, your personal growth for the
18 purpose of assisting others.

19 The Commission was encouraged to understand
20 civic engagement beyond the ballot box through
21 examples that include voting, running for office,
22 activism, volunteerism, advocacy, community
23 meeting attendance, membership on community
24 boards and other civic organizations, etcetera.

25 By the committee's own admission there is no

2018 - CHARTER REVISION - 7/24/2018

1 comprehensive framework for coordinating the
2 City's efforts on civic engagement. How do we
3 design one? How might we look at spaces like the
4 center for Education Equity Columbia University
5 who just had a reinvigorating civic education
6 conversation a few months ago as models?

7 Community board: Our neighborhoods are
8 changing. As a millennial serving on the
9 community board, few people seem equipped to
10 address how the definition of community changes
11 as affordability becomes the key marker for where
12 people live.

13 How would the need for community boards
14 shift? I don't know the answer but reducing
15 information, asymmetry, empowering community
16 voices and levelling the playing field should all
17 be strategic priorities. Having just started my
18 second term I believe transparency in the
19 on-boarding process should also be helpful as
20 someone who has hosted events to introduce
21 younger community members to what the board does.
22 I can say consistent application deadlines across
23 boroughs would be helpful. Younger members are
24 important as is ensuring NYCHA residents have a
25 seat at the table.

2018 - CHARTER REVISION - 7/24/2018

1 I'm not in favor of the term limit
2 conversation. I do believe a bigger conversation
3 is preserving institutional memory. Technology
4 can help shift that burden. Thanks to Manhattan
5 borough president Gale Brewer and Beta NYC
6 already has tools to track board attendance,
7 improve accountability to governance, also
8 monitor 311 data but there's more in that area.
9 The Charter provision mandating the recording and
10 live streaming of meetings specifically excludes
11 community boards from its scope. Why? If live
12 streaming is cost prohibitive how about logging
13 audio records from meetings on a uniformed
14 website that's searchable across community
15 boards.

16 Another challenge expressed by my community
17 board colleague Walter South who has developers
18 coming in burdening neighborhood infrastructure
19 and not making contributions back to the
20 community. I, too, support getting rid of
21 as-of-right development, looking at city models
22 -- looking at other city models who have followed
23 similar paths could help.

24 Last week, 24 hours before it started, I
25 learned of a conference on Harlem's Investment &

2018 - CHARTER REVISION - 7/24/2018

1 Development Boom. Just -- it was what Manhattan
2 --

3 MR. PERALES: You could finish up.

4 MR. MILES: Sorry. Last week 24 hours
5 before it started I learned of a conference on
6 Harlem's investment in development boom. I
7 learned it was happening on a Thursday morning,
8 had a price tag of \$99 just to walk through the
9 door. Certainly not the most successful meeting
10 for community members to attend. I would argue
11 that's by design.

12 I was greeted by a room of 200 people of
13 whom I encountered roughly 30 black and brown
14 faces and of those 10 were food service staff.
15 During the conference which opened with an all
16 white panel that included a guy from Million
17 Dollar Listing it became abundantly clear that
18 these developers talked about Harlem as though
19 nobody had lived there since the 19th century.
20 It was modern day Columbus-ing where the actual
21 history and context was stripped from the
22 conversation.

23 What I'm -- the more glaring reality -- and
24 I'll just finish this point -- was that each of
25 these development projects were happening in

2018 - CHARTER REVISION - 7/24/2018

1 silos. I asked who help set the master vision
2 for what Harlem is going to become. Who has a
3 master vision for Harlem? An honest answer from
4 the bid representative was there was no unified
5 voice bringing Harlem in those interests
6 together.

7 The city lacks cohesive long-term planning,
8 something indicated by the lack of transparency
9 by the ULURP process and how it places out across
10 community boards.

11 And I'll end on this note: What might
12 land-use infrastructure development and
13 environmental quality conversations look like
14 under the umbrella of a long-term sustainability
15 and equity?

16 MR. PERALES: Thank you. Thank you. I've
17 had a couple of Commission members arrive late
18 after we had made our introductions. Can I ask
19 them to introduce themselves? I've got two on my
20 left.

21 MR. BRAGG: Good evening, I'm Kyle Bragg.
22 I'm secretary treasurer of the 160,000 member
23 service employees Union 32 BJ.

24 MR. MIROCZNIK: Good evening. My name is
25 Mendy Mirocznik. I am the president of Cojo

2018 - CHARTER REVISION - 7/24/2018

1 Staten Island.

2 MS. WEISER: Hi. I'm Wendy Weiser I direct
3 the democracy program at the Brennan Center For
4 Justice and NYU's School of Law.

5 MR. PERALES: With that which of my
6 Commission members has a question?

7 Well, I have a comment while somebody is
8 figuring out if they have a question. I'm glad
9 the councilmen is still here. You've indicated
10 you would like legislation passed. My instinct
11 frankly is that you're looking for what ought to
12 be before the City Council and not necessarily
13 imbedded in the City's constitution in the City
14 Charter so that I don't know how else to comment
15 except that you made a very persuasive argument.

16 I think there may be a need for legislation
17 in this area. I'm certainly not an expert but
18 certainly I'm glad the counsel man is here.

19 MR. GJONAJ: May I comment?

20 MR. PERALES: Yes.

21 MR. GJONAJ: Thank you. As you brought up
22 before, okay, part of the reason why the
23 Commission exists is because there are often
24 issues that are not legislated, okay. And you
25 know, New York has -- the fabric and strength of

2018 - CHARTER REVISION - 7/24/2018

1 New York City has been its immigrant business
2 owners for over a century, more than that, okay.
3 So it's not something where businesses are
4 actually being given a voice by legislation. In
5 large part because businesses don't vote, people
6 vote, okay. So there's really no interest in
7 that. But giving a voice to businesses, similar
8 to the business Commission that Mr. Del Greco
9 brought up, is something that can be put into a
10 Charter revision and businesses and the important
11 businesses of New York City and its commercial
12 engine should be recognized in the City Charter.

13 MR. PERALES: Point well made.

14 MS. GREENBERGER: I have a question for
15 Mr. Miles. We've heard a lot about the need to
16 ensure the community board members have the tools
17 that they're ready to make informed decisions.
18 You're a new-ish community board member.

19 MR. MILES: Yeah.

20 MS. GREENBERGER: If you could tell us very
21 quickly what are two or three things that would
22 have helped you be a more effective board member?
23 What kind of other areas would you have wanted to
24 have receive technical assistance education on or
25 ongoing support for? Very broadly just the

2018 - CHARTER REVISION - 7/24/2018

1 categories.

2 MR. MILES: Yeah, I definitely think land
3 use is key. I also think that, you know, I think
4 that if there's a way to kind of capture the
5 knowledge in terms of across areas just like a
6 sample pact that each community board can kind of
7 aboard I think that would just be useful to get
8 some kind of historical context on decision
9 making and how it's been done.

10 I know some of the challenges are that, you
11 know, board notes can be missing or just you've
12 got a lot of history. A lot of the websites are
13 currently not up to par so it's like good look
14 finding whatever you need to find but curating
15 kind of information so that newer members can
16 have a sense across all areas what some major
17 milestones have been across different committees.
18 That way you can kind of inform going forward
19 where major priorities for some of the longer
20 serving or you know some of the longest impacted
21 community members may be.

22 MS. GREENBERGER: That's great that's very
23 helpful. Thank you.

24 MR. PERALES: Anyone else?

25 (No response.)

2018 - CHARTER REVISION - 7/24/2018

1 MR. PERALES: Hearing none.

2 Let me thank both of you for your testimony.

3 MR. MILES: Thank you.

4 MR. PERALES: Yvonne O'Neil and Dr. James
5 Fairbanks.

6 MS. O'NEIL: Good evening.

7 MR. PERALES: Good evening.

8 MS. O'NEIL: I wish to thank my borough
9 president Mr. Ruben Diaz, Jr. and the
10 Commissioners of the Charter Revision Commission
11 for soliciting the input of the citizens of New
12 York City in this process. This is what
13 democracy looks like.

14 My name is Yvonne O'Neil. I am on the
15 executive committee of the united nations NGO
16 Commission under status of women and an elected
17 member of the Diocesan Council of the Episcopal
18 Diocesan of New York. But this evening I am here
19 as secretary of the steering committee of New
20 York City for CEDAW. CEDAW is a diverse
21 coalition of over 200 organizations whose main
22 date is to ensure that a women's bill of rights
23 is explicitly included in the New York City
24 Charter revision. We are appreciative of all
25 that New York City has done to enshrine the

1 principles of nondiscrimination in its laws.

2 CEDAW provides a framework to define gender
3 discrimination and to highlight the city's lead
4 in recognizing and protecting human rights.

5 Therefore, a CEDAW framework should be integrated
6 into the New York City Charter to cement New York
7 City's commitment to gender non-discrimination.
8 CEDAW under the convention of elimination of all
9 forms of discrimination against women is an
10 international human rights treaty that defines
11 gender discrimination by international consensus.

12 While CEDAW is a 1970s document that not --
13 that only recognizes gender as a binary of woman
14 and men it has been amended through general
15 recommendations to further include gender
16 nonconforming people and should be understood in
17 the same way that New York City law recognizes
18 the diversity of gender. We also want to
19 recognize intersectionality that other forms of
20 discrimination also impact upon gender
21 description.

22 While women comprised a greater half of the
23 New York City population biases either assume we
24 know women or even make women invisible. Women's
25 issues are separated from general issues and are

2018 - CHARTER REVISION - 7/24/2018

1 relegated to the fringes of discussion. Women
2 are then overlooked for merely giving a cursory
3 examination in how issues of general import
4 affect them. For women to fully and equally
5 participate in society we must be seen and be
6 heard. All issues are women's issues just as all
7 issues are men's issues. However, we're not used
8 to seeing women's involvement in all issues.

9 We'd like the New York City Charter to
10 mandate that all city programs, all city funding
11 and all city employment continuously perform an
12 assessment of impact on women and gender.
13 Because we're not used to asking the questions of
14 how women are effected we offer a framework or a
15 list of questions that we would like the
16 Commission to consider for the Charter revision
17 to frame the assessment. This is where an
18 effective bright space methodology comes into our
19 recommendations. CEDAW provides the tools to
20 guide us through an analysis of how city
21 proposals funding and employment practices may
22 inadvertently discriminate by gender.

23 We wish to maintain New York City's
24 leadership as a premier city in the United States
25 as an international city and as the home of the

2018 - CHARTER REVISION - 7/24/2018

1 United Nations and to highlight further the
2 importance of imbedding human rights into our
3 most basic law the New York City Charter.

4 MR. PERALES: Thank you. Your time's up but
5 are you summing up?

6 MS. O'NEIL: I just have one --

7 MR. PERALES: Of course. Proceed.

8 MS. O'NEIL: The New York City for CEDAW
9 coalition advocates that gender discrimination
10 holds no place in New York City and the New York
11 City Charter should mandate using assessments
12 based upon CEDAW to ensure that gender
13 description intentionally or unintentionally does
14 not occur in New York City. Thank you.

15 MR. PERALES: Thank you.

16 MR. FAIRBANKS: Good evening. Jim
17 Fairbanks. I must thank the hard working staff
18 that you have because I was just walking up the
19 street in my summer attire and they charmed me so
20 here I am to testify. I hope to read your report
21 later and perhaps submit written comments.

22 First civic engagement. I believe that all
23 city-funded programs ought to have an advisory
24 board. Schools, we have parent associations.
25 But if you have a funded youth center, an ACS

2018 - CHARTER REVISION - 7/24/2018

1 center a welfare center, a college that receive
2 city funding you must have mandated and community
3 advisory council. This is foundational. You can
4 just begin to imagine the hundreds of new
5 community engagement through these advisory
6 councils.

7 One example, shelters belonged to -- when I
8 worked for an elected official she demanded that
9 every new shelter have a community advisory board
10 so I joined seven of them. And I used to go
11 reach out for people who really oppose this
12 homeless shelter in their community to try to get
13 them involved. If they got involved they would
14 know that shelters need help, they need support
15 of the community and they need all kinds of
16 services. I can think of a couple of people who
17 just changed their attitude because they,
18 monthly, went into the shelter and saw what was
19 needed and they cared.

20 The other thing is that I believe that
21 Charter Revision Commission proposals should be
22 based on widespread movements. I have good
23 ideas, you have good ideas but when we put things
24 on the Charter we've got to make sure that
25 they're broad based amongst the residents of the

2018 - CHARTER REVISION - 7/24/2018

1 City of New York. One example is the 15
2 low-income neighborhoods that the city is now
3 rezoning listen to the community then you would
4 put on the Charter Revision Commission, however
5 unrealistic it may seem to some, that permanent
6 affordable housing must be based on the area
7 median income of that neighborhood.

8 There has never been such organizing in The
9 City of New York in decades around those 15
10 neighborhoods that are being rezoned that turn
11 into gentrification. So we must have proposal
12 based on mass movements that the residents care
13 about and not just some of the good ideas that I
14 may have as an individual.

15 Thank you very much.

16 MR. PERALES: Thank you both.

17 Let me just again make a comment and
18 something I said earlier. Our function as a
19 Commission is to try to identify a handful of
20 ideas, issues, that we will put before the voters
21 in November so that I would hope -- as a result
22 of our work as a result of hearing the folks like
23 yourselves we come up with some good issues to
24 put in the City Charter and hopefully the people
25 of the City of New York will adopt them but it's

2018 - CHARTER REVISION - 7/24/2018

1 up to the voters hopefully. It's not up to us.

2 Are there questions by any members of our
3 Commission?

4 (No response.)

5 MR. PERALES: Let me just say something
6 else. Since the chair has to hold the microphone
7 I get to do a lot of talking. These are very
8 good ideas that you've both have proposed I can
9 only say that we did not hear them early in
10 proceedings but we will try to see if we can
11 still engage and discuss those ideas even though
12 you -- we've already identified five issues that
13 we're focusing on. These are two very, very good
14 ideas. Thank you both very, very much.

15 MR. FAIRBANKS: Thank you.

16 MS. WEISER: I did have one question if
17 that's okay for Ms. O'Neil: Are there examples
18 of any other municipalities or local
19 jurisdictions that have adopted this gender
20 assessment tool that you're recommending that we
21 could look at?

22 MS. O'NEIL: Yes, as a matter of fact there
23 is a movement throughout the United States for
24 this city for CEDAW but the first city to
25 implement it was San Francisco. And I think

2018 - CHARTER REVISION - 7/24/2018

1 Ms. Godsil might actually know Krishanti
2 Demurrage who is at Rutgers and she was the
3 person who actually worked very hard on that
4 issue in San Francisco and she's an advisor to us
5 here in New York. Berkley California has adopted
6 it. San Jose California Pittsburgh, actually
7 Miami-Dade County has adopted these principals of
8 CEDAW so there is -- and a number of other cities
9 that are actually looking at these issue right
10 now.

11 MS. WEISER: And they're conducting the
12 assessments as well within their agency?

13 MS. O'NEIL: Yes, they are conducting
14 assessments. And we have been at this over three
15 years here in New York City and we've actually
16 met with Julissa Ferreras -- I don't know what
17 she's doing now -- but she was in charge of the
18 budget for the city. And we've met with her and
19 we've discuss what the costing would be because
20 in order to do this it takes about -- you have to
21 include in the budget about ten to \$0.25 for each
22 women in the community. So there is a cost.

23 MS. WEISER: Thank you very much.

24 MS. O'NEIL: Thank you.

25 MR. PERALES: Thank you both very much.

2018 - CHARTER REVISION - 7/24/2018

1 We've got two Michaels for the next panel:
2 Michael Brady and Michael Beltzer.

3 MR. BELTZER: Good evening. My name is
4 Michael Beltzer and I'm a former City Council
5 candidate and community board member who served
6 as the co-chair of the 1907, a subcommittee on
7 Community Board 9 here in the Bronx. And I don't
8 know if it counts but I got an A in my politics
9 and government New York City class at CUNY Baruch
10 so I think that might make me an expert. I don't
11 know.

12 So I'd like to start by thanking the
13 Commission for all your work and putting together
14 this preliminary report and as I do with most
15 public hearings I also like to thank the City
16 Charter for allowing the people to have input
17 here today. So I really appreciate the focus
18 that you all have put in and I think the five
19 areas are a good start for the Commission to
20 tactical.

21 In terms of campaign finance, I am fully in
22 support of lifting the cap on matching funds to
23 allow 100 percent of the spending limit. I think
24 a lot of what I'll be reiterating was in my 530
25 testimony to this Commission.

2018 - CHARTER REVISION - 7/24/2018

1 In terms of municipal elections I believe
2 that we can go further and opening municipal
3 elections to permit residents. You know, these
4 people they come here, they're on their way to
5 citizenship, they pay taxes. They deserve at
6 least at the municipal to get to vote for their
7 representation. No taxation without
8 representation.

9 For civic engagement I definitely agree that
10 you all should be looking to see how we can make
11 participatory budgeting across the board. I
12 think it should be mandatory in every community
13 district. I don't know if it has to necessarily
14 lineup with the council member. I don't know
15 what you all can look into in getting that done I
16 think it can really go into a nice meshing of
17 community engagement and community boards.

18 As a community board member I realize that a
19 lot of the engagement was very peace meal, very
20 dependent on who would be on the board at the
21 moment what the chair looked like. What kind of
22 resources they were able to get out of their
23 local council members, assembly members. And it
24 didn't really seem that there was enough of a
25 standardized way of reaching out to the

2018 - CHARTER REVISION - 7/24/2018

1 community. I mean right now, kicking myself for
2 not putting on my Facebook a tangent alliance
3 meeting that they're having, a riders alliance
4 meeting, about buses.

5 But in terms of community boards, I'm in
6 full support of term limits. We had borough
7 president and a council member come up here and
8 say, hey, well, we need to not keep term limits
9 because we need to keep this institutional
10 knowledge going or people aren't prepared. They
11 have to get to speed. But those are the two
12 bodies of people who are putting the members on
13 to the board so they should be doing everything
14 that they can.

15 And I think Manhattan borough has done a
16 great job of bringing more resources and into
17 getting the trainings, but there's 50 slots in
18 most of the community -- in all of the community
19 boards. They're not all full. So if we're --
20 these people are here and they're not up to speed
21 and they've been there term limits isn't going to
22 do anything to stop or change that. They need --
23 we need more resources and I think this
24 Commission looking at how we can do civic
25 engagement and getting more resources for the

2018 - CHARTER REVISION - 7/24/2018

1 community board is a way.

2 And I just want to reiterate I am for term
3 limits for community boards.

4 MR. PERALES: Thank you very much.

5 MR. BRADY: Good evening and thank you to
6 the Commission for hosting this amazing event.
7 Thank you to hosting community college for also
8 being a gracious host.

9 My name is Michael Brady. I'm the executive
10 director of the Third Avenue Business Improvement
11 District which oversees the area just to our
12 east. The Bronx is the oldest business improving
13 district seeing about 200,000 pedestrians daily.
14 New York City's second most busiest intersection
15 second to Times Square.

16 Additionally, we oversee the Southern
17 Boulevard Business Improvement District and the
18 Port Morris Mount Haven Merchant Association.

19 In full disclosure, I was also the master
20 planner under the New York State Department of
21 State Brownfield Opportunity Area Program for the
22 South Bronx Waterfront under the current chair's
23 leadership. So thank you for that opportunity.
24 It really got me to cut my teeth in land use.

25 Additionally, I serve as the co-chair of the

2018 - CHARTER REVISION - 7/24/2018

1 New York City Industrial Development Council.

2 While the focus of my comments tonight are
3 on small business I will be remised if I didn't
4 comment on community boards and their lasting
5 impact on our city. I'm sure my written remarks
6 are more articulate than my notes so please bear
7 with me.

8 In terms of community boards and what needs
9 to happen I think we need to man a robust
10 training programs. We also need to give
11 community boards the tools, the funds and the
12 staff to ensure that land-use decisions
13 preliminary procedure, liquor authority rulings
14 and overall New York City cultural competency
15 trainings are introduced. To this end I would
16 recommend as has been often the case in Charter
17 Commissions, a fully funded and mandatory urban
18 planner paid for by the City in every community
19 board in The City of New York.

20 Additionally on term limits, to my belief
21 that community board committee chairs and general
22 leadership -- general leadership positions should
23 be on term limits for consecutive service.

24 Lastly, the boards should reflect the
25 communities that they serve and that information

2018 - CHARTER REVISION - 7/24/2018

1 should be public and open on their websites and
2 technology. It should be equally and equitably
3 applied to all consistently to all community
4 boards throughout the City of New York.

5 And the third obvious business improvement
6 district is the only one of the 75 business
7 improvement districts in The City of New York to
8 have equity in our mission statement. It's
9 something very near and dear to our heart and
10 something that I'm sure all the Commissioners
11 here are very attuned to.

12 On to small business: Unlike many of my
13 peers here today, I believe that there should be
14 a small business Commission established in The
15 City of New York akin to those in San Francisco.
16 If you're looking for best practices, Ms. Weiser,
17 it's a very good thing.

18 Additionally, I think that we should be
19 applying the equity lens not just to small
20 business but to general city practices. Several
21 municipalities such as Dallas and Santa Fe have
22 applied to such a lens like agency like the EDC,
23 SBS, DOT and several others.

24 The small business Commission would provide
25 oversight to city legislation regulations and

2018 - CHARTER REVISION - 7/24/2018

1 agencies in New York City most notably the city's
2 agency on small business services. I think that
3 this Commission should -- got two more points
4 promise. Should investigate land-use regulations
5 that are suggested in the New York City Council
6 retail diversity report as it would have a
7 long-term impact in something that should be
8 adopted by this Commission into the Charter.

9 And then lastly, just on the note from
10 Mr. Bonizio in terms of mobile vending and its
11 precedent in terms of a Charter suggestion,
12 mobile vending is at the very heart of land-use
13 issues. So just as we addressed ULURP, just as
14 we addressed public space in our Charter
15 revisions we so, too, should address the use of
16 sidewalks and who has jurisdiction and who has
17 enforcement power over that. That is beyond the
18 scope of the existing council and any council
19 before it and really should be addressed in the
20 City Commission because it involves city owned
21 property. That's it.

22 MR. PERALES: Thank you. Thank you. As
23 usual I'll have the first question. This idea of
24 city wide, what I would call community
25 participation and budgeting, you suggest that it

2018 - CHARTER REVISION - 7/24/2018

1 would fit in comfortably with community boards.

2 Do you have a sense as to whether or not the
3 community board you serve on would
4 enthusiastically play a role in managing that
5 process?

6 MR. BRADY: I know from my time on the
7 community board there was a lot of interest in
8 participatory budgeting. We had one council
9 member who had signed on Councilman Member
10 Salamanca and we definitely did see a bunch of
11 Community Board 9 members and public and people
12 who come to the meetings attend.

13 Why I feel like it would be a nice match is
14 the community boards already put forward district
15 needs statement and other priorities that they
16 want this funding to eventually go to so why not
17 already have that conversation inside that same
18 district where you already have theoretically 50
19 people that are from all parts of the district
20 represent all different walks of life age
21 diversity, all of that already should be
22 represented in the community board so if this
23 Commission is able to make revisions to the
24 Charter that I think you want to make it would
25 have great overlap.

2018 - CHARTER REVISION - 7/24/2018

1 MR. PERALES: And do you think that the
2 community board would effectively engage the rest
3 of the community on these discussions?

4 MR. BRADY: Right now the process to get on
5 the community board is -- with, you know, a lot
6 of different things such as political influence
7 and, you know, who knows who. But I think if we
8 make some best practices and standardize the
9 procedure across the city on how you get on to
10 the community board and minimal level of
11 qualifications, you know, if we're having a
12 borough president and council members complain
13 and bring up that people aren't well versed in
14 issues as they should be then why are these
15 people still being put on community boards? I
16 think that's what we should stop and take a
17 recess on.

18 MR. PERALES: Rachel.

19 MS. GODSIL: So I'm curious about the
20 different suggestions with respect to whether or
21 not there should be a mandatory requirement of an
22 urban planner for every single community board or
23 should there be a pool of urban planners
24 available to community boards as needed. So I'd
25 be curious to hear from either of you of what

2018 - CHARTER REVISION - 7/24/2018

1 your perspective is on why that would be
2 preferable to the other, given the suggestion
3 that community boards may differ in their need
4 and whether or not there should be a resource
5 allocation to community boards that would be
6 uniformed but how the community board spends that
7 could differ depending upon their needs?

8 MR. BRADY: Just from my previous experience
9 I had the privilege of serving on Community Board
10 1 here in the Bronx and not every community board
11 deals with the ULURP process, not every community
12 board deals with a multi-million dollar
13 development being built in their neighborhood but
14 every community board can benefit from a
15 community urban planner. People need parks,
16 people need roadways, people need to understand
17 traffic patterns. And I think given the
18 opportunity to apply those resources elsewhere
19 would be an egregious mistake. I think giving
20 opportunities to divert funding to other
21 resources would not be wise. No one needs a
22 bigger office. No one needs a more swanky place
23 to go. People do need resources and community
24 boards have to be humble enough to understand
25 where they don't have it.

2018 - CHARTER REVISION - 7/24/2018

1 And just from my experience here in
2 Community Board 1 we have a very experienced but
3 graying community board that is very much
4 entrenched and they would not be amendable to a
5 young urban planning coming in and calling the
6 shots so they will not hire that person. So I
7 would think it would have to be a mandatory, yes,
8 you need an urban planner. Here it is.

9 But understanding urban planning is a broad
10 stroke and understanding that ULURP's don't take
11 place all over the place but roads do.

12 UNKNOWN SPEAKER: Speak up.

13 MR. BRADY: But roads do. And just general
14 planning for communities is needed. And also it
15 really empowers I think the community boards to
16 have someone on their side, you know, during a
17 lot of these meetings if they're picking from a
18 pull of planners unit those planners are going to
19 come from DCP but by doing that you don't have an
20 unbiased planner by your side so having an
21 unbiased planner that represents your community's
22 interest I think is paramount.

23 MR. BELTZER: And my view on whether each
24 board needs a dedicated planner or not I think
25 that comes in terms of what the board is facing

2018 - CHARTER REVISION - 7/24/2018

1 upcoming. If there's a lot of ULURP applications
2 or if there's a huge rezoning coming in they
3 definitely have a dedicated planner.

4 But in the remarks I gave on May 30th I
5 believe that each community board should be
6 tasked in coming up with the 197(a) plan under
7 Section 197(a) with it in every ten years so
8 maybe this can overlap with term limits maybe
9 their tenures that each board would have to take
10 it up but it would be on -- you can stagger it.
11 So maybe the urban planner maybe have two per
12 borough and there's two plans going at any time
13 and they're moving the plan around the planning
14 dates of when the plan should be finished so that
15 planner can stay on with the community board
16 throughout that process and then move when you
17 start the next process with another community
18 board.

19 MR. PERALES: Yes.

20 MS. WEISER: (Inaudible.) Two questions one
21 is multiple people have testified in favor of the
22 standardized process for getting on community
23 boards but I don't think nobody has testified as
24 to what that process ought to look like. So I'm
25 wondering if you might give some thoughts on that

2018 - CHARTER REVISION - 7/24/2018

1 for both of you. And then second question is
2 just on the -- I have just follow-up question to
3 you about the pooled urban planners. Is there
4 any modification that would still mandate urban
5 planners and provide that resource but that would
6 have it as a shared resource that you would find
7 acceptable as well so...

8 MR. BRADY: Second question first; is that
9 all right?

10 MS. WEISER: Yeah.

11 MR. BRADY: So in terms of having pooled
12 resources I think that it's achievable but I
13 think just by virtual of community boards
14 maintaining their dependance over their decision
15 making process and being an advisory capacity to
16 borough presidents in the city at large that
17 whatever pool that is there needs to be unbiased
18 as such and probably rotating. You know, we
19 don't want -- I love Carl but we don't want a
20 Carl coming out of the Bronx and being the Grand
21 Poobah of planners. So I think that really has
22 to be thought through in terms of taking a look
23 at pooled assets and how to take a look at that.

24 To the first question in terms of a
25 standardization I think that it should happen.

2018 - CHARTER REVISION - 7/24/2018

1 But I think that the approach in which that
2 standardization is offered to our city is
3 something that really needs to be drilled out
4 upon. A lot of folks in NYCHA housing don't have
5 access to the web so we're also going to allow
6 housing connect or HPD mobile vehicles do that in
7 neighbors where people can then apply for their
8 community boards in a mobile car. I think that
9 training really has to be thought out on that
10 before we make any sweeping decision in terms of
11 how we're going to make this amazing process with
12 an online portal and everyone will have access to
13 it because the fact is not everyone has access to
14 it. We're still dealing with a lot of racial and
15 income in equity in our city.

16 MR. BRADY: In terms of qualifications I
17 think it would be different depending on, like,
18 if you're talking about hiring of district
19 managers I think that's also something that
20 definitely there should be more rigorous
21 standards around similar to any other city
22 position educational background, things like
23 that.

24 In terms of board members, I think it would
25 be something that we'd have to go much more

2018 - CHARTER REVISION - 7/24/2018

1 broadly on what these qualifications would look
2 like but I think the Manhattan borough president
3 has started in terms of doing the interviews in a
4 meeting format that people can at least there's
5 some competencies that have to be shown in terms
6 that you can sit through a meeting. If the
7 meetings follow Robert's Rules of Order maybe you
8 have to pass some kind of test to prove that you
9 at least understand the basic tenants of Robert's
10 Rules of Order.

11 I know some borough presidents make you
12 attend at least one committee meeting, one
13 general meeting. So these kind of qualifications
14 could be put in and I don't think that they're
15 necessarily going to keep a lot of people out if
16 there's a robust avenue for people to be trained
17 in these kind of competencies for the -- like the
18 borough president said before, follow-up with
19 people who didn't make it the first year because
20 I'm someone who's gone out and gotten 16 and
21 17-year olds on the community board and a lot of
22 time it's following up, hey, this is the kind of
23 things you should be looking to put into your
24 application. These are the kind of things that
25 if you're going to show up to a meeting that you

2018 - CHARTER REVISION - 7/24/2018

1 should be asking about because my experience on
2 the community board was a lot of people they had
3 this title they came and they volunteered their
4 time but what were they doing in their time?

5 A lot of the times nobody read anything
6 before voting on it or were not aware of which
7 agency had to deal with that that there was
8 already public hearings on these issues. It's
9 not fully their fault. There's not a lot of
10 resources that go into it. But I think some base
11 level of qualifications to show that, you know,
12 you're not just giving your time but you also
13 have the capacity to do this position because it
14 is -- it's one of the lowest level positions in
15 the government but it is a position within the
16 government and it should be as such.

17 MR. PERALES: I think somebody else had a
18 question?

19 MS. SEECHARRAN: Yeah. I had a question.
20 So Michael on the left. You made an important
21 point early on in your testimony about municipal
22 elections and I wanted to probe a little bit
23 further. I think that so we sort of touched on
24 it then we focused the bulking of our discussion
25 on community boards and that is, of course, you

2018 - CHARTER REVISION - 7/24/2018

1 know an important issue that we're considering.
2 We have also heard other testimonies on this
3 issue of non-citizen voting. I wonder if you
4 could just speak a little bit more about that and
5 specifically if you -- are you recommending all
6 residents documented and undocumented folks be
7 considered as well as anything else you wanted to
8 add-on the subject?

9 MR. BELTZER: I think the standard that was
10 set when -- for school boards are similar
11 qualifications to be able to vote so I think that
12 was permit residents were able, green card
13 holders and above. So I feel like that would be
14 a good start to -- the legibility for school
15 boards elections as they used to be as a start
16 for that.

17 MR. BRADY: I think Michael is a hundred
18 percent correct on using that as a model and I
19 would even go one step forward on the training
20 model in terms of economy tendencies. I think
21 the Charter Commission has a very real
22 opportunity here to mandate cultural competencies
23 in the training of not only community boards or
24 all city agencies. As we seek to broaden our
25 pool of voters, as we seek to broaden our

2018 - CHARTER REVISION - 7/24/2018

1 community boards I think it's very important that
2 our community boards understand each other and
3 the communities that they serve and that's
4 something that's not reflected currently in the
5 city process.

