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2 2018 NYC CHARTER REVISION COMMISSION
3 PUBLIC HEARING

4 NEW YORK UNIVERSITY'S VANDERBILT HALL
5 40 WASHINGTON SQUARE SOUTH, GREENBERG LOUNGE
6 NEW YORK, NY, 10012

7 July 23, 2018
8 6:00 P.M.

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

11
12 COMMISSIONERS:

- | | | |
|----|----------------------|--------------------|
| 13 | | |
| 14 | CESAR PERALES, Chair | SHARON GREENBERGER |
| 15 | DEB ARCHER | DALE HO |
| 16 | MARCO CARRION | CARLO SCHISSURA |
| 17 | KYLE BRAGG | |
| 18 | RACHEL GODSIL | |
| 19 | MENDY MIROCZNIK | |
| 20 | ANNETTA SEECHARRAN | |
| 21 | WENDY WEISER | |

2018 - CHARTER REVISION - 7/23/2018

1 MR. PERALES: Good evening. I'd like to
2 get started, if we can take our seats.

3 My name is Cesar Perales. I have the
4 privilege of serving as chair of the 2018 Charter
5 Revision Commission.

6 As is our custom, I will begin the
7 proceedings by asking the members of the
8 Commission that are here to introduce themselves,
9 and I'll start on my left.

10 Dale.

11 MR. DALE: Good evening. My name is Dale Ho
12 and I am a lawyer at the American Civil Liberties
13 Union.

14 UNKNOWN SPEAKER: I ask that everyone speak
15 up, please.

16 MS. ARCHER: Good evening, everyone. My
17 name is Deborah Archer and I'm a law professor
18 here at NYU Law School.

19 MS. SEECHARRAN: My apologies. My
20 apologies. Good evening. My name is Annetta
21 Seecharran and I'm the executive director of
22 Chhaya Community Development Corporation.

23 MS. WEISER: Hello. My name is Wendy Weiser
24 and I direct the democracy program at the Brennan
25 Center for Justice here at NYU School of Law.

2018 - CHARTER REVISION - 7/23/2018

1 MS. GREENBERGER: Good evening. I'm Sharon
2 Greenberger. I'm the president and CEO of the
3 YMCA of Greater New York.

4 MS. GODSIL: Good evening. I'm Rachel
5 Godsil and I'm the vice chair of the --

6 Unknown SPEAKER: I can't hear you.

7 Mr. PERALES: Press the button. You have to
8 press the button. That one.

9 MS. GODSIL: Good evening, again. My name
10 is Rachel Godsil. I'm the vice chair of the
11 Commission at Rutgers Law School. And I'm
12 co-founder and director of research for the
13 Perception Institute. And it's wonderful to see
14 all of you out here tonight.

15 MR. PERALES: As I indicated, my name is
16 Cesar Perales. I was formally the secretary of
17 State of New York. I previously served as deputy
18 mayor of the City of New York. I've had a long
19 history in civil rights as an attorney with a
20 particular interest in voting rights.

21 MR. SCISSURA: Good evening, everyone. I'm
22 Carlo Scissura. I serve as the secretary of the
23 Commission and I currently serve as the president
24 and CEO of the New York Building Congress. Prior
25 to that I ran the Brooklyn Chamber of Commerce

2018 - CHARTER REVISION - 7/23/2018

1 and before that served as chief of staff to
2 Brooklyn Borough President Marty Markowitz.

3 MR. MIROCZNIK: Good evening. My name is
4 Mendy --

5 (Inaudible.)

6 MR. MIROCZNIK: I'm sorry. Good evening.
7 Thank you. Good evening. I'm Mendy Mirocznik.
8 I'm president of COJO Staten Island. It's a
9 pleasure to be here.

10 MR. BRAGG: Good evening. I'm Kyle Bragg.
11 I'm secretary-treasurer of SEIU of 32BJ. I'm
12 also a member of Community Board 13 in Queens.

13 MR. CARRION: Good evening. My name is
14 Marco Carrion. I'm currently commissioner of the
15 Mayor's Community Affairs Unit.

16 MR. PERALES: I generally take a few minutes
17 to describe what Charter Revision Commissions do
18 but I do think at this point people understand
19 that we are in the midst of hearing from the
20 public on numerous issues.

21 This mayor was particularly interested in
22 democracy and in reforming election and in
23 getting more people engaged, the civic life of
24 our city. But we have looked at the entire
25 budget, heard testimony -- not the entire but to

2018 - CHARTER REVISION - 7/23/2018

1 put the entire Charter and we've heard testimony
2 regarding the entire Charter.

3 Where we are now in our process is that the
4 staff has just issued a preliminary report. It
5 was a report directed at the members of the
6 Commission but it's a public document. And it is
7 an attempt to have us narrow the issues so that
8 we can focus on some of the issues that have been
9 up uppermost in the minds of the public and the
10 people who have sent comments to us and testified
11 before us so that you will be hearing I think
12 primarily on a limited number of issues.

13 Let me just say that we hope to hear from as
14 many people of the public as is possible. This
15 is our Manhattan hearing. We're going to do one
16 in every borough. And last time in our first go
17 around we went around and had neighborhood
18 meetings in a number of places. So we've had an
19 opportunity to hear from many of the people of
20 the City of New York.

21 To just go over the ground rules for today,
22 we're going to try to move as quickly as
23 possible. We will limit the comments to
24 three minutes. We have a clock and when I'm told
25 that the three minutes are up I will so inform

2018 - CHARTER REVISION - 7/23/2018

1 the speaker. We will use panels to make things
2 move more smoothly. Four people at a time will
3 be asked to come up and we will call on them one
4 at a time.

5 With that, our first panel is Ben Kallos,
6 council member New York council, Betsy Gotbaum,
7 Alexis Camarda and Morris Pearl.

8 As is our custom, we will begin with our
9 elected official. Mr. Councilman.

10 MR. KALLOS: Good morning to the
11 commissioners and members of the public who are
12 here tonight.

13 This is an amazing city with so much to do.
14 The fact that you're here tonight and
15 participating is what makes democracy work, what
16 we see failing in other places.

17 I want to commend this Commission for
18 conducting an open and transparent process that
19 included months of public meetings, debate and
20 deliberation.

21 Thank you the staff -- and I see some of the
22 brightest minds in New York City working on this
23 Commission -- for their diligence is shown by the
24 C Tone comprehensive report outlining testimony
25 and highlighting items for the Commission.

2018 - CHARTER REVISION - 7/23/2018

1 While government too rarely reflect the
2 voices of those who speak out it's great to see
3 so many voices from all of us reflected in the
4 preliminary staff report. Now New York City
5 looks to you as Commissioners to put the
6 strongest recommendations on the ballot.
7 Recommendations that cannot get done through
8 political process and reset the foundation of
9 this great city and great democracy that empowers
10 every voice in elections and governments. We've
11 got 19 pages.

12 And in our most recent submission I want to
13 just highlight the three must-do ballot
14 initiatives. The first is get big money out of
15 politics by matching every single public dollar.
16 The second is term limits for community board
17 members and leadership and the third is giving
18 binding land-use powers for community boards and
19 borough presidents so that if all are in
20 agreement they have the power to move forward
21 with a rezoning or stop a rezoning.

22 In addition, we came up with additional
23 items that really supported in the report
24 including of course matching every dollar,
25 lowering the dollars match and increasing the

2018 - CHARTER REVISION - 7/23/2018

1 multiplier.

2 We withdrew previous recommendations and got
3 behind some of the things that we heard from
4 other people in this great city. Lowering the
5 contribution limits we support.

6 We also wanted to suggest some new ideas
7 based on your feedback such as just not matching
8 big dollar contributions anymore. A new one
9 which is just eliminating war chess and killing
10 all the zombie political committees. Empowering
11 residents to run for office we support by
12 removing the arcane petitioning process. Love
13 automatic registration and support that.

14 We also wanted to suggest splitting out
15 voter assistance from campaign finance efforts.
16 Another important one that we're starting to see
17 with the musical chairs between Albany and New
18 York City would be lifetime term limits such as
19 they have in California. We support acting now.
20 On the community board front we support term
21 limits for community board members and whether
22 it's a city's union recommendation or a new one
23 such as having two four year terms staggered with
24 elected officials who appoint them so that the
25 elected officials don't have quite as much

2018 - CHARTER REVISION - 7/23/2018

1 enforcement power over their appointments, ending
2 automatic reappointment, standardizing and making
3 applications public, ensuring representations
4 with automatic removal for none attendants and
5 prohibiting the appointment of partisan party
6 officials or lobbyists. And I see my time is
7 expiring.

8 MR. PERALES: Yes.

9 MR. KALLOS: So I'll rap up with the last
10 five, providing, as I mentioned earlier, binding
11 land-use power, along with that urban planners
12 for every community board especially those who
13 might not think they need it. Having an office
14 of community planning like DCP but that doesn't
15 answer to the mayor but answers only to the
16 community boards. Having member training that is
17 mandatory that goes behind Ohio and what have
18 you, which we support.

19 And last but not least where I disagreed
20 with the suggestion that was considered by this
21 Commission which is leaving the district
22 boundaries alone. I don't think that the
23 political boundaries that are drawn through
24 political process and subject to one person one
25 vote should be coterminous with our community

2018 - CHARTER REVISION - 7/23/2018

1 board districts. I hope you'll enjoy we've got
2 --

3 MR. PERALES: Thank you. What we'll do is
4 we'll hold our questions until we've heard from
5 the entire panel and then we'll begin our
6 questioning.

7 MS. GOTBAUM: Good evening. My name is
8 Betsy Gotbaum. And I'm now executive director of
9 Citizens Union, former New York City public
10 advocate and several other jobs before that.

11 It's very nice for you all to do this and --

12 UNKNOWN SPEAKER: Can't hear you.

13 MS. GOTBAUM: Sorry. Very nice for all of
14 you to do this and I'm very impressed by the
15 amount of support the public has shown by coming
16 today. I am only -- unlike my colleague here --
17 going to speak about one issue that is of great
18 importance to me personally and that's ranked
19 choice voting.

20 (Applause.)

21 MS. GOTBAUM: Our committee, the committee
22 of the Citizens Union which is a committee made
23 up of board members and our members have met and
24 absolutely voted a hundred percent to support
25 ranked choice voting which made me very pleased

2018 - CHARTER REVISION - 7/23/2018

1 because I remember when I first ran for office
2 the primary day was September 11th, 2001. And as
3 many of you and many of us all remember it was a
4 very sad day and the primary was denied or closed
5 or whatever you call it.

6 And on September 25th we had a second
7 primary. And that primary occurred and nobody
8 reached 40 percent vote.

9 So then there was a runoff on October 11th
10 and the amount of time between September 25th and
11 October 11th was worse than agonizing. It was
12 agonizing because of what had happened to New
13 York. It was terribly costly not only for the
14 City but it was costly for the candidates. And
15 the turnout was very, very low.

16 And my understanding is that even that many
17 people, particularly those who had absentee
18 ballots couldn't vote at all because there wasn't
19 enough time. Even though it seemed to me like it
20 was a year of that terrible, terrible time so I
21 want to say that we in the organization are very,
22 very much in favor of the ranked -- I'm sorry,
23 the ranked choice -- ranked choice voting or
24 let's end the runoff system. Thank you.

25 MR. PERALES: Thank you for being brief.

2018 - CHARTER REVISION - 7/23/2018

1 MR. CAMARDA: Good evening, Commissioners.

2 My name is Alexis Camarda and I'm the senior
3 policy advisor for Reinvent Albany and I'm here
4 tonight to talk about redistricting one of the
5 five areas that was highlighted in the staff
6 preliminary report.

7 We were very pleased that redistricting is
8 one of the five items being considered by the
9 Commission and we wanted to make several
10 recommendations regarding redistricting reform.
11 There are two mayor areas we think the Commission
12 should tactical. The first is making the
13 districting Commission more independent as the
14 staff suggested in the report but the second we
15 would urge you to also do which is addressing the
16 criteria which council districts are drawn. The
17 first on making the districting Commission more
18 independent we would suggest you look at the
19 models in Arizona and California drawn and held
20 out as being the best. Both of those models
21 create an independent audi! To determine
22 qualified applicants that politicians later
23 window down into a smaller field that becomes the
24 Commission members. We think that's a good model
25 and we think that you should examine that model

1 closely.

2 On the criteria which was less discussed
3 when you had experts come before the panel on
4 redistricting we think there are a number of
5 things that need to be done that are very
6 important.

7 The first is narrowing the population
8 deviation between the largest and smallest
9 districts. It's currently ten percent from the
10 average district size, as you may know,
11 congressional districts are drawn essentially
12 equal in size in states all across the country.
13 That's not true for state legislative districts.
14 It should be. We think it should be as close to
15 zero as possible. There are other states that
16 have a narrower population deviation than New
17 York City: Colorado, Minnesota, Iowa are
18 examples.

19 We think there should be provision that
20 would band drawing districts to favor or pose any
21 elected official candidate, presumed candidate or
22 political party. That would prohibit the drawing
23 of districts to preserve what are called
24 continuities of previous districts what's
25 essentially a euphemism for protecting incumbents

2018 - CHARTER REVISION - 7/23/2018

1 but it's allowed by federal case law. We think
2 that a provision prohibiting drawing districts to
3 favor elected officials, candidates or political
4 parties would indicate the ability to do so.

5 Lastly, we think that the prioritized
6 criteria that currently exists in the Charter
7 should be resequenced. Currently communities of
8 interest is ranked higher than drawing districts
9 that conform with geographic and political
10 subdivisions, what commissioner Sazarra called
11 co-terminality. We think by reversing the
12 prioritization districts could be drawn to better
13 adhere to neighborhoods and real communities
14 rather than the very vague definition of
15 community of interest in the Charter. Thank you.

16 MR. PERALES: Thank you. Next.

17 MR. PEARL: Mr. Chairman of commissioners,
18 thank you very much for the opportunity to speak
19 before you. I greatly appreciate all of the work
20 that you're doing and all of your recommendations
21 from the staff to approve the governance of the
22 city.

23 I represent the Patriotic Millionaires. My
24 name is Morris Pearl. I represent a group of
25 wealthy business people and investors who are

2018 - CHARTER REVISION - 7/23/2018

1 concerned by the direction of democracy is going.

2 Our democracy works best for all of us when
3 everyone is able to fully participate in our
4 political process. And we are extremely
5 concerned about the influence of money in
6 politics and we believe our democracy needs all
7 citizens with the same access to political power
8 as now enjoyed by our millionaires.

9 New York City has made great strides since
10 the 1980s but the proposals in your preliminary
11 staff reports, specifically the proposal
12 increased the available match so as to allow
13 matching funds up to the spending cap would be a
14 significant improvement.

15 I'm here not because I want to help the
16 candidates run for public office. They don't
17 need more money. The elections are rarely won or
18 loss for want of a hundred thousand dollars. But
19 I'm here today because this proposal increased
20 the engagement of our civic and economic life of
21 our city.

22 For those who donated \$175 is a stretch, for
23 those who \$2,000 is out of the question from
24 \$5,000 simply not possible. I want all of those
25 people to participate in politics regardless of

2018 - CHARTER REVISION - 7/23/2018

1 their income levels. And I want account
2 representatives and their mayor spend as much
3 time listening to them as they spend to listening
4 to the chair of the Patriotic Millionaires. And
5 spend time they do. I turn off my cellphone for
6 the meeting but I get so many calls requesting
7 donations that I wonder when they actually have
8 time to legislate.

9 The problem is that even those law makers
10 with the best of intentions learn what their
11 constituents need by listening to their
12 constituents but our system makes them spend so
13 much time listening to the big donors instead.
14 The realities that major donors have plenty of
15 opportunities make their concerns known without
16 waiting in line by simply sitting around and
17 waiting for the phone to ring. When money
18 becomes speech and candidates spend their time
19 fundraising from the small group of wealthy
20 people the voices of others are drowned out.

21 Small donor matching systems like ours here
22 in New York are extremely effective in empowering
23 normal citizens to engage in the political
24 process and make their voices heard.

25 The New York Campaign Finance System has

2018 - CHARTER REVISION - 7/23/2018

1 done a great deal to shift power to the people
2 and has literally changed the face of City Hall
3 or at least the faces inside City Hall.

4 However, until a candidate can run only
5 small contributions the influence of big money in
6 New York politics is still there. Your proposal
7 to equalize the cap in expenditures in the total
8 amount a candidate can receive from small
9 donations plus matches is a huge step forward
10 towards ensuring our politics are for all types
11 of people and not to wealthy people who are
12 donors in corporations. For far too long the
13 influence of money in politics has distorted
14 policy and rightfully diminished the public's
15 trust in government.

16 New York City has been a leader in this
17 important issue. It's time to lead again.

18 MR. PERALES: Thank you.

19 (Applause.)

20 MR. PERALES: I'm sure that applause was for
21 all four of the members of the panel.

22 I will exercise the provocation of the chair
23 and ask the first question. I'll ask the
24 councilman.

25 I don't think anybody can disagree with the

2018 - CHARTER REVISION - 7/23/2018

1 idea of taking big money out of politics -- Well,
2 I suppose there are some people that do disagree
3 -- but what we are interested in at this point
4 is, again, to get a sense of how much money we're
5 talking about. What is too much? How much
6 should the public match be?

7 Have you had any thoughts about dollar
8 amounts that might help us?

9 MR. KALLOS: I think when you see four
10 figures, four or more, it creates an
11 appearance --

12 MR. PERALES: A thousand dollars or more is
13 that --

14 MR. KALLOS: I think that starts to create
15 an appearance of impropriety. I think that
16 lowering the contribution limits to 2,000 to
17 1,000 such that you can't give more to a local
18 City Council member than you can give to the
19 president.

20 But I think what is most important, as
21 Morris Pearl from Patriotic Millionaires, really
22 hit home. And I couldn't say it better myself,
23 that it's about incentivizing candidates to just
24 take small dollars. People -- I'm suggesting
25 that you lower what is matched. Not increasing

2018 - CHARTER REVISION - 7/23/2018

1 it. So see it to like you increased it back to
2 250 which would be a step backwards. I'd say
3 drop it to 100, match it ten to one and just let
4 people run on small dollars only.

5 Yes, people could take big dollars if they
6 wanted to 1,000 or 2,000 under the proposed
7 change but folks should just be running around to
8 talking to as many voters as possible or
9 residents and saying, "Can you give me \$100?
10 It's matched ten to one." And then they wouldn't
11 have to take any other big dollars.

12 And another new proposal is just don't even
13 match contributions above the 100 or 175 mark
14 because why are we incentivizing big dollars any
15 way. And at that point you change it from -- you
16 might have some folks that are still running on
17 big dollars but at that point you're actually
18 penalizing people that are taking big dollars
19 when they could just run around and spend their
20 time saying you know what I'm going to instead of
21 just spending my time calling folks like Morris
22 and asking millionaires for large checks of five
23 thousand spend their time running around their
24 neighborhoods or their boroughs and getting house
25 parties together and hearing from the types of

2018 - CHARTER REVISION - 7/23/2018

1 people that give \$10 or \$50 or \$100 or give \$10
2 ten times.

3 MR. PERALES: Any of the Commissioners ready
4 for a question?

5 MR. SCISSURA: I have one.

6 Betsy, I like the idea of the instant runoff
7 but have you guys envisioned how it would work?
8 Do you have a concept or is it more of a general
9 statement of support of the --

10 MS. GOTBAUM: My point of view is more of a
11 general statement but staff has looked at it very
12 carefully and we've looked at other cities that
13 have it and there's some models there. I
14 unfortunately don't know yet what they are.

15 MR. SCISSURA: Okay.

16 MS. GOTBAUM: But there are models that I
17 would suggest going forward.

18 MR. SCISSURA: Great.

19 MR. PERALES: The most persuasive argument
20 to me has been the idea that some people, because
21 of the short time between the original election
22 and the runoff many people don't get a chance to
23 vote again and we have a large number of absentee
24 ballots that nobody used and they're truly
25 disadvantaged.

2018 - CHARTER REVISION - 7/23/2018

1 Do you think those people are the ones that
2 are worst off in the system?

3 MS. GOTBAUM: As I said, I think the
4 candidates are really badly off. That's a
5 personal comment but I do think that people can't
6 vote because the time is so short. And I also
7 think that people aren't paying attention.

8 You have one election and then you turn
9 around and you wait a couple and then you have
10 another election and people are just not
11 interested and to me that is another real reason
12 that the abysmal voter participation, which is
13 bad any way, but it's even worse for runoffs.

14 MR. PERALES: Wendy.

15 MS. WEISER: So it's two questions they're
16 similar and one is for that council member.

17 With respect to the community board
18 recommendation -- and you had a whole lot of
19 helpful recommendations -- what are the changes
20 of the ones you recommend that you think are the
21 most important to improve the functioning of the
22 community boards?