6 MR. PERALES: If there are no other
7 questions let me thank this panel. You've been
8 very instructive. Thank you very much.

9 We've got one last panel: Maritta Dunn,
10 looks like Somalis Lopez.

11 MS. DUNN: Good evening.

12 MR. PERALES: Good evening.

13 MS. DUNN: Can you hear me? Am I loud?

14 MR. PERALES: Yes, no, we hear you very
15 well.

16 MS. DUNN: I really hadn't planned to speak
17 but I guess I will.

18 I am the former chair of Community Board 9
19 in Manhattan. I was appointed to the board in
20 1993. At a time when everyone was told community
21 boards were little a city hall and what ever came
22 out of the community board was absolutely
23 important to what happened at City Hall down the
24 line.

25 Over the years, more and more I hear

2018 - CHARTER REVISION - 7/24/2018

1 over-advisory. Well, I can advise you all I
2 want. You don't have to listen. So I mean, we
3 need to kind of take another look, for me
4 personally being there I had the privilege of
5 getting an extended vote of one year over the
6 normal line of time so that I would be there for
7 the final planning for the West Harlem Piers
8 which as some people would know really gorgeous
9 now with Harlem Piers and park at the port of
10 125th Street and the Hudson River.

11 I left and I became part of the people who
12 negotiated the Columbia Benefit Agreement so that
13 they could put the three new campuses that they
14 have spread all over West Harlem at the moment.
15 So I kind of have some idea of what is going on.
16 I say that because I wanted to once again say how
17 important it is to have some sort of memory on a
18 board. People there who can know what happened
19 before.

20 A year and a half ago I returned to the
21 board and I'm currently the chair of Economic
22 Development in the West Harlem Piers, just in
23 case anybody forgot how hard it was to work with
24 me in the past, and now I'm back. But this is
25 one of the reasons why I say it is very, very

2018 - CHARTER REVISION - 7/24/2018

1 important to have some institutional memory if
2 you're going to have a successful board.

3 The other thing is as I'm thinking when I
4 got on the board previous members would adopt a
5 brand new member. They would literally a general
6 board come up as, oh, you're new? Let me explain
7 this to you, let me tell you this so you didn't
8 have to come in there absolutely not
9 understanding what was happening.

10 And that's all I want today say and thank
11 you for the time. Thank you very, very much.

12 MR. PERALES: Well, thank you very much.

13 MS. LOPEZ: I have a statement that I
14 prepared. Hello, my name is Somalis Lopez.
15 Thank you so much for making this opportunity for
16 the community to comment on community board
17 reform.

18 As a former member of Bronx Community Board
19 7 I'm advocating in full support of not only term
20 limits but professionalizing the community board
21 member appointment process to remove politics out
22 of the equation. Empowered community boards with
23 onsite urban planning expertise so that they can
24 take proactive ownership of their community's
25 long-term planning goals an other measures to

2018 - CHARTER REVISION - 7/24/2018

1 ensure community boards are truly representative
2 of the people's will.

3 Community boards need to be elevated to
4 policy making bodies whose proposals are backed
5 by selection so that their planning efforts are
6 given real teeth. Community boards need to be
7 independent bodies that can offer a system of
8 real checks and balances especially in light of
9 the controversial developments and rezonings
10 proposed as of late that were at odds with the
11 will of the community.

12 Right now elected officials reel too much
13 power over community board members to such an
14 extent that many members often vote against their
15 conscious as to what's best for their communities
16 because they fear the threat of political
17 retaliation that may lead to their removal as
18 board members and that's something that's very
19 real.

20 It's very often the case that serious and
21 dedicated community board members cannot take
22 certain political stances or support candidates
23 for office that they believe in when the views of
24 those candidates are at odds with the political
25 elite. This is not right and I'm here to

2018 - CHARTER REVISION - 7/24/2018

1 denounce this undue undemocratic and oppressive
2 influence in our community boards. What we need
3 to do is have prospective community board members
4 organize in their local communities and make the
5 case directly to the neighborhoods as to why they
6 should be selected to serve.

7 To keep the process equitable and
8 transparent we need to move away from having
9 people with close ties to partisan political
10 parties to take over these boards. We don't need
11 yes people that serve the political class. We
12 need activists on these boards that have
13 demonstrated an unwavering commitment to advance
14 the needs of our communities first.

15 MR. PERALES: Thank you very much.

16 MS. LOPEZ: Mm-hm.

17 MR. PERALES: I'm looking around to see if

18 --

19 MS. DUNN: I just wanted to say one other
20 thing. I really learned so much between the
21 meeting I went to yesterday and coming here today
22 and even listening to you because the community
23 boards that I have been affiliated with in West
24 Harlem and I think it's the board but I can't
25 think about it at the moment -- leaves me. They

2018 - CHARTER REVISION - 7/24/2018

1 don't seem to have this particular problem so I'm
2 very glad to know -- I'm very happy to be aware
3 that this problem exists. Fortunately, I don't
4 have that problem.

5 MS. LOPEZ: (Inaudible.)

6 MS. DUNN: Yes, because if I didn't know it
7 existed --

8 MS. LOPEZ: (Inaudible.)

9 MS. DUNN: -- I wouldn't have -- yes, I'm
10 happy to know. I didn't know before so now I
11 know to pay more attention to what is happening
12 in other boards that isn't happening in mine.
13 That's all I want to say.

14 MR. PERALES: Annetta.

15 MS. SEECHARRAN: Thank you both for your
16 testimony.

17 Ms. Lopez, is it? I wonder if you have a
18 specific recommendation for how folks would get
19 on to the community board if they're not
20 appointed?

21 MS. LOPEZ: Well, I think I said it in my
22 statement -- I think I mentioned it in my
23 statement basically maybe give community board --
24 perspective community board members the resources
25 they need to make the case to the committee

2018 - CHARTER REVISION - 7/24/2018

1 directly. Maybe it could be running --

2 MS. SEECHARRAN: But who would be the
3 individuals that select them? Would it be in the
4 form of the election.

5 MS. LOPEZ: It would be the form of a
6 nonpartisan election.

7 MS. SEECHARRAN: Okay.

8 MS. LOPEZ: And they would be given the
9 resources so that they can make the case directly
10 in the neighborhoods that are included in that
11 community board because very often community
12 boards have or five or six neighborhoods. Maybe
13 it could be community -- prospective community
14 board member from one neighborhood saying, I'm
15 really passionate about this area, I have
16 expertise, I would like to make the case to the
17 people that live in the community for me to be
18 able to serve them in, you know, my professional
19 capacity and I would also argue that people who
20 have professional planning expertise while you
21 are a zoning lawyer or urban planner or you're in
22 real estate or you know whatever expertise you
23 have to select those people to serve on the
24 community board, too, because it can help
25 demystify the zoning and the development process

2018 - CHARTER REVISION - 7/24/2018

1 and empower current community board members to
2 understand what's going on.

3 Because in my case, you know, I'm very
4 active. I know a lot of people are active on
5 community boards many often community board
6 members make decisions and vote on things that
7 they don't fully understand. They don't fully
8 understanding the zoning process, the development
9 process even how city planning works. So it's
10 really important to give incoming community board
11 members the tools that they need to understand
12 the city processes and the importance of public
13 hearings and the importance of showing up because
14 this room right now it should be filled with
15 people and it's not. We need to re-envision our
16 outreach efforts to make sure that rooms like
17 these and hearings like these are packed with
18 people so that we can organize and, you know, we
19 can pack these rooms up with people from the
20 community that are going to fight for the
21 interest of the people and I find that not very
22 often be the case and it should be.

23 MR. PERALES: Anyone else?

24 You know I find myself in this weird
25 situation in which one I want to engage -- I

2018 - CHARTER REVISION - 7/24/2018

1 don't want to use the word argue but let me
2 suggest this possibility. Let's assume I
3 completely agree with you about the need to have
4 the community select people in the community
5 board and you seem to be suggesting that there be
6 elections. The problem is that your concern is,
7 to use your term, the political eyelets are the
8 problem. You don't think they will control those
9 elections as well?

10 MS. LOPEZ: Well, I'm just brain storming so
11 this is a suggestion that I'm like --

12 MR. PERALES: (Inaudible.)

13 MS. LOPEZ: Maybe we can work after this
14 hearing together maybe we can flush that out a
15 little bit but I think it's important to --
16 listen, I don't have anything against any elected
17 official. I respect a lot of the elected
18 officials of our city but sometimes I have
19 philosophical disagreements in terms of community
20 engagement and bringing people into the
21 conversation and empowering them with the tools
22 so that they can understand and fight for their
23 community and show up and right now I don't think
24 that that's necessarily happening in the way that
25 it should be.

2018 - CHARTER REVISION - 7/24/2018

1 MR. PERALES: I agree with that. And I'm
2 just playing a devil's advocate because --

3 MS. LOPEZ: Appreciate that.

4 MR. PERALES: We've heard people suggest
5 that community board members ought to be elected
6 and then at the same time they're very concerned
7 about the influence of people involved in local
8 politics so it seems to me that might not be the
9 solution and that we ought to look -- we're very
10 concerned here, members of this Commission, as to
11 how we might figure out the best way of getting
12 people appointed to community boards but we too
13 are struggling, to use your term, brain storming,
14 and trying to figure out if there's something we
15 would put into the City Charter that would
16 improve the situation.

17 Does anyone else have a comment?

18 (No response.)

19 MS. LOPEZ: Thank you for having us.

20 MR. PERALES: I will entertain a motion to
21 adjourn?

22 (Inaudible.)

23 MR. PERALES: I hear a motion on my left.

24 UNKNOWN SPEAKER: Second.

25 MR. PERALES: A second on my right.

2018 - CHARTER REVISION - 7/24/2018

1 All those in favor?

2 (Array of ayes.)

3 MR. PERALES: The motion is passed.

4 (Whereupon, at 8:39 P.M., the above matter
5 concluded.)

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2018 - CHARTER REVISION - 7/24/2018

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18
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C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF BRONX)

I, CECILIA NAVARRO, a Notary Public for and
within the State of New York, do hereby certify:

That the above is a correct transcription of my
stenographic notes.

I further certify that I am not related to any
of the parties to this action by blood or by marriage and
that I am in no way interested in the outcome of this
matter.

IN WITNESS WHEREOF, I have hereunto set my hand
this 25th day of July 2018.

Cecilia Navarro

CECILIA NAVARRO

\$	500 [1] - 9:23 530 [1] - 52:24	active [2] - 76:4 activism [1] - 36:22 activists [1] - 73:12 activities [1] - 35:11 actor [1] - 36:12 actual [4] - 22:12, 31:10, 34:2, 39:20 actually [9] - 33:25, 35:8, 35:16, 42:4, 51:1, 51:3, 51:6, 51:9, 51:15 add [2] - 11:11, 68:8 add-on [1] - 68:8 added [1] - 30:14 addition [1] - 10:20 additional [2] - 13:1, 13:4 additionally [4] - 55:16, 55:25, 56:20, 57:18 address [5] - 3:20, 6:19, 26:20, 37:10, 58:15 addressed [3] - 58:13, 58:14, 58:19 adequately [1] - 9:25 adjourn [1] - 78:21 administration [1] - 14:25 admission [1] - 36:25 adopt [2] - 49:25, 71:4 adopted [4] - 50:19, 51:5, 51:7, 58:8 adsorption [1] - 3:16 advance [1] - 73:13 advise [1] - 70:1 advisor [1] - 51:4 advisory [10] - 7:4, 21:24, 22:3, 32:10, 47:23, 48:3, 48:5, 48:9, 64:15, 70:1 advocacy [1] - 36:22 advocate [2] - 31:17, 78:2 advocates [1] - 47:9 advocating [1] - 71:19 Affairs [1] - 2:18 affect [1] - 46:4 affiliated [1] - 73:23 affordability [1] - 37:11 affordable [2] - 18:15, 49:6 after [4] - 5:25, 12:1, 40:18, 77:13 aftermath [1] - 19:25 again [4] - 23:14, 24:12, 49:17, 70:16 against [5] - 3:10, 10:13, 45:9, 72:14, 77:16 age [1] - 59:20 agencies [6] - 25:12, 31:23, 33:21, 34:1, 58:1, 68:24 agency [9] - 24:13, 29:12, 30:25, 34:15, 35:20, 51:12, 57:22, 58:2, 67:7 aggressive [1] - 26:23 ago [3] - 30:14, 37:6, 70:20	agree [6] - 20:22, 26:10, 26:13, 53:9, 77:3, 78:1 agreeing [1] - 23:14 Agreement [1] - 70:12 aided [1] - 12:21 akin [1] - 57:15 Albany [1] - 24:25 all [62] - 2:13, 2:15, 4:23, 7:7, 7:13, 7:19, 8:23, 9:17, 9:19, 11:8, 13:4, 13:23, 15:1, 15:22, 16:1, 16:12, 19:13, 19:17, 20:4, 22:2, 22:7, 22:22, 23:5, 23:23, 25:6, 27:19, 28:14, 33:22, 37:16, 39:15, 43:16, 44:24, 45:8, 46:6, 46:8, 46:10, 46:11, 47:22, 48:15, 52:13, 52:18, 53:10, 53:15, 54:18, 54:19, 57:3, 57:10, 59:19, 59:20, 59:21, 62:11, 64:9, 68:5, 68:24, 70:1, 70:14, 71:10, 74:13, 79:1 alliance [3] - 15:20, 54:2, 54:3 allocation [1] - 61:5 allow [4] - 25:14, 35:3, 52:23, 65:5 allowable [1] - 34:16 allowing [1] - 52:16 almost [1] - 23:3 alongside [1] - 11:2 already [9] - 11:3, 35:15, 38:6, 50:12, 59:14, 59:17, 59:18, 59:21, 67:8 also [25] - 4:25, 11:13, 12:4, 12:6, 13:19, 16:5, 17:16, 18:1, 23:5, 33:4, 37:19, 38:7, 43:3, 45:18, 45:20, 52:15, 55:7, 55:19, 56:10, 62:14, 65:5, 65:19, 67:12, 68:2, 75:19 always [3] - 10:21, 11:20, 16:6 am [15] - 2:10, 3:9, 6:15, 8:20, 29:25, 40:25, 44:14, 44:18, 47:20, 52:21, 55:2, 69:13, 69:18, 80:10, 80:12 amazing [3] - 31:21, 55:6, 65:11 amendable [1] - 62:4 amended [1] - 45:14 amendment [1] - 20:6 among [1] - 8:25 amongst [2] - 4:21, 48:25 amount [2] - 13:20, 28:25 analysis [1] - 46:20 analyze [2] - 8:3, 12:11 annetta [1] - 27:23 ANNETTA [1] - 1:18 Annetta [2] - 2:20, 74:14
1	6		
1 [3] - 25:5, 61:10, 62:2 1,047 [3] - 9:23, 14:12, 14:14 1.4 [1] - 26:14 1.5 [1] - 25:3 10 [1] - 39:14 100 [1] - 52:23 10451 [1] - 1:4 12 [1] - 6:13 120 [1] - 1:4 125th [1] - 70:10 149TH [1] - 1:4 15 [2] - 49:1, 49:9 16 [1] - 66:20 160,000 [1] - 40:22 17-year [1] - 66:21 1894 [1] - 30:5 1907 [1] - 52:6 1963 [1] - 30:15 197(a) [2] - 63:6, 63:7 1970s [1] - 45:12 1992 [1] - 21:8 1993 [1] - 69:20 19th [1] - 39:19	6,000 [1] - 31:4 60 [1] - 8:21 6:00 [1] - 1:6		
2	7		
200 [2] - 39:12, 44:21 200,000 [1] - 55:13 2017 [2] - 9:23 2018 [4] - 1:1, 1:6, 2:2, 80:15 24 [3] - 1:6, 38:24, 39:4 25 [1] - 16:7 25th [1] - 80:15 2ND [1] - 1:4	7 [2] - 21:7, 71:19 75 [3] - 34:7, 35:18, 57:6		
3	8		
30 [1] - 39:13 30th [1] - 63:4 311 [1] - 38:8 32 [1] - 40:23 35 [1] - 30:2	8.5 [1] - 23:12 8:39 [1] - 79:4		
4	9		
40 [1] - 17:11 40s [1] - 32:5	9 [4] - 36:5, 52:7, 59:11, 69:18 93,000 [1] - 34:9		
5	A		
50 [3] - 30:14, 54:17, 59:18	ability [2] - 25:1, 25:7 able [14] - 6:4, 9:10, 18:13, 18:24, 19:9, 21:11, 25:24, 29:2, 34:17, 53:22, 59:23, 68:11, 68:12, 75:18 aboard [1] - 43:7 about [33] - 4:12, 6:20, 7:8, 13:15, 15:12, 17:19, 19:4, 20:15, 21:16, 22:2, 26:14, 28:5, 28:11, 34:23, 38:12, 39:18, 42:15, 49:13, 51:20, 51:21, 54:4, 55:13, 60:19, 64:3, 65:18, 67:1, 67:21, 68:4, 73:25, 75:15, 77:3, 78:7 above [4] - 7:19, 68:13, 79:4, 80:8 absolutely [2] - 69:22, 71:8 abundantly [1] - 39:17 accept [3] - 7:12, 25:15, 28:17 acceptable [1] - 64:7 access [3] - 65:5, 65:12, 65:13 accomplish [1] - 11:1 accomplishments [1] - 31:21 accountability [1] - 38:7 achievable [1] - 64:12 achieved [1] - 31:21 across [10] - 9:18, 18:5, 37:22, 38:14, 40:9, 43:5, 43:16, 43:17, 53:11, 60:9 ACS [1] - 47:25 action [1] - 80:11		

<p>annual [2] - 11:1, 24:22 another [4] - 26:18, 38:16, 63:17, 70:3 answer [3] - 18:22, 37:14, 40:3 answers [1] - 17:2 any [17] - 19:16, 20:8, 21:18, 23:25, 24:6, 25:13, 29:12, 35:13, 50:2, 50:18, 58:18, 63:12, 64:4, 65:10, 65:21, 77:16, 80:10 anybody [2] - 20:8, 70:23 anyone [5] - 5:16, 29:16, 43:24, 76:23, 78:17 anything [6] - 26:5, 26:16, 54:22, 67:5, 68:7, 77:16 appearance [1] - 4:16 appears [1] - 33:24 applicancy [1] - 10:23 applicants [6] - 9:12, 10:12, 10:17, 10:19, 14:3, 15:14 application [6] - 10:9, 14:11, 14:20, 16:1, 37:22, 66:24 applications [9] - 8:3, 8:16, 9:16, 9:22, 10:18, 10:23, 12:12, 14:3, 63:1 applied [2] - 57:3, 57:22 applies [1] - 33:13 apply [8] - 7:16, 9:21, 14:18, 14:19, 15:17, 15:22, 61:18, 65:7 applying [1] - 57:19 appoint [2] - 4:3, 4:7 appointed [6] - 24:7, 25:25, 31:16, 69:19, 74:20, 78:12 appointment [1] - 71:21 appoints [1] - 26:25 appreciate [5] - 6:5, 29:2, 32:20, 52:17, 78:3 appreciative [1] - 44:24 approach [1] - 65:1 approaches [1] - 10:18 appropriate [1] - 27:12 approved [3] - 24:9, 24:25, 25:3 are [84] - 2:5, 5:10, 7:21, 7:22, 7:24, 9:2, 9:5, 9:24, 10:17, 10:20, 11:5, 11:17, 11:18, 12:15, 12:18, 14:10, 16:21, 19:17, 20:4, 20:11, 21:21, 21:23, 24:7, 27:3, 27:15, 29:4, 29:9, 29:13, 31:19, 33:14, 35:7, 36:10, 37:7, 37:23, 41:23, 41:24, 42:3, 42:21, 43:10, 43:12, 44:24, 45:25, 46:2, 46:6, 46:7, 46:14, 47:5, 49:10, 50:2, 50:7, 50:13, 50:17, 51:9, 51:13, 52:19, 54:11,</p>	<p>54:12, 54:20, 56:2, 56:6, 56:15, 57:11, 58:5, 59:19, 60:14, 62:18, 66:24, 68:5, 68:10, 69:6, 72:1, 72:4, 72:5, 72:24, 75:10, 75:21, 76:4, 76:17, 76:20, 77:7, 78:13 Area [1] - 55:21 area [8] - 21:18, 28:22, 34:6, 38:8, 41:17, 49:6, 55:11, 75:15 areas [5] - 36:6, 42:23, 43:5, 43:16, 52:19 aren't [3] - 16:7, 54:10, 60:13 argue [4] - 36:10, 39:10, 75:19, 77:1 argument [2] - 20:14, 41:15 arguments [1] - 28:10 arise [1] - 11:12 arms [1] - 17:12 around [5] - 5:7, 49:9, 63:13, 65:21, 73:17 array [1] - 79:2 arrive [1] - 40:17 article [1] - 35:14 articulate [1] - 56:6 as [87] - 2:17, 3:5, 3:19, 4:15, 6:12, 6:13, 6:18, 7:13, 7:23, 7:25, 8:6, 9:18, 11:11, 12:19, 12:22, 16:15, 24:18, 28:7, 28:16, 28:21, 28:23, 29:14, 30:13, 30:19, 33:1, 33:4, 33:13, 34:22, 34:23, 35:6, 37:6, 37:8, 37:11, 37:19, 37:24, 38:21, 39:18, 41:21, 44:19, 45:13, 46:6, 46:24, 46:25, 49:14, 49:18, 49:21, 49:22, 50:22, 51:12, 52:6, 52:14, 53:18, 55:25, 56:16, 57:21, 58:6, 58:13, 58:22, 59:2, 60:6, 60:14, 60:24, 63:23, 64:6, 64:7, 64:18, 67:16, 68:7, 68:15, 68:18, 68:24, 68:25, 70:8, 71:3, 71:6, 71:18, 72:10, 72:15, 72:17, 73:5, 77:9, 78:10 as-of-right [1] - 38:21 ask [6] - 6:1, 25:16, 27:14, 27:15, 28:2, 40:18 asked [1] - 40:1 asking [2] - 46:13, 67:1 aspects [1] - 20:4 assembly [1] - 53:23 assessment [5] - 27:8, 34:10, 46:12, 46:17, 50:20 assessments [3] - 47:11, 51:12, 51:14 assets [1] - 64:23 assist [1] - 11:24</p>	<p>assistance [4] - 11:7, 11:14, 14:24, 42:24 assisting [1] - 36:18 associate [1] - 3:22 Association [1] - 55:18 associations [1] - 47:24 assume [3] - 19:4, 45:23, 77:2 assure [3] - 26:22, 27:18, 31:18 asymmetry [1] - 37:15 at [48] - 3:13, 4:9, 4:17, 4:18, 5:23, 6:1, 8:15, 10:5, 17:8, 18:4, 25:20, 26:15, 27:1, 27:14, 27:15, 34:21, 36:13, 37:3, 37:25, 38:21, 38:22, 41:3, 50:21, 51:2, 51:9, 51:14, 52:9, 53:5, 53:6, 53:20, 54:24, 58:12, 63:12, 64:16, 64:23, 66:4, 66:9, 66:12, 69:20, 69:23, 70:9, 70:14, 72:10, 72:24, 73:25, 78:6, 79:4 attend [3] - 39:10, 59:12, 66:12 attendance [5] - 9:1, 9:4, 26:15, 36:23, 38:6 attention [2] - 33:20, 74:11 attire [1] - 47:19 attitude [1] - 48:17 attuned [1] - 57:11 audience [1] - 5:17 audio [1] - 38:13 authority [6] - 14:6, 23:20, 25:10, 25:23, 29:7, 56:13 available [2] - 11:21, 60:24 avenue [1] - 66:16 Avenue [1] - 55:10 aware [2] - 67:6, 74:2 away [3] - 10:14, 23:14, 73:8 eyes [1] - 79:2</p>	<p>battle [1] - 7:15 be [163] - 2:22, 3:24, 4:10, 5:3, 5:18, 6:3, 7:1, 8:11, 8:19, 9:13, 10:25, 11:6, 11:23, 12:21, 13:7, 13:8, 14:4, 14:24, 15:2, 15:3, 15:4, 15:6, 15:14, 15:15, 15:17, 15:25, 16:4, 17:14, 18:5, 18:13, 18:19, 18:24, 19:3, 19:9, 19:21, 20:19, 21:3, 21:11, 21:19, 23:21, 23:22, 23:23, 24:8, 24:10, 24:19, 25:9, 25:21, 25:23, 25:24, 26:7, 27:11, 29:1, 29:11, 30:4, 30:15, 30:21, 31:7, 31:21, 32:4, 32:5, 32:7, 32:8, 33:25, 35:16, 37:17, 37:19, 37:23, 41:12, 41:16, 42:9, 42:12, 42:22, 43:7, 43:11, 43:21, 45:5, 45:16, 46:5, 48:21, 49:6, 51:19, 52:24, 53:10, 53:12, 53:20, 54:13, 56:3, 56:23, 57:1, 57:2, 57:13, 57:18, 58:7, 58:19, 59:13, 59:21, 60:14, 60:21, 60:23, 60:25, 61:1, 61:4, 61:5, 61:19, 61:21, 61:24, 62:4, 62:7, 63:5, 63:10, 63:14, 64:17, 64:22, 65:3, 65:9, 65:17, 65:20, 65:25, 66:5, 66:14, 66:16, 66:23, 67:1, 67:16, 68:6, 68:11, 68:13, 68:15, 70:6, 72:3, 72:6, 73:6, 74:2, 75:1, 75:2, 75:3, 75:5, 75:8, 75:13, 75:17, 76:14, 76:22, 77:5, 77:25, 78:5, 78:8 bear [1] - 56:6 became [2] - 39:17, 70:11 because [39] - 5:19, 8:25, 9:10, 13:14, 16:6, 17:4, 18:11, 18:25, 20:1, 21:1, 21:8, 21:23, 25:21, 27:16, 28:9, 32:16, 33:8, 41:23, 42:5, 46:13, 47:18, 48:17, 51:19, 54:9, 58:20, 65:13, 66:19, 67:1, 67:13, 70:16, 72:16, 73:22, 74:6, 75:11, 75:24, 76:3, 76:13, 78:2 become [5] - 28:7, 28:8, 28:24, 34:23, 40:2 becomes [1] - 37:11 been [19] - 4:23, 5:1, 8:21, 9:9, 17:4, 19:11, 21:6, 30:2, 35:15, 42:1, 43:9, 43:17, 45:14, 49:8, 51:14, 54:21, 56:16, 69:7, 73:23 before [14] - 7:5, 26:5, 26:9, 38:24, 39:5, 41:12, 41:22, 49:20, 58:19, 65:10, 66:18,</p>
B		<p>back [3] - 36:1, 38:19, 70:24 backed [1] - 72:4 background [1] - 65:22 backing [1] - 15:6 bad [2] - 5:19, 9:4 balances [1] - 72:8 ballot [1] - 36:20 Baruch [1] - 52:9 base [1] - 67:10 based [5] - 47:12, 48:22, 48:25, 49:6, 49:12 basic [3] - 10:9, 47:3, 66:9 basically [1] - 74:23 basis [1] - 11:1</p>	

<p>67:6, 70:19, 74:10 begin [7] - 2:6, 2:9, 2:13, 5:7, 5:8, 5:21, 48:4 behalf [1] - 27:9 being [11] - 4:24, 20:5, 36:16, 42:4, 49:10, 55:8, 60:15, 61:13, 64:15, 64:20, 70:4 belief [1] - 56:20 believe [15] - 7:17, 8:18, 12:18, 14:10, 27:18, 30:6, 30:20, 37:18, 38:2, 47:22, 48:20, 53:1, 57:13, 63:5, 72:23 believer [1] - 21:3 belonged [1] - 48:7 Beltzer [2] - 52:2, 52:4 BELTZER [3] - 52:3, 62:23, 68:9 benefit [1] - 61:14 Benefit [1] - 70:12 Berkley [1] - 51:5 best [9] - 17:23, 28:19, 29:8, 29:12, 29:14, 57:16, 60:8, 72:15, 78:11 Beta [3] - 12:4, 12:19, 38:5 better [6] - 2:8, 8:17, 9:12, 9:25, 15:8, 18:18 between [2] - 34:1, 73:20 beyond [3] - 34:16, 36:20, 58:17 bias [1] - 3:18 biases [1] - 45:23 bid [4] - 18:23, 35:3, 35:6, 40:4 bids [5] - 33:14, 35:7, 35:15, 35:18, 35:20 big [2] - 4:12, 9:12 bigger [2] - 38:2, 61:22 bill [2] - 12:9, 44:22 Bill [1] - 18:9 billion [2] - 25:3, 25:5 bin [1] - 34:9 binary [1] - 45:13 birth [1] - 36:11 bit [8] - 13:25, 16:4, 20:24, 28:11, 32:3, 67:22, 68:4, 77:15 BJ [1] - 40:23 black [1] - 39:13 Blasio [1] - 4:6 block [1] - 34:19 blood [1] - 80:11 board [92] - 5:13, 6:11, 6:12, 6:16, 6:23, 7:6, 7:12, 7:18, 8:1, 8:22, 9:2, 9:3, 9:24, 11:2, 11:18, 14:16, 16:3, 16:16, 16:17, 16:22, 19:9, 20:4, 21:15, 29:6, 31:14, 37:7, 37:9, 37:21,</p>	<p>38:6, 38:17, 42:16, 42:18, 42:22, 43:6, 43:11, 47:24, 48:9, 52:5, 53:11, 53:18, 53:20, 54:13, 55:1, 56:19, 56:21, 59:3, 59:7, 59:22, 60:2, 60:5, 60:10, 60:22, 61:6, 61:10, 61:12, 61:14, 62:3, 62:24, 62:25, 63:5, 63:9, 63:15, 63:18, 65:24, 66:21, 67:2, 69:19, 69:22, 70:18, 70:21, 71:2, 71:4, 71:6, 71:16, 71:20, 72:13, 72:18, 72:21, 73:3, 73:24, 74:19, 74:23, 74:24, 75:11, 75:14, 75:24, 76:1, 76:5, 76:10, 77:5, 78:5 Board [10] - 3:1, 3:22, 21:7, 36:5, 52:7, 59:11, 61:9, 62:2, 69:18, 71:18 boarding [1] - 37:19 boards [89] - 5:13, 6:10, 6:14, 6:17, 8:10, 8:14, 8:19, 9:14, 10:2, 10:22, 11:6, 11:7, 11:19, 11:23, 12:2, 12:11, 12:12, 12:14, 12:17, 12:18, 12:22, 13:1, 13:11, 13:15, 13:24, 15:15, 15:17, 17:9, 17:13, 17:24, 18:12, 18:20, 18:24, 19:6, 20:18, 21:21, 24:1, 27:4, 27:15, 28:4, 28:13, 28:15, 28:22, 30:13, 36:7, 36:24, 37:13, 38:11, 38:15, 40:10, 53:17, 54:5, 54:19, 55:3, 56:4, 56:8, 56:11, 56:24, 57:4, 59:1, 59:14, 60:15, 60:24, 61:3, 61:5, 61:24, 62:15, 63:23, 64:13, 65:8, 67:25, 68:10, 68:15, 68:23, 69:1, 69:2, 69:21, 71:22, 72:1, 72:3, 72:6, 73:2, 73:10, 73:12, 73:23, 74:12, 75:12, 76:5, 78:12 bodies [3] - 54:12, 72:4, 72:7 boiler [1] - 21:1 bonizio [1] - 58:10 Bonizio [2] - 32:22, 33:1 BONIZIO [1] - 32:24 books [1] - 31:4 Boom [1] - 39:1 boom [1] - 39:6 Borough [1] - 15:9 borough [35] - 2:4, 2:22, 5:23, 6:13, 6:18, 8:7, 8:21, 10:10, 10:14, 10:15, 10:20, 10:25, 13:23, 14:5, 14:10, 14:17, 14:20, 18:3, 20:23, 22:25, 23:1, 23:2, 23:3, 26:14, 28:5, 38:5, 44:8, 54:6,</p>	<p>54:15, 60:12, 63:12, 64:16, 66:2, 66:11, 66:18 boroughs [7] - 8:23, 15:13, 17:7, 18:5, 19:14, 19:17, 37:23 both [9] - 19:25, 32:19, 44:2, 49:16, 50:8, 50:14, 51:25, 64:1, 74:15 Boulevard [1] - 55:17 box [1] - 36:20 Brady [2] - 52:2, 55:9 BRADY [9] - 55:5, 59:6, 60:4, 61:8, 62:13, 64:8, 64:11, 65:16, 68:17 BRAGG [2] - 1:15, 40:21 Bragg [1] - 40:21 brain [2] - 77:10, 78:13 brand [1] - 71:5 breaching [1] - 35:17 Brennan [1] - 41:3 BREWER [12] - 6:2, 12:25, 13:17, 14:7, 15:18, 18:7, 20:10, 20:13, 20:22, 22:6, 22:9, 22:11 Brewer [1] - 38:5 brief [1] - 3:25 bright [1] - 46:18 bring [2] - 31:11, 60:13 bringing [6] - 11:19, 11:23, 33:9, 40:5, 54:16, 77:20 broad [2] - 48:25, 62:9 broaden [2] - 68:24, 68:25 broadly [2] - 42:25, 66:1 Bronx [18] - 2:5, 5:24, 6:4, 28:13, 30:1, 30:5, 30:6, 30:8, 30:20, 31:23, 33:3, 33:6, 52:7, 55:12, 55:22, 61:10, 64:20, 71:18 BRONX [2] - 1:4, 80:4 Bronxites [1] - 22:22 brought [4] - 23:23, 26:18, 41:21, 42:9 brown [1] - 39:13 Brownfield [1] - 55:21 budget [4] - 25:2, 25:9, 51:18, 51:21 budgeting [5] - 11:9, 15:5, 53:11, 58:25, 59:8 built [2] - 7:1, 61:13 bulking [1] - 67:24 bunch [1] - 59:10 burden [1] - 38:4 burdening [1] - 38:18 buses [1] - 54:4 busiest [1] - 55:14 business [21] - 24:16, 30:17, 30:18, 30:21, 31:3, 31:10, 31:11, 31:14, 33:9, 33:11, 42:1, 42:8, 55:12, 56:3, 57:5, 57:6, 57:12,</p>	<p>57:14, 57:20, 57:24, 58:2 Business [4] - 33:2, 33:5, 55:10, 55:17 businesses [16] - 24:17, 30:3, 30:6, 30:9, 30:20, 31:1, 31:7, 31:13, 31:18, 31:19, 34:9, 42:3, 42:5, 42:7, 42:10, 42:11 businessmen [1] - 31:15 but [85] - 4:17, 4:22, 5:23, 6:3, 6:9, 6:21, 8:23, 8:25, 10:13, 13:6, 13:21, 14:17, 14:21, 15:7, 16:10, 16:20, 17:2, 17:17, 18:4, 18:21, 18:23, 19:9, 19:22, 20:15, 20:19, 20:25, 23:2, 24:11, 24:25, 25:8, 25:19, 26:3, 26:8, 26:16, 26:24, 27:13, 28:10, 33:7, 37:14, 38:8, 41:17, 42:7, 43:14, 44:18, 47:4, 47:25, 48:23, 49:25, 50:10, 50:24, 51:17, 52:8, 54:5, 54:11, 54:17, 57:20, 60:7, 61:6, 61:13, 62:2, 62:9, 62:11, 62:13, 62:19, 63:4, 63:10, 63:23, 64:5, 64:12, 64:19, 65:1, 66:2, 67:4, 67:10, 67:12, 67:15, 69:17, 70:24, 71:20, 73:24, 75:2, 77:1, 77:15, 77:18, 78:12 buzz [1] - 15:25 BX [1] - 36:10 by [41] - 2:9, 12:21, 13:20, 14:15, 14:16, 15:20, 17:11, 24:8, 24:9, 24:11, 24:25, 25:22, 26:8, 29:11, 31:16, 33:14, 33:15, 34:6, 34:23, 35:1, 35:7, 35:9, 36:25, 38:16, 39:11, 39:12, 40:8, 40:9, 42:4, 45:11, 46:22, 50:2, 52:12, 56:18, 58:8, 62:19, 62:20, 64:13, 72:5, 80:11 bylaws [1] - 20:24</p> <p style="text-align: center;">C</p> <p>C [3] - 1:9, 80:1 California [2] - 51:5, 51:6 call [4] - 9:4, 9:5, 9:6, 58:24 called [1] - 21:24 calling [2] - 2:1, 62:5 came [3] - 22:22, 67:3, 69:21 campaign [4] - 4:15, 5:10, 27:5, 52:21 campuses [1] - 70:13 can [57] - 4:10, 6:25, 7:19, 8:2, 14:16, 19:21, 19:22, 21:3, 21:8, 21:9, 22:14,</p>
---	--	---	---

<p>23:21, 23:22, 23:23, 24:10, 26:9, 26:22, 27:17, 31:21, 37:22, 38:4, 40:18, 42:9, 43:6, 43:11, 43:15, 43:18, 48:3, 48:16, 50:8, 50:10, 53:2, 53:10, 53:15, 53:16, 54:14, 54:24, 61:14, 63:8, 63:10, 63:15, 65:7, 66:4, 66:6, 69:13, 70:1, 70:18, 71:23, 72:7, 75:9, 75:24, 76:18, 76:19, 77:13, 77:14, 77:22</p> <p>can't [1] - 73:24</p> <p>candidate [1] - 52:5</p> <p>candidates [2] - 72:22, 72:24</p> <p>cannot [4] - 6:25, 9:14, 13:11, 72:21</p> <p>cap [5] - 24:22, 24:23, 25:1, 25:7, 52:22</p> <p>capacity [3] - 64:15, 67:13, 75:19</p> <p>capture [1] - 43:4</p> <p>car [1] - 65:8</p> <p>card [1] - 68:12</p> <p>care [1] - 49:12</p> <p>cared [1] - 48:19</p> <p>carefully [1] - 22:1</p> <p>Carl [2] - 64:19, 64:20</p> <p>CARRION [3] - 1:16, 2:15, 15:9</p> <p>Carrion [1] - 2:16</p> <p>case [10] - 25:16, 56:16, 70:23, 72:20, 73:5, 74:25, 75:9, 75:16, 76:3, 76:22</p> <p>cases [1] - 3:10</p> <p>categories [1] - 43:1</p> <p>CAU [1] - 21:22</p> <p>caution [1] - 10:13</p> <p>CBS [1] - 24:20</p> <p>CECILIA [2] - 80:6, 80:18</p> <p>CEDAW [11] - 44:20, 45:2, 45:5, 45:8, 45:12, 46:19, 47:8, 47:12, 50:24, 51:8</p> <p>cement [1] - 45:6</p> <p>center [4] - 37:4, 47:25, 48:1</p> <p>Center [1] - 41:3</p> <p>centers [1] - 30:11</p> <p>century [2] - 39:19, 42:2</p> <p>CEO [1] - 3:3</p> <p>certain [3] - 5:9, 10:15, 72:22</p> <p>certainly [7] - 4:13, 4:16, 24:25, 28:14, 39:9, 41:17, 41:18</p> <p>certification [1] - 31:6</p> <p>certify [2] - 80:7, 80:10</p> <p>CESAR [1] - 1:15</p> <p>Cesar [3] - 2:10, 3:6, 29:22</p>	<p>cetera [1] - 31:7</p> <p>Chair [3] - 1:15, 27:20, 29:20</p> <p>chair [14] - 2:10, 3:21, 6:6, 18:8, 20:20, 23:6, 24:7, 26:12, 50:6, 52:6, 53:21, 55:25, 69:18, 70:21</p> <p>chair's [1] - 55:22</p> <p>Chairman [1] - 29:22</p> <p>chairman [3] - 32:24, 33:2, 33:4</p> <p>chairs [5] - 20:18, 21:4, 24:10, 28:24, 56:21</p> <p>challenge [2] - 11:25, 38:16</p> <p>challenges [2] - 26:24, 43:10</p> <p>chamber [1] - 30:7</p> <p>Chamber [5] - 30:1, 30:5, 30:8, 31:23, 33:3</p> <p>chance [2] - 15:24, 16:2</p> <p>change [2] - 22:24, 54:22</p> <p>changed [3] - 4:10, 17:6, 48:17</p> <p>changes [2] - 9:10, 37:10</p> <p>changing [1] - 37:8</p> <p>charge [1] - 51:17</p> <p>charmed [1] - 47:19</p> <p>Charter [41] - 2:3, 4:3, 4:7, 4:9, 4:17, 4:18, 13:23, 18:2, 19:3, 19:21, 23:18, 25:19, 26:1, 26:19, 29:21, 30:15, 30:23, 35:19, 38:9, 41:14, 42:10, 42:12, 44:10, 44:24, 45:6, 46:9, 46:16, 47:3, 47:11, 48:21, 48:24, 49:4, 49:24, 52:16, 56:16, 58:8, 58:11, 58:14, 59:24, 68:21, 78:15</p> <p>CHARTER [1] - 1:1</p> <p>charters [1] - 26:19</p> <p>checks [1] - 72:8</p> <p>Chhaya [1] - 2:21</p> <p>chief [1] - 30:1</p> <p>choose [1] - 9:12</p> <p>circumstances [1] - 33:19</p> <p>circumventing [1] - 23:19</p> <p>cities [1] - 51:8</p> <p>citizen [1] - 68:3</p> <p>citizens [1] - 44:11</p> <p>citizenship [1] - 53:5</p> <p>city [45] - 4:11, 5:13, 6:25, 7:5, 22:24, 23:9, 30:24, 31:23, 33:15, 33:21, 33:24, 34:4, 34:11, 35:12, 38:21, 38:22, 40:7, 46:10, 46:11, 46:20, 46:24, 46:25, 47:23, 48:2, 49:2, 50:24, 51:18, 56:5, 57:20, 57:25, 58:20, 58:24, 60:9, 64:16, 65:2, 65:15, 65:21, 68:24, 69:5,</p>	<p>69:21, 76:9, 76:12, 77:18</p> <p>City [69] - 2:3, 3:8, 3:10, 4:2, 4:3, 4:9, 5:12, 5:14, 7:7, 11:15, 12:7, 12:9, 18:8, 23:24, 24:9, 24:18, 25:10, 25:22, 26:22, 30:7, 30:15, 30:17, 30:23, 33:18, 34:25, 35:8, 35:9, 35:14, 35:17, 36:9, 41:12, 41:13, 42:1, 42:11, 42:12, 44:12, 44:20, 44:23, 44:25, 45:6, 45:17, 45:23, 46:9, 47:3, 47:8, 47:10, 47:11, 47:14, 49:1, 49:9, 49:24, 49:25, 51:15, 52:4, 52:9, 52:15, 56:1, 56:14, 56:18, 56:19, 57:4, 57:7, 57:15, 58:1, 58:5, 58:20, 69:23, 78:15</p> <p>city's [3] - 34:7, 45:3, 58:1</p> <p>City's [9] - 4:4, 23:17, 35:21, 35:23, 37:2, 41:13, 45:7, 46:23, 55:14</p> <p>city-funded [1] - 47:23</p> <p>City-issued [1] - 34:25</p> <p>civic [13] - 5:12, 9:19, 30:16, 36:6, 36:8, 36:20, 36:24, 37:2, 37:5, 47:22, 53:9, 54:24</p> <p>civil [1] - 3:9</p> <p>Civilian [1] - 3:1</p> <p>clarity [1] - 31:12</p> <p>class [2] - 52:9, 73:11</p> <p>cleaning [1] - 34:22</p> <p>cleanliness [1] - 34:12</p> <p>clear [4] - 6:21, 8:11, 13:6, 39:17</p> <p>climate [1] - 34:18</p> <p>close [1] - 73:9</p> <p>closely [1] - 12:10</p> <p>closer [1] - 2:7</p> <p>co [3] - 3:14, 52:6, 55:25</p> <p>co-chair [2] - 52:6, 55:25</p> <p>co-founder [1] - 3:14</p> <p>coalition [2] - 44:21, 47:9</p> <p>codes [1] - 34:20</p> <p>codified [1] - 9:14</p> <p>cohesive [1] - 40:7</p> <p>Cojo [1] - 40:25</p> <p>colleague [1] - 38:17</p> <p>COLLEGE [1] - 1:3</p> <p>college [2] - 48:1, 55:7</p> <p>colleges [1] - 30:11</p> <p>Columbia [2] - 37:4, 70:12</p> <p>Columbus [1] - 39:20</p> <p>Columbus-ing [1] - 39:20</p> <p>combined [2] - 10:18, 19:14</p> <p>come [15] - 5:9, 6:1, 21:24, 26:21, 27:16, 27:17, 27:19, 36:1, 49:23, 53:4, 54:7,</p>	<p>59:12, 62:19, 71:6, 71:8</p> <p>comes [5] - 7:5, 18:18, 24:1, 46:18, 62:25</p> <p>comfortably [1] - 59:1</p> <p>coming [9] - 20:12, 22:7, 32:20, 38:18, 62:5, 63:2, 63:6, 64:20, 73:21</p> <p>commend [1] - 11:13</p> <p>comment [8] - 25:18, 41:7, 41:14, 41:19, 49:17, 56:4, 71:16, 78:17</p> <p>comments [4] - 4:20, 27:17, 47:21, 56:2</p> <p>Commerce [4] - 30:2, 30:5, 31:23, 33:3</p> <p>commercial [3] - 35:10, 35:23, 42:11</p> <p>Commission [48] - 2:3, 2:11, 2:12, 4:7, 4:9, 4:18, 23:10, 24:16, 24:19, 24:21, 25:16, 26:25, 27:22, 30:17, 30:21, 31:10, 31:15, 32:4, 32:6, 32:12, 32:25, 33:9, 36:3, 36:19, 40:17, 41:6, 41:23, 42:8, 44:10, 44:16, 46:16, 48:21, 49:4, 49:19, 50:3, 52:13, 52:19, 52:25, 54:24, 55:6, 57:14, 57:24, 58:3, 58:8, 58:20, 59:23, 68:21, 78:10</p> <p>COMMISSION [1] - 1:1</p> <p>Commissioner [1] - 29:22</p> <p>commissioner [2] - 2:17, 23:6</p> <p>Commissioners [5] - 24:7, 24:9, 29:23, 44:10, 57:10</p> <p>COMMISSIONERS [1] - 1:12</p> <p>commissions [2] - 4:3, 26:1</p> <p>Commissions [2] - 25:20, 56:17</p> <p>commit [1] - 34:14</p> <p>commitment [4] - 17:1, 36:16, 45:7, 73:13</p> <p>Committee [2] - 18:8, 33:3</p> <p>committee [8] - 20:3, 20:17, 20:20, 44:15, 44:19, 56:21, 66:12, 74:25</p> <p>committee's [1] - 36:25</p> <p>committees [3] - 21:5, 28:24, 43:17</p> <p>communities [12] - 8:4, 9:15, 10:1, 12:10, 15:16, 15:17, 56:25, 62:14, 69:3, 72:15, 73:4, 73:14</p> <p>community [182] - 5:13, 6:10, 6:12, 6:14, 6:16, 6:22, 6:23, 7:6, 7:12, 7:18, 8:1, 8:9, 8:14, 9:14, 9:19, 10:4,</p>
--	---	--	---

<p>10:8, 11:6, 11:18, 12:10, 13:8, 13:11, 13:15, 13:24, 14:16, 14:23, 15:8, 15:15, 15:17, 16:3, 16:24, 17:9, 17:13, 17:15, 17:16, 17:24, 18:12, 18:20, 18:24, 19:6, 19:15, 20:3, 20:18, 21:12, 21:15, 21:17, 21:20, 21:21, 23:15, 24:1, 24:3, 27:4, 27:15, 28:4, 28:13, 28:15, 28:19, 28:20, 28:22, 29:3, 29:6, 29:8, 29:14, 30:13, 30:19, 31:3, 31:14, 36:7, 36:22, 36:23, 37:7, 37:9, 37:10, 37:13, 37:15, 37:21, 38:11, 38:14, 38:16, 38:20, 39:10, 40:10, 42:16, 42:18, 43:6, 43:21, 48:2, 48:5, 48:9, 48:12, 48:15, 49:3, 51:22, 52:5, 53:12, 53:17, 53:18, 54:1, 54:5, 54:18, 55:1, 55:3, 55:7, 56:4, 56:8, 56:11, 56:18, 56:21, 57:3, 58:24, 59:1, 59:3, 59:7, 59:14, 59:22, 60:2, 60:3, 60:5, 60:10, 60:15, 60:22, 60:24, 61:3, 61:5, 61:6, 61:10, 61:11, 61:14, 61:15, 61:23, 62:3, 62:15, 63:5, 63:15, 63:17, 63:22, 64:13, 65:8, 66:21, 67:2, 67:25, 68:23, 69:1, 69:2, 69:20, 69:22, 71:16, 71:20, 71:22, 72:1, 72:3, 72:6, 72:11, 72:13, 72:21, 73:2, 73:3, 73:22, 74:19, 74:23, 74:24, 75:11, 75:13, 75:17, 75:24, 76:1, 76:5, 76:10, 76:20, 77:4, 77:19, 77:23, 78:5, 78:12</p> <p>Community^[9] - 2:18, 2:21, 36:5, 52:7, 59:11, 61:9, 62:2, 69:18, 71:18</p> <p>COMMUNITY^[1] - 1:3</p> <p>community's^[2] - 62:21, 71:24</p> <p>companies^[1] - 30:12</p> <p>compelling^[1] - 28:9</p> <p>competencies^[3] - 66:5, 66:17, 68:22</p> <p>competency^[1] - 56:14</p> <p>complain^[1] - 60:12</p> <p>Complaint^[1] - 3:1</p> <p>complaint^[1] - 17:6</p> <p>completely^[2] - 26:13, 77:3</p> <p>complexity^[1] - 8:2</p> <p>complicated^[1] - 7:17</p> <p>compliment^[1] - 14:1</p> <p>comprehensive^[1] - 37:1</p> <p>comprised^[1] - 45:22</p> <p>comptroller^[1] - 31:17</p>	<p>concept^[3] - 5:12, 30:13, 31:14</p> <p>concern^[1] - 77:6</p> <p>concerned^[2] - 78:6, 78:10</p> <p>concerns^[2] - 4:12, 29:4</p> <p>concluded^[1] - 79:5</p> <p>concludes^[1] - 31:24</p> <p>conducting^[2] - 51:11, 51:13</p> <p>conference^[3] - 38:25, 39:5, 39:15</p> <p>conflict^[2] - 9:7, 11:10</p> <p>Congress^[1] - 30:8</p> <p>conjunction^[1] - 12:5</p> <p>connect^[1] - 65:6</p> <p>conscious^[1] - 72:15</p> <p>consecutive^[1] - 56:23</p> <p>consensus^[1] - 45:11</p> <p>consider^[4] - 23:11, 24:22, 32:18, 46:16</p> <p>considered^[1] - 68:7</p> <p>considering^[3] - 6:9, 8:15, 68:1</p> <p>consistency^[1] - 31:19</p> <p>consistent^[1] - 37:22</p> <p>consistently^[1] - 57:3</p> <p>constant^[1] - 9:2</p> <p>constantly^[1] - 11:11</p> <p>constituents^[1] - 13:3</p> <p>constitution^[2] - 4:4, 41:13</p> <p>constitutional^[1] - 8:9</p> <p>consultation^[1] - 31:3</p> <p>consulted^[2] - 32:7, 32:9</p> <p>consuming^[2] - 7:17, 14:8</p> <p>contact^[1] - 10:11</p> <p>containers^[1] - 34:18</p> <p>contemplated^[1] - 27:18</p> <p>context^[2] - 39:21, 43:8</p> <p>continue^[1] - 5:2</p> <p>continuously^[1] - 46:11</p> <p>contract^[2] - 33:15, 35:7</p> <p>contracting^[1] - 31:6</p> <p>contracts^[2] - 35:14, 35:17</p> <p>contributions^[2] - 17:18, 38:19</p> <p>control^[1] - 77:8</p> <p>controversial^[2] - 31:1, 72:9</p> <p>convention^[1] - 45:8</p> <p>conversation^[6] - 37:6, 38:2, 39:22, 59:17, 77:21</p> <p>conversations^[1] - 40:13</p> <p>coordinating^[1] - 37:1</p> <p>coordination^[2] - 33:11, 35:22</p> <p>Corporation^[1] - 2:21</p> <p>corporations^[1] - 30:10</p> <p>correct^[2] - 68:18, 80:8</p> <p>corruption^[2] - 4:14, 4:16</p>	<p>cost^[2] - 38:12, 51:22</p> <p>costing^[1] - 51:19</p> <p>could^[19] - 9:13, 12:20, 14:24, 15:6, 15:15, 18:21, 21:7, 25:20, 32:3, 38:23, 39:3, 42:20, 50:21, 61:7, 66:14, 68:4, 70:13, 75:1, 75:13</p> <p>Council^[16] - 5:14, 12:9, 18:9, 22:15, 24:9, 25:10, 25:22, 26:22, 26:23, 27:25, 33:18, 41:12, 44:17, 52:4, 56:1, 58:5</p> <p>council^[15] - 6:13, 16:9, 24:12, 26:7, 26:23, 31:16, 34:24, 48:3, 53:14, 53:23, 54:7, 58:18, 59:8, 60:12</p> <p>Council's^[2] - 23:20, 35:14</p> <p>Councilman^[1] - 59:9</p> <p>councilman^[1] - 22:18</p> <p>councilmen^[1] - 41:9</p> <p>councils^[1] - 48:6</p> <p>counsel^[2] - 3:22, 41:18</p> <p>counter^[1] - 19:10</p> <p>countered^[1] - 21:19</p> <p>country^[1] - 3:19</p> <p>counts^[1] - 52:8</p> <p>COUNTY^[1] - 80:4</p> <p>County^[1] - 51:7</p> <p>county^[2] - 13:19, 30:6</p> <p>couple^[2] - 40:17, 48:16</p> <p>course^[3] - 11:25, 47:7, 67:25</p> <p>court^[1] - 12:6</p> <p>courtesy^[1] - 25:15</p> <p>craft^[1] - 18:1</p> <p>crafting^[2] - 7:4, 8:17</p> <p>creating^[1] - 3:18</p> <p>critical^[2] - 12:15, 22:23</p> <p>cross^[1] - 33:20</p> <p>cultural^[4] - 18:17, 30:10, 56:14, 68:22</p> <p>CUNY^[1] - 52:9</p> <p>CUNY's^[1] - 12:6</p> <p>curating^[1] - 43:14</p> <p>curious^[5] - 18:5, 28:9, 32:2, 60:19, 60:25</p> <p>current^[5] - 2:16, 4:15, 24:16, 55:22, 76:1</p> <p>currently^[6] - 2:17, 3:13, 24:4, 43:13, 69:4, 70:21</p> <p>cursor^[1] - 46:2</p> <p>cut^[1] - 55:24</p>	<p>damaging^[1] - 31:1</p> <p>data^[12] - 11:10, 12:9, 12:15, 12:17, 12:23, 15:1, 18:18, 18:19, 18:25, 19:4, 19:22, 38:8</p> <p>Data^[1] - 18:9</p> <p>date^[1] - 44:22</p> <p>dates^[1] - 63:14</p> <p>day^[5] - 21:14, 27:7, 39:20, 80:15</p> <p>days^[1] - 34:21</p> <p>DCA^[1] - 33:21</p> <p>DCP^[1] - 62:19</p> <p>De^[1] - 4:6</p> <p>deadlines^[1] - 37:22</p> <p>deal^[5] - 6:15, 6:19, 19:18, 33:17, 67:7</p> <p>dealing^[1] - 65:14</p> <p>deals^[2] - 61:11, 61:12</p> <p>dear^[1] - 57:9</p> <p>decades^[2] - 20:21, 49:9</p> <p>decided^[1] - 4:6</p> <p>decision^[3] - 43:8, 64:14, 65:10</p> <p>decisions^[4] - 30:25, 42:17, 56:12, 76:6</p> <p>decline^[1] - 9:3</p> <p>dedicated^[3] - 62:24, 63:3, 72:21</p> <p>Defense^[1] - 3:23</p> <p>define^[1] - 45:2</p> <p>defines^[1] - 45:10</p> <p>definitely^[5] - 43:2, 53:9, 59:10, 63:3, 65:20</p> <p>definition^[1] - 37:10</p> <p>degree^[1] - 18:4</p> <p>Del^[3] - 22:13, 29:25, 33:8</p> <p>DEL^[5] - 22:16, 29:21, 32:6, 32:11, 32:15</p> <p>del^[2] - 22:17, 42:8</p> <p>delayed^[1] - 9:7</p> <p>demanded^[1] - 48:8</p> <p>democracy^[4] - 26:10, 27:2, 41:3, 44:13</p> <p>democratic^[2] - 4:11, 26:6</p> <p>demographic^[3] - 10:24, 11:1, 18:16</p> <p>demographics^[2] - 11:2, 15:1</p> <p>demonstrated^[1] - 73:13</p> <p>Demurrage^[1] - 51:2</p> <p>demystify^[1] - 75:25</p> <p>denounce^[1] - 73:1</p> <p>dense^[1] - 25:10</p> <p>department^[1] - 29:13</p> <p>Department^[1] - 55:20</p> <p>dependance^[1] - 64:14</p> <p>dependent^[1] - 53:20</p> <p>depending^[2] - 61:7, 65:17</p>
		<p>D</p>	
		<p>Dade^[1] - 51:7</p> <p>daily^[2] - 23:3, 55:13</p> <p>Dallas^[1] - 57:21</p> <p>damage^[1] - 21:12</p>	

<p>deputy [1] - 3:8 describe [1] - 18:1 described [1] - 13:10 description [2] - 45:21, 47:13 deserve [1] - 53:5 design [2] - 37:3, 39:11 designee [1] - 2:25 determine [2] - 23:11, 23:17 determining [1] - 28:18 develop [1] - 12:12 developed [2] - 8:12, 12:5 developer [4] - 18:14, 19:2, 21:10, 21:11 developers [7] - 7:2, 7:3, 7:20, 7:21, 21:15, 38:17, 39:18 development [7] - 38:21, 39:6, 39:25, 40:12, 61:13, 75:25, 76:8 Development [5] - 2:21, 33:2, 39:1, 56:1, 70:22 developments [2] - 7:16, 72:9 devil's [1] - 78:2 Diaz [1] - 44:9 did [1] - 4:21, 14:12, 14:13, 14:15, 14:16, 27:14, 33:8, 50:9, 50:16, 59:10 didn't [7] - 16:13, 53:24, 56:3, 66:19, 71:7, 74:6, 74:10 differ [2] - 61:3, 61:7 different [9] - 9:20, 21:1, 21:5, 26:7, 43:17, 59:20, 60:6, 60:20, 65:17 Diocesan [2] - 44:17, 44:18 direct [1] - 41:2 directed [1] - 5:5 directly [4] - 26:11, 73:5, 75:1, 75:9 director [3] - 2:20, 3:15, 55:10 disadvantage [1] - 8:15 disagreement [1] - 27:13 disagreements [1] - 77:19 disclosing [1] - 10:24 disclosure [1] - 55:19 discretion [1] - 18:3 discriminate [1] - 46:22 discrimination [6] - 45:3, 45:7, 45:9, 45:11, 45:20, 47:9 discuss [2] - 50:11, 51:19 discussed [3] - 4:22, 21:3, 22:2 discussion [5] - 5:8, 21:5, 21:18, 46:1, 67:24 discussions [1] - 60:3</p>	<p>distinct [1] - 33:1 distributed [1] - 9:17 district [1] - 6:18, 11:3, 12:22, 35:12, 53:13, 55:13, 57:6, 59:14, 59:18, 59:19, 65:18 District [3] - 33:5, 55:11, 55:17 districts [7] - 7:1, 9:18, 34:7, 34:9, 34:13, 35:6, 57:7 diverse [3] - 10:3, 14:22, 44:20 diversity [7] - 6:16, 10:21, 20:25, 28:13, 45:18, 58:6, 59:21 divert [1] - 61:20 Do [1] - 12:16 do [46] - 4:24, 6:11, 9:15, 10:8, 11:3, 12:21, 13:2, 13:3, 14:4, 14:18, 15:7, 15:15, 15:22, 15:24, 16:1, 16:5, 16:10, 16:19, 16:20, 16:21, 18:1, 19:9, 20:19, 21:1, 21:12, 22:18, 24:6, 29:14, 32:1, 32:20, 37:2, 38:2, 50:7, 51:20, 52:14, 54:22, 54:24, 59:2, 60:1, 61:23, 62:11, 62:13, 65:6, 67:13, 73:3, 80:7 document [1] - 45:12 documented [1] - 68:6 does [7] - 7:25, 13:25, 20:1, 20:8, 37:21, 47:13, 78:17 doesn't [2] - 18:2, 20:5 DOH [1] - 33:22 doing [10] - 9:25, 14:11, 14:25, 18:23, 19:11, 51:17, 54:13, 62:19, 66:3, 67:4 dollar [1] - 61:12 Dollar [1] - 39:17 don't [35] - 8:22, 14:7, 16:5, 16:18, 19:8, 19:21, 25:18, 26:4, 27:18, 37:14, 41:14, 42:5, 51:16, 52:7, 52:10, 53:13, 53:14, 61:25, 62:10, 62:19, 63:23, 64:19, 65:4, 66:14, 70:2, 73:10, 74:1, 74:3, 76:7, 77:1, 77:8, 77:16, 77:23 done [14] - 4:19, 4:23, 6:19, 9:17, 15:5, 15:16, 15:21, 17:3, 22:25, 31:8, 43:9, 44:25, 53:15, 54:15 door [1] - 39:9 DOT [2] - 33:22, 57:23 down [3] - 2:13, 32:1, 69:23 Dr [1] - 44:4 drilled [1] - 65:3 driven [1] - 18:19 due [1] - 8:24</p>	<p>Dunn [1] - 69:9 DUNN [6] - 69:11, 69:13, 69:16, 73:19, 74:6, 74:9 during [5] - 4:19, 5:9, 8:20, 39:15, 62:16</p> <p style="text-align: center;">E</p> <p>E [4] - 1:9, 80:1 each [15] - 5:18, 6:18, 7:4, 10:10, 11:2, 16:8, 31:16, 39:24, 43:6, 51:21, 62:23, 63:5, 63:9, 69:2 eager [1] - 26:23 earlier [3] - 13:10, 23:23, 49:18 early [2] - 50:9, 67:21 East [1] - 20:2 east [2] - 8:7, 55:12 EAST [1] - 1:4 easy [2] - 7:8, 17:3 Economic [1] - 70:21 economic [1] - 31:8 economy [1] - 68:20 EDC [1] - 57:22 Education [1] - 37:4 education [2] - 37:5, 42:24 educational [1] - 65:22 effect [1] - 31:13 effected [1] - 46:14 effective [3] - 11:6, 42:22, 46:18 effectively [4] - 8:3, 12:13, 13:7, 60:2 effects [1] - 31:1 efforts [4] - 15:7, 37:2, 72:5, 76:16 egregious [2] - 34:8, 61:19 eight [1] - 27:10 either [2] - 45:23, 60:25 elaborate [1] - 28:11 elected [9] - 25:15, 29:11, 31:22, 44:16, 48:8, 72:12, 77:16, 77:17, 78:5 election [2] - 75:4, 75:6 elections [8] - 4:13, 5:11, 53:1, 53:3, 67:22, 68:15, 77:6, 77:9 elements [1] - 9:13 elevated [1] - 72:3 eliminate [1] - 18:2 eliminating [1] - 4:14 elimination [1] - 45:8 elite [1] - 72:25 else [10] - 20:8, 26:3, 29:16, 41:14, 43:24, 50:6, 67:17, 68:7, 76:23, 78:17 elsewhere [1] - 61:18 employees [1] - 40:23 employment [2] - 46:11,</p>	<p>46:21 empower [3] - 24:4, 29:6, 76:1 empowered [1] - 71:22 empowering [2] - 37:15, 77:21 empowers [1] - 62:15 enable [2] - 12:12, 35:21 enabled [1] - 9:22 enacted [1] - 35:16 encountered [1] - 39:13 encourage [1] - 15:16 encouraged [1] - 36:19 end [4] - 15:7, 20:5, 40:11, 56:15 endorse [1] - 10:8 enforcement [1] - 58:17 engage [4] - 27:12, 50:11, 60:2, 76:25 engaged [1] - 16:22 engagement [14] - 5:12, 30:16, 36:7, 36:8, 36:20, 37:2, 47:22, 48:5, 53:9, 53:17, 53:19, 54:25, 77:20 engine [2] - 31:8, 42:12 enhance [1] - 34:11 enough [3] - 15:14, 53:24, 61:24 enshrine [1] - 44:25 ensure [7] - 10:20, 28:12, 42:16, 44:22, 47:12, 56:12, 72:1 ensuring [2] - 6:16, 37:24 entails [1] - 7:7 entertain [1] - 78:20 enthusiastically [1] - 59:4 entire [3] - 4:18, 8:6, 26:25 entities [1] - 35:6 entrenched [1] - 62:4 environmental [1] - 40:13 envision [1] - 76:15 Episcopal [1] - 44:17 equal [1] - 7:20 equally [2] - 46:4, 57:2 equation [1] - 71:22 equipped [1] - 37:9 equitable [1] - 73:7 equitably [1] - 57:2 equity [4] - 40:15, 57:8, 57:19, 65:15 Equity [1] - 37:4 especially [3] - 23:6, 34:8, 72:8 establish [1] - 28:21 established [2] - 30:22, 57:14 estate [5] - 24:23, 25:4, 25:6, 75:22 et [1] - 31:6</p>
---	---	---	---