23 And then, for all the panelists, similarly,
24 if there were only one or two tweaks you would
25 make to the campaign finance system what would

2018 - CHARTER REVISION - 7/23/2018

1 you think of -- not to say we aren't contemplate
2 willing all of them. We are. I'm just
3 interested in the ones that you think are the
4 most critical of those.

5 MR. KALLOS: I think that term limits for
6 community boards is something that I've tried to
7 get done in the City Council I cosponsored in the
8 introduction by Councilman Danny Dromm as
9 governmental operations chair we had a hearing.
10 It was very politically difficult to get it done
11 even with us pushing as hard as we could. I
12 think it's something that this Commission can and
13 must put before the voters. They seem to like
14 term limits even when it might be politically
15 difficult.

16 And I think the other piece would be perhaps
17 the most important, is giving community boards
18 actual binding power over land-use and just -- I
19 understand that's just the campaign finance
20 piece -- how much would doing a full public match
21 be?

22 2013 had a lot of people running. I believe
23 it cost \$60 million and that was for 55 percent
24 match. If we matched every single dollar at the
25 current rate that would increase the cost by

2018 - CHARTER REVISION - 7/23/2018

1 about 30 percent which comes out to another
2 \$18 million.

3 And \$70 million is a rounding error in our
4 budget and you just attribute it as a cost of
5 corruption or the appearance of corruption some
6 might argue that Irvington, the city has lost a
7 hundred million dollars so just avoiding the
8 Irvington's or even the legal costs we spent on
9 defending Irvington cost I think were \$4 million.
10 Like, we start to pay -- it ends up paying for
11 itself when you don't have the experience or
12 legal fees stemming from these investigations.

13 MR. PERALES: Which is said that this
14 Commission is particularly concerned about the
15 appearance of corruption which is very strong and
16 we heard from many, many people who testified
17 before said that is something that they are
18 concerned with. What -- Rachel.

19 MR. PEARL: As I said, I think that making
20 the full match equal to the spending cap is the
21 primary thing that I'm supporting. I think that
22 all the recommendations in the report frankly I
23 think are important, too. Particularly I agree
24 with your concern of the appearance of
25 corruption.

2018 - CHARTER REVISION - 7/23/2018

1 MS. GODSIL: So I'm interested in an
2 argument that was made about ranked choice voting
3 and the potential that it would create an
4 incentive for politicians to campaign beyond
5 their base and to -- and for there to be a
6 decline in negative voting because for those who
7 are seeking the certain number two, number three
8 it might actually improve our political
9 discussion.

10 I'm curious if any of you have any thoughts
11 about whether that seems like another potential
12 benefit for ranked choice voting?

13 MS. GOTBAUM: I'm sorry, could you repeat
14 the question because --

15 MS. GODSIL: So there was a suggestion that
16 ranked choice voting might create an incentive to
17 campaign more broadly and to campaign beyond
18 people who would be considered their natural
19 supporters in order to increase the likelihood
20 that they would succeed in the ranked choice
21 voting system?

22 MS. GOTBAUM: And the answer to that would
23 be if you have a candidate who was in a
24 particular community and if you had ranked choice
25 voting that candidate would have to go out to

2018 - CHARTER REVISION - 7/23/2018

1 other communities in order to meet as many people
2 as would be possible. And I think that would
3 happen with ranked choice voting.

4 The other thing that I didn't say, and I
5 apologize, was the cost of doing the runoff
6 election is just phenomenal. I think it was
7 \$13 million when the public advocate that
8 occurred publicly which ran in a runoff was
9 \$13 million which is twice the amount of the
10 budget of the public advocate's office. Just a
11 slide comment.

12 MS. GREENBERGER: So I have a follow-up
13 question to that because I'm also intrigued in
14 part because of an inefficiency improvement which
15 I think it can represent one of the concerns that
16 was raises was that the voter education that
17 would be necessary to ensure that it was
18 effective would be considerable. And I'm curious
19 from your collective perspective how you think
20 that can be achieved and if that is of concern to
21 you?

22 MS. GOTBAUM: So that people understand what
23 ranked choice voting is?

24 MS. GREENBERGER: Yes.

25 MS. GOTBAUM: My understanding is that the

2018 - CHARTER REVISION - 7/23/2018

1 place of words has been done and I apologize for
2 not having specifics for you but that it has not
3 been a big deal. That the public really learns
4 quickly and likes it and that it has not been a
5 problem. I may be wrong.

6 MR. PEARL: New York voters are very smart
7 and they can understand the terminology.

8 MR. CAMARDA: I would just add to that. We
9 up in Albany also support instant runoff voting.
10 There has been a number of places, number of
11 cities where it's been enacted and they've done
12 polling after the fact and always found that high
13 percentages of people understood what ranking
14 candidates --

15 MS. GREENBERGER: Good.

16 MR. CAMARDA: And far as voter education
17 goes we do have a voter system advisory committee
18 that's budgeted within the CFP. They've already
19 spend over \$2 million just on printing materials
20 and we foster that as voter education so we have
21 a built-in infrastructure that already does voter
22 education. It just needs to be integrated within
23 that probably some additional money spent. But
24 to Ben's point -- the council member's point this
25 is a rounding error that \$86 million budget.

2018 - CHARTER REVISION - 7/23/2018

1 MR. SCISSURA: I want to remind everyone
2 that for almost 30 years we had elections with
3 ranked choice voting that were called school
4 board elections and I happen to run in one and
5 it's really not as complicated as it may sound.

6 MR. SCISSURA: And I think to -- I forgot
7 who it was. I think it was you and Betsy it does
8 force you to build alliances and maybe not scream
9 about your opponent as much as you would have
10 because you do want their second vote. You want
11 their support so.

12 MR. PEARL: And they figured it out part of
13 northern California figured it out.

14 MR. KALLOS: I would just add that
15 instituted ranked choice voting would actually
16 cover the cost of a full public match.

17 MR. SCISSURA: I knew you were thinking that
18 by the way.

19 MR. KALLOS: Two great minds think alike.

20 And to leap off the vice chair's question I
21 think that part of the education, even that there
22 is an election, usually happens from the campaign
23 when you call the voter and you say to the voter,
24 hi, would you vote for me at this election? I
25 didn't know there was a primary. I didn't know

2018 - CHARTER REVISION - 7/23/2018

1 you had a primary. Sure. I'll go out and vote
2 and in that process you'll also say please make
3 sure to vote for me number one. And then if you
4 have the unfortunate occurrence which
5 occasionally happens and the person says
6 absolutely not I'm upset you want to get big
7 money out of politics you can say, well, at least
8 could I be your number two? And I think that
9 through that process voters would be educated in
10 addition to the voter assistance Commission.

11 MR. PERALES: This is a great panel. I just
12 have one comment. Alex, the reason people were
13 fixated in 1989 about communities of interest had
14 to do with minorities. They had been targeted
15 for -- they were disadvantaged by the line
16 drawing so the term communities of interest was
17 used as opposed to a racial or ethnic
18 description.

19 MR. CAMARDA: I just want to say we're
20 sensitive to that and I just want to say the
21 definition of the Charter is very vague and it's
22 been manipulated to protect incumbents rankly in
23 the last round of redistricting. And we would
24 like to, at the very least, see the definition
25 tightened so it actually applies to ethnic and

2018 - CHARTER REVISION - 7/23/2018

1 racial groups and not any group that has a hobby
2 or is united by some other purpose.

3 MR. PERALES: Sure. Right. Thank you.

4 MS. SEECHARRAN: I have a question actually
5 following that.

6 MR. PERALES: Sure.

7 MS. SEECHARRAN: Mr. Camarda, I wonder if
8 you could talk a little bit about how the
9 recommendation to ensure that the Commission
10 redirecting Commission is independent? How would
11 you -- do you have a specific recommendation to
12 ensure that the communities' voices are heard in
13 the process.

14 MR. CAMARDA: That's not something we
15 closely focused on. I will say that I think that
16 process has actually gotten better over the
17 years. There's much more use of technology. I
18 mean, many of the things like this Commission has
19 done where the last Commission utilized
20 technology to a great deal I think more so than
21 any previous Commission had done I think it was
22 something they'd done pretty well in terms of
23 putting the maps online and things of that nature
24 going out into communities holding many hearings.

25 We see the issues as being more at least the

2018 - CHARTER REVISION - 7/23/2018

1 perception of how the Commission members are
2 chosen being unduly influenced by elected
3 officials who then have to run in the very
4 districts that are drawn and then the criteria
5 that are very loose and very vague and often it
6 allow the drawing of lines really in anyway
7 fashion that they want to draw the lines in. And
8 I think too often in the past that has been done
9 to protect incumbents district and make it easy
10 for them to win again.

11 We saw on the last districting Commission
12 that certain neighborhoods were divided. And the
13 justification for that, I mean the chair of the
14 Commission said it, was that they were taking
15 into account, what they called, continuities of
16 community which is essentially that previous
17 district lines that is were drawn should be
18 continued and that is justified legally under
19 federal case law.

20 MR. PERALES: We're going to have to move
21 on. I want to thank this panel. Thank you.
22 Very much.

23 (Applause.)

24 MR. PERALES: The next panel is composed of
25 Schumacher, Roxanne Delgado, Alida Camp , and

2018 - CHARTER REVISION - 7/23/2018

1 Tara -- can we read that? Is it Kacy or, Tara?
2 I'm sure you know your last name.

3 Ms. KELLY: Kelly.

4 MR. PERALES: I don't know. Not well
5 written.

6 Any way. We'll start on the left as we did
7 last time and move across.

8 MR. Thank you for having me in the panel.
9 My name is Dave Schmauch and I'm speaking tonight
10 on behalf of the freedom socialist party in
11 response to the preliminary staff report of the
12 Charter Revision Commission.

13 In particular I'd like to address the
14 concerns and proposals made regarding the
15 municipal elections and civic participation.
16 Report refers to many responses calling for
17 expanding involvement by New Yorkers in the
18 political life in the city and correctly includes
19 that greater engagement would enhance democracy.

20 One of the proposals made at public hearings
21 was to extend the right to vote for local
22 candidates and issues to none citizens but the
23 proposal in the preliminary report is that the
24 Commission not refer this measure to the
25 election. We disagree. More than one fifth of

2018 - CHARTER REVISION - 7/23/2018

1 New Yorkers are deprived of the most fundamental
2 democratic right to participate in social policy,
3 the right to vote, because they are not citizens
4 despite paying taxes more than 18 billion
5 statewide.

6 Despite their enormous contributions in
7 producing goods and services that benefit all
8 noncitizen residents have no right to
9 representation. The objections raised in the
10 report that this measure would require the board
11 of elections to maintain a separate list of
12 municipal voters and to print a separate
13 municipal ballot are minor in comparison to
14 guaranteeing the essential civil right to all who
15 reside in New York City. It is our view that
16 this should include all residents regardless of
17 immigration status.

18 As this City's ID YC program knows, all New
19 Yorkers, particularly the most vulnerable should
20 have access to public resources. We believe it
21 should include the right to vote and to
22 participate in the civil and political life of
23 their communities. Addressing this issue has
24 been too long deferred. This Charter Revision
25 Commission should recommend and refer to voters

2018 - CHARTER REVISION - 7/23/2018

1 the proposal to amend the City Charter to extent
2 the right to all residents to vote in municipal
3 elections.

4 The report does propose several steps that
5 would make voting more accessible notably by
6 addressing language barriers and easier
7 registration and also suggest institution of
8 ranked choice instant runoff voting, all of which
9 would improve municipal elections.

10 We urge that future deliberations address
11 other means of lowering barriers to civil
12 participation in the electoral process including
13 easing the requirements for signature collection
14 would make it more feasible for independent
15 third-parties to put forward candidates and for
16 citizens to bring initiatives to the electorate.

17 In addressing engagement with community
18 boards the report raised the concern that the
19 board's --

20 MR. PERALES: You will need to rap up with
21 this one.

22 MR. SCHMAUCH: Often failed to represent the
23 racial ethnic and cultural diversity of their
24 communities and proposes the imposition of term
25 limits to address this.

2018 - CHARTER REVISION - 7/23/2018

1 We suggest a more potent way to ensure that
2 the boards reflect and represent the changing
3 character of their district would be to give
4 those communities the right to elect community
5 board members and to recall those who failed
6 their --

7 MR. PERALES: You really must rap up at this
8 point.

9 MR. SCHMAUCH: -- rather than have these
10 positions appointed.

11 In conclusion, we urge the Commission to
12 support the right of noncitizens to vote and to
13 promote other means to expand the democratic
14 process in New York City.

15 Thank you very much.

16 MR. PERALES: Thank you.

17 Ms. Delgado.

18 MS. DELGADO: Hi. I would like to make a
19 quick comment please regarding the instant runoff
20 rank -- I mean regarding the ranked file voting,
21 I'm against it because right now board of
22 election can't even handle its own election right
23 now.

24 They can't have more responsibility because
25 I live in the Bronx and they can't even put the

2018 - CHARTER REVISION - 7/23/2018

1 signs correctly. They open the wrong door, they
2 deny people who have disabilities to have access
3 to the poll sites. We cannot add. I would say
4 just eliminate the runoff system to save the
5 money because I know the board of election,
6 believe me. I have actually dealt with them I
7 can tell you they are a complete failure and
8 there's no accountability.

9 And also, second, regarding giving more
10 power to community board I'm against it too
11 because first of all I didn't elect them, and
12 most are not all in touch and most are not well
13 informed. They're not trained and they're not
14 informed on the issues and they're -- I did not
15 elect them so please don't give them more power
16 because I just had an issue with Community Board
17 10 where they basically had to see council member
18 highjack the meeting, preside the meet -- over
19 the meet before the vote. They took the vote and
20 closed the public testimony right before six
21 people spoke so I have issues with community
22 boards now.

23 All right. So my main issue is, again, the
24 campaign financing matching program. My issue is
25 that currently with the system we have

2018 - CHARTER REVISION - 7/23/2018

1 encompassed or established picks being funding by
2 CFB while their opponents are not financed
3 because they were not qualified or they did not
4 raise the minimal threshold money.

5 My issue is that the CFB actually is
6 eliminating competition because they're funding a
7 race where there is no competition where the
8 incumbent or the established candidate has the
9 money and they have -- they're probably financed
10 because they raise enough money, sufficient
11 funds, but the other opponents couldn't raise the
12 original requirements to be financed.

13 And I gave you a whole bunch of spreadsheets
14 showing the different races recently. One is
15 councilmen Ben Kallos. He received over 125,000
16 and can match the funds but his three other
17 opponents combined didn't raise over 25,000
18 couldn't qualify for matching funds. So this is
19 a discrepancy and inequality I don't care for
20 because I feel like if you're going to continue
21 financing or increasing the matching funds make
22 sure that there's an equality between the haves
23 and have nots.

24 Sorry. Well, I gave you all the
25 spreadsheets but it shows so even the Public

2018 - CHARTER REVISION - 7/23/2018

1 Advocate's race she received over a quarter of
2 million dollars publicly financing and her three
3 other opponents both Republican and the green
4 party. They raised over 25,000 combined. How is
5 that fair? And this is all the taxpayers' money.

6 So that's it. Thank you.

7 MR. PERALES: Thank you.

8 MS. CAMP: Thank you for hearing my
9 testimony. My name is Alida Camp. I'm chair of
10 Community Board 8 in Manhattan.

11 The board would like to respond to the
12 preliminary staff report issued recently. The
13 Charter revision initiative is complex and
14 demands attention. There's quite a lot to
15 consider. However, the close proximity of the
16 release of the report should the release of
17 proposed ballot items does not allow for
18 sufficient community input. This timeframe
19 coupled with no August community board meetings
20 make the consensus for a response difficult if
21 not impossible. This is particularly serious
22 with respect to community board and land-use
23 proposals, two areas in which community boards
24 have particular and obvious interest.

25 I would like to offer the following comments

2018 - CHARTER REVISION - 7/23/2018

1 on those parts of the report on which CB 8 has
2 already taken positions. I would like to comment
3 on the question of board term limits based on my
4 experience. CB 8 has had a great deal of
5 turnover from attrition and non-reappointment of
6 members. For example, this year we have nine new
7 members which is approximately 18 percent of the
8 board. Last year five new members were
9 appointed. Together approximately one quarter of
10 CB 8 for new appointments.

11 With attrition we have new ideas and new
12 voices with members that have remained on the
13 board who must be hard working or faced not being
14 reappointed. We have institutional memory and
15 experience and guidance.

16 CB 8 supports additional financial and other
17 resources to enable community boards to do their
18 job properly. We support an urban planner for
19 each community board for at the very least no
20 fewer than one urban planner dedicated to
21 community boards per borough.

22 CB 8 recommends a stronger more thorough
23 community-based land-use planning process. We
24 would like to see greater emphasis on community
25 assessment of social and environmental factors in

2018 - CHARTER REVISION - 7/23/2018

1 considering land use plans. We oppose revenue's
2 request for stronger as-of-right development. We
3 are greatly concerned about the extent of
4 development in our community and across New York.
5 We further reject the attempt to displace the
6 City Council in land-use decisions and recommend
7 have community boards determine whether land-use
8 will have an impact on respective communities.

9 We further believe that entire ULURP process
10 should be transparent. Transparency would
11 include a time limit on ULURP approvals and an
12 evaluation of where the self-certification
13 benefits New York.

14 We urge the Commission to include a revision
15 to provide for notification to community boards
16 as soon as any land-use applications including as
17 of right and commencement of the ULURP process
18 are filed.

19 New York's great diversity of age, religion,
20 culture, race, ethnicity, income and occupation
21 are what create the vitality that attracts
22 businesses, tourists and residents. We recommend
23 a stronger role for community boards and land-use
24 planning and decisions. We are well situated to
25 assess impact on the diversity and quality of

2018 - CHARTER REVISION - 7/23/2018

1 life in our communities.

2 The landmark's preservation Commission has
3 the critical task of preserving New York's
4 valuable history and architecture. We strongly
5 urge the Commission not to diminish its power or
6 transfer its role to another agency.

7 CB 8 urges the Charter Review Commission to
8 continue to allow for a powerful role for
9 community boards as the voice of New York's
10 diverse local communities in, at the very least,
11 land use and landmarks processes. We ask for an
12 opportunity to respond to the campaign of -- the
13 last sentence.

14 MR. PERALES: Okay.

15 MS. CAMP: And other issues after our
16 September full board meeting. Thank you.

17 (Applause.)

18 MS. KELLY: Good morning. I'm Tara Kelly
19 speaking on behalf of the Municipal Art Society
20 of New York. MAS was founded four years prior to
21 the adoption of New York City's first Charter in
22 1897. Throughout our long history of advocating
23 for sound land use and planning policy MAS has
24 provided input on the various City Charter
25 revisions.

2018 - CHARTER REVISION - 7/23/2018

1 From a historical perspective we find many
2 issues relevant over 100 years ago remains
3 central to the City Charter and its subsequent
4 revisions today. As such we offer the following
5 comments and recommendations for the
6 consideration of the Charter Revision Commission:

7 For 125 years MAS has worked to educate and
8 inspire New Yorkers to engage in the betterment
9 of our city. We believe the best advocates for
10 the city are its citizens. Currently there are
11 several offices charged with supporting civic
12 engagement of various types but they are
13 disparate and uncoordinated. As a result, one
14 agency's efforts may proceed without considering
15 relevant community comments and concerns that has
16 been contemplated by another agency processor
17 initiative.

18 A city wide strategy to document assemble
19 and communicate all of these efforts should be
20 established in the public advocate's office. New
21 York's 59 community boards are critical to
22 meeting the goals of civic engagement and must be
23 truly representative of the citizens they serve.

24 MAS agrees with proposals for a standardized
25 application form and selection process overseen

2018 - CHARTER REVISION - 7/23/2018

1 by the Public Advocate's office addressing
2 discrepancies between community district and
3 community board demographics.

4 In addition, term limits allowing members to
5 serve a reasonable number of consecutive terms
6 followed by an absence and reapplication process
7 should be implemented. However, we disagree with
8 the proposal for mayoral or business led
9 appointments of members because it will skew the
10 balance of the interests away from the public.
11 In other words, for each community board to be
12 successful operational budgets should be
13 increased and staffing required to include a
14 district manager, full-time planner, and support
15 staff. Board members should be required to
16 attend an annually standardized training of
17 fundamental city government and land-use planning
18 in New York City.

19 Community boards also need funding to
20 increase public awareness of meetings through
21 enhanced outreach in a variety of platforms and
22 languages. The provision of child care
23 interpretation and refreshments may further
24 reduce barriers to participation. The creation
25 of a uniformed online platform for all community

2018 - CHARTER REVISION - 7/23/2018

1 boards should increase transparency and perhaps
2 facilitate virtual participation.

3 We were disappointed to find out that land
4 use was an area deferred to future consideration
5 and not comprehensively addressed by this
6 Commission. Nonetheless, we offer testimony on
7 this important topic in our written statement to
8 be submitted for your review.