<p>etcetera [2] - 18:16, 36:24 Ethel [1] - 21:6 evaluated [1] - 22:2 even [5] - 45:24, 50:11, 68:19, 73:22, 76:9 evening [20] - 2:1, 2:15, 2:19, 2:24, 3:12, 22:16, 22:19, 22:21, 29:21, 32:24, 40:21, 40:24, 44:6, 44:7, 44:18, 47:16, 52:3, 55:5, 69:11, 69:12 event [1] - 55:6 events [2] - 31:2, 37:20 eventually [2] - 16:25, 59:16 ever [2] - 21:23, 69:21 every [10] - 7:4, 19:8, 48:9, 53:12, 56:18, 60:22, 61:10, 61:11, 61:14, 63:7 everybody [1] - 21:16 everyone [5] - 2:16, 8:19, 65:12, 65:13, 69:20 everything [3] - 4:24, 14:9, 54:13 evolution [1] - 36:17 exacerbating [1] - 34:3 examination [1] - 46:3 example [3] - 10:10, 48:7, 49:1 examples [2] - 36:21, 50:17 except [2] - 26:13, 41:15 excludes [1] - 38:10 executive [4] - 2:20, 30:1, 44:15, 55:9 exist [1] - 9:16 existed [1] - 74:7 existing [3] - 4:14, 18:13, 58:18 exists [2] - 41:23, 74:3 expansion [1] - 11:13 expected [1] - 13:2 expensive [1] - 7:23 experience [5] - 7:25, 18:10, 61:8, 62:1, 67:1 experienced [1] - 62:2 expert [4] - 17:20, 28:21, 41:17, 52:10 expertise [18] - 6:12, 8:5, 8:12, 8:13, 10:6, 11:20, 13:10, 17:25, 20:18, 21:10, 23:8, 28:17, 28:25, 29:5, 71:23, 75:16, 75:20, 75:22 experts [1] - 19:22 explain [1] - 71:6 explicitly [1] - 44:23 expound [1] - 32:3 expressed [1] - 38:16 extended [1] - 70:5 extensive [1] - 9:10 extensively [1] - 28:5</p>	<p>extent [1] - 72:14 eyelets [1] - 77:7</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>F [1] - 80:1 fabric [1] - 41:25 Facebook [1] - 54:2 faces [1] - 39:14 facing [2] - 19:15, 62:25 fact [7] - 7:24, 12:1, 19:4, 19:12, 20:23, 50:22, 65:13 fail [1] - 34:19 failure [1] - 34:7 FAIRBANKS [2] - 47:16, 50:15 Fairbanks [2] - 44:5, 47:17 fairer [1] - 4:13 families [1] - 29:10 family [1] - 23:15 far [1] - 22:9 father [1] - 36:14 fault [1] - 67:9 favor [4] - 6:15, 38:1, 63:21, 79:1 Fe [1] - 57:21 fear [1] - 72:16 feel [5] - 14:23, 15:24, 16:6, 59:13, 68:13 fees [1] - 34:10 fellow [2] - 14:5, 22:22 fellows [2] - 11:16, 12:5 felt [1] - 36:11 Ferreras [1] - 51:16 few [3] - 11:4, 37:6, 37:9 field [1] - 37:16 fight [2] - 76:20, 77:22 figure [5] - 13:22, 14:16, 20:4, 78:11, 78:14 figuring [3] - 7:15, 19:23, 41:8 fill [1] - 14:19 filled [1] - 76:14 final [1] - 70:7 finally [3] - 5:14, 11:4, 31:19 finance [5] - 4:15, 5:11, 7:9, 27:5, 52:21 find [7] - 14:5, 17:9, 19:17, 43:14, 64:6, 76:21, 76:24 finding [3] - 10:16, 19:23, 43:14 fining [1] - 31:6 finish [2] - 39:3, 39:24 finished [1] - 63:14 first [12] - 5:10, 14:15, 22:12, 22:18, 23:18, 47:22, 50:24, 58:23, 64:8, 64:24, 66:19, 73:14 fit [1] - 59:1</p>	<p>fits [1] - 19:20 five [7] - 8:20, 19:13, 19:14, 19:17, 50:12, 52:18, 75:12 flagrant [1] - 34:14 flexibility [1] - 10:14 FLOOR [1] - 1:4 flush [1] - 77:14 flyers [2] - 9:17, 15:23 focus [7] - 3:17, 5:6, 5:8, 6:10, 36:6, 52:17, 56:2 focused [1] - 67:24 focuses [1] - 19:24 focusing [1] - 50:13 folks [5] - 15:22, 49:22, 65:4, 68:6, 74:18 follow [3] - 64:2, 66:7, 66:18 follow-up [2] - 64:2, 66:18 followed [1] - 38:22 following [1] - 66:22 food [1] - 39:14 footing [1] - 7:20 For [1] - 41:3 for [133] - 3:15, 6:13, 6:22, 7:2, 8:4, 8:17, 9:23, 10:10, 10:19, 11:5, 11:15, 11:18, 11:19, 12:7, 13:11, 14:3, 14:17, 14:23, 15:10, 15:19, 16:22, 17:5, 17:18, 17:25, 18:15, 19:8, 19:11, 20:11, 20:21, 21:4, 21:6, 22:7, 23:1, 23:7, 23:8, 23:14, 24:14, 25:4, 25:6, 25:9, 25:25, 26:4, 26:7, 27:12, 27:25, 28:10, 29:1, 29:5, 29:14, 29:19, 29:23, 30:2, 30:6, 30:16, 30:18, 32:19, 32:20, 34:21, 34:22, 36:9, 36:17, 36:21, 37:1, 37:4, 37:11, 37:13, 39:10, 40:2, 40:3, 41:11, 41:16, 42:2, 42:14, 42:25, 43:19, 44:2, 44:11, 44:20, 46:2, 46:4, 46:16, 47:8, 48:8, 48:11, 50:17, 50:23, 50:24, 51:18, 51:21, 52:1, 52:13, 52:16, 52:19, 53:6, 53:9, 54:1, 54:25, 55:2, 55:3, 55:6, 55:7, 55:21, 55:23, 56:18, 56:23, 57:16, 60:22, 62:14, 63:22, 64:1, 65:7, 66:16, 66:17, 68:10, 68:14, 68:16, 70:3, 70:6, 70:7, 71:11, 71:15, 72:15, 72:23, 74:15, 74:18, 75:17, 76:20, 77:22, 78:19, 80:6 forceful [1] - 20:14 forever [1] - 8:19 forgot [1] - 70:23 form [3] - 26:21, 75:4, 75:5 formally [2] - 3:6, 3:21</p>	<p>format [2] - 18:5, 66:4 former [4] - 3:9, 52:4, 69:18, 71:18 forms [2] - 45:9, 45:19 forth [4] - 27:6, 28:3, 28:25, 33:9 fortunately [1] - 74:3 forward [3] - 43:18, 59:14, 68:19 foundational [1] - 48:3 founded [1] - 30:4 founder [2] - 3:14, 33:4 four [1] - 25:5 frame [1] - 46:17 framework [4] - 37:1, 45:2, 45:5, 46:14 Francisco [3] - 50:25, 51:4, 57:15 frankly [1] - 41:11 fraudulent [1] - 34:18 friendly [1] - 17:14 friends [2] - 16:23, 23:15 fringes [1] - 46:1 from [36] - 6:25, 9:12, 9:23, 10:14, 13:15, 14:25, 17:6, 21:17, 22:8, 23:14, 27:4, 28:19, 30:9, 31:3, 33:18, 33:20, 35:13, 35:17, 38:11, 38:13, 39:16, 39:21, 40:3, 45:25, 58:9, 59:6, 59:19, 60:25, 61:8, 61:14, 62:1, 62:17, 62:19, 73:8, 75:14, 76:19 fulfill [1] - 9:6 full [7] - 7:11, 12:2, 13:8, 54:6, 54:19, 55:19, 71:19 full-time [3] - 7:11, 12:2, 13:8 fulling [1] - 12:19 fully [6] - 46:4, 52:21, 56:17, 67:9, 76:7 function [4] - 12:13, 18:11, 32:5, 49:18 functioning [1] - 31:5 Fund [1] - 3:23 fund [2] - 11:15, 12:7 funded [3] - 47:23, 47:25, 56:17 funders [1] - 12:8 funding [7] - 13:1, 18:24, 46:10, 46:21, 48:2, 59:16, 61:20 funds [2] - 52:22, 56:11 further [5] - 45:15, 47:1, 53:2, 67:23, 80:10 future [4] - 23:11, 23:17, 24:14, 24:18</p>
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G	<p>47:16, 48:22, 48:23, 49:13, 49:23, 50:8, 50:13, 52:3, 52:19, 55:5, 57:17, 68:14, 69:11, 69:12</p> <p>gorgeous [1] - 70:8</p> <p>got [13] - 14:2, 25:17, 26:11, 40:19, 43:12, 48:13, 48:24, 52:1, 52:8, 55:24, 58:3, 69:9, 71:4</p> <p>gotten [1] - 66:20</p> <p>govern [2] - 24:17, 33:23</p> <p>governance [1] - 38:7</p> <p>government [4] - 23:13, 52:9, 67:15, 67:16</p> <p>gracious [1] - 55:8</p> <p>graduate [1] - 12:1</p> <p>graduates [1] - 11:17</p> <p>grain [1] - 34:5</p> <p>Grand [1] - 64:20</p> <p>grant [1] - 35:19</p> <p>granted [2] - 33:14, 35:9</p> <p>Granted [1] - 35:15</p> <p>graying [1] - 62:3</p> <p>great [15] - 6:15, 6:19, 12:20, 23:2, 23:8, 33:8, 33:17, 36:13, 36:14, 36:15, 36:16, 43:22, 54:16, 59:25</p> <p>Greater [1] - 3:4</p> <p>greater [3] - 18:3, 25:11, 45:22</p> <p>Greco [5] - 22:13, 22:17, 29:25, 33:8, 42:8</p> <p>GRECO [5] - 22:16, 29:21, 32:6, 32:11, 32:15</p> <p>green [2] - 34:25, 68:12</p> <p>GREENBERGER [8] - 1:16, 3:2, 32:2, 32:10, 32:12, 42:14, 42:20, 43:22</p> <p>Greenberger [1] - 3:3</p> <p>greet [1] - 16:12</p> <p>greeted [1] - 39:12</p> <p>grew [1] - 2:22</p> <p>ground [1] - 29:13</p> <p>group [1] - 10:19</p> <p>groups [1] - 14:13</p> <p>growth [1] - 36:17</p> <p>guarantee [1] - 8:14</p> <p>guess [2] - 21:8, 69:17</p> <p>guide [1] - 46:20</p> <p>Guidelines [1] - 3:21</p> <p>guy [2] - 5:20, 39:16</p>	<p>67:2, 67:7, 67:17, 67:19, 70:4</p> <p>hadn't [1] - 69:16</p> <p>half [4] - 5:10, 27:10, 45:22, 70:20</p> <p>hall [1] - 69:21</p> <p>Hall [1] - 69:23</p> <p>hand [2] - 32:1, 80:14</p> <p>handful [1] - 49:19</p> <p>happen [3] - 31:2, 56:9, 64:25</p> <p>happened [3] - 21:8, 69:23, 70:18</p> <p>happening [6] - 39:7, 39:25, 71:9, 74:11, 74:12, 77:24</p> <p>happens [2] - 4:4, 13:18</p> <p>happy [2] - 74:2, 74:10</p> <p>hard [3] - 47:17, 51:3, 70:23</p> <p>Harlem [13] - 8:7, 20:2, 21:14, 36:5, 39:18, 40:2, 40:3, 40:5, 70:7, 70:9, 70:14, 70:22, 73:24</p> <p>Harlem's [2] - 38:25, 39:6</p> <p>has [36] - 4:23, 5:24, 9:3, 11:15, 12:4, 15:25, 16:3, 17:5, 17:16, 33:16, 34:4, 35:13, 37:20, 38:6, 38:17, 40:2, 41:6, 41:25, 42:1, 44:25, 45:14, 49:8, 50:6, 51:5, 51:7, 53:13, 54:15, 56:16, 58:16, 63:23, 64:21, 65:9, 65:13, 66:3, 68:21</p> <p>have [155] - 3:18, 4:22, 5:1, 5:9, 5:22, 6:11, 6:23, 7:14, 7:19, 8:1, 8:6, 8:21, 9:7, 9:9, 9:16, 9:18, 9:22, 10:2, 10:6, 10:11, 10:15, 10:16, 10:18, 13:9, 13:11, 13:14, 15:21, 15:24, 16:2, 16:11, 16:12, 16:17, 16:25, 17:3, 17:4, 17:14, 17:15, 18:12, 19:5, 19:8, 20:1, 20:8, 20:20, 20:24, 22:12, 24:5, 24:25, 25:5, 25:7, 25:16, 25:18, 25:25, 26:1, 26:16, 26:19, 27:16, 27:19, 27:24, 28:12, 28:23, 29:2, 30:2, 30:25, 32:13, 32:17, 33:1, 33:7, 33:22, 35:4, 35:8, 37:24, 38:22, 41:7, 41:8, 42:14, 42:16, 42:22, 42:23, 42:24, 43:16, 43:17, 47:6, 47:18, 47:23, 47:24, 47:25, 48:2, 48:9, 48:22, 48:23, 49:11, 49:14, 50:8, 50:16, 50:19, 51:14, 51:20, 52:16, 52:18, 54:11, 57:8, 57:21, 58:6, 58:23, 59:2, 59:17, 59:18, 59:25, 61:24, 61:25, 62:2,</p>	<p>62:7, 62:16, 62:19, 63:3, 63:9, 63:11, 63:21, 64:2, 64:6, 65:4, 65:12, 65:25, 66:5, 66:8, 67:13, 68:2, 70:2, 70:14, 70:15, 70:17, 71:1, 71:2, 71:8, 71:13, 73:3, 73:12, 73:23, 74:1, 74:4, 74:9, 74:17, 75:12, 75:15, 75:20, 75:23, 77:3, 77:16, 77:18, 78:17, 80:14</p> <p>Haven [1] - 55:18</p> <p>having [12] - 4:19, 4:20, 9:20, 21:18, 35:15, 37:17, 54:3, 60:11, 62:20, 64:11, 73:8, 78:19</p> <p>he [4] - 4:7, 4:8, 4:11, 27:15</p> <p>he's [1] - 25:17</p> <p>hear [7] - 18:5, 50:9, 60:25, 69:13, 69:14, 69:25, 78:23</p> <p>heard [10] - 4:23, 10:15, 13:15, 15:13, 28:6, 28:9, 42:15, 46:6, 68:2, 78:4</p> <p>hearing [6] - 5:7, 24:12, 29:18, 44:1, 49:22, 77:14</p> <p>HEARING [1] - 1:2</p> <p>hearings [7] - 2:5, 4:19, 28:7, 52:15, 67:8, 76:13, 76:17</p> <p>heart [3] - 10:8, 57:9, 58:12</p> <p>hefty [1] - 34:10</p> <p>hello [1] - 71:14</p> <p>help [8] - 12:10, 12:14, 15:3, 38:4, 38:23, 40:1, 48:14, 75:24</p> <p>helped [1] - 42:22</p> <p>helpful [3] - 37:19, 37:23, 43:23</p> <p>helping [3] - 18:23, 23:17, 30:3</p> <p>her [5] - 5:25, 23:1, 23:2, 23:3, 51:18</p> <p>here [26] - 2:13, 3:24, 6:5, 13:14, 32:20, 33:6, 41:9, 41:18, 44:18, 47:20, 51:5, 51:15, 52:7, 52:17, 53:4, 54:7, 54:20, 57:11, 57:13, 61:10, 62:1, 62:8, 68:22, 72:25, 73:21, 78:10</p> <p>hereby [1] - 80:7</p> <p>hereunto [1] - 80:14</p> <p>hey [2] - 54:8, 66:22</p> <p>hi [4] - 3:2, 20:10, 20:11, 41:2</p> <p>highlight [2] - 45:3, 47:1</p> <p>highly [1] - 30:25</p> <p>him [1] - 25:16</p> <p>hip [1] - 36:11</p> <p>hire [1] - 62:6</p> <p>hiring [1] - 65:18</p> <p>his [3] - 4:12, 23:7, 23:8</p>
	H		
	<p>H3D [1] - 7:14</p> <p>had [24] - 8:21, 10:16, 15:18, 18:20, 19:12, 19:16, 20:24, 21:1, 23:23, 26:19, 37:5, 39:8, 39:19, 40:17, 40:18, 54:6, 59:8, 59:9, 61:9,</p>		

<p>historical [1] - 43:8 history [2] - 39:21, 43:12 hit [1] - 19:1 hm [1] - 73:16 hold [1] - 50:6 holders [2] - 29:9, 68:13 holds [1] - 47:10 home [2] - 2:22, 46:25 homeless [1] - 48:12 honest [3] - 18:20, 21:19, 40:3 honor [2] - 3:24, 6:3 hop [1] - 36:11 hope [6] - 5:2, 16:4, 16:19, 17:2, 47:20, 49:21 hopefull3y [1] - 50:1 hopefully [2] - 16:15, 49:24 hospitality [1] - 15:20 hospitals [1] - 30:11 host [1] - 55:8 hosted [1] - 37:20 hosting [2] - 55:6, 55:7 HOSTOS [1] - 1:3 hours [2] - 38:24, 39:4 house [1] - 3:8 housing [6] - 7:9, 18:15, 49:6, 65:4, 65:6 how [30] - 5:15, 7:15, 17:9, 18:1, 19:2, 19:23, 20:11, 23:12, 37:2, 37:3, 37:10, 37:13, 38:12, 40:9, 41:14, 43:9, 46:3, 46:14, 46:20, 53:10, 54:24, 60:9, 61:6, 64:23, 65:11, 70:16, 70:23, 74:18, 76:9, 78:11 however [3] - 24:6, 46:7, 49:4 HPD [1] - 65:6 Hudson [1] - 70:10 huge [1] - 63:2 human [4] - 36:16, 45:4, 45:10, 47:2 humble [1] - 61:24 hundred [1] - 68:17 hundreds [1] - 48:4 hunter [1] - 17:8 husband [1] - 36:15</p>	<p>14:1, 14:7, 14:9, 14:19, 14:22, 15:7, 15:12, 15:23, 15:24, 16:1, 16:2, 16:4, 16:6, 16:20, 17:2, 17:3, 17:6, 17:8, 17:9, 17:11, 18:7, 18:9, 18:19, 18:22, 19:3, 19:6, 19:21, 19:22, 20:18, 20:22, 21:3, 21:13, 21:22, 22:14, 22:21, 23:1, 23:2, 23:5, 23:24, 24:1, 24:6, 24:15, 24:21, 25:18, 26:3, 26:6, 26:9, 26:12, 26:22, 27:11, 27:17, 27:18, 27:24, 28:2, 28:14, 29:6, 29:18, 29:25, 30:2, 30:6, 30:20, 32:1, 32:6, 32:17, 32:20, 33:1, 33:7, 36:6, 36:10, 36:13, 37:14, 37:18, 37:22, 38:2, 38:20, 38:24, 39:5, 39:6, 39:10, 39:12, 39:13, 40:1, 40:18, 40:25, 41:2, 41:7, 41:14, 41:16, 41:19, 42:14, 43:2, 43:3, 43:7, 43:10, 44:8, 44:14, 44:18, 47:6, 47:17, 47:18, 47:20, 47:22, 48:7, 48:10, 48:16, 48:20, 48:22, 49:13, 49:18, 49:21, 50:7, 50:8, 50:16, 50:25, 51:16, 52:7, 52:8, 52:10, 52:14, 52:15, 52:17, 52:18, 52:21, 52:23, 53:1, 53:9, 53:11, 53:13, 53:14, 53:15, 53:18, 54:1, 54:15, 54:23, 55:2, 55:19, 55:25, 56:3, 56:9, 56:15, 57:13, 57:18, 58:2, 58:24, 59:13, 59:24, 60:7, 60:15, 61:9, 61:17, 61:19, 62:6, 62:15, 62:22, 62:24, 63:4, 63:23, 64:2, 64:12, 64:19, 64:21, 64:25, 65:1, 65:8, 65:16, 65:19, 65:24, 66:2, 66:11, 66:14, 67:10, 67:17, 67:19, 67:22, 67:23, 68:3, 68:9, 68:11, 68:13, 68:17, 68:18, 68:20, 69:1, 69:13, 69:16, 69:17, 69:18, 69:19, 69:25, 70:1, 70:2, 70:4, 70:6, 70:11, 70:15, 70:16, 70:20, 70:25, 71:3, 71:10, 71:13, 73:19, 73:20, 73:21, 73:23, 73:24, 74:3, 74:6, 74:9, 74:10, 74:13, 74:17, 74:21, 74:22, 75:15, 75:16, 75:19, 76:4, 76:21, 76:24, 76:25, 77:2, 77:15, 77:16, 77:17, 77:18, 77:23, 78:1, 78:20, 78:23, 80:1, 80:6, 80:10, 80:12, 80:14 I'd [6] - 22:17, 25:8, 27:21, 28:10, 52:12, 60:24 I'll [6] - 6:20, 18:7, 39:24,</p>	<p>40:11, 52:24, 58:23 I'm [55] - 2:1, 2:16, 2:20, 2:25, 3:2, 3:3, 3:13, 3:21, 5:19, 6:4, 6:9, 12:25, 13:14, 13:19, 20:15, 21:2, 22:13, 25:13, 25:15, 28:8, 31:18, 32:2, 33:9, 36:4, 38:1, 39:23, 40:21, 40:22, 41:2, 41:8, 41:17, 41:18, 52:4, 54:5, 55:9, 56:5, 57:10, 60:19, 63:24, 66:20, 70:21, 70:24, 71:3, 71:19, 72:25, 73:17, 74:1, 74:2, 74:9, 75:14, 76:3, 77:10, 77:11, 78:1 I've [6] - 3:10, 7:23, 8:20, 14:2, 40:16, 40:19 idea [4] - 4:14, 32:17, 58:23, 70:15 ideas [7] - 48:23, 49:13, 49:20, 50:8, 50:11, 50:14 identified [1] - 50:12 identify [1] - 49:19 if [42] - 8:22, 9:15, 16:1, 21:10, 22:18, 25:14, 26:12, 26:15, 32:2, 38:11, 41:8, 42:20, 43:4, 47:25, 48:13, 50:10, 50:16, 52:8, 53:13, 54:19, 56:3, 57:16, 59:22, 60:7, 60:11, 62:17, 63:1, 63:2, 63:25, 65:18, 66:6, 66:15, 66:25, 68:3, 68:5, 69:6, 71:1, 73:17, 74:6, 74:17, 74:19, 78:14 illegal [1] - 34:3 imagine [1] - 48:4 imaging [1] - 34:12 imbedded [1] - 41:13 imbedding [1] - 47:2 immigrant [2] - 34:6, 42:1 impact [6] - 27:7, 34:24, 45:20, 46:12, 56:5, 58:7 impacted [1] - 43:20 impacts [1] - 29:2 implement [1] - 50:25 implemented [1] - 20:5 import [1] - 46:3 importance [4] - 28:15, 47:2, 76:12, 76:13 important [17] - 6:24, 9:9, 12:16, 22:3, 26:4, 30:16, 31:8, 37:24, 42:10, 67:20, 68:1, 69:1, 69:23, 70:17, 71:1, 76:10, 77:15 imposing [1] - 32:7 impressed [1] - 13:20 improve [2] - 38:7, 78:16 Improvement [3] - 33:5, 55:10, 55:17 improvement [3] - 34:7, 57:5, 57:7</p>	<p>improvements [1] - 33:12 improving [1] - 55:12 in [271] - 2:5, 2:22, 3:18, 4:8, 4:10, 4:21, 4:22, 5:2, 5:11, 5:12, 5:16, 6:3, 6:15, 6:17, 6:20, 6:24, 7:1, 7:7, 7:24, 8:6, 8:8, 8:22, 8:23, 8:24, 9:2, 9:23, 10:2, 10:6, 10:11, 10:15, 10:17, 10:20, 11:5, 11:16, 11:17, 11:23, 12:5, 12:8, 12:9, 12:14, 12:17, 13:6, 13:7, 13:9, 13:18, 13:23, 14:13, 15:4, 15:12, 15:13, 15:14, 16:18, 18:1, 18:8, 18:13, 18:19, 19:2, 19:5, 19:11, 19:13, 19:16, 19:20, 19:24, 20:2, 20:15, 20:23, 20:25, 21:3, 21:8, 21:14, 21:16, 21:20, 22:23, 23:16, 23:24, 24:4, 24:17, 25:2, 25:3, 25:6, 25:11, 25:16, 25:22, 26:13, 26:21, 27:7, 27:12, 28:5, 28:13, 28:18, 28:21, 29:7, 29:12, 30:4, 30:6, 30:7, 30:8, 30:15, 30:16, 30:20, 31:4, 31:22, 32:8, 33:6, 33:23, 33:24, 33:25, 34:1, 34:5, 34:9, 34:17, 34:24, 35:4, 35:6, 35:12, 36:5, 36:8, 36:10, 37:18, 38:1, 38:8, 38:18, 39:6, 39:25, 40:5, 41:13, 41:17, 42:4, 42:6, 42:12, 43:5, 44:12, 44:23, 45:1, 45:4, 45:16, 46:3, 46:5, 46:8, 46:24, 47:10, 47:14, 47:19, 48:12, 49:8, 49:9, 49:21, 49:24, 50:9, 51:4, 51:5, 51:15, 51:17, 51:20, 51:21, 51:22, 52:7, 52:8, 52:18, 52:21, 52:24, 53:1, 53:12, 53:15, 54:5, 54:17, 54:18, 55:19, 55:24, 56:8, 56:16, 56:18, 56:19, 57:7, 57:8, 57:14, 57:15, 58:1, 58:5, 58:7, 58:10, 58:11, 58:14, 58:19, 59:1, 59:4, 59:7, 59:22, 60:13, 61:3, 61:10, 61:13, 62:1, 62:5, 62:25, 63:2, 63:4, 63:6, 63:7, 63:21, 64:11, 64:16, 64:22, 64:24, 65:1, 65:4, 65:6, 65:8, 65:10, 65:15, 65:16, 65:24, 66:3, 66:5, 66:14, 66:17, 67:4, 67:14, 67:21, 68:20, 68:23, 69:4, 69:19, 70:22, 70:24, 71:8, 71:19, 72:8, 72:23, 73:2, 73:4, 73:23, 74:12, 74:21, 74:22, 75:3, 75:10, 75:17, 75:18, 75:21, 76:3, 76:24, 76:25, 77:4,</p>
<p>I</p>			
<p>i [1] - 59:6 I [309] - 2:5, 2:8, 2:9, 2:10, 2:11, 2:12, 2:17, 2:22, 3:5, 3:6, 3:7, 3:9, 5:18, 5:19, 5:22, 5:24, 6:2, 6:4, 6:5, 6:8, 6:11, 6:12, 6:14, 6:15, 6:18, 6:21, 6:22, 7:17, 8:14, 8:18, 8:20, 8:22, 9:4, 9:5, 9:6, 9:8, 10:8, 10:13, 10:14, 10:22, 11:13, 12:9, 12:15, 13:10,</p>			