9 In sum, improving the ability of communities
10 to advocate for a more liveable city has been
11 part of the mission of MAS for decades. We
12 believe that the integration and availability of
13 civic engagement information the structure and
14 prominence of the community board and the
15 determination of districts is integral to
16 achieving that goal.

17 As development pressures amount and
18 communities are faced with long-term impacts of
19 the city's land-use decisions Charter revision
20 comes at a critical time for New York.

21 Thank you.

22 MR. PERALES: Thank you. Before I ask my
23 fellow Commissioners if they have questions. I
24 just need to make a comment about the first two
25 speakers.

2018 - CHARTER REVISION - 7/23/2018

1 We heard a great deal about the failures of
2 the board of elections, as you pointed out. It
3 was rather consistent and it is -- that is one of
4 the concerns we have when we hear people
5 advocating for noncitizen voting.

6 We -- we're living in a climate in which an
7 individual were mistakenly to find themselves
8 casting a ballot that was not just a municipal
9 one but for some other office, and it can happen,
10 we would not be surprised if the federal
11 government were to suddenly have people
12 monitoring each of our polling places. So it's
13 for that reason that there has been some
14 hesitancy about embracing a noncitizen voting.

15 With that, who wants to start the
16 questioning?

17 Dale go ahead.

18 MR. HO: This is a question for
19 Mr. Schmauch. I hope that -- did I say that
20 right?

21 MR. SCHMAUCH: That's very good. If and
22 when I decide to run for City Council I might
23 abbreviate it.

24 MR. HO: Okay.

25 MR. SCHMAUCH: (Inaudible.)

2018 - CHARTER REVISION - 7/23/2018

1 MR. HO: This question is -- I hope you take
2 it -- it's a sympathetic question because I'm
3 sympathetic to the view that everyone who has a
4 stake in their local government should have a say
5 in that local government but as mark to identify
6 there are some logistical practical concerns
7 here, which I know you made reference to in your
8 testimony, but separate and apart from those
9 logistical and practical concerns there's also a
10 legal question about whether or not the City has
11 the authority to set qualifications for voting
12 for City offices that are different from the
13 qualification set forth by State statute and I
14 don't expect you to have an answer today. If you
15 do, that's great but --

16 MR. SCHMAUCH: I don't know the state law
17 from top to bottom, however, I do know that we
18 are here today because law is always on a
19 continuum. We are revisiting it constantly for
20 different reasons. Different forces are in play
21 looking to do different things.

22 And I will remind you, if you don't already
23 know, that noncitizen voting was part of New York
24 City's history up until the late 20s when it was
25 done away with for the most part but it's not

2018 - CHARTER REVISION - 7/23/2018

1 unknown and it can -- if there is the will it can
2 be instituted again.

3 MR. HO: What I was getting at is I think it
4 would be helpful for at least -- I can't speak on
5 behalf of everyone else up here but, you know,
6 for me, if you know someone who would perform
7 some sort of legal analysis of the city's
8 authority to set qualifications for voting for
9 city offices that are different from State the
10 qualification set forth by State statute and
11 submit that for the record. It's something that
12 I know I would appreciate taking a look at.

13 MR. SCHMAUCH: Okay. I'll see if we can do
14 that.

15 MR. PERALES: Anyone else?

16 I just want to make one comment having to do
17 with campaign finance reform. We are very
18 seriously looking at changing the way the
19 campaign -- our campaigns in New York are
20 financed.

21 I don't know if it will meet all of your
22 goals but I do think that at the end of the day
23 you will see a significant effort to make it
24 easier for the poor to make substantial
25 contributions.

2018 - CHARTER REVISION - 7/23/2018

1 And what's always on my mind is to do away
2 with this sense that there is great corruption in
3 our system. That if you give a few thousand
4 dollars you're definitely going to have an
5 interest and that that elected official is going
6 to be responding to you. So we're very well
7 aware of the problems that exists in our current
8 system of campaign financing.

9 MS. DELGADO: Quickly just on corruption in
10 the community boards now because Like I said in
11 the last month's meeting it's unbelievable.
12 They're just the extension of the political arm
13 and they will sell out for free follow-up with a
14 politician for free lunches. It's disgusting so
15 eliminate community boards. Thank you.

16 MS. CAMP: Respectfully disagree.

17 MR. PERALES: Yes, of course. We've heard
18 all four of you. Thank you very much.

19 MS. DELGADO: Thank you.

20 MR. PERALES: The next panel Joseph Lally,
21 Lynn Ellsworth, Kelly Grace.

22 Is that Pike?

23 MS. PRICE: Price. Price.

24 MR. PERALES: What is it? Price.

25 And Ken Coghlan.

2018 - CHARTER REVISION - 7/23/2018

1 MS. ELLSWORTH: (Inaudible.)

2 MS. PRICE: Sure. I can go in the next
3 panel.

4 MR. PERALES: Alison Greenberg.

5 MS. GREENBERG: Thank you.

6 UNKNOWN SPEAKER: What's your name?

7 MS. GRACE: Kelly Grace.

8 MR. PERALES: Shall we begin?

9 MR. LALLY: My name is Joseph Lally.

10 I want to first respond to Ms. Greenberger's
11 comment about whether ranked choice voting would
12 be confusing. It's a question that's brought up
13 many times. Of course because it's a different
14 system it would require education but -- but I
15 don't believe it would be a problem because it's
16 used in so many places, San Francisco, Oakland,
17 Berkley, Aspen, Minneapolis, St. Paul, Santa Fe,
18 state of Maine. Overseas it's been used in
19 Australia for a century; New Zealand, Ireland,
20 Northern Ireland, Scotland. London uses it for
21 it's mayoral election. And in fact, the Academy
22 of Motion Pictures Arts and sciences uses it to
23 pick the oscar for best picture. So it has a
24 track record that surveys have shown that voters
25 are happy with so with some effort of education I

2018 - CHARTER REVISION - 7/23/2018

1 don't believe so it would be a problem.

2 So I'd like to make a point about
3 possible -- possibly establishing an office of
4 civic engagement. Now, we all know that without
5 the engagement of the population of the citizens
6 we have a democracy in name only, right? So
7 there's nothing more important than engagement.
8 Of course the devil is always in the details so
9 it would be a question of what exactly is this
10 always going to do so I have a couple of ideas:

11 I noticed that in New York City we don't
12 have a written voter's guide for non-municipal
13 races. I think that I find that really
14 astounding that no one sends out a written voter
15 guide. The campaign finance board has a written
16 voter guide for municipal races and they have an
17 online guide for all the other races but no one
18 else sends it out. So I'm thinking maybe if we
19 had an office of civic engagement they would have
20 the budget and manpower to send out a printed
21 copy because there's nothing like having a copy
22 in front of you coming in your mailbox. I think
23 it would be a good idea.

24 Also, possibly an office of civic engagement
25 could have an opt-in mailing list for people who

2018 - CHARTER REVISION - 7/23/2018

1 want to come to meetings. For instance, I got no
2 notice about this meeting. I found out about
3 this meeting through an e-mail list of a council
4 member. I don't even live in his district. And
5 he had something so that's how I found out about
6 this so maybe it would be a good idea if an
7 office of civic engagement could create some kind
8 of database where people who wanted to could opt
9 in.

10 Also, perhaps such an office could provide
11 guidance or help for people who want to run for
12 offices, vote for or to run for public office for
13 the first time that might be a possibility for
14 them as well.

15 And also we could expand the participatory
16 budgeting perhaps under the offices of an office
17 of civic engagement. I don't know if that's
18 possible. We could also move in the New York
19 City Service under the umbrella. You know
20 there's a lot of ways to go enforce. This is
21 just some of the thoughts I had off the top of my
22 head.

23 Thank you.

24 MR. PERALES: Thank you.

25 MS. ELLSWORTH: I'm Lynn Ellsworth. I'm

2018 - CHARTER REVISION - 7/23/2018

1 chair of Human Scale NYC. It's a nonprofit that
2 seeks neighborhood livability democratic control
3 over the built environment and human-scale
4 urbanism. We have longer testimony prepared with
5 examples of conflicts of interest and community
6 boards taken from Manhattan discussion of pros
7 and cons of the reforms that we suggest. So I'll
8 just read here just an excerpt of that:

9 We've read the online testimony about
10 community boards given to the Commission and the
11 Commission's interim report and I agree with many
12 who say that reform of community boards is badly
13 needed and that the ULURP process needs
14 improvement but none of the proposed reforms that
15 we've heard about so far such as giving every
16 board a city planner to work with who are giving
17 boards more training or some money to do
18 community plans will solve the underlined
19 problems that create what one Council Member
20 Reynoso has called the political cesspool of
21 community boards.

22 Giving unelected appointed boards more
23 resources of any kind would only delegitimize
24 them more and infuriate the electorate. What's
25 needed is the comprehensive approach for separate

2018 - CHARTER REVISION - 7/23/2018

1 reforms that legitimize the boards and provide
2 them with effective purpose. The reforms would
3 be term limits, a second one would be imposition
4 of a broader conflict of interest rule that
5 precludes appointment or election to the board
6 for anyone who represents special interests who
7 have obvious divided loyalties over policy
8 issues. An example, for example, would be a vice
9 president for governmental affairs of the Real
10 Estate Board of New York co-chairing a land-use
11 committee on a Manhattan community board, as now
12 the case.

13 We should also have election of community
14 boards and the pros and cons of the different
15 debate about that are submitted in our separate
16 testimony. We should also revamp the rules and
17 powers of elected boards with one eye to the
18 principle of subsidiarity and the regulation of
19 public space and the other eye on checks that
20 assured that a citywide public interest is
21 accounted for.

22 We would not be supportive of having a
23 community, even elected community boards, having
24 a hundred percent authority over land use.

25 And let elected boards fire and hire their

2018 - CHARTER REVISION - 7/23/2018

1 own independent planners, land-use lawyers and
2 district managers and as to reform of the ULURP
3 process we suggest that as soon as the City
4 Planning has a glimmer of an idea about a
5 land-use action they should be required to issue
6 a one page-notification of intent to change
7 zoning and neighborhood X which should define the
8 widest possible terms geographic area of interest
9 to state planning. And this notification should
10 be public and should trigger a real estate
11 speculation tax or flip tax in the affected area
12 until the land-use changes are approved or
13 abandoned. They should also be required to
14 publicize on their website on a monthly basis a
15 list of all the real estate developers and
16 property owners who have meetings with City
17 Planning staff including the subject of those
18 meetings in the geographic area discussed.

19 Our expanded testimony is with you. Thank
20 you.

21 MR. PERALES: Thank you.

22 MS. GREENBERG: Thank you for your public
23 service for our city. My name is Allison
24 Greenberg. I'm a villager and I'm testifying on
25 behalf of Human Scale NYC.

2018 - CHARTER REVISION - 7/23/2018

1 This testimony was written by Lynn Ellsworth
2 sitting to my right and she's done a lot of work
3 on these issues.

4 We have read the testimony given thus far
5 about campaign finance reform and wish to add to
6 the discussion the following.

7 First, the point of modifying the Campaign
8 Finance Act should be to make New York's middle
9 class the dominant force behind the system. Not
10 the upper middle class and the wealthy. That
11 would mean, one, lower the maximum contribution
12 overall to an amount that is within reach of the
13 middle class. We suggest the ancient rule of
14 tithing: Take 10 percent of the median income of
15 New Yorkers. That figure would come out to a
16 maximum contribution of \$560. To compensate for
17 the reduced total take of the system raise the
18 public matching ratio from six to one to 12 to
19 one or even 15 to one.

20 Second, dramatically lower the spending
21 maxes to reduce the spectacle of public waste of
22 TV ads, printed mass mailings and the hiring of
23 campaign consultants, none of which is necessary
24 in this day and age.

25 Three, dramatically reduce the number of

2018 - CHARTER REVISION - 7/23/2018

1 signatories required to get on the ballot for any
2 office. The current system is utterly
3 unnecessary and induces an unsavory Tammany Hall
4 like dependence on political clubs.

5 Four, the candidates do not let -- do not
6 partake in the public finance system. Do not
7 allow them to participate in publicly televised
8 debates, but encourage them to finance their own
9 debates.

10 Five, short of adopting the fully finance
11 public system like Seattle's this would have the
12 advantage of eliminating a large part of the
13 inherent pay-to-play system that currently exists
14 and our second general point if these dramatic
15 reductions are not feasible then we urge the City
16 to eliminate three specific loop holes in the act
17 that appear designed to allow real estate
18 developers to get around the doing business with
19 the city campaign contribution limit of \$400.

20 We thank you.

21 MR. PERALES: Thank you.

22 MS. GREENBERG: Thank you. Good evening.

23 My name is Ken Coghlan. I've been a member of
24 the Manhattan community board for the past nine
25 and a half years. The opinions expressed here

2018 - CHARTER REVISION - 7/23/2018

1 are mine and not those of my board. Community
2 board members serve at the pleasure of their
3 borough president. Although members must be
4 reappointed every two years there is no limit on
5 how many terms a member can serve. And it is not
6 unusual for members to have served on a board for
7 literally decades.

8 The solution of these lengthy terms is term
9 limits. An idea that certainly involves
10 tradeoffs. On the one hand long serving members
11 add expertise and institutional memory to a
12 board. But on the other, members who have been
13 sitting on a board for decades can espouse
14 outdated values that no longer reflect those of
15 their community. Communities change but all too
16 often their boards right behind them change and
17 this has real and sometimes life or death
18 consequences. Although community boards are
19 supposed to play only advisory role, in reality
20 some city agencies treat their voices as a proxy
21 for the community at large and defer to their
22 issues.

23 Thus, these entrenched parties can yield
24 enormous power of the proposed changes. Some
25 form of reasonable term limits could preserve

2018 - CHARTER REVISION - 7/23/2018

1 continuity while ensuring that fresh, fresh faces
2 reflecting a changing community and values.

3 One proposal put forward would set a 12-year
4 term limit but allowed term limited members to
5 apply after a year out of the board.

6 A related concern is the lack of standards
7 -- standardization in the appointment process.
8 Community board appointments were historically
9 about whom you knew. When he was Manhattan
10 borough president Scott Stringer instituted a
11 system in which applications were reviewed and
12 evaluated by an independent screening panel with
13 finalists interviewed by staff. Borough
14 President Gale Brewer has continued this reform.
15 A transparent merit-based process should be in
16 place in all five boroughs. Thank you.

17 MR. PERALES: Thank you.

18 Deb.

19 MS. ARCHER: This question is for
20 Ms. Ellsworth.

21 Can you talk about how broadly or how
22 narrowly you're defining special interest when
23 you say that community boards should not include
24 people who represent special interest? So I'm
25 curious to hear more about what you mean by that.

2018 - CHARTER REVISION - 7/23/2018

1 MS. ELLSWORTH: Well, in our survey we did a
2 quick look at Manhattan community boards and I
3 can't say we went through every single member of
4 every single board but we find people who are
5 special lobbyists for special interest such as
6 the hotel and hospitality working on licensing
7 committees, you know, they're very concerned
8 about liquor licenses and sidewalk tables. And
9 if a board member is a professional paid lobbyist
10 they have a conflict in the sense that they serve
11 one master and how can they also serve the public
12 and I think even the board personally would see
13 certain problems. There are other categories of
14 members like people who are at the senior
15 executive teams of political clubs or unions. I
16 would put them in the same category in the sense
17 that you know they have a loyalty if you're a
18 political club leader, you've endorsed certain
19 candidates, you've taken certain positions, you
20 seek access, you have an agenda and you bring
21 that to the community board as well and everyone
22 in the neighborhood knows that. Same with
23 unions. It's not that an older union member
24 couldn't serve it's like but if you're on the
25 leadership team you have a conflict and it's an

2018 - CHARTER REVISION - 7/23/2018

1 institutionalized conflict.

2 MR. PERALES: Wendy.

3 MS. WEISER: A quick follow-up question
4 about that.

5 Recusal requirements for participating in
6 decisions that relate to the subject of your
7 conflict address that or do you think -- and if
8 not why not?

9 MS. ELLSWORTH: No, I think that recusal.
10 Recusal is meant philosophically I think to
11 handle a situation where you have an immediate
12 financial concern you know your brother-in-law
13 owns the construction business that is up for a
14 bid and you don't want to --

15 MR. PERALES: Not true.

16 MS. ELLSWORTH: -- you don't want to step
17 away. But if you're a professional lobbyist for
18 the real estate board of New York, you know,
19 you're on the board you're on the chair you're
20 influencing tons of additions, you're influencing
21 agenda you're choosing who gets to do what work.
22 There's endless small items that I kind of think,
23 well, how can that person possibly -- who's his
24 master? So requesting doesn't really help the
25 public have credibility to believe that there's

2018 - CHARTER REVISION - 7/23/2018

1 honesty in the game for them.

2 MR. SCISSURA: I just want to make a
3 comment. I think the fact that someone happens
4 to work in the real estate industry -- so I
5 happen to work in the industry that is building
6 the places that we all live in, we shop at, we
7 get on a subway, we drive our cars on roads, our
8 children goes to schools, we go to hospitals we
9 build educational complexes such as NYU. So it
10 sounds like in your logic all those people should
11 not be on a community board because they are
12 influenced by some other master.

13 MS. ELLSWORTH: Right.

14 MR. SCISSURA: So I will take an opportunity
15 to say that people who work in real estate are
16 not bad people. People who happen to work for a
17 union and are in leadership are not bad people
18 and by the way there are good people and bad
19 people in everything. So I would caution you not
20 to lump all people in one category just because
21 they work in one industry.

22 MS. GREENBERG: I'm sorry but she didn't do
23 that.

24 MS. ELLSWORTH: (Inaudible.) All together
25 and I understand that. You know everybody -- I'm

2018 - CHARTER REVISION - 7/23/2018

1 an economist and I think in certain fields of
2 work if I was called public service it would be
3 hard to not have special locality to my
4 profession because I owe them but other areas of
5 work I can operate in the public interest. And I
6 think it's same if you were chair of my land use
7 committee I might have some concerns if you were
8 chair of my local service community committee and
9 my community board I might not be so worried
10 about you.

11 MS. GREENBERG: May I respond to the comment
12 because I don't think it was fair to characterize
13 Ms. Ellsworth testimony as lumping anyone as good
14 or bad. Instead she was expressing sincere
15 concerns that we have. And we think very highly
16 of plenty of people on real estate and who are on
17 unions.

18 The issue is when somebody has a leadership
19 position in certain realms that are very powerful
20 how can they possibly not control the outcome of
21 a community board decision, City Council vote.
22 That's what we're very concerned about is
23 citizens of New York.

24 MR. PERALES: Sure. Any one else has
25 comments?

2018 - CHARTER REVISION - 7/23/2018

1 (No response.)

2 MR. PERALES: With that, well, we thank the
3 four of you.

4 (Applause.)

5 MR. PERALES: Towaki Komatsu, Jacobs is the
6 last name I'm having trouble reading.

7 MR. ADAM: Adam, yes, that's what it says.
8 And John Day. Why don't we start with you Kelly.

9 MS. PRICE: Thank you so much, Chair
10 Perales. I go by Grace, if you don't mind. My
11 middle name was my grandmother's name. And I'd
12 like to thank you for allowing me to testify
13 today.

14 I'm Kelly Grace Price with the Jails Action
15 Coalition and with Close Rosie's. I'm sorry to
16 admit that I've not been participating in these
17 Commission review panels and I haven't had the
18 opportunity to submit my suggestions. So my
19 comment today might seem like a bit of a
20 nonsecretor because they have nothing to do with
21 your report or what other people have already
22 discussed.

23 I'm going to specifically discuss rape and
24 sexually assault investigations in all of our
25 city agencies. I personally do advocacy with the

2018 - CHARTER REVISION - 7/23/2018

1 Board of Correction and the department of
2 correction. My specific advocacy plank for the
3 better part of the last decade has been to end
4 rape on Rikers Island.

5 People say, well, rape happens in prisons
6 and jails but in our city we have the most
7 abysmal substantiation enclosure rate for rape
8 and sexual assault of any jail complex in the
9 country. We literally have a zero percent
10 enclosure rate. This is mimicked when we talk
11 about investigations against police officers.

12 Police officers and correction officers.
13 Those specific investigations the closure rate is
14 far below the national average. I would like to
15 specifically propose that the Charter Revision
16 Committee seriously consider creating a new
17 entity that serves sort of like Mark Peters DOI,
18 Department of Investigation. It is an
19 overarching investigative body and has the
20 ability to investigate rape and sexually assault
21 against any city agent employee, agency official,
22 subcontractor, consultant, etcetera.

23 Right now we have this problem ranging in
24 four of our city agencies -- actually all of our
25 city agencies but most acutely in the NYPD and

2018 - CHARTER REVISION - 7/23/2018

1 the Department of Correction.