<p>77:19, 77:24, 78:7, 79:1, 80:12 IN [1] - 80:14 in-appropriate [1] - 27:12 in-person [1] - 10:11 inadvertently [1] - 46:22 inaudible [7] - 12:24, 23:4, 63:20, 74:5, 74:8, 77:12, 78:22 incentives [1] - 7:9 include [3] - 36:21, 45:15, 51:21 included [4] - 14:24, 39:16, 44:23, 75:10 includes [1] - 30:9 income [3] - 49:2, 49:7, 65:15 incoming [1] - 76:10 increase [5] - 9:22, 10:21, 24:22, 25:3, 34:25 increased [1] - 7:25 increases [3] - 8:5, 25:6, 25:8 increasing [1] - 6:15 independent [2] - 24:19, 72:7 indicated [4] - 3:5, 7:23, 40:8, 41:9 individual [5] - 10:19, 14:13, 27:8, 29:1, 49:14 individuals [2] - 16:13, 75:3 Industrial [1] - 56:1 industry [2] - 33:12, 33:16 inequalities [1] - 3:19 influence [3] - 60:6, 73:2, 78:7 inform [1] - 43:18 information [4] - 10:24, 37:15, 43:15, 56:25 informed [1] - 42:17 infrastructure [3] - 36:9, 38:18, 40:12 infringement [1] - 14:6 ing [1] - 39:20 input [4] - 17:22, 21:17, 44:11, 52:16 inside [1] - 59:17 insofar [1] - 12:22 instance [1] - 15:19 instinct [1] - 41:10 Institute [1] - 3:16 institutional [3] - 38:3, 54:9, 71:1 institutions [1] - 30:10 instructive [1] - 69:8 integrated [1] - 45:5 intentionally [1] - 47:13 interact [3] - 6:14, 23:13, 28:23</p>	<p>interest [13] - 4:8, 6:17, 9:8, 11:10, 28:19, 29:8, 29:12, 35:13, 35:21, 42:6, 59:7, 62:22, 76:21 interested [2] - 20:15, 80:12 interesting [3] - 6:8, 26:18, 32:17 interests [1] - 40:5 international [3] - 45:10, 45:11, 46:25 intersection [1] - 55:14 intersectionality [1] - 45:19 interview [1] - 14:18 interviewed [1] - 14:4 interviewing [1] - 14:12 interviews [2] - 10:19, 66:3 into [15] - 19:20, 42:9, 45:6, 46:18, 47:2, 48:18, 49:11, 53:15, 53:16, 54:16, 58:8, 66:23, 67:10, 77:20, 78:15 introduce [3] - 2:12, 37:20, 40:19 introduced [4] - 30:14, 30:24, 34:24, 56:15 introductions [1] - 40:18 inundated [1] - 10:17 invaluable [1] - 11:19 investigate [1] - 58:4 Investment [1] - 38:25 investment [2] - 34:14, 39:6 invisible [1] - 45:24 invite [1] - 5:16 involved [4] - 22:23, 48:13, 78:7 involvement [2] - 26:17, 46:8 involves [1] - 58:20 Inwood [2] - 8:7, 19:14 is [152] - 2:4, 2:8, 2:10, 2:16, 2:19, 3:5, 3:12, 4:4, 4:24, 5:1, 6:10, 7:8, 7:16, 7:25, 8:8, 8:23, 8:24, 11:20, 11:25, 13:2, 13:6, 13:16, 13:21, 13:22, 14:8, 14:9, 14:11, 14:13, 14:25, 15:11, 15:13, 16:10, 17:13, 17:15, 17:22, 18:11, 18:12, 19:7, 19:12, 19:15, 21:10, 21:11, 21:25, 22:1, 22:3, 22:16, 22:19, 23:19, 24:24, 25:21, 26:6, 26:14, 26:16, 26:23, 27:1, 27:6, 28:4, 29:5, 29:25, 30:5, 30:24, 31:11, 32:25, 33:11, 34:3, 34:8, 34:22, 34:23, 35:3, 36:4, 36:8, 36:10, 36:13, 36:16, 36:25, 37:24, 38:3, 38:12, 40:2, 40:24, 41:7, 41:9, 41:11,</p>	<p>41:18, 41:23, 42:9, 43:3, 44:12, 44:14, 44:20, 44:22, 44:23, 45:9, 45:12, 46:17, 48:3, 48:20, 49:1, 49:2, 49:19, 50:23, 51:2, 51:8, 51:22, 52:3, 55:1, 55:9, 55:12, 57:6, 58:12, 58:17, 59:13, 59:23, 60:5, 61:1, 62:3, 62:8, 62:9, 62:14, 62:22, 62:25, 63:21, 64:1, 64:3, 64:8, 64:17, 65:2, 65:13, 66:22, 67:14, 67:15, 67:25, 68:17, 70:15, 70:17, 70:24, 70:25, 71:3, 71:14, 72:25, 73:3, 74:11, 74:17, 77:6, 77:11, 79:3, 80:8 ish [1] - 42:18 Island [1] - 41:1 isn't [2] - 54:21, 74:12 issue [14] - 11:25, 14:2, 14:8, 19:7, 20:21, 21:19, 28:4, 28:8, 29:5, 33:11, 51:4, 51:9, 68:1, 68:3 issued [3] - 5:4, 34:4, 34:25 issues [37] - 5:6, 5:9, 6:19, 11:8, 11:9, 12:11, 17:25, 21:25, 22:24, 23:10, 23:21, 23:22, 23:23, 25:20, 26:20, 27:1, 27:3, 27:6, 27:19, 28:19, 33:7, 41:24, 45:25, 46:3, 46:6, 46:7, 46:8, 49:20, 49:23, 50:12, 58:13, 60:14, 67:8 It [1] - 12:16 it [106] - 4:4, 4:10, 6:5, 6:21, 7:7, 7:12, 8:8, 9:11, 12:21, 14:8, 14:12, 14:13, 14:15, 14:16, 14:21, 14:22, 15:2, 16:3, 17:17, 18:21, 18:24, 19:3, 19:11, 19:20, 21:3, 22:1, 24:1, 26:5, 26:6, 26:9, 26:16, 26:25, 27:11, 27:21, 28:4, 29:10, 29:14, 32:20, 36:10, 36:11, 36:16, 38:24, 39:1, 39:5, 39:7, 39:17, 39:20, 40:9, 45:14, 49:5, 50:25, 51:6, 51:20, 52:8, 53:12, 53:13, 53:16, 53:23, 55:24, 57:2, 58:6, 58:19, 58:20, 58:21, 58:25, 59:13, 59:24, 61:25, 62:7, 62:8, 62:14, 63:7, 63:10, 64:6, 64:25, 65:13, 65:14, 65:17, 65:24, 66:19, 67:6, 67:10, 67:13, 67:15, 67:16, 67:24, 70:17, 70:23, 70:25, 73:25, 74:6, 74:17, 74:21, 74:22, 75:1, 75:3, 75:5, 75:13, 75:24, 76:14, 76:22, 77:25, 78:8</p>	<p>it's [44] - 2:22, 3:23, 6:3, 7:10, 7:18, 9:9, 10:1, 12:16, 14:13, 14:21, 16:7, 16:20, 16:24, 17:2, 17:3, 17:19, 18:10, 19:1, 19:18, 20:7, 22:9, 26:3, 28:7, 28:8, 29:5, 32:10, 32:16, 42:3, 43:9, 43:13, 49:25, 50:1, 57:8, 57:17, 64:12, 66:22, 67:8, 67:14, 69:1, 72:20, 73:24, 76:9, 76:15, 77:15 items [1] - 34:17 its [7] - 32:5, 35:17, 38:11, 42:1, 42:11, 45:1, 58:10 itself [1] - 23:19</p> <p style="text-align: center;">J</p> <p>James [1] - 44:4 jim [1] - 47:16 job [3] - 9:25, 33:9, 54:16 JOHN [1] - 1:18 John [4] - 2:24, 20:10, 32:22, 32:25 joined [1] - 48:10 Jose [1] - 51:6 Jr [1] - 44:9 judgment [1] - 9:7 Julissa [1] - 51:16 July [2] - 1:6, 80:15 jurisdiction [1] - 58:16 jurisdictions [1] - 50:19 just [46] - 3:25, 5:4, 6:11, 8:8, 14:1, 21:13, 21:14, 25:18, 27:6, 27:13, 32:2, 37:5, 37:17, 39:1, 39:8, 39:24, 42:25, 43:5, 43:7, 43:11, 46:6, 47:6, 47:18, 48:4, 48:17, 49:13, 49:17, 50:5, 55:2, 55:11, 57:19, 58:9, 58:13, 61:8, 62:1, 62:13, 64:2, 64:13, 67:12, 68:4, 70:22, 73:19, 77:10, 78:2 Justice [1] - 41:4</p> <p style="text-align: center;">K</p> <p>keep [5] - 16:18, 54:8, 54:9, 66:15, 73:7 keepers [1] - 15:20 Ken [2] - 32:22, 36:4 key [2] - 37:11, 43:3 kicking [1] - 54:1 kind [20] - 13:9, 16:4, 16:21, 17:23, 21:18, 26:2, 42:23, 43:4, 43:6, 43:8, 43:15, 43:18, 53:21, 66:8, 66:13, 66:17, 66:22, 66:24, 70:3, 70:15 kinds [3] - 15:6, 21:2, 48:15</p>
---	--	--	--

<p>know [60] - 6:8, 7:8, 8:18, 8:22, 9:9, 9:15, 13:4, 15:23, 16:3, 16:7, 17:10, 17:14, 18:12, 18:14, 18:18, 18:25, 19:7, 19:21, 21:13, 24:24, 28:7, 29:13, 37:14, 41:14, 41:25, 43:3, 43:10, 43:11, 43:20, 45:24, 48:14, 51:1, 51:16, 52:8, 52:11, 53:3, 53:13, 53:14, 59:6, 60:5, 60:7, 60:11, 62:16, 64:18, 66:11, 67:11, 68:1, 70:8, 70:18, 74:2, 74:6, 74:10, 74:11, 75:18, 75:22, 76:3, 76:4, 76:18, 76:24 knowledge [3] - 7:10, 43:5, 54:10 knows [2] - 16:16, 60:7 Krishanti [1] - 51:1 Kyle [1] - 40:21 KYLE [1] - 1:15</p>	<p>learned [5] - 21:13, 38:25, 39:5, 39:7, 73:20 learning [1] - 7:13 least [5] - 25:8, 53:6, 66:4, 66:9, 66:12 leave [3] - 6:3, 12:1, 25:17 leaves [1] - 73:25 leaving [1] - 20:24 led [1] - 9:3 left [4] - 40:20, 67:20, 70:11, 78:23 legal [1] - 35:6 Legal [1] - 3:22 legibility [1] - 68:14 legislated [7] - 23:21, 23:22, 23:24, 25:21, 25:22, 35:7, 41:24 legislation [11] - 26:1, 26:8, 26:21, 30:24, 32:8, 34:24, 35:3, 41:10, 41:16, 42:4, 57:25 lengthy [1] - 14:20 lens [2] - 57:19, 57:22 less [1] - 25:9 let [14] - 5:21, 5:25, 8:11, 13:13, 14:1, 27:13, 32:19, 44:2, 49:17, 50:5, 69:7, 71:6, 71:7, 77:1 let's [1] - 77:2 level [6] - 8:4, 11:19, 31:12, 60:10, 67:11, 67:14 levelling [1] - 37:16 levy [2] - 24:23, 25:1 licensing [2] - 31:6, 34:19 life [1] - 59:20 Life [1] - 3:23 lifting [1] - 52:22 light [1] - 72:8 like [41] - 2:9, 2:11, 13:25, 15:24, 16:11, 19:18, 21:6, 22:17, 24:15, 24:21, 25:8, 27:8, 27:21, 28:10, 37:3, 40:13, 41:10, 43:5, 43:13, 44:13, 46:9, 46:15, 49:22, 52:12, 52:15, 53:21, 57:22, 59:13, 63:24, 65:17, 65:22, 66:2, 66:17, 68:13, 69:10, 75:16, 76:16, 76:17, 77:11 limit [4] - 5:17, 29:4, 38:1, 52:23 limited [3] - 7:21, 7:22, 7:24 limits [24] - 6:22, 13:11, 15:12, 20:15, 20:16, 21:2, 21:4, 23:25, 24:6, 25:12, 27:4, 28:3, 28:10, 34:17, 54:6, 54:8, 54:21, 55:3, 56:20, 56:23, 63:8, 71:20 line [2] - 69:24, 70:6 lineup [1] - 53:14 liquor [1] - 56:13</p>	<p>list [1] - 46:15 listen [3] - 49:3, 70:2, 77:16 listened [2] - 21:21, 22:1 listening [1] - 73:22 Listing [1] - 39:17 literally [1] - 71:5 litigated [1] - 3:10 litter [1] - 34:20 little [13] - 2:7, 13:3, 13:24, 16:4, 20:24, 28:11, 31:2, 32:3, 34:2, 67:22, 68:4, 69:21, 77:15 live [7] - 4:25, 23:12, 29:10, 37:12, 38:10, 38:11, 75:17 lived [1] - 39:19 lobbyists [3] - 7:21, 7:23, 21:9 local [6] - 33:14, 35:7, 50:18, 53:23, 73:4, 78:7 logging [1] - 38:12 long [10] - 10:6, 13:10, 17:1, 17:5, 20:7, 21:7, 40:7, 40:14, 58:7, 71:25 long-term [7] - 10:6, 13:10, 17:1, 40:7, 40:14, 58:7, 71:25 longer [1] - 43:19 longest [1] - 43:20 look [18] - 4:9, 4:10, 25:20, 26:15, 27:14, 27:15, 29:6, 37:3, 40:13, 43:13, 50:21, 53:15, 63:24, 64:22, 64:23, 66:1, 70:3, 78:9 looked [1] - 53:21 looking [9] - 38:21, 38:22, 41:11, 51:9, 53:10, 54:24, 57:16, 66:23, 73:17 looks [5] - 4:18, 27:1, 27:8, 44:13, 69:10 loop [1] - 32:8 Lopez [3] - 69:10, 71:14, 74:17 LOPEZ [11] - 71:13, 73:16, 74:5, 74:8, 74:21, 75:5, 75:8, 77:10, 77:13, 78:3, 78:19 lot [25] - 10:1, 13:2, 15:5, 16:20, 17:17, 21:12, 42:15, 43:12, 50:7, 52:24, 53:19, 59:7, 60:5, 62:17, 63:1, 65:4, 65:14, 66:15, 66:21, 67:2, 67:5, 67:9, 76:4, 77:17 lots [1] - 16:15 loud [1] - 69:13 love [1] - 64:19 low [1] - 49:2 low-income [1] - 49:2 lowest [1] - 67:14</p>	<p style="text-align: center;">M</p> <p>made [10] - 5:24, 6:5, 10:2, 30:25, 31:10, 31:15, 40:18, 41:15, 42:13, 67:20 magnitude [1] - 19:16 main [1] - 44:21 maintain [1] - 46:23 maintaining [1] - 64:14 major [2] - 43:16, 43:19 make [28] - 4:10, 6:21, 8:16, 9:10, 11:1, 13:23, 17:15, 20:14, 23:16, 42:17, 45:24, 48:24, 49:17, 52:10, 53:10, 59:23, 59:24, 60:8, 65:10, 65:11, 66:11, 66:19, 73:4, 74:25, 75:9, 75:16, 76:6, 76:16 makes [7] - 14:17, 34:13, 36:13, 36:14, 36:15 making [6] - 4:13, 38:19, 43:9, 64:15, 71:15, 72:4 man [2] - 41:18, 56:9 manage [1] - 13:24 managers [1] - 65:19 managing [1] - 59:4 mandate [4] - 46:10, 47:11, 64:4, 68:22 mandated [1] - 48:2 mandating [1] - 38:9 mandatory [4] - 53:12, 56:17, 60:21, 62:7 Manhattan [21] - 5:24, 6:3, 8:24, 10:2, 10:17, 13:16, 13:25, 14:21, 15:14, 16:13, 19:11, 19:13, 20:23, 22:8, 23:1, 36:5, 38:4, 39:1, 54:15, 66:2, 69:19 many [14] - 4:19, 4:20, 6:8, 8:7, 13:15, 16:7, 21:15, 28:9, 28:22, 57:12, 72:14, 76:5 maps [1] - 12:11 Marco [2] - 2:14, 2:16 MARCO [1] - 1:16 Maritta [1] - 69:9 Mark [1] - 22:13 marker [1] - 37:11 market [2] - 34:5, 34:25 marriage [1] - 80:11 mass [1] - 49:12 master [3] - 40:1, 40:3, 55:19 masters [2] - 7:19, 8:1 match [1] - 59:13 matching [1] - 52:22 matter [5] - 14:4, 19:12, 50:22, 79:4, 80:13 matters [1] - 8:12 may [15] - 15:4, 25:23, 26:7, 26:12, 26:20, 29:2, 41:16,</p>
L			
<p>labor [1] - 9:19 laboring [1] - 10:7 lack [3] - 26:17, 33:25, 40:8 lacks [1] - 40:7 land [21] - 6:24, 7:6, 7:23, 8:2, 8:12, 8:16, 10:6, 11:7, 11:24, 12:2, 13:7, 17:25, 18:10, 21:9, 21:25, 40:12, 43:2, 55:24, 56:12, 58:4, 58:12 land-use [9] - 6:24, 8:12, 8:16, 11:24, 12:2, 40:12, 56:12, 58:4, 58:12 landmarking [1] - 7:10 large [5] - 10:7, 30:9, 35:22, 42:5, 64:16 last [7] - 5:4, 6:4, 22:14, 28:6, 38:24, 39:4, 69:9 lasting [1] - 56:4 lastly [3] - 25:8, 56:24, 58:9 late [2] - 40:17, 72:10 later [1] - 47:21 laughter [1] - 22:10 law [5] - 3:17, 34:23, 35:7, 45:17, 47:3 Law [2] - 3:14, 41:4 laws [8] - 24:16, 24:18, 31:4, 31:13, 33:14, 34:15, 35:16, 45:1 lawyer [3] - 2:25, 3:9, 75:21 lawyers [1] - 7:24 lead [2] - 45:3, 72:17 leadership [5] - 20:17, 46:24, 55:23, 56:22 leading [1] - 28:8 learn [3] - 7:12, 8:13, 29:1</p>			

<p>41:19, 43:21, 46:21, 49:5, 49:14, 61:3, 72:17 May [1] - 63:4 maybe [13] - 16:19, 16:22, 19:8, 63:8, 63:11, 66:7, 74:23, 75:1, 75:12, 77:13, 77:14 Mayor [1] - 4:6 mayor [6] - 3:8, 24:8, 24:11, 26:25, 27:13, 31:16 Mayor's [2] - 2:18, 4:2 mayoral [2] - 2:25, 24:7 mayors [2] - 25:25, 26:19 MC [1] - 36:13 me [28] - 8:11, 13:13, 14:1, 15:11, 17:12, 17:17, 25:14, 27:12, 27:13, 29:5, 32:19, 44:2, 47:19, 49:17, 50:5, 52:10, 55:24, 56:7, 69:7, 69:13, 70:3, 70:24, 71:6, 71:7, 73:25, 75:17, 77:1, 78:8 meal [1] - 53:19 mean [4] - 14:7, 21:3, 54:1, 70:2 means [1] - 11:22 measures [1] - 71:25 media [2] - 9:17, 15:23 median [1] - 49:7 medical [1] - 30:11 meet [5] - 7:20, 16:11, 16:13, 34:20 meeting [14] - 2:2, 7:1, 21:14, 36:23, 39:9, 54:3, 54:4, 66:4, 66:6, 66:12, 66:13, 66:25, 73:21 meetings [7] - 2:9, 4:20, 38:10, 38:13, 59:12, 62:17, 66:7 member [16] - 6:13, 31:16, 36:4, 40:22, 42:18, 42:22, 44:17, 52:5, 53:14, 53:18, 54:7, 59:9, 71:5, 71:18, 71:21, 75:14 Member [3] - 22:15, 27:25, 59:9 members [55] - 2:11, 6:7, 6:23, 7:6, 7:8, 7:12, 7:19, 8:1, 8:22, 8:25, 9:1, 9:4, 9:24, 15:16, 16:9, 16:16, 16:17, 17:4, 21:16, 23:6, 26:7, 27:22, 28:23, 29:7, 32:25, 33:18, 36:2, 37:21, 37:23, 39:10, 40:17, 41:6, 42:16, 43:15, 43:21, 50:2, 53:23, 54:12, 59:11, 60:12, 65:24, 71:4, 72:13, 72:14, 72:18, 72:21, 73:3, 74:24, 76:1, 76:6, 76:11, 78:5, 78:10</p>	<p>membership [3] - 9:23, 30:8, 36:23 memory [4] - 8:9, 38:3, 70:17, 71:1 men [2] - 24:2, 45:14 men's [1] - 46:7 Mendy [1] - 40:25 MENDY [1] - 1:17 mentioned [3] - 6:11, 27:4, 74:22 Merchant [1] - 55:18 merely [1] - 46:2 meshing [1] - 53:16 message [1] - 13:6 met [2] - 51:16, 51:18 method [1] - 5:11 methodology [1] - 46:18 Miami [1] - 51:7 Miami-Dade [1] - 51:7 Michael [6] - 52:2, 52:4, 55:9, 67:20, 68:17 Michaels [1] - 52:1 microphone [1] - 50:6 mid [1] - 30:12 mid-sized [1] - 30:12 might [7] - 37:3, 40:11, 51:1, 52:10, 63:25, 78:8, 78:11 Mike [1] - 2:7 miles [2] - 35:25, 42:15 Miles [2] - 32:23, 36:4 MILES [5] - 36:2, 39:4, 42:19, 43:2, 44:3 milestones [1] - 43:17 millennial [1] - 37:8 Million [1] - 39:16 million [5] - 23:12, 26:14, 27:10, 34:11, 61:12 mind [2] - 4:8, 5:16 mine [1] - 74:12 minimal [1] - 60:10 minutes [1] - 5:18 Mirocznik [1] - 40:25 MIROCZNIK [2] - 1:17, 40:24 miss [1] - 19:1 missing [1] - 43:11 mission [1] - 57:8 mistake [1] - 61:19 mm [1] - 73:16 mm-hm [1] - 73:16 mobile [9] - 33:12, 33:16, 33:23, 34:13, 35:5, 58:10, 58:12, 65:6, 65:8 model [3] - 13:16, 68:18, 68:20 models [3] - 37:6, 38:21, 38:22 modern [1] - 39:20</p>	<p>modification [1] - 64:4 moment [3] - 53:21, 70:14, 73:25 money [1] - 4:12 monitor [1] - 38:8 monopolize [1] - 34:16 monthly [1] - 48:18 months [1] - 37:6 more [43] - 4:11, 6:10, 6:20, 7:10, 8:8, 12:2, 12:13, 13:25, 14:22, 16:21, 19:9, 19:12, 21:12, 21:23, 23:12, 25:10, 27:8, 28:11, 29:7, 30:4, 30:14, 31:4, 31:7, 34:9, 34:10, 35:1, 35:2, 38:8, 39:23, 42:2, 42:22, 54:16, 54:23, 54:25, 56:6, 58:3, 61:22, 65:20, 65:25, 68:4, 69:25, 74:11 morning [1] - 39:7 Morris [1] - 55:18 most [6] - 39:9, 47:3, 52:14, 54:18, 55:14, 58:1 motion [3] - 78:20, 78:23, 79:3 Mount [1] - 55:18 move [2] - 63:16, 73:8 movement [1] - 50:23 movements [2] - 48:22, 49:12 moving [2] - 34:21, 63:13 MR [101] - 2:1, 2:8, 2:15, 2:24, 3:5, 3:25, 12:24, 13:13, 13:18, 15:9, 20:8, 20:11, 20:14, 22:5, 22:7, 22:12, 22:16, 22:17, 22:19, 22:20, 22:21, 23:5, 25:14, 26:12, 27:11, 27:20, 27:21, 28:14, 29:16, 29:18, 29:20, 29:21, 31:25, 32:6, 32:11, 32:13, 32:15, 32:16, 32:19, 32:22, 32:24, 35:24, 36:2, 39:3, 39:4, 40:16, 40:21, 40:24, 41:5, 41:19, 41:20, 41:21, 42:13, 42:19, 43:2, 43:24, 44:1, 44:3, 44:4, 44:7, 47:4, 47:7, 47:15, 47:16, 49:16, 50:5, 50:15, 51:25, 52:3, 55:4, 55:5, 58:22, 59:6, 60:1, 60:4, 60:18, 61:8, 62:13, 62:23, 63:19, 64:8, 64:11, 65:16, 67:17, 68:9, 68:17, 69:6, 69:12, 69:14, 71:12, 73:15, 73:17, 74:14, 76:23, 77:12, 78:1, 78:4, 78:20, 78:23, 78:25, 79:3 Mr [9] - 6:6, 22:17, 23:7, 32:24, 35:25, 42:8, 42:15, 44:9, 58:10 Ms [5] - 17:17, 50:17, 51:1,</p>	<p>57:16, 74:17 MS [57] - 2:19, 3:2, 3:12, 6:2, 12:25, 13:17, 14:7, 15:18, 18:7, 20:10, 20:13, 20:22, 22:6, 22:9, 22:11, 27:24, 32:2, 32:10, 32:12, 41:2, 42:14, 42:20, 43:22, 44:6, 44:8, 47:6, 47:8, 50:16, 50:22, 51:11, 51:13, 51:23, 51:24, 60:19, 63:20, 64:10, 67:19, 69:11, 69:13, 69:16, 71:13, 73:16, 73:19, 74:5, 74:6, 74:8, 74:9, 74:15, 74:21, 75:2, 75:5, 75:7, 75:8, 77:10, 77:13, 78:3, 78:19 much [23] - 6:2, 7:10, 10:13, 13:12, 17:18, 21:22, 22:6, 31:25, 49:15, 50:14, 51:23, 51:25, 55:4, 62:3, 65:25, 69:8, 71:11, 71:12, 71:15, 72:12, 73:15, 73:20 multi [1] - 61:12 multi-million [1] - 61:12 multiple [1] - 63:21 municipal [4] - 53:1, 53:2, 53:6, 67:21 municipalities [2] - 50:18, 57:21 must [13] - 7:6, 7:8, 7:12, 11:13, 13:8, 13:9, 24:8, 24:12, 46:5, 47:17, 48:2, 49:6, 49:11 my [55] - 2:10, 2:12, 2:16, 2:19, 3:5, 3:12, 6:12, 6:20, 8:7, 11:6, 12:4, 13:6, 17:8, 17:17, 18:10, 19:13, 22:22, 23:18, 29:25, 32:25, 36:4, 37:17, 38:16, 40:19, 40:24, 41:5, 41:10, 44:8, 44:14, 47:19, 52:3, 52:8, 52:24, 54:2, 55:9, 55:24, 56:2, 56:5, 56:6, 56:20, 57:12, 59:6, 61:8, 62:1, 62:23, 67:1, 71:14, 74:21, 74:22, 75:18, 76:3, 78:23, 78:25, 80:8, 80:14 myself [2] - 54:1, 76:24</p> <hr/> <p style="text-align: center;">N</p> <p>N [1] - 1:9 name [14] - 2:10, 2:16, 2:19, 3:5, 3:12, 22:14, 29:25, 32:25, 36:4, 40:24, 44:14, 52:3, 55:9, 71:14 narrow [2] - 5:8, 5:9 nations [1] - 44:15 Nations [1] - 47:1 natural [1] - 8:24 NAVARRO [2] - 80:6, 80:18</p>
---	---	---	--

<p>near ^[1] - 57:9 nearly ^[1] - 30:2 necessarily ^[4] - 41:12, 53:13, 66:15, 77:24 necessary ^[1] - 12:18 need ^[43] - 8:9, 8:11, 12:2, 12:15, 13:4, 14:18, 18:14, 18:15, 18:17, 19:9, 20:20, 36:9, 37:13, 41:16, 42:15, 43:14, 48:14, 48:15, 54:8, 54:9, 54:22, 54:23, 56:9, 56:10, 61:3, 61:15, 61:16, 61:23, 62:8, 70:3, 72:3, 72:6, 73:2, 73:8, 73:10, 73:12, 74:25, 76:11, 76:15, 77:3 needed ^[8] - 8:5, 15:3, 28:17, 29:6, 35:3, 48:19, 60:24, 62:14 needs ^[20] - 11:12, 12:17, 12:22, 16:16, 20:19, 21:19, 24:3, 27:9, 28:20, 28:22, 31:7, 56:8, 59:15, 61:7, 61:21, 61:22, 62:24, 64:17, 65:3, 73:14 negotiate ^[1] - 8:3 negotiated ^[1] - 70:12 negotiating ^[2] - 7:3, 8:16 negotiation ^[1] - 25:9 neighborhood ^[8] - 8:6, 8:17, 17:5, 18:13, 38:18, 49:7, 61:13, 75:14 neighborhoods ^[6] - 37:7, 49:2, 49:10, 73:5, 75:10, 75:12 neighbors ^[1] - 65:7 neither ^[1] - 7:22 never ^[3] - 6:2, 19:15, 49:8 NEW ^[2] - 1:4, 80:3 new ^[7] - 11:11, 42:18, 48:4, 48:9, 70:13, 71:5, 71:6 New ^[57] - 2:3, 3:4, 3:7, 3:9, 3:11, 4:2, 5:11, 7:7, 11:15, 12:7, 23:16, 23:24, 24:17, 25:6, 27:7, 27:9, 30:7, 30:17, 30:22, 33:18, 36:9, 41:25, 42:1, 42:11, 44:11, 44:18, 44:19, 44:23, 44:25, 45:6, 45:17, 45:23, 46:9, 46:23, 47:3, 47:8, 47:10, 47:14, 49:1, 49:9, 49:25, 51:5, 51:15, 52:9, 55:14, 55:20, 56:1, 56:14, 56:19, 57:4, 57:7, 57:15, 58:1, 58:5, 80:7 new-ish ^[1] - 42:18 newer ^[1] - 43:15 next ^[5] - 16:19, 20:6, 25:4, 52:1, 63:17 NGO ^[1] - 44:15 nice ^[3] - 2:22, 53:16, 59:13 night ^[1] - 6:4</p>	<p>nightly ^[1] - 34:22 no ^[20] - 14:4, 21:2, 21:15, 21:17, 31:2, 34:2, 34:13, 36:25, 40:4, 42:6, 43:25, 47:10, 50:4, 53:7, 61:21, 61:22, 69:6, 69:14, 78:18, 80:12 No ^[1] - 29:17 nobody ^[4] - 21:17, 39:19, 63:23, 67:5 non ^[3] - 34:18, 45:7, 68:3 non-citizen ^[1] - 68:3 non-climate ^[1] - 34:18 non-discrimination ^[1] - 45:7 nonconforming ^[1] - 45:16 nondiscrimination ^[1] - 45:1 none ^[2] - 29:18, 44:1 nonpartisan ^[1] - 75:6 nonprofit ^[1] - 7:2 nonprofits ^[4] - 16:11, 16:12, 16:15, 30:12 nor ^[1] - 27:14 normal ^[1] - 70:6 not ^[69] - 4:21, 7:8, 7:21, 7:22, 7:24, 8:19, 9:15, 9:24, 11:20, 14:13, 14:21, 15:14, 17:3, 21:10, 22:13, 25:8, 25:21, 25:24, 26:21, 27:1, 27:9, 27:14, 28:3, 29:4, 38:1, 38:19, 39:9, 41:12, 41:17, 41:24, 42:3, 43:13, 45:12, 46:7, 46:13, 47:14, 49:13, 50:1, 50:9, 54:2, 54:8, 54:19, 54:20, 57:19, 59:2, 59:16, 60:21, 61:4, 61:10, 61:11, 61:21, 62:4, 62:6, 62:24, 65:13, 67:6, 67:9, 67:12, 68:23, 69:4, 71:8, 71:19, 72:25, 74:19, 76:15, 76:21, 78:8, 80:10 notably ^[1] - 58:1 Notary ^[1] - 80:6 note ^[2] - 40:11, 58:9 notes ^[4] - 11:4, 43:11, 56:6, 80:9 nothing ^[1] - 18:21 notice ^[1] - 26:17 November ^[1] - 49:21 now ^[19] - 6:13, 8:18, 15:5, 19:1, 19:15, 20:2, 21:21, 22:12, 49:2, 51:10, 51:17, 54:1, 60:4, 70:9, 70:24, 72:12, 74:10, 76:14, 77:23 number ^[5] - 3:10, 13:21, 33:10, 35:5, 51:8 Nunzio ^[2] - 22:13, 29:25 NYC ^[5] - 1:1, 3:22, 12:4, 12:20, 38:5</p>	<p>NYCHA ^[2] - 37:24, 65:4 NYPD ^[1] - 33:22 NYU's ^[1] - 41:4</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>O'Neil ^[3] - 44:4, 44:14, 50:17 O'NEIL ^[7] - 44:6, 44:8, 47:6, 47:8, 50:22, 51:13, 51:24 objectives ^[1] - 24:13 observe ^[1] - 9:1 obtaining ^[1] - 12:14 obvious ^[1] - 57:5 obviously ^[7] - 2:5, 3:19, 8:25, 15:18, 15:22, 17:19, 18:7 occur ^[1] - 47:14 odds ^[2] - 72:10, 72:24 OF ^[2] - 80:3, 80:4 of ^[409] - 2:2, 2:4, 2:11, 2:12, 2:17, 2:21, 3:3, 3:4, 3:6, 3:7, 3:8, 3:10, 3:11, 3:15, 3:16, 3:21, 3:22, 4:2, 4:12, 4:15, 4:16, 4:23, 5:7, 5:10, 5:11, 5:12, 5:14, 5:22, 5:24, 6:11, 6:15, 7:19, 7:20, 8:2, 8:5, 9:8, 9:10, 9:12, 9:13, 10:1, 10:3, 10:7, 10:18, 10:22, 10:24, 11:2, 11:10, 11:14, 11:15, 11:20, 11:25, 12:7, 12:8, 13:9, 13:10, 13:20, 13:23, 14:2, 14:6, 14:20, 14:24, 15:1, 15:5, 15:7, 15:16, 15:23, 15:25, 16:1, 16:2, 16:4, 16:12, 16:15, 16:20, 16:21, 17:16, 17:21, 17:23, 18:3, 18:8, 18:11, 18:21, 19:7, 19:12, 19:16, 19:20, 19:22, 19:23, 19:25, 20:4, 20:16, 20:23, 20:25, 21:2, 21:18, 21:20, 22:22, 23:1, 23:5, 23:7, 23:12, 23:24, 23:25, 24:2, 24:3, 24:20, 25:5, 26:2, 26:7, 26:8, 26:15, 26:17, 26:21, 27:1, 27:6, 27:8, 27:9, 27:16, 27:19, 27:22, 28:8, 28:13, 28:15, 28:16, 28:18, 28:19, 28:20, 28:24, 29:1, 29:8, 30:1, 30:2, 30:5, 30:7, 30:8, 30:13, 30:17, 30:22, 31:7, 31:10, 31:12, 31:13, 31:14, 31:15, 31:19, 31:23, 32:4, 32:19, 32:25, 33:2, 33:3, 33:4, 33:11, 33:17, 33:18, 33:19, 33:21, 33:22, 34:1, 34:4, 34:10, 34:12, 34:15, 35:1, 35:5, 35:11, 35:12, 35:14, 35:22, 35:23, 36:2,</p>	<p>36:4, 36:9, 36:11, 36:18, 37:10, 38:1, 38:10, 38:20, 38:21, 38:25, 39:5, 39:8, 39:12, 39:14, 39:24, 40:8, 40:14, 40:17, 40:22, 40:25, 41:4, 41:5, 41:22, 41:25, 42:11, 42:23, 43:4, 43:5, 43:6, 43:8, 43:10, 43:12, 43:15, 43:18, 43:19, 43:20, 44:2, 44:10, 44:11, 44:15, 44:16, 44:17, 44:18, 44:19, 44:21, 44:22, 44:24, 45:1, 45:8, 45:9, 45:13, 45:18, 45:19, 45:22, 46:1, 46:3, 46:12, 46:13, 46:15, 46:20, 46:25, 47:2, 47:7, 48:4, 48:10, 48:15, 48:16, 48:25, 49:1, 49:7, 49:9, 49:13, 49:19, 49:22, 49:25, 50:2, 50:7, 50:18, 50:22, 51:7, 51:8, 51:17, 52:6, 52:21, 52:22, 52:23, 52:24, 53:1, 53:16, 53:19, 53:21, 53:22, 53:24, 53:25, 54:5, 54:6, 54:12, 54:16, 54:18, 55:10, 55:20, 55:25, 56:2, 56:8, 56:19, 57:4, 57:6, 57:7, 57:12, 57:15, 58:10, 58:11, 58:12, 58:15, 58:18, 58:23, 59:7, 59:10, 59:19, 59:20, 59:21, 60:3, 60:6, 60:10, 60:21, 60:23, 60:25, 61:9, 62:17, 62:18, 62:25, 63:1, 63:14, 63:21, 64:1, 64:11, 64:13, 64:20, 64:21, 64:22, 64:24, 65:4, 65:10, 65:14, 65:16, 65:18, 65:24, 66:3, 66:7, 66:8, 66:9, 66:10, 66:13, 66:15, 66:17, 66:21, 66:22, 66:24, 67:2, 67:5, 67:6, 67:9, 67:11, 67:14, 67:23, 67:24, 67:25, 68:3, 68:20, 68:23, 68:25, 69:18, 69:22, 70:3, 70:4, 70:5, 70:6, 70:9, 70:11, 70:15, 70:17, 70:21, 70:25, 71:18, 71:19, 71:22, 71:24, 72:2, 72:7, 72:8, 72:10, 72:11, 72:16, 72:23, 73:14, 75:4, 75:5, 76:4, 76:12, 76:13, 76:21, 77:17, 77:18, 77:19, 78:7, 78:10, 78:11, 79:2, 80:7, 80:8, 80:11, 80:12, 80:15 off ^[1] - 9:8 offer ^[3] - 11:6, 46:14, 72:7 offered ^[1] - 65:2 office ^[5] - 10:11, 12:4, 36:21, 61:22, 72:23 officer ^[1] - 30:1 offices ^[1] - 11:18</p>
---	--	--	--

<p>official [3] - 29:11, 48:8, 77:17 officials [4] - 25:15, 31:22, 72:12, 77:18 often [13] - 13:16, 25:21, 26:10, 30:24, 34:14, 34:15, 41:23, 56:16, 72:14, 72:20, 75:11, 76:5, 76:22 oh [1] - 71:6 okay [9] - 22:16, 22:19, 32:12, 41:22, 41:24, 42:2, 42:6, 50:17, 75:7 oldest [2] - 30:7, 55:12 olds [1] - 66:21 on [138] - 2:13, 3:11, 3:17, 5:6, 5:9, 6:10, 6:12, 7:4, 7:20, 8:1, 8:9, 8:19, 10:25, 11:4, 11:7, 11:8, 15:6, 15:15, 15:17, 16:3, 16:5, 16:14, 16:18, 16:19, 17:10, 17:18, 18:18, 18:21, 19:10, 19:25, 20:16, 20:18, 20:20, 20:22, 21:7, 21:25, 23:11, 23:21, 23:22, 24:6, 24:22, 26:24, 27:9, 28:3, 28:24, 29:3, 29:7, 29:13, 31:1, 31:13, 32:3, 33:7, 35:5, 36:6, 36:23, 37:2, 37:8, 37:19, 38:13, 38:25, 39:5, 39:7, 40:11, 40:19, 42:24, 43:8, 44:14, 46:12, 48:22, 48:24, 49:4, 49:6, 49:12, 50:13, 51:3, 52:6, 52:22, 53:4, 53:20, 54:2, 54:12, 56:3, 56:4, 56:5, 56:20, 56:23, 57:1, 57:12, 58:2, 58:9, 59:3, 59:6, 59:9, 60:3, 60:4, 60:9, 60:15, 60:17, 61:1, 61:9, 62:16, 62:23, 63:4, 63:10, 63:15, 63:22, 63:25, 64:2, 65:9, 65:17, 66:1, 66:21, 67:1, 67:6, 67:8, 67:20, 67:21, 67:23, 67:25, 68:2, 68:8, 68:18, 68:19, 70:15, 70:17, 71:4, 71:16, 73:12, 74:19, 75:23, 76:2, 76:4, 76:6, 78:23, 78:25 on-boarding [1] - 37:19 once [1] - 70:16 one [26] - 6:10, 10:23, 14:9, 17:11, 17:19, 17:21, 37:3, 47:6, 48:7, 49:1, 50:16, 57:6, 59:8, 61:21, 61:22, 63:20, 66:12, 67:14, 68:19, 69:9, 70:5, 70:25, 73:19, 75:14, 76:25 ones [1] - 6:11 ongoing [1] - 42:25 online [6] - 5:1, 9:16, 14:2, 14:9, 14:11, 65:12</p>	<p>only [9] - 7:18, 8:1, 26:25, 31:11, 45:13, 50:9, 57:6, 68:23, 71:19 onsite [1] - 71:23 Open [1] - 18:9 open [7] - 12:8, 17:12, 18:17, 18:25, 19:4, 25:13, 57:1 opened [1] - 39:15 opening [2] - 3:25, 53:2 operate [1] - 34:18 opinion [2] - 21:25, 22:4 opinions [1] - 7:4 opportunities [1] - 61:20 opportunity [7] - 6:6, 14:23, 29:23, 55:23, 61:18, 68:22, 71:15 Opportunity [1] - 55:21 oppose [2] - 6:22, 48:11 opposing [1] - 23:25 oppressive [1] - 73:1 options [1] - 10:24 or [46] - 4:16, 5:5, 10:7, 11:22, 14:25, 15:16, 17:11, 20:6, 20:16, 21:2, 24:7, 27:17, 28:11, 28:22, 29:12, 35:10, 35:11, 35:12, 42:21, 42:24, 43:11, 43:20, 45:24, 46:14, 47:13, 50:18, 54:10, 54:22, 59:2, 60:20, 60:22, 61:4, 62:24, 63:2, 65:6, 67:6, 68:23, 72:22, 75:12, 75:21, 75:22, 80:11 Order [2] - 66:7, 66:10 order [5] - 2:2, 11:5, 13:6, 18:13, 51:20 organization [1] - 30:19 organizations [6] - 9:20, 15:21, 16:24, 35:4, 36:24, 44:21 organize [2] - 73:4, 76:18 organized [1] - 35:21 organizing [1] - 49:8 other [34] - 3:18, 11:22, 12:7, 14:10, 15:6, 15:21, 17:7, 17:13, 19:3, 19:14, 21:14, 25:22, 27:22, 28:20, 35:11, 35:12, 36:24, 38:22, 42:23, 45:19, 48:20, 50:18, 51:8, 59:15, 61:2, 61:20, 65:21, 68:2, 69:2, 69:6, 71:3, 71:25, 73:19, 74:12 others [6] - 3:17, 8:8, 14:25, 21:22, 36:18, 57:23 otherwise [1] - 16:1 ought [5] - 41:11, 47:23, 63:24, 78:5, 78:9 our [35] - 2:4, 4:11, 4:15, 4:19, 5:2, 5:4, 5:8, 5:10, 5:12, 9:13, 22:12, 22:24,</p>	<p>33:8, 37:7, 40:18, 46:18, 47:2, 49:18, 49:22, 50:2, 55:11, 56:5, 57:8, 57:9, 58:14, 65:2, 65:15, 67:24, 68:24, 68:25, 69:2, 73:2, 73:14, 76:15, 77:18 ourselves [1] - 4:21 out [28] - 4:12, 7:15, 13:22, 14:8, 14:17, 14:19, 17:5, 17:9, 19:18, 19:23, 20:4, 22:22, 27:7, 40:9, 41:8, 48:11, 53:22, 53:25, 64:20, 65:3, 65:9, 66:15, 66:20, 69:22, 71:21, 77:14, 78:11, 78:14 outcome [1] - 80:12 outreach [7] - 9:11, 9:13, 15:5, 15:7, 16:2, 16:21, 76:16 over [16] - 5:20, 25:4, 27:21, 33:10, 42:2, 44:21, 51:14, 58:17, 62:11, 64:14, 69:25, 70:1, 70:5, 70:14, 72:13, 73:10 over-advisory [1] - 70:1 overall [1] - 56:14 overlap [2] - 59:25, 63:8 overlooked [1] - 46:2 overregulation [1] - 33:25 oversee [3] - 24:16, 24:20, 55:16 oversees [1] - 55:11 oversight [3] - 34:2, 34:15, 57:25 own [3] - 9:20, 15:21, 36:25 owned [1] - 58:20 owners [1] - 42:2 ownership [1] - 71:24</p>	<p>participate [1] - 46:5 participation [1] - 58:25 participatory [3] - 15:4, 53:11, 59:8 particular [4] - 4:8, 7:16, 26:14, 74:1 particularly [4] - 18:10, 20:17, 21:25, 33:13 parties [2] - 73:10, 80:11 partisan [1] - 73:9 partnership [1] - 31:22 parts [2] - 35:12, 59:19 pass [3] - 26:4, 26:8, 66:8 passed [7] - 12:9, 18:9, 20:2, 25:25, 26:1, 41:10, 79:3 passes [1] - 20:6 passionate [1] - 75:15 past [2] - 18:19, 70:24 paths [1] - 38:23 patterns [1] - 61:17 pay [3] - 34:10, 53:5, 74:11 peace [1] - 53:19 pedestrians [1] - 55:13 peers [1] - 57:13 people [60] - 5:23, 8:11, 9:15, 9:21, 13:15, 14:12, 14:19, 16:21, 20:19, 21:23, 23:12, 26:15, 27:16, 31:11, 37:9, 37:12, 39:12, 42:5, 45:16, 48:11, 48:16, 49:24, 52:16, 53:4, 54:10, 54:12, 54:20, 59:11, 59:19, 60:13, 60:15, 61:15, 61:16, 61:23, 63:21, 65:7, 66:4, 66:15, 66:16, 66:19, 67:2, 70:8, 70:11, 70:18, 73:9, 73:11, 75:17, 75:19, 75:23, 76:4, 76:15, 76:18, 76:19, 76:21, 77:4, 77:20, 78:4, 78:7, 78:12 people's [1] - 72:2 per [2] - 34:11, 63:11 Perales [4] - 2:10, 3:6, 23:7, 29:2 PERALES [59] - 1:15, 2:1, 2:8, 3:5, 3:25, 12:24, 13:13, 13:18, 20:8, 22:7, 22:12, 22:17, 22:20, 25:14, 27:11, 27:21, 29:16, 29:18, 31:25, 32:13, 32:16, 32:19, 35:24, 39:3, 40:16, 41:5, 41:20, 42:13, 43:24, 44:1, 44:4, 44:7, 47:4, 47:7, 47:15, 49:16, 50:5, 51:25, 55:4, 58:22, 60:1, 60:18, 63:19, 67:17, 69:6, 69:12, 69:14, 71:12, 73:15, 73:17, 74:14, 76:23, 77:12, 78:1, 78:4, 78:20, 78:23, 78:25, 79:3</p>
P			
<p>P [2] - 1:9 P.M [2] - 1:6, 79:4 pack [1] - 76:19 packed [1] - 76:17 pact [1] - 43:6 paid [1] - 56:18 panel [5] - 22:13, 39:16, 52:1, 69:7, 69:9 panels [1] - 5:22 par [1] - 43:13 paramount [1] - 62:22 parent [1] - 47:24 park [1] - 70:9 parking [1] - 34:16 parks [1] - 61:15 parliamentary [1] - 11:8 part [6] - 7:13, 15:25, 17:16, 41:22, 42:5, 70:11 part-time [1] - 7:13</p>			

<p>percent [5] - 8:21, 13:21, 24:22, 52:23, 68:18 Perception [1] - 3:15 perform [1] - 46:11 perhaps [2] - 15:3, 47:21 perishable [1] - 34:17 permanent [1] - 49:5 permission [1] - 25:17 permit [3] - 35:10, 53:3, 68:12 permits [2] - 34:4, 35:1 permitting [1] - 31:5 person [3] - 10:11, 51:3, 62:6 personal [1] - 36:17 personally [2] - 22:23, 70:4 perspective [2] - 61:1, 74:24 persuasive [1] - 41:15 phased [1] - 8:5 phenomena [1] - 3:18 philosophical [1] - 77:19 picking [1] - 62:17 piece [1] - 26:8 pieces [1] - 18:20 Piers [3] - 70:7, 70:9, 70:22 piggy [1] - 15:6 pipeline [1] - 21:17 Pittsburgh [1] - 51:6 place [7] - 5:15, 11:17, 36:11, 47:10, 61:22, 62:11 places [1] - 40:9 plan [4] - 8:4, 63:6, 63:13, 63:14 planned [1] - 69:16 planner [15] - 11:24, 12:3, 19:8, 55:20, 56:18, 60:22, 61:15, 62:8, 62:20, 62:21, 62:24, 63:3, 63:11, 63:15, 75:21 planners [7] - 7:11, 60:23, 62:18, 64:3, 64:5, 64:21 planning [19] - 11:11, 11:16, 11:17, 18:11, 19:7, 19:10, 19:22, 19:24, 40:7, 62:5, 62:9, 62:14, 63:13, 70:7, 71:23, 71:25, 72:5, 75:20, 76:9 plans [1] - 63:12 plant [1] - 34:20 plate [1] - 21:1 play [2] - 3:18, 59:4 playing [2] - 37:16, 78:2 please [1] - 56:6 pleased [1] - 13:19 pleasure [1] - 33:1 point [6] - 23:18, 26:18, 36:13, 39:24, 42:13, 67:21 points [1] - 58:3</p>	<p>policies [2] - 24:17, 24:19 policy [1] - 72:4 political [7] - 60:6, 72:16, 72:22, 72:24, 73:9, 73:11, 77:7 politician [1] - 36:15 politics [4] - 4:13, 52:8, 71:21, 78:8 Poobah [1] - 64:21 pool [4] - 9:12, 60:23, 64:17, 68:25 pooled [3] - 64:3, 64:11, 64:23 poor [1] - 9:7 population [1] - 45:23 populations [1] - 6:17 port [1] - 70:9 Port [1] - 55:18 portal [3] - 18:25, 19:5, 65:12 portion [1] - 35:22 position [4] - 23:25, 65:22, 67:13, 67:15 positions [4] - 3:8, 20:17, 56:22, 67:14 positively [1] - 8:4 possibility [1] - 77:2 possible [1] - 22:18 power [2] - 58:17, 72:13 powers [1] - 35:20 practices [4] - 46:21, 57:16, 57:20, 60:8 practicing [1] - 2:25 precedent [1] - 58:11 precedents [1] - 18:3 predetermined [2] - 27:1, 29:11 preferable [1] - 61:2 preliminary [3] - 5:5, 52:14, 56:13 premier [1] - 46:24 prepared [2] - 54:10, 71:14 present [2] - 21:24, 33:17 preserving [1] - 38:3 President [2] - 15:9, 33:8 president [15] - 3:3, 5:23, 6:14, 6:18, 8:21, 23:1, 28:5, 29:25, 38:5, 40:25, 44:9, 54:7, 60:12, 66:2, 66:18 president's [1] - 10:10 presidents [9] - 10:14, 10:16, 10:20, 10:25, 13:24, 14:5, 14:10, 64:16, 66:11 previous [2] - 61:8, 71:4 Previous [1] - 3:23 previously [1] - 3:7 preys [1] - 34:5 price [2] - 7:25, 39:8 primary [1] - 32:5</p>	<p>principals [1] - 51:7 principles [1] - 45:1 prior [1] - 32:7 priorities [3] - 37:17, 43:19, 59:15 private [1] - 35:11 privilege [2] - 61:9, 70:4 proactive [1] - 71:24 probably [2] - 16:16, 64:18 probe [1] - 67:22 problem [7] - 34:3, 34:23, 74:1, 74:3, 74:4, 77:6, 77:8 procedural [1] - 10:9 procedure [3] - 11:8, 56:13, 60:9 procedures [1] - 3:11 proceed [1] - 47:7 proceedings [1] - 50:10 process [29] - 5:2, 6:24, 9:11, 14:9, 16:25, 17:1, 20:7, 22:3, 24:12, 25:9, 26:6, 37:19, 40:9, 44:12, 59:5, 60:4, 61:11, 63:16, 63:17, 63:22, 63:24, 64:15, 65:11, 69:5, 71:21, 73:7, 75:25, 76:8, 76:9 processes [1] - 76:12 produce [1] - 12:11 professional [2] - 75:18, 75:20 professionalizing [1] - 71:20 professionals [1] - 30:4 professor [1] - 3:13 professors [1] - 3:17 profit [1] - 7:2 Program [1] - 55:21 program [6] - 7:14, 7:16, 11:16, 12:5, 12:6, 41:3 programs [4] - 11:14, 46:10, 47:23, 56:10 prohibitive [1] - 38:12 project [1] - 7:5 projections [1] - 25:5 projects [2] - 8:17, 39:25 promise [1] - 58:4 promote [1] - 34:20 pronounce [1] - 22:14 properly [2] - 12:19, 28:17 property [2] - 35:13, 58:21 proposal [2] - 18:2, 49:11 proposals [3] - 46:21, 48:21, 72:4 propose [1] - 24:15 proposed [3] - 24:18, 50:8, 72:10 prospective [2] - 73:3, 75:13 protect [2] - 35:17, 35:20</p>	<p>protecting [1] - 45:4 proud [2] - 8:20, 22:25 prove [1] - 66:8 proven [1] - 30:15 provide [5] - 13:3, 17:24, 30:18, 57:24, 64:5 provides [4] - 11:7, 18:4, 45:2, 46:19 provision [1] - 38:9 psychologists [1] - 3:16 Public [1] - 80:6 PUBLIC [1] - 1:2 public [10] - 5:7, 12:6, 30:3, 31:17, 52:15, 57:1, 58:14, 59:11, 67:8, 76:12 publicly [1] - 4:23 pull [1] - 62:18 purpose [1] - 36:18 put [18] - 5:1, 13:22, 25:24, 26:5, 26:9, 28:3, 42:9, 48:23, 49:4, 49:20, 49:24, 52:18, 59:14, 60:15, 66:14, 66:23, 70:13, 78:15 putting [3] - 52:13, 54:2, 54:12</p> <p style="text-align: center;">Q</p> <p>qualifications [6] - 60:11, 65:16, 66:1, 66:13, 67:11, 68:11 quality [1] - 40:13 quasi [1] - 35:20 question [18] - 14:2, 17:2, 18:23, 23:18, 25:19, 26:11, 27:24, 41:6, 41:8, 42:14, 50:16, 58:23, 64:1, 64:2, 64:8, 64:24, 67:18, 67:19 questions [11] - 17:21, 20:9, 25:13, 25:16, 29:16, 36:1, 46:13, 46:15, 50:2, 63:20, 69:7 quick [1] - 11:4 quickly [1] - 42:21 quite [2] - 17:20, 28:25 quote [2] - 35:10, 36:11</p> <p style="text-align: center;">R</p> <p>R [2] - 1:9, 80:1 Rachel [2] - 3:13, 60:18 RACHEL [1] - 1:17 racial [1] - 65:14 raise [1] - 29:10 ranging [1] - 30:9 rapper [1] - 36:12 rate [1] - 24:24 rather [1] - 14:1 re [1] - 76:15 re-envision [1] - 76:15</p>
--	---	--	--

<p>reach [1] - 48:11 reaching [1] - 53:25 read [2] - 47:20, 67:5 readily [1] - 11:20 ready [1] - 42:17 real [12] - 18:11, 19:5, 24:23, 25:3, 25:6, 35:13, 68:21, 72:6, 72:8, 72:19, 75:22 reality [1] - 39:23 realize [1] - 53:18 really [21] - 6:24, 17:9, 26:6, 28:8, 32:20, 42:6, 48:11, 52:17, 53:16, 53:24, 55:24, 58:19, 62:15, 64:21, 65:3, 65:9, 69:16, 70:8, 73:20, 75:15, 76:10 reappoint [1] - 9:3 reappointed [2] - 10:5, 24:10 reason [2] - 25:19, 41:22 reasons [1] - 70:25 reassess [1] - 24:13 receive [2] - 42:24, 48:1 received [3] - 4:20, 13:1, 33:17 recent [1] - 11:17 recently [3] - 25:2, 33:17, 36:12 recess [1] - 60:17 recognize [1] - 45:19 recognized [1] - 42:12 recognizes [2] - 45:13, 45:17 recognizing [1] - 45:4 recommend [2] - 11:13, 56:16 recommendation [2] - 28:3, 74:18 recommendations [4] - 16:10, 28:12, 45:15, 46:19 recommending [2] - 50:20, 68:5 recommends [1] - 12:20 recording [1] - 38:9 records [2] - 9:1, 38:13 recruitment [2] - 9:11, 9:13 Red [1] - 3:21 redistricting [3] - 5:14, 27:5, 27:14 redone [1] - 20:24 reducing [1] - 37:14 reel [1] - 72:12 referendum [1] - 26:8 referendum's [1] - 23:20 reflect [1] - 56:24 reflected [1] - 69:4 reflective [1] - 10:3 reform [3] - 5:11, 5:13,</p>	<p>71:17 regarding [3] - 9:7, 11:9, 28:2 regularly [1] - 4:2 regulate [2] - 31:4, 34:8 regulations [3] - 33:23, 57:25, 58:4 reinvigorating [1] - 37:5 reiterate [1] - 55:2 reiterating [1] - 52:24 relate [1] - 12:23 related [1] - 80:10 relation [1] - 15:12 relegated [1] - 46:1 relevance [1] - 19:5 rely [1] - 18:21 remain [1] - 8:14 remarks [3] - 4:1, 56:5, 63:4 remind [1] - 23:2 remised [1] - 56:3 removal [1] - 72:17 remove [1] - 71:21 replace [1] - 9:24 report [5] - 5:5, 47:20, 52:14, 58:6 represent [5] - 6:17, 9:15, 10:1, 29:9, 59:20 representation [4] - 10:22, 15:8, 53:7, 53:8 representative [2] - 40:4, 72:1 represented [3] - 15:20, 31:20, 59:22 representing [1] - 30:19 represents [2] - 33:19, 62:21 require [3] - 10:22, 12:16, 17:25 required [2] - 10:25, 34:22 requirement [1] - 60:21 requirements [1] - 14:3 requiring [3] - 12:21, 20:16, 33:20 research [1] - 3:15 residents [7] - 27:10, 37:24, 48:25, 49:12, 53:3, 68:6, 68:12 resolution [1] - 11:9 resolutions [1] - 8:18 resource [3] - 61:4, 64:5, 64:6 resources [13] - 11:19, 12:14, 53:22, 54:16, 54:23, 54:25, 61:18, 61:21, 61:23, 64:12, 67:10, 74:24, 75:9 respect [3] - 17:22, 60:20, 77:17 respond [1] - 12:21</p>	<p>responding [1] - 12:17 response [5] - 13:7, 29:17, 43:25, 50:4, 78:18 responsibilities [2] - 9:6, 12:19 responsibility [1] - 28:18 rest [1] - 60:2 result [4] - 4:15, 9:18, 49:21, 49:22 resulted [1] - 34:5 results [2] - 33:25, 34:1 retail [1] - 58:6 retained [1] - 20:19 retaliation [1] - 72:17 returned [1] - 70:20 Review [1] - 3:1 review [1] - 4:3 REVISION [1] - 1:1 Revision [8] - 2:3, 4:17, 23:19, 25:19, 29:22, 44:10, 48:21, 49:4 revision [4] - 30:22, 42:10, 44:24, 46:16 revisions [3] - 35:19, 58:15, 59:23 rezoned [1] - 49:10 rezoning [9] - 19:15, 19:17, 19:25, 20:2, 20:5, 20:6, 49:3, 63:2 rezonings [4] - 8:6, 10:8, 20:1, 72:9 rid [1] - 38:20 riders [1] - 54:3 right [14] - 2:13, 2:15, 18:25, 36:11, 38:21, 51:9, 54:1, 60:4, 64:9, 72:12, 72:25, 76:14, 77:23, 78:25 rights [8] - 3:9, 33:14, 35:8, 35:16, 44:22, 45:4, 45:10, 47:2 rigorous [1] - 65:20 River [1] - 70:10 roads [2] - 62:11, 62:13 roadways [1] - 61:16 Robert's [2] - 66:7, 66:9 robust [2] - 56:9, 66:16 rocket [1] - 14:21 role [4] - 3:17, 6:24, 25:11, 59:4 roles [1] - 24:4 room [3] - 20:25, 39:12, 76:14 rooms [2] - 76:16, 76:19 rotating [1] - 64:18 rotation [1] - 20:16 roughly [1] - 39:13 round [1] - 2:4 Ruben [1] - 44:9 Rules [2] - 66:7, 66:10</p>	<p>rules [5] - 4:15, 7:15, 27:5, 33:23, 34:15 rulings [1] - 56:13 run [1] - 33:10 running [3] - 11:16, 36:21, 75:1 Rutgers [2] - 3:14, 51:2</p>
S			
<p>S [1] - 1:9 said [5] - 15:11, 36:12, 49:18, 66:18, 74:21 Salamanca [1] - 59:10 same [9] - 4:17, 10:5, 18:4, 20:19, 20:20, 36:14, 45:17, 59:17, 78:6 sample [1] - 43:6 San [4] - 50:25, 51:4, 51:6, 57:15 sanitary [1] - 34:20 Santa [1] - 57:21 saw [2] - 25:3, 48:18 say [19] - 13:13, 17:11, 18:14, 18:22, 19:7, 19:22, 27:13, 33:22, 35:4, 37:22, 50:5, 50:9, 54:8, 70:16, 70:25, 71:10, 73:19, 74:13 saying [1] - 75:14 SBS [1] - 57:23 school [2] - 68:10, 68:14 School [2] - 3:14, 41:4 schools [1] - 47:24 science [1] - 14:22 scope [3] - 32:4, 38:11, 58:18 scrutinize [1] - 9:1 searchable [1] - 38:14 seat [1] - 37:25 second [12] - 2:4, 5:7, 19:6, 24:10, 24:11, 37:18, 55:14, 55:15, 64:1, 64:8, 78:24, 78:25 second-year [1] - 24:10 secondly [2] - 23:24, 24:15 secretary [3] - 3:6, 40:22, 44:19 Section [1] - 63:7 section [1] - 33:21 see [9] - 24:21, 25:9, 28:11, 32:1, 32:5, 50:10, 53:10, 59:10, 73:17 SEECHARRAN [7] - 1:18, 2:19, 27:24, 67:19, 74:15, 75:2, 75:7 Seecharran [1] - 2:20 seeing [2] - 46:8, 55:13 seek [4] - 17:22, 24:3, 68:24, 68:25 seeks [1] - 34:25</p>			