2 In March Mark Peters, Department of
3 Investigation, released a very long 90-page
4 report about the abysmal methodology and
5 substantiation rate of rape and sexually assault
6 cases within the NYPD SVU. That report mimicked
7 a very similar report, a community report that
8 was issued in 2012 that NYPD.

9 I did turn in my comments, written comments
10 via e-mail so please note that all these things
11 have hyper wings to news articles and different
12 board reports issued by city agencies so that
13 when all of my comments in fact are verified but
14 we had a report issued that basically mimic the
15 exact same findings in 2012. NYPD is literally
16 just ignoring the community. The same thing with
17 the Department of Correction.

18 Now, the most sacrosanct offering that our
19 government can give us is our safety. And as
20 women, people that are trying to live our lives
21 sexual assault free, this goal has been
22 completely obfuscated by our city agencies.

23 I'd like to encourage you to please take the
24 time to read my short written testimony. It is
25 detailed but I think it's worth taking a look as

2018 - CHARTER REVISION - 7/23/2018

1 this is an issue that no one is talking about
2 outside of the confines of the Downstate
3 Coalition against sexually violence and I'll
4 really like this to be apart of the Charter
5 revision.

6 MR. PERALES: Thank you.

7 (Applause.)

8 MR. PERALES: Next.

9 MR. KOMATSU: My name is Towaki Komatsu. I
10 testified repeatedly at City Council meetings and
11 I have a federal lawsuit filed against The City
12 of New York as well as a New York State Supreme
13 Court lawsuit filed against the city agency. The
14 basis for those lawsuits is I had a conversation
15 with the mayor on July 18th of last year.

16 You have Section 1063 in the New York City
17 Charter that says that after a public hearing
18 video is supposed to be released within
19 three days thereafter. So the question is
20 instead of me rehashing what I said to the mayor
21 on July 18th, why don't I just play the video for
22 you. So here is the image.

23 MR. PERALES: How long is the video?

24 MR. KOMATSU: It's short.

25 (Whereupon, video was played.)

2018 - CHARTER REVISION - 7/23/2018

1 MR. KOMATSU: So sorry. So just to rap up,
2 all of you are appointed to this Commission by
3 the mayor, correct?

4 MR. PERALES: Yes.

5 MR. KOMATSU: So essentially there's no
6 legitimacy behind the election. It follows --

7 MR. PERALES: Which election?

8 MR. KOMATSU: The New York -- the 2017
9 mayoral election. It follows a whistle blower
10 trying to attend the mayor's public town hall
11 meetings, public resource public meetings. New
12 York State has an open meetings law. There's
13 also Federal Statue 18 U.S.C 245 whereby I can
14 exercise my first amendment right lawfully to
15 just like this nitro federal lawsuit to walk
16 through the doors lawfully and say you know what
17 I know about these problems with the New York
18 City human resources administration. They are
19 being covered up by Steven Banks. I have 15 --

20 UNKNOWN SPEAKER: Could you speak closer to
21 the microphone I want to hear everything you say.

22 MR. KOMATSU: Sorry. I had 15 punches
23 connect to my left temple on July 2nd of 2016
24 only because the fact that Atria did absolutely
25 nothing about whistle blower reports I submitted

2018 - CHARTER REVISION - 7/23/2018

1 to a jury on March 16th of 2016.

2 I had conversations with Mr. Carrion over
3 there repeatedly and they've come to no avail.

4 So essentially if other people continue to
5 be harmed due to fraud negligence bait-and-switch
6 fraud by Atria's business partners and there's no
7 oversight, there's no current action being taken.
8 People like me have to walk into the federal
9 court to file a civil rights action.

10 And I should also point out enclosing I
11 tried testifying at a public town -- sorry, at a
12 public hearing with the mayor on November 27th of
13 2017. On that same date the plaintiff's attorney
14 filed papers against mayor's head of security.
15 So basically I found out Lieutenant Nieves of the
16 mayor security detail. He told me in a video
17 recording that I recorded that Inspector Harold
18 Garvin made the decision to kick me out that
19 public hearing on November 27th.

20 So I guess the point I'm driving at is if
21 we're all here tonight for you to consider
22 recommendations, for you to consider feedback,
23 again, if there's no legitimacy behind the result
24 of 2017 mayoral election due to acts of voter
25 fraud, voter suppression, why are we having this

2018 - CHARTER REVISION - 7/23/2018

1 meeting?

2 MR. PERALES: Let me -- well, why don't I
3 move along as we have any others that --

4 MR. KOMATSU: (Inaudible.)

5 MR. PERALES: The purpose of this meeting is
6 to consider changes to the New York City Charter.
7 I'm not sure I understand your point.

8 MR. KOMATSU: The point I'm driving at is
9 all of you were appointed by the New York City
10 mayor --

11 MR. PERALES: That's correct.

12 MR. KOMATSU: If the manner in which he
13 prevailed in that election is by suppressing
14 whistle blowers who tried to essentially engage
15 in whistle blowing at those public meetings that
16 he uses at campaign events as voter suppression,
17 as voter fraud in the outcome of the 2017 mayoral
18 election is essentially null and void.

19 MR. PERALES: All right. Well, that's an
20 interesting point. I've answered your question.

21 Next.

22 MR. JACOBS: Thank you, Commissioner. My
23 name is Adam Jacobs and thank you for giving me
24 the opportunity to speak tonight. I am a
25 resident of Community Board 6 and I am here to

2018 - CHARTER REVISION - 7/23/2018

1 discuss the issues of lobbying and conflicts of
2 interest within New York City.

3 Just to step back for a minute on Lynn
4 Ellsworth testimony within the Charter of
5 Chapter 68 of I believe of this Commission
6 Advisory Opinion 95-58 does outline laws that do
7 not allow lobbyists or people with interest to
8 actually chair committees. So now we need to
9 stretch that to actually other people throughout
10 the committee or, I'm sorry, throughout the
11 community board.

12 But there is actually within your existing
13 Charter Advisory Opinion 95.18 that I think all
14 of you should know. So from a standpoint of
15 lobbying, just for my quick review here from a
16 historical standpoint I think we all feel that
17 lobbyist were a way for elected officials to
18 become educated about an issue. They all had
19 value and again it was an opportunity for them to
20 hear all sides of an issue.

21 Unfortunately. In a regulated democratic
22 system that works very well. So it is obvious to
23 everybody here and I think a lot of people
24 throughout New York City and throughout the
25 country that this city -- this system is now

2018 - CHARTER REVISION - 7/23/2018

1 totally broken.

2 Within the current system it appears right
3 now that there seems to be a quid pro quo going
4 on between lobbyists and elected officials.
5 Basically the system is now set up that you help
6 me get my project passed and the people that are
7 paying me will donate for your reelection. This
8 goes on all the time. It is absolutely
9 disgusting. So from, I mean, again, ultimately
10 if you don't play along then ultimately those
11 people who are paying for the lobbyists will not
12 fund your candidate and ultimately that candidate
13 will ultimately, you know or that elected
14 official will leave. This is a sort of round
15 about way of getting around campaign finance
16 reform but again lobbying at issues need to
17 ultimately be addressed.

18 So what actually are these lobbyists getting
19 from our elected officials. What does \$20,000
20 buy you 40,000 dollars? Why is Gale Brewer
21 continually involved in real estate projects? Is
22 it access? Is it pressure? Is it her vote?
23 Nobody really seems to know. But what is it that
24 actually the Manhattan borough president gets
25 from the lobbyists?

2018 - CHARTER REVISION - 7/23/2018

1 This money is basically eliminating the
2 citizens from being apart of the process because
3 they can't come up with \$40,000 or \$60,000. And
4 again they don't get the same things that other
5 people get.

6 Again, ultimately this goes on from a
7 federal level, state level, our mayor has been
8 involved in a pay-for-play slush fund from the
9 beginning of his -- ultimately he was elected to,
10 again, community board members to ultimately we
11 filed actually a complaint, a conflict of
12 interest to the COYB board. And now actually
13 there's an investigation undergoing the lobbyist
14 on one of our community boards ongoing right now
15 from that standpoint.

16 So at this time basically, again, just from
17 the standpoint of this new Charter I'd like the
18 members to address some of these issues.

19 MR. PERALES: Now --

20 MR. JACOBS: What I'm asking for is again --

21 MR. PERALES: -- can you sum up?

22 MR. JACOBS: Yeah, I will very quickly.

23 Limits on the amount of lobbying allowed for
24 elected officials. This should not be a casino
25 game. There should be limits. Whatever is

2018 - CHARTER REVISION - 7/23/2018

1 provided to the lobbyist should be provided to
2 the public for free. It's our taxpayer money.
3 They shouldn't get access if we don't. It should
4 be specific and total transparency. Not just
5 listing them as a target but what are they
6 actually asking for, okay. And should be written
7 down.

8 And then, again, number four the public
9 should be made aware of the voting records of
10 their elected officials. There should be
11 actually a percentage or a rule, a listing of
12 where we can find out how they're being -- how
13 they're voting --

14 MR. PERALES: You really have to sum up.

15 MR. JACOBS: Okay. Last point, no lobbyists
16 at this point should be allowed on community
17 boards. Good, bad, or whatever. And again,
18 Rule 95/18 should be expanded and should be
19 looked at again to make sure there really is not
20 a conflict.

21 MR. PERALES: Thank you very much.

22 Mr. Day.

23 MR. DAY: Hi, John Day. I'm with Save
24 Central Park NYC and a resident of Community
25 Board 7. The concerns I want to express are

2018 - CHARTER REVISION - 7/23/2018

1 about the advance of super tall buildings into
2 residential neighborhoods. It's been a huge
3 problem in Brooklyn.

4 I think Councilman Kallos spoke about one
5 solution in binding land use by community boards.
6 There's a broad perception among citizens in this
7 city that the fix is in. We personally think we
8 have very fine civil servants. But the concern
9 is money from major real estate developers some
10 of whom are principals others of whom may have
11 even made it to the white house. And so
12 transparency is an issue.

13 I think the DSA, the Department of
14 Buildings, City Planning, particularly the sale
15 and purchase of development and error rights.
16 It's extremely hard to find that information.
17 And transparency and how it's filed and how it's
18 available to its citizens to community boards is
19 very important.

20 So I'll keep it short. Thank you.

21 MR. PERALES: Let me just say, again, as
22 I've said before so issue of corruption and the
23 appearance of corruption comes up all the time.
24 We are certainly sensitive to that and we're
25 going to see how it is that we can address it

2018 - CHARTER REVISION - 7/23/2018

1 from our limited rules as people who are looking
2 to revise the existing City Charter. Any other
3 Commissioners have any comments?

4 MR. JACOBS: What is your fix? I know the
5 appearance is bad but what is your fix?

6 MR. PERALES: One of the things we are
7 looking at -- we don't have an immediate fix that
8 we're going to tell you now but we're looking at
9 campaign finance reform. That's the obvious
10 opportunity that we have within the City Charter.

11 MR. JACOBS: And what about the concern with
12 lobbyists being infiltrated in our system. We
13 will be looking at all of that.

14 MR. JACOBS: Okay. Thank you.

15 MR. PERALES: Thank you.

16 MS. GREENBERGER: Can I ask you a question,
17 excuse me? I am particularly interested in this
18 question of civic engagement and what are the
19 mechanisms that can prompt better civic
20 engagement.

21 And if you will indulge me for a moment,
22 Mr. Chair, I would like to ask everybody here if
23 you could just by a show of hands let me know
24 whether or not you use any of the following
25 existing mechanisms 311 and if you do if you

2018 - CHARTER REVISION - 7/23/2018

1 could just put your hands up: NYC.gov? Mayor's
2 management report? And notify NYC.

3 Okay. That's helpful. It's just an
4 interesting look into thinking about what are the
5 mechanisms and tools that we may be able to use.
6 Thank you very much.

7 MR. PERALES: Next panel, Angela Connors,
8 Hale Philips, Kaitlyn Scheuer and Sheila
9 Kendrick.

10 Let's start on my left, your right.

11 MS. CONNORS: Greetings, Commissioner. My
12 name is Angela Connors and I am a member of the
13 campaign for an elected civilian review board.
14 Our campaign has written a Charter amendment for
15 an elected civilian review board and an
16 independent special prosecutor.

17 Our amendment is simple. It makes our
18 current appointed board elected and then empowers
19 that elected board to make finding decisions. In
20 addition to our review board our police -- in
21 addition to our review board for police officers
22 who are accused of crimes. Our Charter amendment
23 establishes an independent special prosecutors
24 office whose sole duty is to investigate and
25 prosecute those cases to solve the conflict of

2018 - CHARTER REVISION - 7/23/2018

1 interest that is inherent when the DA offices
2 take the cases involving their co-workers, the
3 police.

4 We appreciate that the Commission staff took
5 the time to hear our testimony on May 9th and
6 include an analysis of the proposed amendment for
7 an elected review board in the 2018 preliminary
8 staff report. However, we are disheartened to
9 here that this Commission intends to push off the
10 responsibilities to address the serious crisis to
11 address accountability citing an unwillingness to
12 take on the careful analysis and public input
13 under timer constraints. The ongoing problem of
14 police accountability in this city will not stop
15 until leaders are willing to take a stand in
16 support in empowered mechanisms to hold police
17 accountability for the violent crimes committed
18 against those they were sworn to protect and
19 serve.

20 The Current Civilian Complaint Review Board
21 is highly ineffective and upholds a major
22 conflict of interest by allowing the police
23 commissioner ultimate authority over decisions.
24 Therefore, ultimately the police themselves that
25 they need discipline is watered down and families

2018 - CHARTER REVISION - 7/23/2018

1 are forced to wait for justice which seems to
2 never come as in the case of Eric Garner.

3 Once again, our campaign calls upon this
4 Commission to stand up for New Yorkers,
5 especially marginalized New Yorkers by proposing
6 changes that protect the people of New York
7 against unabated police misconduct and violence.
8 A review of the City Charter without addressing
9 the accountability crisis we believe is an
10 incomplete review. We plan on bringing our
11 amendment to the city convened Charter Commission
12 because New Yorkers shouldn't have to wait for
13 justice. We desperately need reform to hold
14 police accountable.

15 MR. PERALES: Thank you.

16 (Applause.)

17 MR. PHILLIPS: Hi. Thanks for hearing my
18 testimony. My name is Hale Phillips. I'm here
19 in support of ranked choice voting or instant
20 runoff voting.

21 I know the Commission has already heard a
22 number of compelling arguments in favor of this
23 so in the interest of hopefully giving you
24 something you haven't heard already I wanted to
25 very briefly share with you just a little bit of

2018 - CHARTER REVISION - 7/23/2018

1 research I did in this recent election results.

2 I looked up the results for City Council
3 primaries in 2017 and 2013 that had three or more
4 candidates meaning if we had instant runoff
5 voting it would have been used in these
6 elections. And as I'm sure you know primary
7 elections tend to be more competitive than
8 general elections.

9 So what I wanted to see with this was how
10 low the threshold is for the percentage of the
11 vote in order for someone to actually be
12 considered elected. What I found is that in 2017
13 and 2013 we had 40 City Council primaries with
14 three or more candidates and of those 40 were won
15 by a candidate who received under 50 percent of
16 the vote. Twelve of those 40 were won by a
17 candidate who received under 40 percent of the
18 vote and three of those 40 primaries were
19 actually won by a candidate who received under
20 30 percent of the vote. The lowest winning
21 percentage was 24.4 percent which means that in
22 that election over three quarters of the voters
23 did not vote for the person who was ultimately
24 deemed the winner.

25 Now, with no disrespect intended toward any

2018 - CHARTER REVISION - 7/23/2018

1 of the winning candidates this seems obviously
2 and shockingly anti-democratic. We have elected
3 officials in office today who were voted against
4 by an overwhelming majority of the people that
5 were voted but were still deemed elected. That
6 seems like a clearly broken system.

7 And I'm concerned that we can have a repeat
8 of this in 2021 because we have term limits so
9 we're going to have dozens of open seats which
10 means a more potential for a competitive multiple
11 candidate races in which there could be more
12 split votes and more people getting only about a
13 third of the vote still winning.

14 And I'm concerned that if we don't change
15 this now this is, you know, 24.4 is not as low as
16 it's going to get. We all saw a very high
17 profile example of what can happen when a
18 multi-candidate field with no strong front runner
19 can let somebody without majority support win via
20 plurality in the 2016 Republican presidential
21 nominating process. That's been happening in New
22 York City for years. And it's getting worse.
23 And I really hope that we change this before the
24 2021 primaries because I don't want my next City
25 Council member to get 24 percent of the vote and

1 still win.

2 Thank you.

3 MR. PERALES: Thank you.

4 MS. CHER: Good evening. My name is Kaitlyn
5 Cher. I'm a volunteer member of the New York
6 Chapter Represent Us. We're an anticorruption
7 organization in the city. I am also here
8 speaking in support of outbreak choice voting --
9 and congratulations that was a wonderful point
10 that you just made. Much more passionate than
11 I'll be able to make here in my short time.

12 We all know that we have a voter engagement
13 problem in this country and in this city. New
14 York State is below average in voter turnout as
15 referenced in the preliminary staff report. We
16 ranked 14 from the bottom nationwide in casting
17 ballots in the presidential election in 2016. In
18 most general elections from mayor or governor and
19 governor only 25 percent of registered New
20 Yorkers go to the polls. And turnout for primary
21 elections even lower with only 12 percent of
22 eligible voters turning out for the mayoral
23 primary in 2017. So there are many reasons for
24 this disengagement.

25 Among them is a perceived disconnection

2018 - CHARTER REVISION - 7/23/2018

1 between the candidates platform and its impact on
2 voters' life lives as well as a general political
3 apathy caused by a growing mistrust in our
4 institutions. Instead of seeing -- our world is
5 growing ever more complex than nuance yet
6 American politics appear to be retreating into a
7 polarized two-party system instead of seeing
8 themselves represented by individual candidates
9 with distinct views.

10 Voters often only see a candidate's party.
11 Constituents subsequently turn to the defensive
12 least worst option voting instead of voting on
13 the actual issues or for candidates in which they
14 actually believe in. I do believe that ranked
15 choice voting could offer some solutions to this
16 problem. Ranked choice voting enables voters to
17 weigh in on more candidates when they're voting.
18 It gives voters the opportunity to rank
19 candidates in order of preference allowing them
20 to consider candidates who may not be front
21 runners or from a major party. This in turn
22 encourages a greater and more diverse field of
23 candidates to run shaking up the two-party
24 system. Ranked choice voters also avoids split
25 votes and victory for unpopular candidates.

2018 - CHARTER REVISION - 7/23/2018

1 Seems completely unreasonable in a large
2 democratic society that the issues that you just
3 expressed are occurring. With ranked choice
4 voting votes will not be wasted on such
5 candidates but rather redistributed to voters
6 next intended choice which makes elections more
7 fair.

8 Lastly, ranked choice voting eliminates
9 expenses and necessary runoff elections. In New
10 York City if no candidate receives 40 percent of
11 the vote in a primary a runoff election must be
12 held.

13 Beyond the fiscal concerns that were also
14 voiced already earlier involved in holding a
15 second election voters are required to, again,
16 wake up early use their lunch break or pay a
17 babysitter to watch their children or to do their
18 civic duty which they already did once. So it's
19 hard enough to get voters to the voting booth
20 once and implementing ranked choice voting will
21 allow them to voice their full opinion in a
22 single election.

23 I spend my hours calling council members and
24 advocating on issues like ranked choice voting
25 because I believe that campaign and electoral

2018 - CHARTER REVISION - 7/23/2018

1 reform are at the -- I'm sorry, election reform
2 are at the root of improving the democratic
3 process. I want New York City to continue to be
4 one of the best cities in the world. We have
5 established some of the most progressive campaign
6 finance laws in the country we should be leaders
7 in the state and the nation and forming
8 democratic reform such as ranked choice voting.

9 MR. PERALES: Thank you.

10 (Applause.)

11 MS. KENDRICK: I'm Sheila Kendrick from Save
12 Central Park NYC and I would like to encourage
13 you to look at some of the land use things that
14 have come up recently and I know you are going to
15 go. The one thing that is of concern and it was
16 brought to the mayor's attention in the Town Hall
17 last January is the loop holes that developers
18 are utilizing to build super dolls. And going
19 down the street today it's every block there's
20 another crane. So the time is now.

21 There's a real urgency for you all to look
22 at the land use abuses. I think some of the
23 frustration with voters is that we know that
24 there's zoning laws that are there to protect us.
25 But when we look at these towers going up in

2018 - CHARTER REVISION - 7/23/2018

1 residential neighborhood and you know there are
2 protections in place, whether it's landmarks or
3 special districts or a ceiling cap that should
4 pertain and it doesn't. I think voters sit there
5 and go it doesn't matter what I do because it
6 doesn't matter what the laws are. It doesn't
7 matter what the zoning resolution states. The
8 abuse just goes on and on because some people
9 have the power and some people don't.

10 And Community Board 7 recently passed a
11 resolution addressing five of the most egregious
12 loop holes that are being used. People like Gale
13 Brewer and Ben Kallos stood up and run
14 overdevelopment forums to draw attention to this
15 issue and in the meantime the cranes continue to
16 go up and towers are going to be built around
17 Central Park and more and more of them are going
18 up in residential neighborhoods and we're all
19 going to feel the loss of the most democratic
20 space when it's covered in shadow. Thank you.

21 MR. PERALES: Thank you.

22 (Applause.)

23 Sharon.

24 MS. GREENBERGER: I have a question on the
25 ranked choice voting. One of the things that has

2018 - CHARTER REVISION - 7/23/2018

1 come up is whether or not we should be
2 implementing this on a city wide -- on all
3 elections or on just city wide elections.

4 Do you have strong feelings about whether
5 there's any benefit to implementing first on a
6 city wide election basis and then moving to City
7 Council members or would you suggest that we go
8 all in?

9 MR. PHILLIPS: Personally I'm in favor of
10 using it for all municipal elections primary and
11 general City wide and City Council and borough
12 wide.

13 I know that there's been more momentum for
14 using it for just city-wide primaries to replace
15 the current runoff system. That certainly is far
16 from my preference but if that were what came up
17 I support that as a baby step in the right
18 direction. I would hope that that would sort of
19 acclimate the voter and help make this more
20 popular so that we could then implement it
21 further down the road.

22 But if it were up to me I really see no
23 reason not to use it in every election. I think
24 the benefits do apply across the board. Really
25 the only additional benefit of using it to

2018 - CHARTER REVISION - 7/23/2018

1 replace our current runoffs is the cost savings.

2 MS. CHER: And I could agree with that. I
3 also -- in terms that we're talking earlier about
4 the confusion is there a potential confusion for
5 constituents when they go to the voter booth, and
6 I think that it should apply to all elections in
7 order to keep some resemblance of consistency.
8 And I think that we're already, you know,
9 potentially facing a difference in terms of, you
10 know, within the staff report.

11 It did go into, you know, state versus local
12 or state versus city and how that might be broken
13 up and that will -- so for, say, elections we
14 would have a different system than the current
15 system that we have versus ranked choice voting
16 for our city elections. So I think that in order
17 to keep it as consistent as possible it should be
18 all at once and consistent.

19 MR. PERALES: Dale.

20 MR. HO: Just a couple of questions about
21 the CCRB. To see if I understand your proposals
22 correctly, and forgive me if I have this wrong.

23 It sounds like there are two separate
24 proposals here. One, that would change the way
25 that the CCRB is -- the members of the CCRB are

1 selected.

2 And a second proposal that's separate from
3 that about the special prosecutor. And those two
4 are really -- I understand you're in favor of
5 both -- but they seem like two distinct proposals
6 that aren't necessarily interrelated.

7 Do I have that right?

8 MS. CONNORS: We wrote the legislation with
9 those two entities combined rolled into one sort
10 of but I am -- that being said I am not our
11 campaign's legislative working group so I can get
12 back to you with more detail about how that would
13 go down the line.

14 MR. HO: Sure. I guess I was trying to
15 understand if you also wanted to change the scope
16 of the CCRB's authority separate and apart from
17 changing how it's constituted?

18 MS. CONNORS: Yes, we want to empower. We
19 want to replace the CCRB with an elected civilian
20 review board so it becomes the ECRB and we want
21 to empower them so giving them the authority
22 which right now remains with the commissioner.
23 We want to give them the authority to give to
24 disciplinary measures to police officers.

25 MR. HO: And if I could just also back up

2018 - CHARTER REVISION - 7/23/2018

1 just like so I can understand your prospective
2 here a little bit better.

3 MS. CONNORS: Mm-hm.

4 MR. HO: When it comes to how we select
5 adjudicators like members of a court, for
6 example, there are different views. Some people
7 think we should have a merit selection process.
8 You look at the way the highest court in New York
9 is selected that's basically what we have. Other
10 states for their highest courts they have
11 elections. You know, they elect the State
12 Supreme Court in Michigan and North Carolina.

13 And I'm just curious if you could just say a
14 little bit about why you think an elected board
15 would be more likely to share, what I gather are,
16 your views on police accountability and why you
17 think it wouldn't be the opposite? Why, you
18 know, an elected CCRB might actually be less
19 sympathetic to the views that you have as
20 compared to the one that we currently have?

21 MS. CONNORS: Right. We didn't believe very
22 strongly in democracy so right now the CCRB is
23 appointed. So the people of New York City do not
24 get to -- do not get any voice on who sits on
25 that board. If it was an elected board I

2018 - CHARTER REVISION - 7/23/2018

1 understand there are separate challenges in
2 elections. We do understand that but we do
3 believe that we want to give the people of New
4 York City that chance to as community members run
5 for those positions on community members who have
6 firsthand experience with their police officers.

7 We want to give them the chance to have a
8 position like that; to have control over the
9 police that polices their community. We believe
10 very strongly in that.

11 MR. HO: Thank you.

12 MR. PERALES: Thank you all very, very much.

13 (Applause.)

14 MR. PERALES: Our next panel: Walter South,
15 Andrea Goldwin, Sophie Meyerowitz, and looks like
16 Terri Gruday or Cude.

17 Yes, proceed.

18 MR. SOUTH: I'm a member of Community Board
19 9 and we have a bit of a problem. We're having a
20 lot of condos being built, overbuilding, in our
21 community and putting a burden on our
22 infrastructure. So what's happening is they come
23 in the building, sell the condos and walk away
24 with the profits and they're not making any
25 contributions to our infrastructure.

2018 - CHARTER REVISION - 7/23/2018

1 For example, our subway system, our bus
2 system, our school system etcetera is now being
3 overburdened with a number of new people coming
4 into our community and these developers are
5 walking away and not making any contribution at
6 all to this infrastructure problem.

7 So I propose that we do away as of right.
8 Period. And that there be a fee imposed upon
9 every new building in our community and this fee
10 be determined by the community board as to what
11 portion or what part of the infrastructure should
12 be funded. That's it.

13 Thank you Commission for hearing us out
14 today. I'm Sophie Maerowitz. I'm on East
15 Village Community Board 3 as a public member of
16 the transportation public safety and environment
17 committee. I stress public member because even
18 as a relatively young person who's trying to get
19 more civically engaged I'm sad to say I was
20 discouraged from applying for full board this
21 year. I applied last year.

22 Overall, I found the full board application,
23 the group interview process chaotic. I also saw
24 a lack of transparency in their brief and frankly
25 very late rejection letter. I think the city

2018 - CHARTER REVISION - 7/23/2018

1 needs to do a better job in articulating exactly
2 why full members are chosen. Based on a number
3 of returning full members who were reappointed
4 this year. I can only assume that previous
5 service on the board was part of that
6 consideration.

7 I agree with councilman Ben Kallo's
8 recommendation that we need term limits to ensure
9 a more of a diverse board and new perspectives in
10 the constantly changing environment that is our
11 city. We also need to ensure that we get those
12 term limits that if we get those term limits
13 grandfathering does not allow those who have been
14 in service for decades to add another ten years
15 to their time on the board.

16 Finally, I think we need access to urban
17 planners at community boards. As somebody who
18 cares deeply about street safety and
19 accessibility I don't want to have to wait for
20 DOT to perform studies and create mock ups before
21 our board can vote on crucial street
22 improvements. The board should be able to come
23 up with some of these plans of its own fruition
24 which would expedite needed safety improvements
25 and align with vision zero priorities. Thank

1 you.

2 MR. PERALES: Thank you.

3 MS. GOLDWIN: Good evening, Chair Perales
4 and Commission members. I'm Andrea Goldwin
5 speaking on behalf of the New York Landmarks
6 Conservancy. Our president Peg Breen wanted to
7 be here tonight and sends her regards.

8 The conservancy is a 45-year-old
9 organization dedicated to preserving,
10 revitalizing and reusing New York's architectural
11 resources. The land use issues that this
12 Commission has discussed are central to our work
13 and preservation and planning. We understand
14 that this body intends to defer consideration.

15 However, given the critical nature of these
16 topics we wanted to respond to the preliminary
17 staff report. New York's landmarks preservation
18 Commission is one of the strongest and most
19 defective preservation agencies in the country.
20 Its protection of historic resources was integral
21 and reinvigorating the city's committee after the
22 dark days of the financial crisis of the 1970s
23 and 80s.

24 In the recent boom years it's been a balance
25 working to maintain the dynamic mix of old and

2018 - CHARTER REVISION - 7/23/2018

1 new that makes New York unique. The
2 conservancy's own study on the economic impacts
3 of landmarks designation found tremendous
4 benefits. More than \$800 million is invested
5 annually in New York's historic buildings
6 creating nine thousand jobs every year.

7 The success leads to the conclusion that the
8 LPC should absolutely continue as an independent
9 agency. The landmark's law charges it to safe
10 guard buildings in place that is: Stabilize and
11 improve property values, foster civic pride,
12 protect and enhance the city's attraction to
13 tourists and strengthen the economy of the city.
14 These goals are just as relevant now as when the
15 law was written 50 years ago. We believe that
16 the LPC would be even more successful if there
17 was a requirement that the commissioner, perhaps
18 even the chair, have a background in
19 preservation.

20 When the law was established this was a new
21 field. So the requirements were sensible. In
22 the decades since the field of preservation has
23 been professionalized with several academic
24 program that have created thousands of alumni.
25 The LPC's preservation staff is required to have

2018 - CHARTER REVISION - 7/23/2018

1 a degree. It should be a prerequisite for an
2 appointed commissioner.

3 On the larger planning issues we've heard as
4 you have tonight from constituents across the
5 city who say that their voices are not being
6 heard when it comes to new development in their
7 neighborhoods that the department of City
8 Planning zones but doesn't plan. We urge this
9 and future Commission to consider a more
10 comprehensive approach.

11 We should have a planning agency that
12 considers the community's needs, its existing
13 resources and its capacity and then makes
14 decisions based on those factors instead of the
15 current system which relies on uncertain outcomes
16 and negotiations with developers. Until that
17 large scale change is realized we believe that
18 community boards need to be strengthened.

19 We agree with others that these volunteer
20 members should have assistance to address the
21 extraordinary complicated land use issues that
22 they face. We support consistent city wide
23 training an additional boards -- excuse me --
24 additional resources for boards to engage
25 professionals as staff or consultants.

2018 - CHARTER REVISION - 7/23/2018

1 Thank you.

2 MR. PERALES: Thank you.

3 MS. CUDE: Good evening, Chair Perales, vice
4 chair, and Commissioners. I'm Terri Cude and I'm
5 chair Community Board 2 Manhattan. We're
6 delighted to welcome you to our district.

7 Unfortunately the late notice regarding this
8 meeting prevents Community Board 2 from offering
9 an official position so today I'll be speaking
10 for myself.

11 Community Board 2 Manhattan is the board
12 that has the longest serving community board
13 member Doris Diether who has served on CB 2 for
14 more than 50 years. We have three or four others
15 who have served more than 20 years.

16 CB 2 relies heavily on their experience.
17 Understanding the often complex issues and
18 regulation we face and memory. For example, one
19 of our members was on the board more than
20 20 years ago when some plots of land acquired by
21 the City and promised for a unique purpose. Over
22 time the agency changed what they were about to
23 do and they were about to renege on those
24 agreements. Only the fact that one person's
25 memory said, wait a second. This was promised as

2018 - CHARTER REVISION - 7/23/2018

1 a park for this community that desperately needs
2 a park has prevented that from becoming another
3 building site.

4 The many issues addressed by our community
5 board every month including land-use landmarks
6 liquor licensing, sidewalk cafes, street use,
7 transportation, social services, parks,
8 environment, schools, the arts, and small
9 businesses are complicated and it often takes
10 years to master their subtleties and nuances.

11 The community benefits from the combination
12 of long-term experience members. Some have been
13 around for a few years and new members bring a
14 fresh perspective. Over the pass few years CB 2
15 has had about a ten percent turnover each year
16 and that has resulted in a highly functional
17 board. It is important to consider that the
18 elected officials who appoint us are term limited
19 and this in itself creates a national change over
20 point to fit the priorities of the new office
21 holder thus by extension generating a healthy
22 turnover of the community board.

23 I must say burnout is more of a problem for
24 community boards than long-term service. So
25 please give community boards added resources so

2018 - CHARTER REVISION - 7/23/2018

1 we can do our volunteered jobs month after month
2 with the best support and expertise possible.

3 And please allow our elected officials to do
4 their jobs so they're appointing only those they
5 feel will serve the needs of the board and the
6 community for the two years sometimes less if
7 they're filling a vacancy to come. It is a short
8 enough time to keep the board as fresh and
9 diverse as it should be without codifying a
10 requirement to remove those that are available
11 and important to the work we do for our
12 communities.

13 I thank you all for your kind attention.

14 MR. PERALES: Thank you.

15 You were reading from you phone weren't you?

16 Did you --

17 (Inaudible.)

18 MR. SOUTH: She was.

19 UNKNOWN SPEAKER: That was me.

20 MR. PERALES: But you have not submitted
21 anything in writing?

22 MR. SOUTH: Pardon me?

23 MR. PERALES: Have you submitted anything in
24 writing.

25 MR. SOUTH: No. I have not.

2018 - CHARTER REVISION - 7/23/2018

1 MR. PERALES: It'd be useful for us.

2 MR. SOUTH: Okay.

3 MR. PERALES: You had a good idea.

4 MR. SOUTH: I can do it.

5 MR. PERALES: Good.

6 MR. SOUTH: Boston have done away with as of
7 right and they negotiate now with every good
8 offer to make contributions.

9 MR. PERALES: I ask you to put it in
10 writing. The hour draw is late but I am
11 interested.

12 MR. SOUTH: Thank you.

13 MR. PERALES: Let me thank all of you. It
14 has been helpful.

15 MR. SOUTH: Thank you.

16 MR. PERALES: We have one last panel: Ken
17 Brown, Debra Brown, Billy Freeland, Joni Eaton
18 and Kay Samuels, looks like MD. Okay. Let's
19 begin.

20 MR. BROWN: Thank you very much, Chair
21 Perales, distinguished members of the panel.
22 Thank you very much for offering me opportunity
23 to present testimony.

24 My name is Ken Brown. I am both a resident
25 of East Harlem Community Board 11 and I have the

2018 - CHARTER REVISION - 7/23/2018

1 privilege of serving as the district manager of
2 Community Board 5 in the Bronx.

3 I principally like to address the question
4 of term limits and capacity at the community
5 boards. It has been a contentious issue of term
6 limits at our board and anecdotally other boards.
7 However, the objection or one of the
8 considerations that's been raised about imposing
9 term limits is the question of institutional
10 memory is not necessarily required to be resided
11 at the community board and that the longevity of
12 officers at the district manager's office can't
13 function as a surrogate and as a resource for
14 that constitutionalized memory which is a
15 principal resource for the board.

16 I certainly concur that one of the great
17 benefit that could be had to the function in
18 community boards in terms of its advisory
19 capacity for land use questions would be greater
20 access to technical assistance.

21 It's been my observation at our board in the
22 Bronx the board will vote on questions of zoning
23 and upzoning and the consequence of that vote
24 will not really sink in until after the fact when
25 residents find it, as people have testified,

2018 - CHARTER REVISION - 7/23/2018

1 large buildings being put up next to their
2 two-family home. So it's my consideration that
3 if there could be one of the recommendations
4 identified in the report is a pool of land use
5 planners that could be made available at the
6 municipal level, the city-wide level. I think
7 that that would have the potential to mitigate
8 any possibility of conflicts of interest bought
9 it wouldn't necessarily be rooted to the place
10 that is are under consideration. That's one.

11 One of the primary source of friction at our
12 community board is a question of fair share
13 criteria regarding -- I forget the exact term of
14 our -- burden some community facilities, homeless
15 shelters. It's our understanding that the fair
16 share criteria we've been told is for
17 notification purposes only and we'd like -- I
18 have a sentence -- it's our recommendation that
19 we would like fair share criteria to waive the
20 consideration of homelessness crisis as a means
21 to circumvent fair share criteria. And I can't
22 talk anymore. Thank you.

23 MR. FREELAND: Good evening. My name is
24 Billy Freeland. I'm a former member of Community
25 Board 2. A current member of Community Board 8

2018 - CHARTER REVISION - 7/23/2018

1 and proud member of NYU Law School so I'm glad to
2 see so many faculty and affiliates on this
3 Commission. I think it gives me the confidence
4 in your work. I want to thank you all for the
5 way that you are doing --

6 MR. SCISSURA: Can you just tell us what
7 neighborhoods they are and same with you -- which
8 community boards, the neighborhoods or what area
9 of New York?

10 MR. FREELAND: University Heights, Morris
11 Heights, Tremont. Community Board 2 is Greenwich
12 Village, downtown basically between 14th Street
13 and Canal from the Hudson to Bowery. CB 8 is the
14 Upper East Side, 59th Street to 96th Street and
15 Roosevelt Island.

16 So I was -- want to thank you all for your
17 service because I think this is extremely
18 important. It's long overdue to revisit the
19 Charter. I come here actually -- I didn't even
20 plan to speak. I just sort of jotted down some
21 notes. It's only been since your preliminary
22 report came out that I started really thinking
23 about this more seriously and I think I come --
24 it's not as interesting as the substantive points
25 but I come with some process concerns.

2018 - CHARTER REVISION - 7/23/2018

1 The report came out on July 17th and my
2 concern is that it is simply not enough time for
3 the community boards to really evaluate and form
4 a unified and thorough opinion of what your
5 recommendations are particularly around the
6 community board reform. I know most community
7 boards if not all do not meet in August and I
8 just sort of did an informal survey during this
9 meeting. I think there's about five community
10 boards in Manhattan that do not meet in July or
11 August.

12 So my concern is that because of the timing
13 the preliminary report coming out at the end of
14 July. It's going to be finalized at the end of
15 August that this process is not as thorough or
16 robust as it could have been.

17 So my recommendation to you would be to find
18 a way to either get that community board input in
19 a hurry or in your final report to note that the
20 community boards have not been able to be as
21 engaged in this process as would be ideal. That
22 may be to our fault to some extent but it may
23 also be the fault of the process.

24 I have only 50 seconds left so some previous
25 thoughts on the substance since I have the time I

2018 - CHARTER REVISION - 7/23/2018

1 found that my experience on the community boards
2 that institutional knowledge institutional memory
3 is invaluable. I'm not here to say no term
4 limits but I am here to say that some of the best
5 mentors I've had on community boards have been
6 people who has been around for 10 years, 20 years
7 who really know the ropes, who understand land
8 use in a way that most of us cannot. And again,
9 we do not have a city planner on the boards
10 although that would be a good idea.

11 I think there are rules in place that we
12 could standardize and make more uniformed that
13 get at the issue that term limits are trying to
14 get at. I think as Ms. Chung said at your
15 hearing I think on the 19th of June, she's with
16 CB 3, it is a blunt instrument.

17 So for example, Section 2800 B of the
18 Charter currently says for substantial absences
19 about six months you may be removed from the
20 board. If you can standardize that and make that
21 more uniformed I think --

22 MR. PERALES: You've run out of time.

23 MR. FREELAND: So thank you all for your
24 efforts and I hope you'll take response into
25 account. Thank you.

2018 - CHARTER REVISION - 7/23/2018

1 MR. PERALES: Thank you.

2 MS. BROWN: My name is Debra Brown. No
3 relation to Ken Brown at the end of the table.

4 You want civic engagement, well, here I am.
5 I am not on the board of anything. I'm not a
6 chair, of any office. I'm a representative of
7 the Upper West Side and a concerned citizen.

8 My home and my neighborhood gets ruined with
9 the out of control development that's going on.
10 The creep of super tall by the gross misuse of
11 our zoning resolutions, the opaque ULURP process.
12 The death ears of BSA and I realize that this is
13 not the place where zoning laws -- I know it's
14 going to follow a separate approval procedure
15 elsewhere but the developers who have big money
16 get their voices heard. They get what they want.
17 How? We want a voice in the changes in our
18 neighborhoods in our homes.

19 The great sense that we the middle class are
20 no match for big money or big titles. We are
21 frustrated and angry. We don't have the answers.
22 I don't have the answers but I certainly heard a
23 couple of people here specifically MAS, Save
24 Central Park NYC, and there are others like
25 Landmark West that have common sense answers. So

2018 - CHARTER REVISION - 7/23/2018

1 I beg you that these are our neighborhoods and
2 our homes and they're being ruined. So if we
3 need changes to community boards let's do it. If
4 we need a new entity or office or resident,
5 residential engagement let's do it. But the
6 sense that we're not getting anything done is
7 very much alive and well as far as like just
8 normal people are. Thank you.