<p>seem [5] - 37:9, 49:5, 53:24, 74:1, 77:5 seems [1] - 78:8 seen [2] - 8:6, 46:5 select [4] - 33:18, 75:3, 75:23, 77:4 selected [1] - 73:6 selection [1] - 72:5 send [2] - 17:8, 27:17 senior [1] - 18:14 sense [3] - 14:17, 43:16, 59:2 separated [1] - 45:25 serious [1] - 72:20 servant [1] - 30:3 serve [10] - 2:17, 23:8, 55:25, 56:25, 59:3, 69:3, 73:6, 73:11, 75:18, 75:23 served [3] - 3:7, 6:12, 52:5 service [4] - 12:6, 39:14, 40:23, 56:23 services [4] - 13:4, 34:11, 48:16, 58:2 servicing [4] - 33:1, 37:8, 43:20, 61:9 sessions [1] - 9:20 set [7] - 27:1, 27:6, 33:19, 35:5, 40:1, 68:10, 80:14 setting [1] - 25:11 seven [1] - 48:10 several [3] - 4:5, 57:20, 57:23 severe [1] - 8:15 shape [1] - 22:24 shared [1] - 64:6 Sharon [2] - 3:2, 16:15 SHARON [1] - 1:16 she [3] - 48:8, 51:2, 51:17 she's [2] - 51:4, 51:17 shelter [3] - 48:9, 48:12, 48:18 shelters [2] - 48:7, 48:14 shift [3] - 28:23, 37:14, 38:4 shops [1] - 35:5 short [1] - 8:8 shots [1] - 62:6 should [49] - 5:6, 5:8, 8:19, 10:11, 11:23, 19:5, 23:20, 30:21, 32:7, 32:8, 35:16, 37:16, 37:19, 42:12, 45:5, 45:16, 47:11, 48:21, 53:10, 53:12, 54:13, 56:22, 56:24, 57:1, 57:2, 57:13, 57:18, 58:3, 58:4, 58:7, 58:15, 58:19, 59:21, 60:14, 60:16, 60:21, 60:23, 61:4, 63:5, 63:14, 64:25, 65:20, 66:23, 67:1, 67:16, 73:6, 76:14, 76:22, 77:25 shouldn't [2] - 23:21, 29:11</p>	<p>show [6] - 16:22, 16:23, 16:24, 66:25, 67:11, 77:23 showing [1] - 76:13 shown [1] - 66:5 side [2] - 62:16, 62:20 sidewalks [2] - 34:19, 58:16 Siegal [1] - 2:24 SIEGAL [5] - 1:18, 2:24, 20:11, 20:14, 22:5 signed [1] - 59:9 significant [2] - 13:21, 33:20 silos [1] - 40:1 similar [5] - 31:13, 38:23, 42:7, 65:21, 68:10 since [4] - 9:14, 36:10, 39:19, 50:6 single [2] - 19:8, 60:22 sit [1] - 66:6 situation [3] - 19:19, 76:25, 78:16 six [1] - 75:12 sixty [1] - 13:21 sized [1] - 30:12 skip [1] - 33:10 slot [1] - 19:10 slots [1] - 54:17 small [20] - 18:23, 24:15, 24:17, 27:6, 30:3, 30:12, 30:17, 30:20, 30:21, 31:7, 31:10, 31:11, 31:13, 31:14, 56:3, 57:12, 57:14, 57:19, 57:24, 58:2 Smith [1] - 36:12 so [102] - 5:1, 6:4, 6:6, 6:15, 9:16, 9:24, 13:14, 13:15, 13:19, 14:7, 14:13, 15:2, 15:11, 15:15, 15:22, 15:24, 16:3, 16:16, 16:20, 17:12, 17:17, 17:18, 18:7, 18:17, 18:19, 18:21, 19:2, 19:17, 19:20, 21:8, 21:9, 21:10, 21:24, 22:3, 22:9, 23:13, 26:5, 27:5, 27:6, 28:9, 28:24, 28:25, 29:4, 32:2, 32:10, 41:14, 42:3, 42:6, 43:13, 43:15, 47:19, 48:10, 49:11, 49:21, 51:8, 51:22, 52:10, 52:12, 52:17, 54:13, 54:19, 55:23, 56:6, 58:13, 58:15, 59:16, 59:22, 60:19, 60:24, 62:6, 62:20, 63:7, 63:11, 63:14, 63:24, 64:11, 64:21, 65:5, 66:13, 67:20, 67:23, 68:11, 68:13, 70:2, 70:6, 70:12, 70:15, 71:7, 71:15, 71:23, 72:5, 73:20, 74:1, 74:10, 75:9, 76:9, 76:18, 77:10, 77:22, 78:8</p>	<p>so.. [1] - 64:7 social [3] - 3:16, 9:17, 15:23 society [1] - 46:5 soliciting [1] - 44:11 solution [1] - 78:9 Somalis [2] - 69:10, 71:14 some [29] - 3:25, 5:6, 10:7, 10:9, 10:15, 15:3, 15:6, 15:13, 15:18, 16:17, 18:4, 43:8, 43:10, 43:16, 43:19, 43:20, 49:5, 49:13, 49:23, 60:8, 63:25, 66:5, 66:8, 66:11, 67:10, 70:8, 70:15, 70:17, 71:1 somebody [2] - 41:7, 67:17 someone [3] - 37:20, 62:16, 66:20 something [20] - 15:3, 15:11, 21:6, 25:24, 26:3, 32:17, 40:8, 42:3, 42:9, 49:18, 50:5, 57:9, 57:10, 58:7, 65:3, 65:19, 65:25, 69:4, 72:18, 78:14 sometimes [5] - 8:25, 17:4, 17:10, 17:12, 77:18 somewhat [1] - 33:22 sorry [2] - 31:19, 39:4 sort [3] - 28:8, 67:23, 70:17 South [2] - 38:17, 55:22 Southern [1] - 55:16 space [4] - 18:17, 35:23, 46:18, 58:14 spaces [2] - 34:16, 37:3 speak [6] - 5:17, 29:24, 33:7, 62:12, 68:4, 69:16 SPEAKER [5] - 2:7, 22:15, 23:4, 62:12, 78:24 speakers [1] - 5:18 specific [2] - 19:21, 74:18 specifically [3] - 4:11, 38:10, 68:5 speed [2] - 54:11, 54:20 spending [2] - 25:12, 52:23 spends [1] - 61:6 spoke [1] - 4:11 spread [1] - 70:14 Square [2] - 33:5, 55:15 SS [1] - 80:3 staff [10] - 5:4, 12:20, 13:5, 13:9, 17:21, 19:9, 19:24, 39:14, 47:17, 56:12 stagger [1] - 63:10 stake [1] - 29:9 stances [1] - 72:22 standard [1] - 68:9 standardization [2] - 64:25, 65:2 standardize [1] - 60:8 standardized [2] - 53:25,</p>	<p>63:22 standards [2] - 10:10, 65:21 start [7] - 5:25, 13:2, 52:12, 52:19, 63:17, 68:14, 68:15 started [5] - 14:8, 37:17, 38:24, 39:5, 66:3 STATE [1] - 80:3 State [4] - 3:7, 55:20, 55:21, 80:7 statement [5] - 57:8, 59:15, 71:13, 74:22, 74:23 statements [1] - 12:22 Staten [1] - 41:1 States [2] - 46:24, 50:23 status [1] - 44:16 stay [1] - 63:15 steering [1] - 44:19 stenographic [1] - 80:9 step [1] - 68:19 steps [1] - 9:22 still [5] - 41:9, 50:11, 60:15, 64:4, 65:14 stop [2] - 54:22, 60:16 store [1] - 34:17 storming [2] - 77:10, 78:13 story [1] - 15:19 strategic [1] - 37:17 streaming [2] - 38:10, 38:12 STREET [1] - 1:4 Street [1] - 70:10 street [1] - 47:19 streets [2] - 35:6, 35:11 strength [1] - 41:25 stripped [1] - 39:21 striving [2] - 3:20, 10:21 stroke [1] - 62:10 strongly [3] - 7:18, 8:18, 30:20 struck [1] - 15:11 struggling [1] - 78:13 students [5] - 7:11, 12:1, 12:8, 17:8, 17:17 subcommittee [1] - 52:6 subject [2] - 17:19, 68:8 submit [1] - 47:21 submitted [2] - 32:13, 33:7 success [1] - 15:19 successful [4] - 11:14, 30:4, 39:9, 71:2 such [12] - 6:20, 29:4, 33:8, 34:13, 35:19, 49:8, 57:21, 57:22, 60:6, 64:18, 67:16, 72:13 sufficient [2] - 10:16, 26:17 sufficiently [1] - 8:2 suggest [3] - 58:25, 77:2, 78:4</p>
---	---	--	---

<p>suggested [2] - 17:22, 58:5 suggesting [1] - 77:5 suggestion [3] - 58:11, 61:2, 77:11 suggestions [1] - 60:20 summer [1] - 47:19 summing [2] - 12:25, 47:5 support [11] - 17:23, 24:6, 33:17, 34:12, 38:20, 42:25, 48:14, 52:22, 54:6, 71:19, 72:22 supported [2] - 11:23, 34:6 sure [7] - 17:15, 22:14, 23:16, 48:24, 56:5, 57:10, 76:16 sustainability [1] - 40:14 swanky [1] - 61:22 sweeping [1] - 65:10 system [1] - 72:7</p>	<p>telling [1] - 2:9 tells [1] - 5:20 ten [2] - 51:21, 63:7 tenants [1] - 66:9 tendencies [1] - 68:20 tenure [1] - 24:13 tenures [1] - 63:9 term [39] - 6:22, 7:21, 7:22, 7:24, 10:6, 13:10, 13:11, 15:12, 17:1, 20:15, 20:16, 21:2, 21:4, 23:25, 24:6, 24:10, 24:11, 25:11, 27:4, 28:10, 29:4, 37:18, 38:1, 40:7, 40:14, 54:6, 54:8, 54:21, 55:2, 56:20, 56:23, 58:7, 63:8, 71:19, 71:25, 77:7, 78:13 terms [24] - 13:9, 19:16, 19:20, 20:16, 21:20, 24:8, 43:5, 52:21, 53:1, 54:5, 56:8, 58:10, 58:11, 62:25, 64:11, 64:22, 64:24, 65:10, 65:16, 65:24, 66:3, 66:5, 68:20, 77:19 terribly [1] - 16:6 test [1] - 66:8 testified [2] - 63:21, 63:23 testifiers [1] - 6:1 testify [2] - 27:17, 47:20 testimonies [1] - 68:2 testimony [11] - 4:22, 6:20, 15:10, 28:1, 28:6, 29:19, 32:14, 44:2, 52:25, 67:21, 74:16 than [13] - 8:8, 14:1, 18:19, 19:13, 21:6, 21:23, 23:12, 30:14, 31:4, 34:9, 34:10, 42:2, 56:6 thank [64] - 3:24, 6:2, 6:6, 13:12, 13:13, 13:17, 15:9, 17:17, 20:11, 20:13, 22:5, 22:6, 22:7, 22:11, 22:21, 23:1, 23:5, 23:13, 24:1, 27:20, 27:25, 29:18, 29:20, 29:23, 31:25, 32:16, 32:19, 32:22, 35:24, 36:2, 40:16, 41:21, 43:23, 44:2, 44:3, 44:8, 47:4, 47:14, 47:15, 47:17, 49:15, 49:16, 50:14, 50:15, 51:23, 51:24, 51:25, 52:15, 55:4, 55:5, 55:7, 55:23, 58:22, 69:7, 69:8, 71:10, 71:11, 71:12, 71:15, 73:15, 74:15, 78:19 thanksgiving [1] - 52:12 thanks [2] - 21:22, 38:4 that [326] - 3:17, 3:19, 4:6, 4:25, 5:1, 5:5, 5:6, 5:9, 5:15, 5:16, 5:21, 5:25, 6:9, 6:16, 6:22, 7:5, 7:10, 7:18, 7:20,</p>	<p>8:9, 8:13, 8:20, 8:23, 9:9, 10:15, 10:20, 10:23, 10:25, 11:3, 11:20, 11:25, 12:9, 13:6, 13:10, 13:13, 13:14, 13:23, 14:5, 14:10, 14:17, 14:23, 15:1, 15:2, 15:3, 15:13, 15:25, 16:4, 16:7, 16:17, 16:21, 17:1, 17:2, 17:6, 17:13, 17:21, 17:22, 17:23, 18:1, 18:2, 18:11, 18:12, 18:18, 18:21, 19:2, 19:4, 19:7, 19:21, 19:23, 19:24, 20:23, 21:10, 21:11, 21:13, 21:19, 21:24, 22:3, 22:16, 22:19, 22:24, 23:2, 23:10, 23:16, 23:21, 23:22, 23:23, 24:4, 24:7, 24:17, 24:24, 25:2, 25:13, 25:20, 26:2, 26:3, 26:5, 26:13, 26:19, 26:20, 26:22, 27:1, 27:3, 27:6, 27:13, 27:16, 27:18, 27:19, 28:4, 28:12, 28:22, 28:25, 29:2, 29:5, 29:8, 29:14, 30:21, 30:25, 31:4, 31:18, 31:24, 33:10, 33:13, 33:14, 33:23, 34:5, 35:19, 36:14, 36:21, 38:4, 38:8, 39:16, 39:17, 39:24, 41:5, 41:11, 41:14, 41:15, 41:24, 42:2, 42:7, 42:8, 42:9, 42:17, 42:21, 43:3, 43:4, 43:6, 43:7, 43:10, 43:15, 43:18, 44:22, 44:25, 45:10, 45:12, 45:13, 45:17, 45:19, 46:10, 46:15, 47:9, 47:12, 47:18, 47:22, 48:1, 48:8, 48:14, 48:20, 48:24, 49:2, 49:5, 49:7, 49:10, 49:12, 49:13, 49:20, 49:21, 50:8, 50:9, 50:12, 50:19, 50:20, 51:3, 51:9, 52:10, 52:18, 53:2, 53:9, 53:15, 53:18, 53:24, 54:3, 54:14, 54:22, 55:23, 56:12, 56:21, 56:25, 57:10, 57:13, 57:18, 58:2, 58:5, 58:7, 58:17, 58:25, 59:4, 59:15, 59:17, 59:19, 59:21, 59:24, 60:1, 60:13, 61:1, 61:3, 61:5, 61:6, 62:3, 62:6, 62:10, 62:19, 62:21, 62:25, 63:5, 63:9, 63:14, 63:16, 63:24, 63:25, 64:4, 64:5, 64:6, 64:8, 64:12, 64:16, 64:17, 64:21, 64:23, 64:25, 65:1, 65:3, 65:6, 65:8, 65:9, 65:19, 65:23, 65:25, 66:4, 66:5, 66:6, 66:8, 66:14, 66:24, 66:25, 67:7, 67:10, 67:11, 67:23, 67:25, 68:1, 68:4, 68:9, 68:11, 68:13, 68:16, 68:18, 69:1, 69:3,</p>	<p>70:6, 70:12, 70:13, 70:16, 71:13, 71:23, 72:5, 72:7, 72:10, 72:14, 72:17, 72:20, 72:23, 73:11, 73:12, 73:23, 74:3, 74:4, 74:12, 75:3, 75:9, 75:10, 75:17, 75:19, 76:6, 76:11, 76:16, 76:18, 76:20, 76:21, 77:5, 77:6, 77:11, 77:14, 77:22, 77:24, 78:1, 78:3, 78:5, 78:8, 78:9, 78:15, 80:10, 80:12 That [1] - 80:8 that's [26] - 4:18, 8:23, 17:6, 17:9, 17:16, 21:5, 21:18, 22:18, 28:17, 32:3, 35:13, 38:14, 39:11, 43:22, 50:17, 58:21, 60:16, 65:19, 69:3, 69:4, 71:10, 72:18, 74:13, 77:24 the [682] - 2:2, 2:4, 2:5, 2:10, 2:11, 2:13, 2:17, 2:20, 2:22, 3:1, 3:3, 3:6, 3:7, 3:8, 3:14, 3:15, 3:17, 3:21, 4:2, 4:3, 4:4, 4:9, 4:14, 4:16, 4:17, 4:18, 5:7, 5:10, 5:11, 5:14, 5:17, 5:18, 5:19, 5:23, 5:24, 6:1, 6:3, 6:5, 6:6, 6:10, 6:11, 6:14, 6:17, 6:24, 7:5, 7:13, 7:14, 7:19, 7:22, 8:2, 8:4, 8:17, 8:20, 8:23, 9:2, 9:18, 10:5, 10:7, 10:14, 10:18, 10:21, 10:23, 11:2, 11:6, 11:8, 11:15, 11:25, 12:1, 12:2, 12:7, 12:8, 12:9, 12:15, 12:17, 12:18, 12:21, 13:1, 13:7, 13:8, 13:9, 13:16, 13:20, 13:21, 13:23, 14:7, 14:10, 14:11, 14:12, 14:15, 14:16, 14:20, 14:23, 14:25, 15:4, 15:19, 15:23, 15:25, 16:3, 16:9, 16:12, 16:13, 16:19, 16:22, 17:5, 17:6, 17:8, 17:11, 17:13, 17:15, 17:16, 17:21, 17:23, 17:24, 17:25, 18:4, 18:8, 18:9, 18:10, 18:11, 18:19, 18:20, 18:23, 18:25, 19:2, 19:3, 19:4, 19:5, 19:6, 19:12, 19:14, 19:20, 19:21, 19:23, 19:25, 20:3, 20:4, 20:6, 20:18, 20:19, 20:20, 20:23, 20:24, 21:9, 21:10, 21:12, 21:14, 21:16, 21:17, 21:18, 21:20, 21:21, 21:22, 21:23, 22:2, 22:7, 22:14, 22:18, 22:25, 23:5, 23:6, 23:10, 23:11, 23:13, 23:14, 23:17, 23:18, 23:19, 23:20, 23:22, 23:25, 24:1, 24:3, 24:4, 24:8, 24:9, 24:11, 24:12, 24:14, 24:16, 24:20, 24:23, 24:24,</p>
T			
<p>T [2] - 80:1 table [1] - 37:25 tactical [1] - 52:20 tag [1] - 39:8 take [14] - 4:21, 16:9, 23:14, 23:25, 26:24, 28:20, 60:16, 62:10, 63:9, 64:23, 70:3, 71:24, 72:21, 73:10 takes [9] - 5:15, 7:11, 8:13, 14:21, 15:1, 15:2, 18:24, 28:25, 51:20 taking [3] - 10:13, 32:21, 64:22 talk [2] - 6:20, 19:4 talked [3] - 22:1, 28:5, 39:18 talking [3] - 21:16, 50:7, 65:18 tangent [1] - 54:2 task [1] - 7:8 tasked [1] - 63:6 tax [4] - 7:9, 24:22, 24:23, 24:24 taxation [1] - 53:7 taxes [5] - 24:23, 24:24, 25:4, 25:6, 53:5 taxing [1] - 31:5 teach [1] - 17:8 tech [1] - 12:5 technical [6] - 7:15, 11:7, 11:14, 17:23, 17:24, 42:24 techniques [1] - 7:14 Technology [1] - 18:8 technology [3] - 12:23, 38:3, 57:2 teeth [2] - 55:24, 72:6 tell [4] - 17:17, 21:7, 42:20, 71:7</p>	<p>telling [1] - 2:9 tells [1] - 5:20 ten [2] - 51:21, 63:7 tenants [1] - 66:9 tendencies [1] - 68:20 tenure [1] - 24:13 tenures [1] - 63:9 term [39] - 6:22, 7:21, 7:22, 7:24, 10:6, 13:10, 13:11, 15:12, 17:1, 20:15, 20:16, 21:2, 21:4, 23:25, 24:6, 24:10, 24:11, 25:11, 27:4, 28:10, 29:4, 37:18, 38:1, 40:7, 40:14, 54:6, 54:8, 54:21, 55:2, 56:20, 56:23, 58:7, 63:8, 71:19, 71:25, 77:7, 78:13 terms [24] - 13:9, 19:16, 19:20, 20:16, 21:20, 24:8, 43:5, 52:21, 53:1, 54:5, 56:8, 58:10, 58:11, 62:25, 64:11, 64:22, 64:24, 65:10, 65:16, 65:24, 66:3, 66:5, 68:20, 77:19 terribly [1] - 16:6 test [1] - 66:8 testified [2] - 63:21, 63:23 testifiers [1] - 6:1 testify [2] - 27:17, 47:20 testimonies [1] - 68:2 testimony [11] - 4:22, 6:20, 15:10, 28:1, 28:6, 29:19, 32:14, 44:2, 52:25, 67:21, 74:16 than [13] - 8:8, 14:1, 18:19, 19:13, 21:6, 21:23, 23:12, 30:14, 31:4, 34:9, 34:10, 42:2, 56:6 thank [64] - 3:24, 6:2, 6:6, 13:12, 13:13, 13:17, 15:9, 17:17, 20:11, 20:13, 22:5, 22:6, 22:7, 22:11, 22:21, 23:1, 23:5, 23:13, 24:1, 27:20, 27:25, 29:18, 29:20, 29:23, 31:25, 32:16, 32:19, 32:22, 35:24, 36:2, 40:16, 41:21, 43:23, 44:2, 44:3, 44:8, 47:4, 47:14, 47:15, 47:17, 49:15, 49:16, 50:14, 50:15, 51:23, 51:24, 51:25, 52:15, 55:4, 55:5, 55:7, 55:23, 58:22, 69:7, 69:8, 71:10, 71:11, 71:12, 71:15, 73:15, 74:15, 78:19 thanksgiving [1] - 52:12 thanks [2] - 21:22, 38:4 that [326] - 3:17, 3:19, 4:6, 4:25, 5:1, 5:5, 5:6, 5:9, 5:15, 5:16, 5:21, 5:25, 6:9, 6:16, 6:22, 7:5, 7:10, 7:18, 7:20,</p>	<p>8:9, 8:13, 8:20, 8:23, 9:9, 10:15, 10:20, 10:23, 10:25, 11:3, 11:20, 11:25, 12:9, 13:6, 13:10, 13:13, 13:14, 13:23, 14:5, 14:10, 14:17, 14:23, 15:1, 15:2, 15:3, 15:13, 15:25, 16:4, 16:7, 16:17, 16:21, 17:1, 17:2, 17:6, 17:13, 17:21, 17:22, 17:23, 18:1, 18:2, 18:11, 18:12, 18:18, 18:21, 19:2, 19:4, 19:7, 19:21, 19:23, 19:24, 20:23, 21:10, 21:11, 21:13, 21:19, 21:24, 22:3, 22:16, 22:19, 22:24, 23:2, 23:10, 23:16, 23:21, 23:22, 23:23, 24:4, 24:7, 24:17, 24:24, 25:2, 25:13, 25:20, 26:2, 26:3, 26:5, 26:13, 26:19, 26:20, 26:22, 27:1, 27:3, 27:6, 27:13, 27:16, 27:18, 27:19, 28:4, 28:12, 28:22, 28:25, 29:2, 29:5, 29:8, 29:14, 30:21, 30:25, 31:4, 31:18, 31:24, 33:10, 33:13, 33:14, 33:23, 34:5, 35:19, 36:14, 36:21, 38:4, 38:8, 39:16, 39:17, 39:24, 41:5, 41:11, 41:14, 41:15, 41:24, 42:2, 42:7, 42:8, 42:9, 42:17, 42:21, 43:3, 43:4, 43:6, 43:7, 43:10, 43:15, 43:18, 44:22, 44:25, 45:10, 45:12, 45:13, 45:17, 45:19, 46:10, 46:15, 47:9, 47:12, 47:18, 47:22, 48:1, 48:8, 48:14, 48:20, 48:24, 49:2, 49:5, 49:7, 49:10, 49:12, 49:13, 49:20, 49:21, 50:8, 50:9, 50:12, 50:19, 50:20, 51:3, 51:9, 52:10, 52:18, 53:2, 53:9, 53:15, 53:18, 53:24, 54:3, 54:14, 54:22, 55:23, 56:12, 56:21, 56:25, 57:10, 57:13, 57:18, 58:2, 58:5, 58:7, 58:17, 58:25, 59:4, 59:15, 59:17, 59:19, 59:21, 59:24, 60:1, 60:13, 61:1, 61:3, 61:5, 61:6, 62:3, 62:6, 62:10, 62:19, 62:21, 62:25, 63:5, 63:9, 63:14, 63:16, 63:24, 63:25, 64:4, 64:5, 64:6, 64:8, 64:12, 64:16, 64:17, 64:21, 64:23, 64:25, 65:1, 65:3, 65:6, 65:8, 65:9, 65:19, 65:23, 65:25, 66:4, 66:5, 66:6, 66:8, 66:14, 66:24, 66:25, 67:7, 67:10, 67:11, 67:23, 67:25, 68:1, 68:4, 68:9, 68:11, 68:13, 68:16, 68:18, 69:1, 69:3,</p>	<p>70:6, 70:12, 70:13, 70:16, 71:13, 71:23, 72:5, 72:7, 72:10, 72:14, 72:17, 72:20, 72:23, 73:11, 73:12, 73:23, 74:3, 74:4, 74:12, 75:3, 75:9, 75:10, 75:17, 75:19, 76:6, 76:11, 76:16, 76:18, 76:20, 76:21, 77:5, 77:6, 77:11, 77:14, 77:22, 77:24, 78:1, 78:3, 78:5, 78:8, 78:9, 78:15, 80:10, 80:12 That [1] - 80:8 that's [26] - 4:18, 8:23, 17:6, 17:9, 17:16, 21:5, 21:18, 22:18, 28:17, 32:3, 35:13, 38:14, 39:11, 43:22, 50:17, 58:21, 60:16, 65:19, 69:3, 69:4, 71:10, 72:18, 74:13, 77:24 the [682] - 2:2, 2:4, 2:5, 2:10, 2:11, 2:13, 2:17, 2:20, 2:22, 3:1, 3:3, 3:6, 3:7, 3:8, 3:14, 3:15, 3:17, 3:21, 4:2, 4:3, 4:4, 4:9, 4:14, 4:16, 4:17, 4:18, 5:7, 5:10, 5:11, 5:14, 5:17, 5:18, 5:19, 5:23, 5:24, 6:1, 6:3, 6:5, 6:6, 6:10, 6:11, 6:14, 6:17, 6:24, 7:5, 7:13, 7:14, 7:19, 7:22, 8:2, 8:4, 8:17, 8:20, 8:23, 9:2, 9:18, 10:5, 10:7, 10:14, 10:18, 10:21, 10:23, 11:2, 11:6, 11:8, 11:15, 11:25, 12:1, 12:2, 12:7, 12:8, 12:9, 12:15, 12:17, 12:18, 12:21, 13:1, 13:7, 13:8, 13:9, 13:16, 13:20, 13:21, 13:23, 14:7, 14:10, 14:11, 14:12, 14:15, 14:16, 14:20, 14:23, 14:25, 15:4, 15:19, 15:23, 15:25, 16:3, 16:9, 16:12, 16:13, 16:19, 16:22, 17:5, 17:6, 17:8, 17:11, 17:13, 17:15, 17:16, 17:21, 17:23, 17:24, 17:25, 18:4, 18:8, 18:9, 18:10, 18:11, 18:19, 18:20, 18:23, 18:25, 19:2, 19:3, 19:4, 19:5, 19:6, 19:12, 19:14, 19:20, 19:21, 19:23, 19:25, 20:3, 20:4, 20:6, 20:18, 20:19, 20:20, 20:23, 20:24, 21:9, 21:10, 21:12, 21:14, 21:16, 21:17, 21:18, 21:20, 21:21, 21:22, 21:23, 22:2, 22:7, 22:14, 22:18, 22:25, 23:5, 23:6, 23:10, 23:11, 23:13, 23:14, 23:17, 23:18, 23:19, 23:20, 23:22, 23:25, 24:1, 24:3, 24:4, 24:8, 24:9, 24:11, 24:12, 24:14, 24:16, 24:20, 24:23, 24:24,</p>

<p>24:25, 25:1, 25:4, 25:7, 25:9, 25:10, 25:11, 25:16, 25:19, 25:24, 25:25, 26:5, 26:7, 26:8, 26:9, 26:11, 26:15, 26:20, 26:21, 26:24, 26:25, 27:3, 27:9, 27:13, 27:16, 27:22, 28:4, 28:5, 28:6, 28:13, 28:15, 28:16, 28:17, 28:18, 28:19, 28:21, 28:22, 29:2, 29:4, 29:5, 29:8, 29:9, 29:13, 30:1, 30:5, 30:7, 30:8, 30:13, 30:14, 30:18, 30:19, 30:20, 30:22, 31:3, 31:4, 31:5, 31:11, 31:12, 31:14, 31:16, 31:18, 31:23, 32:4, 32:6, 32:8, 32:21, 32:25, 33:1, 33:2, 33:3, 33:4, 33:6, 33:9, 33:11, 33:12, 33:13, 33:16, 33:18, 33:21, 33:22, 33:23, 33:24, 34:3, 34:6, 34:12, 34:15, 34:24, 34:25, 35:4, 35:5, 35:8, 35:9, 35:11, 35:12, 35:14, 35:15, 35:17, 35:18, 35:20, 35:23, 36:2, 36:9, 36:10, 36:11, 36:14, 36:17, 36:19, 36:20, 36:25, 37:1, 37:3, 37:8, 37:10, 37:11, 37:13, 37:14, 37:16, 37:18, 37:21, 37:25, 38:1, 38:9, 38:19, 39:8, 39:9, 39:15, 39:19, 39:20, 39:21, 39:23, 40:1, 40:4, 40:7, 40:8, 40:9, 40:14, 40:22, 40:25, 41:3, 41:9, 41:12, 41:13, 41:18, 41:22, 41:25, 42:8, 42:10, 42:12, 42:15, 42:16, 42:25, 43:4, 43:10, 43:12, 43:19, 43:20, 44:9, 44:10, 44:11, 44:14, 44:15, 44:17, 44:19, 44:23, 44:25, 45:3, 45:6, 45:8, 45:17, 45:18, 45:22, 46:1, 46:9, 46:13, 46:15, 46:16, 46:17, 46:19, 46:24, 46:25, 47:1, 47:3, 47:8, 47:10, 47:17, 47:18, 48:4, 48:15, 48:18, 48:20, 48:24, 48:25, 49:1, 49:2, 49:3, 49:4, 49:6, 49:12, 49:13, 49:20, 49:22, 49:24, 49:25, 50:1, 50:6, 50:23, 50:24, 51:2, 51:11, 51:17, 51:18, 51:19, 51:21, 51:22, 52:1, 52:6, 52:7, 52:12, 52:15, 52:16, 52:17, 52:18, 52:19, 52:22, 52:23, 53:6, 53:11, 53:14, 53:19, 53:20, 53:21, 53:25, 54:11, 54:12, 54:13, 54:17, 54:18, 54:25, 55:6, 55:9, 55:10, 55:11, 55:12, 55:16, 55:17, 55:19, 55:20, 55:21, 55:22, 55:25,</p>	<p>56:2, 56:11, 56:16, 56:18, 56:24, 57:4, 57:5, 57:6, 57:10, 57:19, 57:22, 57:24, 58:1, 58:5, 58:8, 58:9, 58:12, 58:15, 58:17, 58:18, 58:19, 58:23, 59:2, 59:6, 59:12, 59:14, 59:19, 59:22, 59:23, 60:1, 60:2, 60:3, 60:4, 60:5, 60:8, 60:9, 60:10, 60:19, 61:2, 61:6, 61:9, 61:10, 61:11, 61:17, 62:5, 62:11, 62:15, 62:25, 63:4, 63:6, 63:11, 63:13, 63:14, 63:15, 63:17, 63:21, 64:2, 64:3, 64:16, 64:20, 64:24, 65:1, 65:5, 65:13, 66:2, 66:3, 66:6, 66:9, 66:17, 66:19, 66:21, 66:22, 66:24, 67:2, 67:5, 67:13, 67:14, 67:15, 67:20, 67:24, 68:8, 68:9, 68:14, 68:19, 68:21, 68:23, 69:3, 69:4, 69:18, 69:19, 69:22, 69:23, 69:25, 70:4, 70:5, 70:7, 70:9, 70:10, 70:11, 70:12, 70:13, 70:14, 70:20, 70:21, 70:22, 70:24, 70:25, 71:3, 71:4, 71:11, 71:16, 71:20, 71:22, 72:2, 72:9, 72:10, 72:11, 72:16, 72:20, 72:23, 72:24, 73:4, 73:5, 73:7, 73:11, 73:14, 73:20, 73:22, 73:24, 73:25, 74:19, 74:24, 74:25, 75:2, 75:3, 75:4, 75:5, 75:8, 75:9, 75:10, 75:16, 75:17, 75:23, 75:25, 76:8, 76:11, 76:12, 76:13, 76:19, 76:20, 76:21, 76:22, 77:1, 77:3, 77:4, 77:6, 77:7, 77:17, 77:20, 77:21, 77:24, 78:6, 78:7, 78:8, 78:11, 78:15, 78:16, 79:3, 79:4, 80:7, 80:8, 80:11, 80:12</p> <p>The [8] - 3:10, 23:24, 30:7, 30:16, 49:8, 56:19, 57:7, 57:14</p> <p>their [55] - 7:1, 7:24, 7:25, 8:4, 9:6, 9:20, 9:21, 9:25, 10:1, 10:3, 10:22, 11:24, 12:19, 12:20, 13:24, 14:6, 15:21, 16:10, 16:23, 18:2, 24:3, 24:13, 28:16, 28:24, 29:3, 29:12, 34:12, 34:22, 48:12, 48:17, 51:12, 53:4, 53:6, 53:22, 56:4, 57:1, 61:3, 61:7, 61:13, 62:16, 63:9, 64:14, 65:7, 67:3, 67:4, 67:9, 71:24, 72:5, 72:14, 72:15, 72:17, 73:4, 77:22</p> <p>them [15] - 9:4, 9:5, 9:8, 10:7, 24:4, 29:7, 40:19, 46:4, 48:10, 48:13, 49:25, 50:9,</p>	<p>75:3, 75:18, 77:21</p> <p>themselves [3] - 2:12, 34:21, 40:19</p> <p>then [20] - 5:1, 5:25, 9:21, 14:15, 15:22, 16:2, 16:4, 16:10, 16:21, 21:11, 35:25, 46:2, 49:3, 58:9, 60:14, 63:16, 64:1, 65:7, 67:24, 78:6</p> <p>theoretically [1] - 59:18</p> <p>there [38] - 3:2, 15:4, 15:6, 16:6, 21:11, 21:13, 29:10, 32:1, 36:25, 39:19, 40:4, 41:16, 41:23, 49:8, 50:2, 50:17, 50:22, 51:8, 51:22, 53:24, 54:21, 57:13, 59:7, 60:21, 60:23, 61:4, 64:3, 64:17, 65:20, 67:7, 69:6, 70:4, 70:6, 70:18, 71:8, 77:5</p> <p>there's [16] - 4:14, 4:25, 15:5, 15:14, 20:3, 38:8, 42:6, 43:4, 54:17, 63:1, 63:2, 63:12, 66:4, 66:16, 67:9, 78:14</p> <p>therefore [1] - 45:5</p> <p>these [32] - 2:9, 6:19, 7:15, 9:19, 9:21, 11:25, 27:15, 27:19, 31:2, 35:15, 39:18, 39:25, 48:5, 50:7, 50:13, 51:7, 51:9, 53:3, 54:20, 60:3, 60:14, 62:17, 66:1, 66:13, 66:17, 66:24, 67:8, 73:10, 73:12, 76:17, 76:19</p> <p>they [81] - 5:10, 7:19, 8:2, 9:15, 11:5, 11:18, 12:15, 12:22, 13:3, 13:4, 13:8, 13:9, 13:16, 14:19, 16:19, 17:12, 17:14, 17:15, 17:25, 18:1, 18:21, 19:9, 21:1, 21:23, 24:4, 24:11, 29:2, 29:8, 29:9, 29:13, 29:14, 32:8, 34:16, 41:8, 47:19, 48:13, 48:14, 48:15, 48:17, 48:19, 51:13, 53:4, 53:5, 53:22, 54:10, 54:13, 54:14, 54:22, 56:25, 59:15, 60:14, 61:25, 62:4, 62:6, 63:2, 67:2, 67:3, 67:4, 68:15, 69:3, 70:13, 71:5, 71:23, 72:16, 72:23, 73:5, 73:25, 74:25, 75:8, 75:9, 76:7, 76:11, 77:8, 77:22</p> <p>they'll [3] - 16:22, 16:23, 17:10</p> <p>they're [15] - 13:2, 14:24, 25:21, 42:17, 48:25, 51:11, 53:4, 54:3, 54:19, 54:20, 62:17, 63:13, 66:14, 74:19, 78:6</p> <p>they've [1] - 54:21</p> <p>thing [7] - 17:13, 19:6,</p>	<p>36:14, 48:20, 57:17, 71:3, 73:20</p> <p>things [8] - 27:16, 42:21, 48:23, 60:6, 65:22, 66:23, 66:24, 76:6</p> <p>think [80] - 5:19, 5:22, 5:24, 6:8, 6:18, 12:16, 14:4, 14:7, 14:19, 14:22, 15:7, 15:15, 15:24, 16:5, 16:20, 17:3, 21:3, 21:22, 26:3, 26:6, 26:9, 27:11, 28:14, 32:6, 32:17, 36:13, 41:16, 43:2, 43:3, 43:7, 48:16, 50:25, 52:10, 52:18, 52:23, 53:12, 53:16, 54:15, 54:23, 56:9, 57:18, 58:2, 59:24, 60:1, 60:7, 60:16, 61:17, 61:19, 62:7, 62:15, 62:22, 62:24, 63:23, 64:12, 64:13, 64:21, 64:25, 65:1, 65:8, 65:17, 65:19, 65:24, 66:2, 66:14, 67:10, 67:17, 67:23, 68:9, 68:11, 68:17, 68:20, 69:1, 73:24, 73:25, 74:21, 74:22, 77:8, 77:15, 77:23</p> <p>thinking [1] - 71:3</p> <p>third [1] - 57:5</p> <p>Third [1] - 55:10</p> <p>thirdly [1] - 24:21</p> <p>this [95] - 2:2, 2:4, 2:8, 2:11, 4:6, 4:8, 4:23, 4:24, 6:25, 7:7, 8:14, 8:24, 9:3, 10:2, 11:22, 12:20, 13:1, 14:2, 15:1, 16:1, 16:2, 17:18, 18:15, 19:4, 19:7, 19:10, 19:18, 20:1, 22:23, 23:2, 23:8, 23:10, 24:19, 24:21, 25:2, 26:13, 26:22, 27:8, 29:23, 31:8, 33:11, 34:7, 34:23, 36:13, 39:24, 40:11, 41:17, 44:12, 44:18, 46:17, 48:3, 48:11, 50:19, 50:24, 51:14, 51:20, 52:14, 52:25, 54:9, 54:23, 55:6, 56:15, 58:3, 58:8, 58:23, 59:16, 59:22, 63:8, 65:11, 66:22, 67:3, 67:13, 68:2, 69:7, 70:24, 71:7, 71:15, 72:25, 73:1, 74:1, 74:3, 75:15, 76:14, 76:24, 77:2, 77:11, 77:13, 78:10, 80:11, 80:12, 80:15</p> <p>those [23] - 9:5, 9:6, 9:25, 10:5, 12:17, 14:18, 15:22, 16:5, 16:18, 24:2, 28:23, 39:14, 40:5, 49:9, 50:11, 54:11, 57:15, 61:18, 62:18, 72:24, 75:23, 77:8, 79:1</p> <p>though [2] - 39:18, 50:11</p> <p>thought [3] - 15:12, 64:22,</p>
--	--	--	---