9 MR. PERALES: Thank you.

10 MR. EATON: Hi. My name is Joni Eaton. I'm
11 also not really on the board of anything. I'm
12 just a graduate student of physics whose really
13 interested in sort of the math behind voting
14 systems.

15 And I just really want to register my
16 support for the ranked choice voting system. To
17 me this is like a no brainer. Ranked choice
18 voting encourages politicians to broaden their
19 appeal away from the extremes who find the
20 primaries. It allows voters to vote for
21 third-party candidates without wasting their
22 vote.

23 And for anyone who's confused about the
24 system there are actually some really fantastic
25 five-minute explainers online in video form. And

2018 - CHARTER REVISION - 7/23/2018

1 from a voter perspective it actually is really
2 simple if you know how to rank your favorite ice
3 cream flavors you basically know how to rank who
4 your favorite candidates are on a ballot.

5 I also wanted to register my support to any
6 all proposals to make voting easier. In
7 particular I think it makes a lot of sense to
8 follow the footsteps in elections in Colorado.
9 Recently where they have a vote by mail system
10 where ballots are automatically mailed out to
11 every single eligible voters so voters can vote
12 at their own convenience at home where they have
13 all the resources and time that they need to make
14 an informed vote.

15 I don't know about you but I can spend an
16 hour researching which stupid toaster to buy. I
17 think if people can get their ballots mailed to
18 them at home you will find people actually
19 spending a lot more time researching which
20 candidates that they want to put on the ballot.

21 And lastly, I want the Commission to ask if
22 they've considered a single transferrable vote
23 system. This would be an alternative to the
24 usual redistricting process. Any timing of a
25 winner-take-all system, as we have now, you run

2018 - CHARTER REVISION - 7/23/2018

1 the risk of 49.9 percent of redistrict population
2 from being unrepresented.

3 And with -- and also winner-take-all system
4 are very susceptible to gerrymandering. Under a
5 single transferrable vote system you would have
6 to combing -- you would combine three or five
7 winner-take-all districts into one larger
8 district who is actually three to five winners
9 where the winners are determined by your ranked
10 choice voting and that would ensure a lot more
11 proportional representation and a lot fewer
12 disenfranchised voters.

13 This system has all the advantages of the
14 ranked choice voting thing but also gives
15 minorities an opinion and a voice without having
16 to rely on some Commission to draw some weirdly
17 shaped district. That would give that minority a
18 majority. I should clarify it's not some
19 actually new crazy new voting system. Elections
20 in Australia has been doing this for the last 40,
21 50 years and some places even further. That's
22 all.

23 MR. PERALES: Thank you very much.

24 (Applause.)

25 MS. SAMUELS: Good evening. My name is

2018 - CHARTER REVISION - 7/23/2018

1 Katherine Samuels. I'm a physician born and
2 raised Harlemite.

3 I just found out about this meeting by
4 reading City and State earlier today. So I just
5 want to go over a list of issues and I'll just
6 have to write a little more concretely and submit
7 it to the Commission once I have a moment to
8 really sit down and pull it together.

9 First of all, I definitely support elections
10 for community boards. This appointment thing
11 does not work. All you have are little
12 politicians supporting the bigger politicians --

13 (Applause.)

14 MS. SAMUELS: -- and it has hurt Harlem
15 terribly, terribly. My community is being pushed
16 out by real estate sitting on property not put
17 building. Moving buildings around between
18 different real estate owners. Putting black
19 faces forward at the community board to represent
20 buildings that they want to build and you don't
21 know who's really behind building the building
22 until after it gets done. Making sure the rents
23 are so high my community can't live there
24 anymore. And senior citizens are just being
25 pushed out completely and this is revenue doing

2018 - CHARTER REVISION - 7/23/2018

1 all of this. It's almost as though they want to
2 provision-ize Manhattan so everybody else will
3 have to live outside of Manhattan. And it just
4 keeps going on and on until more and more people
5 have to keep going further and further outside of
6 Manhattan.

7 I believe that real estate people can be
8 consultants on boards but they should not sit on
9 boards particularly on the land use committee
10 because once they get control of that that's it.
11 That's one thing.

12 The next thing is that the renaming of
13 streets and buildings we have one road in
14 particular that's been renaming streets and
15 buildings in Harlem and they say that they're
16 renaming it after historical black figures but
17 the community that is supposed to be responsible,
18 let's say, for that street sometimes they don't
19 even know it's being renamed because the person
20 that's getting signatures is going all over the
21 place to get these signatures.

22 I think it has to be very clear where those
23 signatures need to be coming from so that that
24 community, local community, should be involved in
25 who the street is being for and the reason for it

2018 - CHARTER REVISION - 7/23/2018

1 not just somebody picking the name and going
2 around and naming it just to be doing something.

3 The other thing is that there needs to be a
4 provision, for example, where we don't have NIMBY
5 operating for Harlem. When the sewage plant went
6 to, I believe, Board 1 they didn't want it they
7 sent it up to two, two didn't want it, they sent
8 it up to three and then finally it went to the
9 Negroes in Harlem and that's how that happened.
10 That should not be allowed to happen. Something
11 should be written so that that does not occur.
12 You don't want it in your neighborhood why you're
13 sending it to us?

14 MR. PERALES: Dr. Samuels, you're going to
15 have to --

16 DR. SAMUELS: I'll finish very quickly, I'm
17 sorry.

18 So that's something that should be written
19 at because somebody doesn't want something in
20 that neighborhood they bounce it to who they
21 think the poorer neighborhood is that can't fight
22 back and keep it from their neighborhood.

23 And the other thing is this: The community
24 of New York City should be able to create
25 referendums and vote on those referendums. It

2018 - CHARTER REVISION - 7/23/2018

1 should not have to go through the City Council.

2 (Applause.)

3 DR. SAMUELS: And that should be written in
4 galore and very clear. This business -- if we
5 want a referendum it has to go through City
6 Council. It's ridiculous. City people want a
7 referendum, for example, to recall politicians.
8 We should have a write to put that for a vote and
9 vote on it.

10 MR. PERALES: Your time is up.

11 DR. SAMUELS: Thank you very much.

12 MR. PERALES: Thank you. All right.

13 MR. FREELAND: I think I just failed to say
14 I was speaking from my personal capacity and not
15 on behalf of any community board.

16 MR. PERALES: Okay. Shelly.

17 Ms. GREENBERGER: Can I ask, excuse me, a
18 clarifying question for you two as well the other
19 CB chairs or members who are here. One of the
20 suggestion and one of the things we've talked
21 about is providing technical assistance to
22 community boards around land use issues and I'm
23 wondering if you could give us an example of
24 where that might have been useful and very
25 briefly.

2018 - CHARTER REVISION - 7/23/2018

1 MR. BROWN: Sure. Our community board just
2 completed a rather extensive rezoning, the Jerome
3 Avenue rezoning. And the department of City
4 Planning had a robust menu of facade show of
5 community engagement. On one side of the table
6 you had literally a panel of credential city
7 employees making presentations. On the other
8 side of the table are community residents that
9 did not have -- that do not have the technical
10 expertise to appreciate what kind of questions
11 should be asked.

12 So a lot of the ability to engage for
13 engagement by the community is not sufficiently
14 supported with technical expertise. If there was
15 someone sitting on the community side of the
16 table that had the education, that had the
17 expertise that was a credential planner that
18 could then inform how the community asks
19 questions.

20 MS. GREENBERGER: That's helpful. Thank
21 you.

22 (Inaudible.)

23 MS. CAMP: I'm Alida Camp. I'm chair of CB
24 8.

25 We have no (inaudible)and are trying to

2018 - CHARTER REVISION - 7/23/2018

1 either create special districts or do something
2 to stop the massive overdevelopment that's
3 occurring in its communities we feel have gone
4 too long because the developers have their urban
5 planner who work for them and we don't have the
6 ability without significant financial funds to be
7 able to engage an urban planner who could help us
8 in our quest to get some kind of pipe restriction
9 or some kind of planning for that community.

10 Furthermore, we have hired an urban planner
11 with some funds but we have a hard time finding
12 someone who wasn't conflicted because of working
13 for the builders. So we need to have not only
14 urban planners but dedicated planners for the
15 benefit of the community.

16 I just would like to address some of the
17 people who spoke. Community boards are advisory
18 only. When you feel that they don't represent
19 the community in the fight against developers
20 it's because we can't. We are only advising the
21 city and insofar as the City wants to listen to
22 us.

23 MS. GREENBERGER: Thank you very much.

24 That's helpful.

25 (Inaudible.)

2018 - CHARTER REVISION - 7/23/2018

1 MR. PERALES: Are there any questions that
2 --

3 MS. ARCHER: This is for the community board
4 folks as well. Can you respond to Dr. Samuel's
5 suggestion that community boards be elected as
6 opposed to appointed? I understand you're
7 speaking in your individual capacity but it'd be
8 helpful to hear your response to that.

9 MR. FREELAND: Sure. I'll go ahead. I
10 understand where the sentiment is coming from.
11 My concern is that if you look at a lot of
12 elections that we currently have and again
13 speaking from my personal capacity I think the
14 developers have a lot of advantages in those as
15 well and the devil is in the details.

16 How do you have elections in which you don't
17 get outgunned by those who have money? I can say
18 from my personal experience on the community
19 boards they actually tend to often be -- maybe
20 not in your experience -- but in ones I've seen
21 they often tend to be more opposed to new
22 development. Community Board 2 I felt that was
23 true and currently on CB 8.

24 And listening to some of the more
25 pro-development voices in our community they

2018 - CHARTER REVISION - 7/23/2018

1 often criticize the community board for having
2 too many voices against upzoning and development.
3 So I'm not sure that elections would result in
4 better outcomes who are -- better outcomes
5 against developers. In fact, I worry that the
6 outcomes might be a little bit worse. So
7 something you really have to study and I
8 certainly would not urge you to put that to the
9 ballot in November.

10 DR. SAMUELS: I think if one, two and three
11 you have a certain group in those community
12 boards I could see that but in some of the other
13 uptown community boards --

14 UNKNOWN SPEAKER: Like the Bronx.

15 DR. SAMUELS: -- you don't have that. And
16 that's what I'm worried about. Because I see
17 what happened to Harlem. And when you're looking
18 at plots that's just sitting there in years and
19 all of a sudden the neighborhood starts to change
20 and the next thing there's a building.

21 First of all, somebody comes to the board
22 and they're black and they're telling you about
23 this wonderful building they're going to be
24 putting up and the next thing you find out that
25 who's putting the building up really isn't a

2018 - CHARTER REVISION - 7/23/2018

1 black person and the rents are two or \$3,000 a
2 month. Well, who in Harlem is going to be able
3 to pay that? So what you're really doing is
4 pushing the people in Harlem out of Harlem.

5 MR. FREELAND: I will just, to that point,
6 add that I do think that so much of the
7 appointment process is determined by the City
8 Council person and the borough president.

9 DR. SAMUELS: I agree with that, too.

10 MR. FREELAND: I may be wrong about this. I
11 do have a lot of confidence, for example, in Gale
12 Brewer and I think she tries to appoint people
13 who have great judgment but does the City Council
14 person -- or they have the same philosophy?

15 DR. SAMUELS: As I said --

16 MR. FREELAND: And that's --

17 DR. SAMUELS: As I said, I've seen this
18 whole thing developed in Harlem and when your
19 City Council person is a real estate developer --

20 MR. PERALES: I think I've lost control of
21 this meeting here.

22 (Laughter.)

23 MR. PERALES: Are there any other questions
24 from the Commission?

25 (No response.)

2018 - CHARTER REVISION - 7/23/2018

1 MR. PERALES: If not, I will entertain a
2 motion.

3 UNKNOWN SPEAKER: Motion.

4 UNKNOWN SPEAKER: Second.

5 MR. PERALES: All those in favor?

6 (Array of "Aye".)

7 MR. PERALES: The meeting is adjourned.

8 Thank you.

9 (Whereupon, at 8:15 P.M., the above matter
10 concluded.)

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\$	<p>2013 [3] - 22:22, 78:3, 78:13</p> <p>2016 [4] - 66:23, 67:1, 79:20, 80:17</p> <p>2017 [7] - 66:8, 67:13, 67:24, 68:17, 78:3, 78:12, 80:23</p> <p>2018 [5] - 1:1, 1:6, 2:4, 76:7, 118:17</p> <p>2021 [2] - 79:8, 79:24</p> <p>20s [1] - 45:24</p> <p>23 [1] - 1:6</p> <p>24 [1] - 79:25</p> <p>24.4 [2] - 78:21, 79:15</p> <p>245 [1] - 66:13</p> <p>25 [1] - 80:19</p> <p>25,000 [2] - 36:17, 37:4</p> <p>250 [1] - 19:2</p> <p>25th [2] - 11:6, 11:10</p> <p>26th [1] - 118:17</p> <p>27th [2] - 67:12, 67:19</p> <p>2800 [1] - 103:17</p> <p>2nd [1] - 66:23</p>	8	<p>accessibility [1] - 91:19</p> <p>accessible [1] - 33:5</p> <p>acclimate [1] - 85:19</p> <p>account [3] - 16:1, 30:15, 103:25</p> <p>accountability [6] - 35:8, 76:11, 76:14, 76:17, 77:9, 88:16</p> <p>accountable [1] - 77:14</p> <p>accounted [1] - 52:21</p> <p>accused [1] - 75:22</p> <p>achieved [1] - 25:20</p> <p>achieving [1] - 43:16</p> <p>acquired [1] - 95:20</p> <p>across [5] - 13:12, 31:7, 39:4, 85:24, 94:4</p> <p>Act [1] - 54:8</p> <p>act [1] - 55:16</p> <p>acting [1] - 8:19</p> <p>Action [1] - 62:14</p> <p>action [4] - 53:5, 67:7, 67:9, 118:13</p> <p>acts [1] - 67:24</p> <p>actual [2] - 22:18, 81:13</p> <p>actually [30] - 16:7, 19:17, 24:8, 27:15, 28:25, 29:4, 29:16, 35:6, 36:5, 63:24, 69:8, 69:9, 69:12, 70:18, 70:24, 71:11, 71:12, 72:6, 72:11, 78:11, 78:19, 81:14, 88:18, 101:19, 105:24, 106:1, 106:18, 107:8, 107:19, 114:19</p> <p>acutely [1] - 63:25</p> <p>ADAM [1] - 62:7</p> <p>Adam [2] - 62:7, 68:23</p> <p>add [7] - 26:8, 27:14, 35:3, 54:5, 56:11, 91:14, 116:6</p> <p>added [1] - 96:25</p> <p>addition [5] - 7:22, 28:10, 42:4, 75:20, 75:21</p> <p>additional [6] - 7:22, 26:23, 38:16, 85:25, 94:23, 94:24</p> <p>additions [1] - 59:20</p> <p>address [11] - 31:13, 33:10, 33:25, 59:7, 71:18, 73:25, 76:10, 76:11, 94:20, 99:3, 113:16</p> <p>addressed [3] - 43:5, 70:17, 96:4</p> <p>addressing [7] - 12:15, 32:23, 33:6, 33:17, 42:1, 77:8, 84:11</p> <p>adhere [1] - 14:13</p> <p>adjourned [1] - 117:7</p> <p>adjudicators [1] - 88:5</p> <p>administration [1] - 66:18</p> <p>admit [1] - 62:16</p> <p>adopting [1] - 55:10</p> <p>adoption [1] - 40:21</p>
1	<p>1 [1] - 110:6</p> <p>1,000 [2] - 18:17, 19:6</p> <p>10 [3] - 35:17, 54:14, 103:6</p> <p>100 [3] - 19:3, 19:13, 41:2</p> <p>10012 [1] - 1:5</p> <p>1063 [1] - 65:16</p> <p>11 [1] - 98:25</p> <p>11th [3] - 11:2, 11:9, 11:11</p> <p>12 [2] - 54:18, 80:21</p> <p>12-year [1] - 57:3</p> <p>125 [1] - 41:7</p> <p>125,000 [1] - 36:15</p> <p>13 [1] - 4:12</p> <p>14 [1] - 80:16</p> <p>14th [1] - 101:12</p> <p>15 [3] - 54:19, 66:19, 66:22</p> <p>16th [1] - 67:1</p> <p>175 [1] - 19:13</p> <p>17th [1] - 102:1</p> <p>18 [3] - 32:4, 38:7, 66:13</p> <p>1897 [1] - 40:22</p> <p>18th [2] - 65:15, 65:21</p> <p>19 [1] - 7:11</p> <p>1970s [1] - 92:22</p> <p>1980s [1] - 15:10</p> <p>1989 [1] - 28:13</p> <p>19th [1] - 103:15</p>	9	<p>9 [1] - 89:19</p> <p>90-page [1] - 64:3</p> <p>95-58 [1] - 69:6</p> <p>95.18 [1] - 69:13</p> <p>95/18 [1] - 72:18</p> <p>96th [1] - 101:14</p> <p>9th [1] - 76:5</p>
2	<p>2 [10] - 26:19, 95:5, 95:8, 95:11, 95:13, 95:16, 96:14, 100:25, 101:11, 114:22</p> <p>2,000 [2] - 18:16, 19:6</p> <p>20 [3] - 95:15, 95:20, 103:6</p> <p>2001 [1] - 11:2</p> <p>2012 [2] - 64:8, 64:15</p>	A	<p>abandoned [1] - 53:13</p> <p>abbreviate [1] - 44:23</p> <p>ability [5] - 14:4, 43:9, 63:20, 112:12, 113:6</p> <p>able [8] - 15:3, 75:5, 80:11, 91:22, 102:20, 110:24, 113:7, 116:2</p> <p>about [68] - 10:17, 12:4, 15:5, 18:5, 18:7, 18:23, 23:1, 23:14, 24:2, 24:11, 27:9, 28:13, 29:8, 39:3, 43:24, 44:1, 44:14, 45:10, 48:11, 49:2, 50:2, 50:5, 51:9, 51:15, 52:15, 53:4, 54:5, 57:9, 57:21, 57:25, 58:8, 59:4, 61:10, 61:22, 63:11, 64:4, 65:1, 66:17, 66:25, 69:18, 70:15, 73:1, 73:4, 74:11, 75:4, 79:12, 85:4, 86:3, 86:20, 87:3, 87:12, 88:14, 91:18, 95:22, 95:23, 96:15, 99:8, 101:23, 102:9, 103:19, 105:23, 106:15, 108:3, 111:21, 115:16, 115:22, 116:10</p> <p>above [2] - 19:13, 117:9</p> <p>absence [1] - 42:6</p> <p>absences [1] - 103:18</p> <p>absentee [2] - 11:17, 20:23</p> <p>absolutely [5] - 10:24, 28:6, 66:24, 70:8, 93:8</p> <p>abuse [1] - 84:8</p> <p>abuses [1] - 83:22</p> <p>abysmal [3] - 21:12, 63:7, 64:4</p> <p>academic [1] - 93:23</p> <p>Academy [1] - 48:21</p> <p>access [8] - 15:7, 32:20, 35:2, 58:20, 70:22, 72:3, 91:16, 99:20</p>
3	<p>3 [2] - 90:15, 103:16</p> <p>30 [3] - 23:1, 27:2, 78:20</p> <p>311 [1] - 74:25</p> <p>32BJ [1] - 4:11</p> <p>3New [1] - 17:16</p>	8	<p>abandon [1] - 53:13</p> <p>abbreviate [1] - 44:23</p> <p>ability [5] - 14:4, 43:9, 63:20, 112:12, 113:6</p> <p>able [8] - 15:3, 75:5, 80:11, 91:22, 102:20, 110:24, 113:7, 116:2</p> <p>about [68] - 10:17, 12:4, 15:5, 18:5, 18:7, 18:23, 23:1, 23:14, 24:2, 24:11, 27:9, 28:13, 29:8, 39:3, 43:24, 44:1, 44:14, 45:10, 48:11, 49:2, 50:2, 50:5, 51:9, 51:15, 52:15, 53:4, 54:5, 57:9, 57:21, 57:25, 58:8, 59:4, 61:10, 61:22, 63:11, 64:4, 65:1, 66:17, 66:25, 69:18, 70:15, 73:1, 73:4, 74:11, 75:4, 79:12, 85:4, 86:3, 86:20, 87:3, 87:12, 88:14, 91:18, 95:22, 95:23, 96:15, 99:8, 101:23, 102:9, 103:19, 105:23, 106:15, 108:3, 111:21, 115:16, 115:22, 116:10</p> <p>above [2] - 19:13, 117:9</p> <p>absence [1] - 42:6</p> <p>absences [1] - 103:18</p> <p>absentee [2] - 11:17, 20:23</p> <p>absolutely [5] - 10:24, 28:6, 66:24, 70:8, 93:8</p> <p>abuse [1] - 84:8</p> <p>abuses [1] - 83:22</p> <p>abysmal [3] - 21:12, 63:7, 64:4</p> <p>academic [1] - 93:23</p> <p>Academy [1] - 48:21</p> <p>access [8] - 15:7, 32:20, 35:2, 58:20, 70:22, 72:3, 91:16, 99:20</p>
4	<p>4 [1] - 23:9</p> <p>40 [9] - 1:4, 11:8, 78:13, 78:14, 78:16, 78:17, 78:18, 82:10, 107:20</p> <p>40,000 [1] - 70:20</p> <p>45-year-old [1] - 92:8</p> <p>49.9 [1] - 107:1</p>	9	<p>9 [1] - 89:19</p> <p>90-page [1] - 64:3</p> <p>95-58 [1] - 69:6</p> <p>95.18 [1] - 69:13</p> <p>95/18 [1] - 72:18</p> <p>96th [1] - 101:14</p> <p>9th [1] - 76:5</p>
5	<p>5 [1] - 99:2</p> <p>50 [5] - 78:15, 93:15, 95:14, 102:24, 107:21</p> <p>55 [1] - 22:23</p> <p>59 [1] - 41:21</p> <p>59th [1] - 101:14</p>	A	<p>abandoned [1] - 53:13</p> <p>abbreviate [1] - 44:23</p> <p>ability [5] - 14:4, 43:9, 63:20, 112:12, 113:6</p> <p>able [8] - 15:3, 75:5, 80:11, 91:22, 102:20, 110:24, 113:7, 116:2</p> <p>about [68] - 10:17, 12:4, 15:5, 18:5, 18:7, 18:23, 23:1, 23:14, 24:2, 24:11, 27:9, 28:13, 29:8, 39:3, 43:24, 44:1, 44:14, 45:10, 48:11, 49:2, 50:2, 50:5, 51:9, 51:15, 52:15, 53:4, 54:5, 57:9, 57:21, 57:25, 58:8, 59:4, 61:10, 61:22, 63:11, 64:4, 65:1, 66:17, 66:25, 69:18, 70:15, 73:1, 73:4, 74:11, 75:4, 79:12, 85:4, 86:3, 86:20, 87:3, 87:12, 88:14, 91:18, 95:22, 95:23, 96:15, 99:8, 101:23, 102:9, 103:19, 105:23, 106:15, 108:3, 111:21, 115:16, 115:22, 116:10</p> <p>above [2] - 19:13, 117:9</p> <p>absence [1] - 42:6</p> <p>absences [1] - 103:18</p> <p>absentee [2] - 11:17, 20:23</p> <p>absolutely [5] - 10:24, 28:6, 66:24, 70:8, 93:8</p> <p>abuse [1] - 84:8</p> <p>abuses [1] - 83:22</p> <p>abysmal [3] - 21:12, 63:7, 64:4</p> <p>academic [1] - 93:23</p> <p>Academy [1] - 48:21</p> <p>access [8] - 15:7, 32:20, 35:2, 58:20, 70:22, 72:3, 91:16, 99:20</p>
6	<p>6 [1] - 68:25</p> <p>68 [1] - 69:5</p> <p>6:00 [1] - 1:6</p>	8	<p>accessibility [1] - 91:19</p> <p>accessible [1] - 33:5</p> <p>acclimate [1] - 85:19</p> <p>account [3] - 16:1, 30:15, 103:25</p> <p>accountability [6] - 35:8, 76:11, 76:14, 76:17, 77:9, 88:16</p> <p>accountable [1] - 77:14</p> <p>accounted [1] - 52:21</p> <p>accused [1] - 75:22</p> <p>achieved [1] - 25:20</p> <p>achieving [1] - 43:16</p> <p>acquired [1] - 95:20</p> <p>across [5] - 13:12, 31:7, 39:4, 85:24, 94:4</p> <p>Act [1] - 54:8</p> <p>act [1] - 55:16</p> <p>acting [1] - 8:19</p> <p>Action [1] - 62:14</p> <p>action [4] - 53:5, 67:7, 67:9, 118:13</p> <p>acts [1] - 67:24</p> <p>actual [2] - 22:18, 81:13</p> <p>actually [30] - 16:7, 19:17, 24:8, 27:15, 28:25, 29:4, 29:16, 35:6, 36:5, 63:24, 69:8, 69:9, 69:12, 70:18, 70:24, 71:11, 71:12, 72:6, 72:11, 78:11, 78:19, 81:14, 88:18, 101:19, 105:24, 106:1, 106:18, 107:8, 107:19, 114:19</p> <p>acutely [1] - 63:25</p> <p>ADAM [1] - 62:7</p> <p>Adam [2] - 62:7, 68:23</p> <p>add [7] - 26:8, 27:14, 35:3, 54:5, 56:11, 91:14, 116:6</p> <p>added [1] - 96:25</p> <p>addition [5] - 7:22, 28:10, 42:4, 75:20, 75:21</p> <p>additional [6] - 7:22, 26:23, 38:16, 85:25, 94:23, 94:24</p> <p>additions [1] - 59:20</p> <p>address [11] - 31:13, 33:10, 33:25, 59:7, 71:18, 73:25, 76:10, 76:11, 94:20, 99:3, 113:16</p> <p>addressed [3] - 43:5, 70:17, 96:4</p> <p>addressing [7] - 12:15, 32:23, 33:6, 33:17, 42:1, 77:8, 84:11</p> <p>adhere [1] - 14:13</p> <p>adjourned [1] - 117:7</p> <p>adjudicators [1] - 88:5</p> <p>administration [1] - 66:18</p> <p>admit [1] - 62:16</p> <p>adopting [1] - 55:10</p> <p>adoption [1] - 40:21</p>
7	<p>7 [2] - 72:25, 84:10</p>	9	<p>9 [1] - 89:19</p> <p>90-page [1] - 64:3</p> <p>95-58 [1] - 69:6</p> <p>95.18 [1] - 69:13</p> <p>95/18 [1] - 72:18</p> <p>96th [1] - 101:14</p> <p>9th [1] - 76:5</p>

<p>ads [1] - 54:22 advance [1] - 73:1 advantage [1] - 55:12 advantages [2] - 107:13, 114:14 advising [1] - 113:20 advisor [1] - 12:3 advisory [4] - 26:17, 56:19, 99:18, 113:17 Advisory [2] - 69:6, 69:13 advocacy [2] - 62:25, 63:2 advocate [3] - 10:10, 25:7, 43:10 Advocate's [2] - 37:1, 42:1 advocate's [2] - 25:10, 41:20 advocates [1] - 41:9 advocating [3] - 40:22, 44:5, 82:24 Affairs [1] - 4:15 affairs [1] - 52:9 affected [1] - 53:11 affiliates [1] - 101:2 after [9] - 26:12, 40:15, 57:5, 65:17, 92:21, 97:1, 99:24, 108:22, 109:16 again [24] - 3:9, 17:17, 18:4, 20:23, 30:10, 35:23, 46:2, 67:23, 69:19, 70:9, 70:16, 71:4, 71:6, 71:10, 71:16, 71:20, 72:8, 72:17, 72:19, 73:21, 77:3, 82:15, 103:8, 114:12 against [14] - 34:21, 35:10, 63:11, 63:21, 65:3, 65:11, 65:13, 67:14, 76:18, 77:7, 79:3, 113:19, 115:2, 115:5 age [2] - 39:19, 54:24 agencies [7] - 56:20, 62:25, 63:24, 63:25, 64:12, 64:22, 92:19 agency [7] - 40:6, 41:16, 63:21, 65:13, 93:9, 94:11, 95:22 agency's [1] - 41:14 agenda [2] - 58:20, 59:21 agent [1] - 63:21 ago [3] - 41:2, 93:15, 95:20 agonizing [2] - 11:11, 11:12 agree [6] - 23:23, 51:11, 86:2, 91:7, 94:19, 116:9 agreement [1] - 7:20 agreements [1] - 95:24 agrees [1] - 41:24 ahead [2] - 44:17, 114:9 Albany [3] - 8:17, 12:3, 26:9 Alex [1] - 28:12 Alexis [2] - 6:7, 12:2</p>	<p>Alida [3] - 30:25, 37:9, 112:23 align [1] - 91:25 alike [1] - 27:19 Alison [1] - 48:4 alive [1] - 105:7 all [90] - 3:14, 7:3, 7:19, 8:10, 10:11, 10:13, 11:3, 11:18, 13:12, 14:19, 14:20, 15:2, 15:6, 15:24, 17:10, 17:21, 21:23, 22:2, 23:22, 32:7, 32:14, 32:16, 32:18, 33:2, 33:8, 35:11, 35:12, 35:23, 36:24, 37:5, 41:19, 42:25, 46:21, 47:18, 49:4, 49:17, 53:15, 56:15, 57:16, 60:6, 60:10, 60:20, 60:24, 62:24, 63:24, 64:10, 64:13, 66:2, 67:21, 68:9, 68:19, 69:13, 69:16, 69:18, 69:20, 70:8, 73:23, 74:13, 79:16, 80:12, 83:21, 84:18, 85:2, 85:8, 85:10, 86:6, 86:18, 89:12, 90:6, 97:13, 98:13, 101:4, 101:16, 102:7, 103:23, 106:6, 106:13, 106:25, 107:3, 107:7, 107:13, 107:22, 108:9, 108:11, 109:1, 109:20, 111:12, 115:19, 115:21, 117:5 alliances [1] - 27:8 Allison [1] - 53:23 allow [10] - 15:12, 30:6, 37:17, 40:8, 55:7, 55:17, 69:7, 82:21, 91:13, 97:3 allowed [5] - 14:1, 57:4, 71:23, 72:16, 110:10 allowing [4] - 42:4, 62:12, 76:22, 81:19 allows [1] - 105:20 almost [2] - 27:2, 109:1 alone [1] - 9:22 along [3] - 9:11, 68:3, 70:10 already [10] - 26:18, 26:21, 38:2, 45:22, 62:21, 77:21, 77:24, 82:14, 82:18, 86:8 also [35] - 4:12, 8:6, 8:14, 12:15, 21:6, 25:13, 26:9, 28:2, 33:7, 35:9, 42:19, 45:9, 49:24, 50:10, 50:15, 50:18, 52:13, 52:16, 53:13, 58:11, 66:13, 67:10, 80:7, 81:24, 82:13, 86:3, 87:15, 87:25, 90:23, 91:11, 102:23, 105:11, 106:5, 107:3, 107:14 alternative [1] - 106:23 although [3] - 56:3, 56:18, 103:10 alumni [1] - 93:24</p>	<p>always [5] - 26:12, 45:18, 47:1, 49:8, 49:10 am [16] - 2:12, 10:16, 68:24, 68:25, 74:17, 75:12, 80:7, 87:10, 98:10, 98:24, 103:4, 104:4, 104:5, 118:12, 118:14 amazing [1] - 6:13 amend [1] - 33:1 amendment [6] - 66:14, 75:14, 75:17, 75:22, 76:6, 77:11 American [2] - 2:12, 81:6 among [2] - 73:6, 80:25 amount [7] - 10:15, 11:10, 17:8, 25:9, 43:17, 54:12, 71:23 amounts [1] - 18:8 analysis [3] - 46:7, 76:6, 76:12 ancient [1] - 54:13 Andrea [2] - 89:15, 92:4 anecdotally [1] - 99:6 Angela [2] - 75:7, 75:12 angry [1] - 104:21 Annetta [1] - 2:20 ANNETTA [1] - 1:20 annually [2] - 42:16, 93:5 another [11] - 8:16, 19:12, 21:10, 21:11, 23:1, 24:11, 40:6, 41:16, 83:20, 91:14, 96:2 answer [3] - 9:15, 24:22, 45:14 answered [1] - 68:20 answers [4] - 9:15, 104:21, 104:22, 104:25 anti [1] - 79:2 anti-democratic [1] - 79:2 anticorruption [1] - 80:6 any [34] - 13:20, 18:7, 19:11, 19:14, 20:3, 21:13, 24:10, 29:1, 29:21, 31:6, 39:16, 51:23, 55:1, 61:24, 63:8, 63:21, 68:3, 74:2, 74:3, 74:24, 78:25, 85:5, 88:24, 89:24, 90:5, 100:8, 104:6, 106:5, 106:24, 111:15, 114:1, 116:23, 118:12 anybody [1] - 17:25 anymore [3] - 8:8, 100:22, 108:24 anyone [4] - 46:15, 52:6, 61:13, 105:23 anything [5] - 97:21, 97:23, 104:5, 105:6, 105:11 anyway [1] - 30:6 apart [4] - 45:8, 65:4, 71:2, 87:16 apathy [1] - 81:3 apologies [2] - 2:19, 2:20</p>	<p>apologize [2] - 25:5, 26:1 appeal [1] - 105:19 appear [2] - 55:17, 81:6 appearance [7] - 18:11, 18:15, 23:5, 23:15, 23:24, 73:23, 74:5 appears [1] - 70:2 applause [14] - 10:20, 17:19, 17:20, 30:23, 40:17, 62:4, 65:7, 77:16, 83:10, 84:22, 89:13, 107:24, 108:13, 111:2 applicants [1] - 12:22 application [2] - 41:25, 90:22 applications [3] - 9:3, 39:16, 57:11 applied [1] - 90:21 applies [1] - 28:25 apply [3] - 57:5, 85:24, 86:6 applying [1] - 90:20 appoint [3] - 8:24, 96:18, 116:12 appointed [9] - 34:10, 38:9, 51:22, 66:2, 68:9, 75:18, 88:23, 94:2, 114:6 appointing [1] - 97:4 appointment [5] - 9:5, 52:5, 57:7, 108:10, 116:7 appointments [4] - 9:1, 38:10, 42:9, 57:8 appreciate [4] - 14:19, 46:12, 76:4, 112:10 approach [2] - 51:25, 94:10 approval [1] - 104:14 approvals [1] - 39:11 approve [1] - 14:21 approved [1] - 53:12 approximately [2] - 38:7, 38:9 arcane [1] - 8:12 Archer [1] - 2:17 ARCHER [4] - 1:15, 2:16, 57:19, 114:3 architectural [1] - 92:10 architecture [1] - 40:4 are [162] - 2:8, 4:19, 5:3, 5:25, 6:11, 7:19, 9:23, 11:21, 12:11, 12:16, 13:4, 13:5, 13:11, 13:15, 13:17, 13:23, 14:25, 15:4, 15:17, 16:20, 16:22, 17:10, 17:11, 18:2, 18:3, 19:14, 19:16, 19:18, 20:14, 20:16, 21:1, 21:2, 21:4, 21:10, 21:19, 21:20, 22:2, 22:3, 23:17, 23:23, 24:7, 26:6, 29:12, 30:1, 30:4, 30:5, 32:1, 32:3, 32:13, 35:7, 35:12, 36:2, 39:3, 39:18, 39:21, 39:24, 41:10, 41:12,</p>
--	--	---	--

<p>41:21, 43:18, 45:6, 45:12, 45:18, 45:19, 45:20, 46:9, 46:17, 46:19, 48:25, 51:16, 52:15, 53:12, 55:15, 56:1, 56:18, 58:4, 58:13, 58:14, 60:11, 60:15, 60:17, 60:18, 61:16, 61:19, 64:13, 64:20, 66:2, 66:18, 67:25, 70:6, 70:11, 70:18, 72:5, 72:25, 73:10, 73:24, 74:1, 74:6, 74:18, 75:4, 75:22, 76:8, 76:15, 77:1, 80:23, 82:3, 82:15, 83:1, 83:2, 83:14, 83:18, 83:24, 84:1, 84:6, 84:12, 84:16, 84:17, 86:23, 86:25, 87:4, 88:6, 88:15, 89:1, 90:4, 91:2, 92:12, 93:14, 94:5, 96:9, 96:18, 97:10, 100:10, 101:5, 101:7, 102:5, 103:11, 103:13, 104:19, 104:20, 104:24, 105:1, 105:8, 105:24, 106:4, 106:10, 107:4, 107:9, 108:11, 108:23, 108:24, 111:19, 112:8, 112:25, 113:17, 113:20, 114:1, 115:4, 116:1, 116:23 area [5] - 43:4, 53:8, 53:11, 53:18, 101:8 areas [4] - 12:5, 12:11, 37:23, 61:4 aren't [3] - 21:7, 22:1, 87:6 argue [1] - 23:6 argument [2] - 20:19, 24:2 arguments [1] - 77:22 Arizona [1] - 12:19 arm [1] - 47:12 around [16] - 5:17, 16:16, 19:7, 19:19, 19:23, 21:9, 55:18, 70:15, 84:16, 96:13, 102:5, 103:6, 108:17, 110:2, 111:22 Array [1] - 117:6 Art [1] - 40:19 articles [1] - 64:11 articulating [1] - 91:1 arts [1] - 96:8 Arts [1] - 48:22 as [132] - 2:4, 2:6, 3:15, 3:17, 3:19, 3:22, 3:23, 4:1, 5:13, 5:14, 5:22, 6:8, 7:5, 8:7, 8:18, 8:23, 8:25, 9:10, 11:2, 12:13, 12:20, 13:10, 13:14, 13:15, 15:8, 15:12, 16:2, 16:3, 18:20, 19:8, 21:3, 22:8, 22:11, 23:4, 23:19, 25:1, 25:2, 26:16, 26:20, 27:5, 27:9, 28:17, 29:25, 31:6, 32:18, 39:2, 39:16, 40:9, 41:4, 41:13, 43:17,</p>	<p>44:2, 45:5, 50:14, 51:15, 52:11, 53:2, 53:3, 56:20, 58:5, 58:21, 60:9, 61:13, 64:19, 64:25, 65:12, 68:3, 68:16, 68:17, 72:5, 73:21, 74:1, 77:2, 78:6, 79:15, 80:14, 81:2, 83:8, 85:17, 86:17, 88:19, 89:4, 90:7, 90:10, 90:15, 90:18, 91:17, 93:8, 93:14, 94:3, 94:25, 95:25, 97:8, 97:9, 98:6, 99:1, 99:13, 99:25, 100:20, 101:24, 102:15, 102:16, 102:20, 102:21, 103:14, 105:7, 106:25, 109:1, 111:18, 113:21, 114:4, 114:5, 114:14, 116:15, 116:17 as-of-right [1] - 39:2 ask [10] - 2:14, 17:23, 40:11, 43:22, 74:16, 74:22, 98:9, 106:21, 111:17 asked [2] - 6:3, 112:11 asking [4] - 2:7, 19:22, 71:20, 72:6 asks [1] - 112:18 Aspen [1] - 48:17 assault [5] - 62:24, 63:8, 63:20, 64:5, 64:21 assemble [1] - 41:18 assess [1] - 39:25 assessment [1] - 38:25 assistance [5] - 8:15, 28:10, 94:20, 99:20, 111:21 assume [1] - 91:4 assured [1] - 52:20 astounding [1] - 49:14 at [82] - 2:12, 2:18, 2:24, 2:25, 3:11, 4:18, 4:24, 5:5, 6:2, 6:4, 11:18, 12:18, 17:3, 18:3, 19:15, 19:17, 20:11, 20:12, 22:24, 27:24, 28:7, 28:24, 29:25, 31:20, 34:7, 38:19, 40:10, 43:20, 46:3, 46:4, 46:12, 46:18, 46:22, 56:2, 56:21, 58:2, 58:14, 60:6, 65:10, 67:11, 67:20, 68:8, 68:15, 68:16, 70:16, 71:16, 72:16, 72:19, 74:7, 74:8, 74:13, 83:1, 83:2, 83:13, 83:22, 83:25, 86:18, 88:8, 90:5, 91:17, 99:4, 99:6, 99:11, 99:12, 99:21, 100:5, 100:11, 102:13, 102:14, 103:13, 103:14, 104:3, 106:12, 106:18, 108:19, 110:19, 114:11, 115:18, 117:9 Atria [1] - 66:24 Atria's [1] - 67:6</p>	<p>attempt [2] - 5:7, 39:5 attend [2] - 42:16, 66:10 attendants [1] - 9:4 attention [5] - 21:7, 37:14, 83:16, 84:14, 97:13 attorney [2] - 3:19, 67:13 attraction [1] - 93:12 attracts [1] - 39:21 attribute [1] - 23:4 attrition [2] - 38:5, 38:11 audi [1] - 12:21 August [4] - 37:19, 102:7, 102:11, 102:15 Australia [2] - 48:19, 107:20 authority [7] - 45:11, 46:8, 52:24, 76:23, 87:16, 87:21, 87:23 automatic [3] - 8:13, 9:2, 9:4 automatically [1] - 106:10 avail [1] - 67:3 availability [1] - 43:12 available [4] - 15:12, 73:18, 97:10, 100:5 Avenue [1] - 112:3 average [3] - 13:10, 63:14, 80:14 avoiding [1] - 23:7 avoids [1] - 81:24 aware [2] - 47:7, 72:9 awareness [1] - 42:20 away [9] - 42:10, 45:25, 47:1, 59:17, 89:23, 90:5, 90:7, 98:6, 105:19 Aye [1] - 117:6</p>	<p>barriers [3] - 33:6, 33:11, 42:24 base [1] - 24:5 based [6] - 8:7, 38:3, 38:23, 57:15, 91:2, 94:14 basically [9] - 35:17, 64:14, 67:15, 70:5, 71:1, 71:16, 88:9, 101:12, 106:3 basis [3] - 53:14, 65:14, 85:6 be [147] - 4:9, 5:11, 6:3, 8:18, 9:25, 13:5, 13:14, 13:19, 14:7, 14:12, 15:13, 18:6, 19:2, 19:7, 22:14, 22:16, 22:21, 24:5, 24:18, 24:23, 25:2, 25:17, 25:18, 25:20, 26:5, 26:22, 28:8, 28:9, 30:17, 34:3, 36:12, 38:13, 39:10, 41:19, 41:22, 42:7, 42:11, 42:12, 42:15, 43:8, 44:10, 46:2, 46:4, 47:6, 48:12, 48:15, 49:1, 49:9, 49:23, 50:6, 50:13, 52:3, 52:8, 52:22, 53:5, 53:10, 53:13, 54:8, 56:3, 57:15, 60:11, 61:2, 61:9, 65:4, 65:18, 67:5, 70:3, 70:17, 71:24, 71:25, 72:1, 72:4, 72:6, 72:9, 72:10, 72:16, 72:18, 74:13, 75:5, 78:7, 78:11, 79:11, 80:11, 81:6, 81:20, 82:4, 82:11, 83:3, 83:6, 84:16, 85:1, 86:12, 86:17, 88:15, 88:17, 88:18, 90:8, 90:10, 90:12, 91:22, 92:7, 93:16, 94:1, 94:18, 95:9, 97:9, 98:1, 99:10, 99:17, 99:19, 100:3, 100:5, 100:9, 102:14, 102:17, 102:20, 102:21, 102:22, 102:23, 103:10, 103:19, 106:23, 109:7, 109:17, 109:22, 109:23, 109:24, 110:2, 110:3, 110:10, 110:11, 110:18, 110:24, 111:3, 112:11, 113:6, 114:5, 114:7, 114:19, 114:21, 115:6, 115:23, 116:2, 116:10 because [53] - 11:1, 11:12, 11:18, 15:15, 15:19, 19:14, 20:20, 21:6, 24:6, 24:14, 25:13, 25:14, 27:10, 32:3, 34:21, 34:24, 35:5, 35:11, 35:16, 36:3, 36:6, 36:10, 36:20, 42:9, 45:2, 45:18, 47:10, 48:13, 48:15, 49:21, 60:11, 60:20, 61:4, 61:12, 62:20, 66:24, 71:2, 77:12, 79:8, 79:24, 82:25, 84:5, 84:8, 90:17, 101:17, 102:12,</p>	
		<p>B</p>		
		<p>B [1] - 103:17 baby [1] - 85:17 babysitter [1] - 82:17 back [5] - 19:1, 69:3, 87:12, 87:25, 110:22 background [1] - 93:18 backwards [1] - 19:2 bad [7] - 21:13, 60:16, 60:17, 60:18, 61:14, 72:17, 74:5 badly [2] - 21:4, 51:12 bait [1] - 67:5 bait-and-switch [1] - 67:5 balance [2] - 42:10, 92:24 ballot [9] - 7:6, 7:13, 32:13, 37:17, 44:8, 55:1, 106:4, 106:20, 115:9 ballots [5] - 11:18, 20:24, 80:17, 106:10, 106:17 band [1] - 13:20 Banks [1] - 66:19</p>		