<p>65:9 thoughts [1] - 63:25 thousand [1] - 35:1 thousands [1] - 35:1 threat [1] - 72:16 three [4] - 5:18, 42:21, 51:14, 70:13 through [10] - 11:22, 22:2, 24:12, 36:20, 39:8, 45:14, 46:20, 48:5, 64:22, 66:6 throughout [6] - 26:20, 28:6, 33:21, 50:23, 57:4, 63:16 Thursday [1] - 39:7 ties [1] - 73:9 time [35] - 4:17, 5:7, 5:20, 5:23, 6:1, 7:11, 7:13, 7:17, 10:5, 12:2, 13:8, 14:8, 14:21, 15:1, 15:2, 17:5, 18:4, 21:7, 23:8, 23:14, 28:16, 28:20, 29:1, 32:21, 34:21, 59:6, 63:12, 66:22, 67:4, 67:12, 69:20, 70:6, 71:11, 78:6 time's [1] - 47:4 timekeeper [1] - 5:19 times [1] - 67:5 Times [1] - 55:15 title [1] - 67:3 to [456] - 2:2, 2:9, 2:12, 2:22, 2:25, 3:18, 3:20, 3:24, 4:3, 4:9, 4:10, 5:2, 5:6, 5:8, 5:17, 5:18, 5:22, 5:24, 6:1, 6:3, 6:4, 6:9, 6:19, 6:21, 7:1, 7:2, 7:11, 7:16, 8:13, 8:16, 8:24, 9:3, 9:5, 9:9, 9:10, 9:12, 9:21, 9:22, 9:23, 10:8, 10:20, 10:21, 11:1, 11:6, 11:7, 11:24, 12:9, 12:11, 12:12, 12:14, 12:16, 12:17, 12:18, 12:21, 12:23, 13:2, 13:7, 13:22, 14:3, 14:18, 14:23, 15:2, 15:12, 15:14, 15:16, 15:17, 15:24, 15:25, 16:3, 16:17, 16:23, 16:24, 16:25, 17:1, 17:8, 17:14, 17:15, 17:16, 17:23, 18:3, 18:5, 18:12, 18:13, 18:14, 18:19, 18:22, 18:24, 19:4, 19:5, 19:9, 19:17, 19:18, 19:24, 20:1, 20:4, 20:19, 20:20, 21:1, 21:11, 21:12, 21:19, 21:21, 21:22, 21:24, 22:1, 22:18, 22:21, 22:23, 22:25, 23:5, 23:8, 23:14, 23:15, 23:18, 24:1, 24:4, 24:8, 24:10, 24:13, 24:15, 24:16, 24:21, 25:1, 25:7, 25:8, 25:10, 25:13, 25:14, 25:15, 25:16, 25:17, 25:18, 25:24, 26:4, 26:7, 26:11,</p>	<p>26:20, 26:24, 27:4, 27:5, 27:12, 27:14, 27:15, 27:21, 28:2, 28:3, 28:10, 28:17, 29:1, 29:2, 29:6, 29:18, 29:23, 30:4, 30:12, 30:14, 30:15, 31:2, 31:7, 31:8, 31:11, 31:12, 31:13, 32:7, 32:17, 33:7, 33:10, 33:13, 33:14, 33:25, 34:2, 34:7, 34:11, 34:19, 34:23, 34:24, 34:25, 35:3, 35:4, 35:10, 35:20, 35:25, 36:2, 36:6, 36:11, 36:16, 36:19, 37:9, 37:20, 37:21, 38:4, 38:6, 38:7, 38:19, 39:8, 39:10, 40:2, 40:19, 41:11, 41:14, 42:7, 42:8, 42:15, 42:17, 42:23, 43:4, 43:7, 43:13, 43:14, 44:8, 44:22, 44:25, 45:2, 45:3, 45:6, 45:7, 45:15, 45:18, 46:1, 46:4, 46:8, 46:9, 46:13, 46:16, 46:17, 46:19, 46:23, 47:1, 47:12, 47:20, 47:23, 48:4, 48:7, 48:10, 48:12, 48:24, 49:3, 49:5, 49:19, 49:23, 50:1, 50:6, 50:7, 50:10, 50:24, 51:4, 51:20, 51:21, 52:12, 52:15, 52:16, 52:19, 52:22, 52:25, 53:3, 53:4, 53:6, 53:10, 53:13, 53:22, 53:25, 54:8, 54:9, 54:11, 54:13, 54:20, 54:21, 54:22, 55:2, 55:5, 55:7, 55:11, 55:15, 55:24, 56:9, 56:10, 56:12, 56:15, 56:20, 57:3, 57:7, 57:9, 57:11, 57:12, 57:15, 57:19, 57:20, 57:22, 57:25, 59:2, 59:12, 59:16, 59:23, 59:24, 60:4, 60:9, 60:20, 60:24, 60:25, 61:2, 61:5, 61:16, 61:18, 61:20, 61:23, 61:24, 62:4, 62:7, 62:15, 62:18, 63:9, 63:24, 64:2, 64:15, 64:17, 64:22, 64:23, 64:24, 65:2, 65:3, 65:5, 65:9, 65:11, 65:12, 65:13, 65:21, 65:25, 66:5, 66:8, 66:15, 66:16, 66:23, 66:25, 67:7, 67:11, 67:13, 67:22, 68:7, 68:11, 68:14, 68:15, 68:22, 68:24, 68:25, 69:16, 69:19, 69:23, 70:2, 70:3, 70:16, 70:17, 70:20, 70:23, 71:1, 71:2, 71:7, 71:8, 71:16, 71:21, 71:25, 72:3, 72:6, 72:13, 72:15, 72:17, 72:25, 73:3, 73:5, 73:6, 73:7, 73:8, 73:9, 73:10, 73:13, 73:17, 73:19, 73:21, 73:22, 74:1, 74:2, 74:10, 74:11, 74:13, 74:19,</p>	<p>74:25, 75:16, 75:17, 75:18, 75:23, 76:1, 76:10, 76:11, 76:15, 76:16, 76:20, 76:25, 77:1, 77:3, 77:5, 77:7, 77:15, 78:5, 78:8, 78:9, 78:10, 78:12, 78:13, 78:14, 78:20, 80:10, 80:11 today [5] - 36:6, 52:17, 57:13, 71:10, 73:21 together [3] - 40:6, 52:13, 77:14 told [2] - 9:5, 69:20 tonight [3] - 22:22, 26:15, 56:2 too [6] - 10:13, 38:20, 58:15, 72:12, 75:24, 78:12 took [2] - 9:8, 10:7 tool [1] - 50:20 tools [6] - 38:6, 42:16, 46:19, 56:11, 76:11, 77:21 topic [1] - 14:15 topics [1] - 6:9 totally [1] - 20:22 touch [2] - 9:2, 16:18 touched [1] - 67:23 track [1] - 38:6 traditionally [1] - 2:6 traffic [1] - 61:17 train [1] - 12:8 trained [2] - 11:17, 66:16 training [6] - 11:4, 15:21, 56:10, 65:9, 68:19, 68:23 trainings [3] - 11:5, 54:17, 56:15 transcription [1] - 80:8 transferring [1] - 34:4 transmitted [1] - 4:25 transparency [2] - 37:18, 40:8 transparent [4] - 5:2, 5:3, 26:16, 73:8 treasurer [1] - 40:22 treaty [1] - 45:10 trip [1] - 5:24 trouble [1] - 10:16 true [2] - 8:23 truly [4] - 9:14, 24:2, 27:7, 72:1 truth [1] - 13:22 try [5] - 16:16, 18:7, 48:12, 49:19, 50:10 trying [4] - 13:22, 18:22, 20:25, 78:14 turn [3] - 27:21, 35:25, 49:10 turnover [3] - 8:22, 8:24, 13:20 two [20] - 5:22, 6:1, 10:25, 11:14, 24:8, 24:11, 24:22, 33:7, 33:10, 35:14, 36:6,</p>	<p>40:19, 42:21, 50:13, 52:1, 54:11, 58:3, 63:11, 63:12, 63:20 two-year [2] - 24:8, 24:11 type [1] - 35:4</p> <p style="text-align: center;">U</p> <p>ultimately [1] - 7:3 ULURP [5] - 19:16, 40:9, 58:13, 61:11, 63:1 ULURP's [2] - 19:13, 62:10 umbrella [1] - 40:14 unable [1] - 9:5 unbiased [3] - 62:20, 62:21, 64:17 undemocratic [1] - 73:1 under [7] - 35:7, 40:14, 44:16, 45:8, 55:20, 55:22, 63:6 understand [13] - 7:6, 24:3, 26:4, 28:15, 36:19, 61:16, 61:24, 66:9, 69:2, 76:2, 76:7, 76:11, 77:22 understanding [7] - 6:25, 31:12, 34:1, 62:9, 62:10, 71:9, 76:8 understood [1] - 45:16 undertake [1] - 35:10 undocumented [1] - 68:6 undue [1] - 73:1 unfortunately [1] - 33:24 unified [1] - 40:4 uniform [1] - 10:9 uniformed [2] - 38:13, 61:6 unintentionally [1] - 47:13 union [1] - 18:4 Union [1] - 40:23 unions [1] - 15:19 unique [1] - 33:19 unit [1] - 62:18 Unit [1] - 2:18 United [3] - 46:24, 47:1, 50:23 united [1] - 44:15 units [3] - 34:22, 35:1, 35:2 universities [1] - 30:10 University [1] - 37:4 UNKNOWN [5] - 2:7, 22:15, 23:4, 62:12, 78:24 unlike [2] - 15:13, 57:12 unrealistic [1] - 49:5 unwavering [1] - 73:13 up [41] - 2:23, 5:9, 6:1, 11:1, 12:25, 15:7, 16:22, 16:23, 16:24, 23:23, 26:18, 26:21, 27:16, 27:19, 31:15, 33:6, 35:5, 39:3, 41:21, 42:9, 43:13, 47:4, 47:5, 47:18, 49:23, 50:1, 54:7, 54:20,</p>
---	--	---	--

<p>60:13, 62:12, 63:6, 63:10, 64:2, 66:18, 66:22, 66:25, 71:6, 76:13, 76:19, 77:23 upcoming [1] - 63:1 upfront [1] - 6:22 upon [5] - 34:5, 45:20, 47:12, 61:7, 65:4 urban [14] - 11:16, 11:23, 56:17, 60:22, 60:23, 61:15, 62:5, 62:8, 62:9, 63:11, 64:3, 64:4, 71:23, 75:21 urged [1] - 5:6 us [14] - 5:5, 5:6, 5:21, 9:3, 9:11, 9:22, 27:14, 27:15, 27:17, 42:20, 46:20, 50:1, 51:4, 78:19 usage [1] - 35:22 use [30] - 6:24, 7:7, 7:23, 8:2, 8:12, 8:16, 10:6, 11:8, 11:24, 12:2, 12:8, 13:7, 17:25, 18:10, 18:25, 19:22, 19:23, 19:24, 21:9, 21:25, 40:12, 43:3, 55:24, 56:12, 58:4, 58:12, 58:15, 77:1, 77:7, 78:13 used [4] - 46:7, 46:13, 48:10, 68:15 useful [1] - 43:7 user [2] - 33:13, 35:8 uses [1] - 35:11 using [3] - 11:10, 47:11, 68:18 usual [1] - 58:23 usually [2] - 5:19, 31:2 usurious [1] - 34:5</p>	<p>78:9 videotape [1] - 4:25 view [2] - 20:15, 62:23 views [1] - 72:23 violations [1] - 34:14 virtual [1] - 64:13 vision [2] - 40:1, 40:3 visit [1] - 23:3 visiting [1] - 23:2 vital [3] - 11:5, 30:18 voice [8] - 23:16, 30:5, 30:18, 31:9, 31:18, 40:5, 42:4, 42:7 voices [1] - 37:16 volunteered [1] - 67:3 volunteerism [1] - 36:22 volunteers [3] - 7:13, 28:16, 29:15 vote [7] - 42:5, 42:6, 53:6, 68:11, 70:5, 72:14, 76:6 voters [6] - 26:5, 26:9, 26:11, 49:20, 50:1, 68:25 votes [1] - 25:24 voting [4] - 3:11, 36:21, 67:6, 68:3</p>	<p>5:17, 5:25, 8:6, 8:9, 8:11, 8:21, 8:25, 9:1, 9:2, 9:9, 9:16, 9:18, 9:24, 10:2, 10:17, 11:3, 11:11, 12:8, 13:4, 13:11, 13:14, 14:8, 14:12, 14:13, 14:15, 15:22, 16:5, 16:9, 16:10, 16:11, 16:12, 16:16, 17:3, 17:22, 18:1, 18:14, 18:15, 18:17, 19:8, 20:23, 22:12, 23:16, 24:24, 24:25, 25:3, 25:5, 25:7, 25:14, 26:4, 26:5, 26:9, 26:16, 28:14, 28:23, 32:17, 36:10, 37:2, 37:3, 40:18, 44:24, 45:18, 45:23, 46:5, 46:14, 46:15, 46:23, 47:24, 48:23, 49:11, 49:20, 49:23, 50:9, 50:10, 50:20, 51:14, 53:2, 53:10, 54:6, 54:8, 54:9, 54:23, 54:24, 55:16, 56:9, 56:10, 57:18, 58:13, 58:14, 58:15, 59:8, 59:10, 60:7, 60:16, 62:2, 64:18, 64:19, 65:10, 67:23, 67:24, 68:2, 68:24, 68:25, 69:14, 70:2, 73:2, 73:8, 73:10, 73:11, 76:15, 76:18, 77:13, 77:14, 78:9, 78:11, 78:12, 78:14 we'd [2] - 46:9, 65:25 we'll [3] - 5:25, 35:25 we're [16] - 3:19, 5:22, 13:22, 18:22, 18:23, 30:7, 46:7, 46:13, 50:13, 54:19, 60:11, 65:5, 65:11, 65:14, 68:1, 78:9 we've [19] - 4:19, 6:19, 9:16, 9:17, 10:5, 15:18, 19:11, 19:12, 28:6, 28:9, 42:15, 48:24, 50:12, 51:15, 51:18, 51:19, 52:1, 69:9, 78:4 web [1] - 65:5 website [1] - 38:14 websites [2] - 43:12, 57:1 week [3] - 5:4, 38:24, 39:4 weigh [1] - 23:11 weird [1] - 76:24 Weiser [2] - 41:2, 57:16 WEISER [7] - 1:19, 41:2, 50:16, 51:11, 51:23, 63:20, 64:10 welcome [1] - 17:12 welcomed [1] - 17:15 welfare [1] - 48:1 well [17] - 15:18, 24:18, 26:10, 28:14, 41:7, 42:13, 51:12, 54:8, 60:13, 64:7, 68:7, 69:15, 70:1, 71:12, 74:21, 77:9, 77:10 Wendy [1] - 41:2</p>	<p>WENDY [1] - 1:19 went [2] - 48:18, 73:21 were [9] - 27:3, 39:14, 39:25, 53:22, 67:4, 67:6, 68:12, 69:21, 72:10 West [5] - 36:5, 70:7, 70:14, 70:22, 73:23 Westchester [1] - 33:5 what [54] - 4:19, 4:22, 6:25, 13:18, 13:22, 14:17, 14:24, 15:11, 15:15, 16:5, 16:10, 18:12, 19:18, 21:8, 28:11, 32:3, 32:4, 32:5, 33:24, 36:13, 37:21, 39:1, 39:23, 40:2, 40:11, 41:11, 42:21, 42:23, 43:16, 44:12, 48:18, 51:16, 51:19, 52:24, 53:15, 53:21, 56:8, 58:24, 60:16, 60:25, 62:25, 63:24, 66:1, 67:4, 69:21, 69:23, 70:15, 70:18, 71:9, 73:2, 74:11 what's [8] - 17:10, 21:16, 28:18, 29:7, 29:12, 29:14, 72:15, 76:2 whatever [3] - 43:14, 64:17, 75:22 when [22] - 7:18, 8:1, 8:5, 8:15, 13:14, 16:20, 19:2, 20:6, 24:1, 26:10, 26:16, 26:24, 28:21, 29:5, 48:7, 48:23, 63:14, 63:16, 68:10, 69:20, 71:3, 72:23 where [11] - 2:22, 21:23, 23:20, 37:11, 39:20, 42:3, 43:19, 46:17, 59:18, 61:25, 65:7 WHEREOF [1] - 80:14 Whereupon [1] - 79:4 whether [5] - 11:22, 59:2, 60:20, 61:4, 62:23 which [23] - 4:4, 4:10, 4:21, 4:22, 6:10, 11:16, 12:18, 15:12, 17:19, 19:15, 19:20, 23:19, 26:14, 33:16, 34:4, 35:12, 39:15, 41:5, 55:11, 65:1, 67:6, 70:8, 76:25 while [7] - 19:12, 25:23, 41:7, 45:12, 45:22, 56:2, 75:20 white [1] - 39:16 who [46] - 5:17, 9:5, 9:7, 9:24, 9:25, 10:5, 10:7, 14:4, 14:18, 14:19, 16:5, 16:13, 16:18, 17:4, 21:7, 22:22, 23:7, 24:2, 26:1, 27:17, 35:5, 36:12, 37:5, 37:20, 38:17, 38:22, 40:1, 40:2, 48:11, 48:16, 51:2, 51:3, 52:5, 53:20, 54:12, 58:16, 59:9, 59:12, 60:7, 66:19, 70:11,</p>
<p style="text-align: center;">V</p>	<p style="text-align: center;">W</p>	<p>walk [1] - 39:8 walking [1] - 47:18 walks [1] - 59:20 walkways [1] - 34:19 Walter [1] - 38:17 want [17] - 6:21, 22:21, 23:5, 25:18, 29:18, 36:6, 45:18, 55:2, 59:16, 59:24, 64:19, 70:2, 71:10, 74:13, 76:25, 77:1 wanted [7] - 4:8, 28:2, 42:23, 67:22, 68:7, 70:16, 73:19 was [36] - 3:6, 3:22, 17:11, 18:7, 21:13, 21:14, 25:2, 30:13, 36:19, 39:1, 39:7, 39:12, 39:20, 39:21, 39:24, 40:4, 47:18, 48:18, 50:25, 51:2, 51:17, 52:24, 53:19, 53:24, 55:19, 59:7, 67:2, 67:7, 68:9, 68:12, 69:19, 69:20, 69:22, 70:23, 71:9 wasn't [1] - 6:4 Waterfront [1] - 55:22 way [19] - 2:13, 10:2, 14:12, 16:17, 19:5, 19:20, 19:23, 19:24, 22:8, 31:11, 43:4, 43:18, 45:17, 53:4, 53:25, 55:1, 77:24, 78:11, 80:12 ways [2] - 4:10, 15:4 we [131] - 2:5, 4:21, 4:22, 4:24, 5:1, 5:6, 5:8, 5:16,</p>	

<p>70:18, 75:2, 75:19 who's [2] - 21:6, 66:20 whole [1] - 20:3 whom [1] - 39:13 whose [2] - 44:21, 72:4 why [9] - 20:19, 38:11, 41:22, 59:13, 59:16, 60:14, 61:1, 70:25, 73:5 wide [1] - 58:24 widespread [1] - 48:22 wiggle [1] - 20:25 will [23] - 2:13, 5:16, 5:17, 5:18, 5:25, 8:14, 10:13, 13:23, 22:24, 23:10, 23:11, 35:20, 49:20, 49:25, 50:10, 56:3, 62:6, 65:12, 69:17, 72:2, 72:11, 77:8, 78:20 Will [1] - 36:12 willing [1] - 26:24 wise [1] - 61:21 wish [2] - 44:8, 46:23 wishes [1] - 5:17 with [90] - 2:14, 4:7, 5:16, 5:21, 6:14, 7:1, 7:3, 8:5, 8:11, 9:2, 9:4, 9:25, 10:11, 10:17, 11:24, 12:4, 12:6, 12:10, 12:15, 12:17, 13:3, 13:7, 14:9, 15:8, 16:5, 16:9, 16:11, 16:13, 16:18, 17:22, 17:24, 18:18, 18:20, 19:18, 20:3, 20:22, 21:14, 21:20, 23:13, 25:13, 25:17, 26:13, 26:17, 28:23, 29:16, 30:22, 31:2, 31:3, 31:22, 34:18, 35:8, 35:14, 35:18, 36:1, 39:15, 41:5, 49:23, 51:16, 51:18, 52:14, 53:14, 56:7, 59:1, 60:5, 60:20, 61:11, 61:12, 63:6, 63:7, 63:8, 63:15, 63:17, 65:11, 65:14, 66:18, 67:7, 70:9, 70:23, 71:22, 72:10, 72:24, 73:9, 73:23, 76:14, 76:17, 76:19, 77:3, 77:21, 78:1 within [5] - 19:3, 25:23, 51:12, 67:15, 80:7 without [3] - 8:13, 34:21, 53:7 WITNESS [1] - 80:14 woman [2] - 24:2, 45:13 women [11] - 31:15, 44:16, 45:9, 45:22, 45:24, 46:1, 46:4, 46:12, 46:14, 51:22 women's [4] - 44:22, 45:24, 46:6, 46:8 wonder [2] - 68:3, 74:17 wondering [1] - 63:25 word [1] - 77:1 words [2] - 19:3, 25:22 work [17] - 5:10, 10:1,</p>	<p>11:24, 12:10, 12:16, 14:11, 16:9, 16:20, 17:3, 20:2, 23:15, 24:20, 29:10, 49:22, 52:13, 70:23, 77:13 worked [2] - 48:8, 51:3 working [4] - 12:4, 12:15, 31:22, 47:17 works [2] - 26:10, 76:9 workshops [1] - 11:11 worse [1] - 34:23 would [74] - 2:11, 4:7, 10:22, 14:5, 15:2, 15:3, 17:23, 18:22, 19:3, 19:6, 24:15, 24:19, 24:21, 27:11, 28:12, 30:18, 31:17, 32:4, 32:5, 35:19, 36:10, 37:13, 37:23, 39:10, 41:10, 42:21, 42:23, 43:7, 46:15, 48:13, 49:3, 49:21, 51:19, 53:20, 56:15, 57:24, 58:6, 58:24, 59:1, 59:3, 59:13, 59:24, 60:2, 61:1, 61:5, 61:19, 61:21, 62:4, 62:7, 63:9, 63:10, 64:4, 64:5, 64:6, 65:17, 65:24, 66:1, 68:13, 68:19, 70:6, 70:8, 71:4, 71:5, 74:18, 75:2, 75:3, 75:5, 75:8, 75:16, 75:19, 78:15 wouldn't [1] - 74:9 writing [1] - 11:10 written [3] - 32:13, 47:21, 56:5</p> <p style="text-align: center;">X</p> <p>X [2] - 1:1, 1:7</p> <p style="text-align: center;">Y</p> <p>yeah [5] - 32:6, 42:19, 43:2, 64:10, 67:19 year [16] - 4:6, 11:18, 12:1, 13:2, 16:8, 16:19, 24:8, 24:10, 24:11, 25:2, 25:4, 34:11, 66:19, 70:5, 70:20 years [17] - 4:5, 6:13, 7:11, 8:13, 8:20, 10:15, 11:15, 17:11, 19:13, 25:5, 25:25, 26:20, 30:2, 30:14, 51:15, 63:7, 69:25 yes [14] - 2:8, 22:17, 22:20, 32:11, 32:15, 41:20, 50:22, 51:13, 62:7, 63:19, 69:14, 73:11, 74:6, 74:9 yesterday [1] - 73:21 YMCA [1] - 3:4 YORK [2] - 1:4, 80:3 York [54] - 2:3, 3:4, 3:7, 3:9, 3:11, 4:2, 5:12, 7:7, 11:15, 12:7, 23:24, 24:18, 27:9, 30:7, 30:17, 30:22, 33:18,</p>	<p>36:9, 41:25, 42:1, 42:11, 44:12, 44:18, 44:20, 44:23, 44:25, 45:6, 45:17, 45:23, 46:9, 46:23, 47:3, 47:8, 47:10, 47:14, 49:1, 49:9, 49:25, 51:5, 51:15, 52:9, 55:14, 55:20, 56:1, 56:14, 56:19, 57:4, 57:7, 57:15, 58:1, 58:5, 80:7 Yorkers [3] - 23:16, 25:7, 27:7 you [189] - 2:10, 3:24, 5:20, 6:2, 6:6, 6:11, 8:14, 13:12, 13:13, 13:17, 14:1, 14:4, 14:16, 14:18, 15:7, 15:9, 15:15, 15:23, 15:24, 16:2, 16:7, 16:17, 16:21, 16:25, 17:4, 17:10, 17:14, 17:18, 18:12, 18:14, 18:18, 18:20, 19:2, 19:7, 20:11, 20:13, 20:14, 20:22, 21:7, 21:13, 21:20, 22:5, 22:6, 22:7, 22:11, 23:13, 23:23, 25:23, 26:4, 26:10, 26:13, 26:15, 26:18, 26:22, 27:12, 27:18, 27:20, 27:25, 28:2, 28:7, 28:10, 28:11, 28:12, 28:21, 29:19, 29:20, 29:23, 31:25, 32:2, 32:5, 32:13, 32:16, 32:19, 32:22, 35:24, 35:25, 36:2, 39:3, 40:16, 41:10, 41:15, 41:21, 41:24, 42:20, 42:22, 42:23, 43:3, 43:10, 43:14, 43:18, 43:20, 43:23, 44:2, 44:3, 47:4, 47:5, 47:14, 47:15, 47:18, 47:25, 48:2, 48:3, 48:23, 49:3, 49:15, 49:16, 50:12, 50:14, 50:15, 51:20, 51:23, 51:24, 51:25, 52:18, 53:3, 53:10, 53:15, 55:4, 55:5, 55:7, 55:23, 58:22, 58:25, 59:2, 59:3, 59:18, 59:24, 60:1, 60:5, 60:7, 60:9, 60:11, 60:25, 62:8, 62:16, 62:19, 63:10, 63:16, 63:25, 64:1, 64:3, 64:6, 64:18, 66:6, 66:7, 66:8, 66:11, 66:23, 66:25, 67:11, 67:12, 67:20, 67:25, 68:3, 68:5, 68:7, 69:8, 69:13, 69:14, 70:1, 70:2, 71:7, 71:11, 71:12, 71:15, 73:15, 73:22, 74:15, 74:17, 75:18, 75:20, 75:22, 76:3, 76:18, 76:24, 77:3, 77:5, 77:8, 78:19 you'll [2] - 25:14, 26:10 you're [14] - 6:9, 13:14, 17:19, 20:1, 41:11, 42:18, 50:20, 57:16, 65:18, 66:25, 67:12, 71:2, 71:6, 75:21</p>	<p>you've [8] - 5:20, 15:11, 15:13, 22:25, 41:9, 43:11, 50:8, 69:7 young [1] - 62:5 younger [3] - 10:3, 37:21, 37:23 youngest [1] - 17:11 your [36] - 5:20, 6:8, 13:18, 14:4, 14:17, 15:10, 17:2, 17:18, 18:13, 18:22, 19:24, 20:15, 22:25, 23:15, 25:17, 25:23, 27:25, 28:2, 29:19, 36:16, 36:17, 44:2, 47:4, 47:20, 52:13, 61:1, 62:20, 62:21, 66:23, 67:12, 67:21, 74:15, 77:6, 77:7, 78:13 yourself [1] - 28:21 yourselves [1] - 49:23 youth [1] - 47:25 Yvonne [2] - 44:4, 44:14</p> <p style="text-align: center;">Z</p> <p>zoning [10] - 7:9, 7:14, 10:6, 13:8, 19:18, 28:19, 75:21, 75:25, 76:8</p> <p style="text-align: center;">°</p> <p>° [4] - 79:7</p>
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