<p>109:10, 109:19, 110:19, 113:4, 113:12, 113:20, 115:16 become [1] - 69:18 becomes [3] - 12:23, 16:18, 87:20 becoming [1] - 96:2 been [43] - 5:8, 17:16, 20:20, 26:1, 26:3, 26:4, 26:10, 26:11, 28:14, 28:22, 30:8, 32:24, 41:16, 43:10, 44:13, 48:18, 55:23, 56:12, 62:16, 63:3, 64:21, 71:7, 73:2, 78:5, 79:21, 85:13, 91:13, 92:24, 93:23, 96:12, 98:14, 99:5, 99:8, 99:21, 100:16, 101:21, 102:16, 102:20, 103:5, 103:6, 107:20, 109:14, 111:24 before [13] - 4:1, 5:11, 10:10, 13:3, 14:19, 22:13, 23:17, 35:19, 35:20, 43:22, 73:22, 79:23, 91:20 beg [1] - 105:1 begin [5] - 2:6, 6:8, 10:5, 48:8, 98:19 beginning [1] - 71:9 behalf [6] - 31:10, 40:19, 46:5, 53:25, 92:5, 111:15 behind [8] - 8:3, 9:17, 54:9, 56:16, 66:6, 67:23, 105:13, 108:21 being [24] - 11:25, 12:8, 12:20, 29:25, 30:2, 36:1, 38:13, 66:19, 67:7, 71:2, 72:12, 74:12, 84:12, 87:10, 89:20, 90:2, 94:5, 100:1, 105:2, 107:2, 108:15, 108:24, 109:19, 109:25 believe [22] - 15:6, 22:22, 32:20, 35:6, 39:9, 41:9, 43:12, 48:15, 49:1, 59:25, 69:5, 77:9, 81:14, 82:25, 88:21, 89:3, 89:9, 93:15, 94:17, 109:7, 110:6 below [2] - 63:14, 80:14 Ben [4] - 6:5, 36:15, 84:13, 91:7 Ben's [1] - 26:24 benefit [6] - 24:12, 32:7, 85:5, 85:25, 99:17, 113:15 benefits [4] - 39:13, 85:24, 93:4, 96:11 Berkley [1] - 48:17 best [8] - 12:20, 15:2, 16:10, 41:9, 48:23, 83:4, 97:2, 103:4 Betsy [4] - 6:6, 10:8, 20:6, 27:7 better [9] - 14:12, 18:22,</p>	<p>29:16, 63:3, 74:19, 88:2, 91:1, 115:4 betterment [1] - 41:8 between [10] - 8:17, 11:10, 13:8, 20:21, 36:22, 42:2, 70:4, 81:1, 101:12, 108:17 beyond [3] - 24:4, 24:17, 82:13 bid [1] - 59:14 big [15] - 7:14, 8:8, 16:13, 17:5, 18:1, 19:5, 19:11, 19:14, 19:17, 19:18, 26:3, 28:6, 104:15, 104:20 bigger [1] - 108:12 billion [1] - 32:4 Billy [2] - 98:17, 100:24 binding [4] - 7:18, 9:10, 22:18, 73:5 bit [7] - 29:8, 62:19, 77:25, 88:2, 88:14, 89:19, 115:6 black [4] - 108:18, 109:16, 115:22, 116:1 block [1] - 83:19 blood [1] - 118:13 blower [2] - 66:9, 66:25 blowers [1] - 68:14 blowing [1] - 68:15 blunt [1] - 103:16 board [96] - 7:16, 8:20, 8:21, 9:12, 10:1, 10:23, 21:17, 27:4, 32:10, 34:5, 34:21, 35:5, 35:10, 37:11, 37:19, 37:22, 38:3, 38:8, 38:13, 38:19, 40:16, 42:3, 42:11, 42:15, 43:14, 44:2, 49:15, 51:16, 52:5, 52:11, 55:24, 56:1, 56:2, 56:6, 56:12, 56:13, 57:5, 57:8, 58:4, 58:9, 58:12, 58:21, 59:18, 59:19, 60:11, 61:9, 61:21, 64:12, 69:11, 71:10, 71:12, 75:13, 75:15, 75:18, 75:19, 75:20, 75:21, 76:7, 85:24, 87:20, 88:14, 88:25, 90:10, 90:20, 90:22, 91:5, 91:9, 91:15, 91:21, 91:22, 95:11, 95:12, 95:19, 96:5, 96:17, 96:22, 97:5, 97:8, 99:6, 99:11, 99:15, 99:21, 99:22, 100:12, 102:6, 102:18, 103:20, 104:5, 105:11, 108:19, 111:15, 112:1, 114:3, 115:1, 115:21 Board [21] - 4:12, 35:16, 37:10, 52:10, 63:1, 68:25, 72:25, 76:20, 84:10, 89:18, 90:15, 95:5, 95:8, 95:11, 98:25, 99:2, 100:25, 101:11, 110:6, 114:22 board's [1] - 33:19</p>	<p>boards [66] - 7:18, 9:16, 21:22, 22:6, 22:17, 33:18, 34:2, 35:22, 37:23, 38:17, 38:21, 39:7, 39:15, 39:23, 40:9, 41:21, 42:19, 43:1, 47:10, 47:15, 51:6, 51:10, 51:12, 51:17, 51:21, 51:22, 52:1, 52:14, 52:17, 52:23, 52:25, 56:16, 56:18, 57:23, 58:2, 71:14, 72:17, 73:5, 73:18, 91:17, 94:18, 94:23, 94:24, 96:24, 96:25, 99:5, 99:6, 99:18, 101:8, 102:3, 102:7, 102:10, 102:20, 103:1, 103:5, 103:9, 105:3, 108:10, 109:8, 109:9, 111:22, 113:17, 114:5, 114:19, 115:12, 115:13 body [2] - 63:19, 92:14 boom [1] - 92:24 booth [2] - 82:19, 86:5 born [1] - 108:1 Borough [2] - 4:2, 57:13 borough [8] - 5:16, 7:19, 38:21, 56:3, 57:10, 70:24, 85:11, 116:8 boroughs [2] - 19:24, 57:16 Boston [1] - 98:6 both [4] - 12:20, 37:3, 87:5, 98:24 bottom [2] - 45:17, 80:16 bought [1] - 100:8 bounce [1] - 110:20 boundaries [2] - 9:22, 9:23 Bowery [1] - 101:13 BRAGG [1] - 1:17 bRAGG [1] - 4:10 Bragg [1] - 4:10 brainer [1] - 105:17 break [1] - 82:16 Breen [1] - 92:6 Brennan [1] - 2:24 Brewer [4] - 57:14, 70:20, 84:13, 116:12 brief [2] - 11:25, 90:24 briefly [2] - 77:25, 111:25 brightest [1] - 6:22 bring [3] - 33:16, 58:20, 96:13 bringing [1] - 77:10 broad [1] - 73:6 broaden [1] - 105:18 broader [1] - 52:4 broadly [2] - 24:17, 57:21 broken [3] - 70:1, 79:6, 86:12 BRONX [1] - 118:4 Bronx [4] - 34:25, 99:2, 99:22, 115:14 Brooklyn [3] - 3:25, 4:2,</p>	<p>73:3 brother [1] - 59:12 brother-in-law [1] - 59:12 brought [2] - 48:12, 83:16 BROWN [3] - 98:20, 104:2, 112:1 Brown [5] - 98:17, 98:24, 104:2, 104:3 BSA [1] - 104:12 budget [5] - 4:25, 23:4, 25:10, 26:25, 49:20 budgeted [1] - 26:18 budgeting [1] - 50:16 budgets [1] - 42:12 build [4] - 27:8, 60:9, 83:18, 108:20 builders [1] - 113:13 building [10] - 60:5, 89:23, 90:9, 96:3, 108:17, 108:21, 115:20, 115:23, 115:25 Building [1] - 3:24 buildings [8] - 73:1, 93:5, 93:10, 100:1, 108:17, 108:20, 109:13, 109:15 Buildings [1] - 73:14 built [4] - 26:21, 51:3, 84:16, 89:20 built-in [1] - 26:21 bunch [1] - 36:13 burden [2] - 89:21, 100:14 burnout [1] - 96:23 bus [1] - 90:1 business [6] - 14:25, 42:8, 55:18, 59:13, 67:6, 111:4 businesses [2] - 39:22, 96:9 but [88] - 4:18, 4:24, 4:25, 5:6, 9:14, 9:15, 9:19, 11:14, 12:14, 14:1, 15:10, 15:18, 16:6, 16:12, 18:3, 18:20, 19:7, 19:17, 20:7, 20:11, 20:16, 21:5, 21:13, 26:2, 26:23, 31:22, 36:11, 36:16, 36:25, 41:12, 44:9, 45:5, 45:8, 45:15, 45:25, 46:5, 46:22, 48:14, 49:17, 51:14, 55:8, 56:12, 56:15, 57:4, 58:4, 58:24, 59:17, 60:22, 61:4, 63:6, 63:25, 64:13, 64:25, 69:12, 70:16, 70:23, 72:5, 73:8, 74:5, 74:8, 79:5, 82:5, 83:25, 85:16, 85:22, 87:5, 87:10, 89:2, 94:8, 97:20, 98:10, 101:25, 102:22, 103:4, 104:15, 104:22, 105:5, 106:15, 107:14, 109:8, 109:16, 113:11, 113:14, 114:7, 114:20, 115:12, 116:13 button [2] - 3:7, 3:8</p>
---	---	---	--

<p>buy [2] - 70:20, 106:16 by [68] - 2:7, 6:23, 7:15, 8:11, 9:20, 10:14, 10:15, 12:8, 14:1, 14:11, 15:1, 15:8, 16:11, 16:16, 22:8, 22:25, 27:18, 28:15, 29:2, 30:2, 31:17, 33:5, 36:1, 41:16, 42:1, 42:6, 43:5, 45:13, 46:10, 54:1, 57:12, 57:13, 57:25, 60:12, 60:18, 62:10, 64:12, 64:22, 66:2, 66:19, 67:6, 68:9, 68:13, 73:5, 74:23, 76:22, 77:5, 78:15, 78:16, 78:19, 79:4, 81:3, 81:8, 90:10, 95:20, 96:4, 96:21, 104:10, 106:9, 107:9, 108:3, 108:16, 112:13, 114:17, 116:7, 118:10, 118:13</p>	<p>71:21, 72:12, 73:25, 74:16, 74:19, 79:7, 79:17, 79:19, 87:11, 88:1, 91:4, 91:21, 97:1, 98:4, 101:6, 103:20, 106:11, 106:15, 106:17, 109:7, 111:17, 114:4, 114:17 can't [15] - 3:6, 10:12, 18:17, 21:5, 34:22, 34:24, 34:25, 46:4, 58:3, 71:3, 99:12, 100:21, 108:23, 110:21, 113:20 Canal [1] - 101:13 candidate [15] - 13:21, 17:4, 17:8, 24:23, 24:25, 36:8, 70:12, 78:15, 78:17, 78:19, 79:11, 79:18, 82:10 candidate's [1] - 81:10 candidates [26] - 11:14, 14:3, 15:16, 16:18, 18:23, 21:4, 26:14, 31:22, 33:15, 55:5, 58:19, 78:4, 78:14, 79:1, 81:1, 81:8, 81:13, 81:17, 81:19, 81:20, 81:23, 81:25, 82:5, 105:21, 106:4, 106:20 cannot [3] - 7:7, 35:3, 103:8 cap [4] - 15:13, 17:7, 23:20, 84:3 capacity [6] - 94:13, 99:4, 99:19, 111:14, 114:7, 114:13 care [2] - 36:19, 42:22 careful [1] - 76:12 carefully [1] - 20:12 cares [1] - 91:18 CARLO [1] - 1:16 Carlo [1] - 3:22 Carolina [1] - 88:12 CARRION [2] - 1:16, 4:13 Carrion [1] - 4:14 carrion [1] - 67:2 cars [1] - 60:7 case [4] - 14:1, 30:19, 52:12, 77:2 cases [3] - 64:6, 75:25, 76:2 casino [1] - 71:24 casting [2] - 44:8, 80:16 categories [1] - 58:13 category [2] - 58:16, 60:20 caused [1] - 81:3 caution [1] - 60:19 CB [14] - 38:1, 38:4, 38:10, 38:16, 38:22, 40:7, 95:13, 95:16, 96:14, 101:13, 103:16, 111:19, 112:23, 114:23 CCRB [6] - 86:21, 86:25, 87:19, 88:18, 88:22 CCRB's [1] - 87:16 CECILIA [2] - 118:6, 118:20</p>	<p>ceiling [1] - 84:3 cellphone [1] - 16:5 Center [1] - 2:25 Central [4] - 72:24, 83:12, 84:17, 104:24 central [2] - 41:3, 92:12 century [1] - 48:19 CEO [2] - 3:2, 3:24 certain [8] - 24:7, 30:12, 58:13, 58:18, 58:19, 61:1, 61:19, 115:11 certainly [6] - 56:9, 73:24, 85:15, 99:16, 104:22, 115:8 certification [1] - 39:12 certify [2] - 118:7, 118:12 CESAR [1] - 1:14 Cesar [2] - 2:3, 3:16 cesspool [1] - 51:20 CFB [2] - 36:2, 36:5 CFP [1] - 26:18 Chair [5] - 1:14, 62:9, 92:3, 95:3, 98:20 chair [19] - 2:4, 3:5, 3:10, 16:4, 17:22, 22:9, 30:13, 37:9, 51:1, 59:19, 61:6, 61:8, 69:8, 74:22, 93:18, 95:4, 95:5, 104:6, 112:23 chair's [1] - 27:20 chairing [1] - 52:10 chairman [1] - 14:17 chairs [2] - 8:17, 111:19 challenges [1] - 89:1 Chamber [1] - 3:25 chance [3] - 20:22, 89:4, 89:7 change [12] - 19:7, 19:15, 53:6, 56:15, 56:16, 79:14, 79:23, 86:24, 87:15, 94:17, 96:19, 115:19 changed [2] - 17:2, 95:22 changes [7] - 21:19, 53:12, 56:24, 68:6, 77:6, 104:17, 105:3 changing [5] - 34:2, 46:18, 57:2, 87:17, 91:10 chaotic [1] - 90:23 Chapter [2] - 69:5, 80:6 character [1] - 34:3 characterize [1] - 61:12 charged [1] - 41:11 charges [1] - 93:9 Charter [32] - 2:4, 4:17, 5:1, 5:2, 14:6, 14:15, 28:21, 31:12, 32:24, 33:1, 37:13, 40:7, 40:21, 40:24, 41:3, 41:6, 43:19, 63:15, 65:4, 65:17, 68:6, 69:4, 69:13, 71:17, 74:2, 74:10, 75:14, 75:22, 77:8, 77:11, 101:19, 103:18</p>	<p>CHARTER [1] - 1:1 checks [2] - 19:22, 52:19 CHER [2] - 80:4, 86:2 Cher [1] - 80:5 chess [1] - 8:9 Chhaya [1] - 2:22 chief [1] - 4:1 child [1] - 42:22 children [2] - 60:8, 82:17 choice [32] - 10:19, 10:25, 11:23, 24:2, 24:12, 24:16, 24:20, 24:24, 25:3, 25:23, 27:3, 27:15, 33:8, 48:11, 77:19, 80:8, 81:15, 81:16, 81:24, 82:3, 82:6, 82:8, 82:20, 82:24, 83:8, 84:25, 86:15, 105:16, 105:17, 107:10, 107:14 choosing [1] - 59:21 chosen [2] - 30:2, 91:2 Chung [1] - 103:14 circumvent [1] - 100:21 cities [3] - 20:12, 26:11, 83:4 citing [1] - 76:11 citizen [1] - 104:7 citizens [13] - 15:7, 16:23, 31:22, 32:3, 33:16, 41:10, 41:23, 49:5, 61:23, 71:2, 73:6, 73:18, 108:24 Citizens [2] - 10:9, 10:22 City [63] - 3:18, 5:20, 6:22, 7:4, 8:18, 10:9, 11:14, 13:17, 15:9, 17:2, 17:3, 17:16, 18:18, 22:7, 32:15, 33:1, 34:14, 39:6, 40:24, 41:3, 42:18, 44:22, 45:10, 45:12, 49:11, 50:19, 53:3, 53:16, 55:15, 61:21, 65:10, 65:11, 65:16, 66:18, 68:6, 68:9, 69:2, 69:24, 73:14, 74:2, 74:10, 77:8, 78:2, 78:13, 79:22, 79:24, 82:10, 83:3, 85:6, 85:11, 88:23, 89:4, 94:7, 95:21, 108:4, 110:24, 111:1, 111:5, 112:3, 113:21, 116:7, 116:13, 116:19 city [49] - 4:24, 6:13, 7:9, 8:4, 14:22, 15:21, 23:6, 31:18, 41:9, 41:10, 41:18, 42:17, 43:10, 46:9, 51:16, 53:23, 55:19, 56:20, 62:25, 63:6, 63:21, 63:24, 63:25, 64:12, 64:22, 65:13, 69:25, 73:7, 76:14, 77:11, 80:7, 80:13, 85:2, 85:3, 85:6, 85:11, 85:14, 86:12, 86:16, 90:25, 91:11, 93:13, 94:5, 94:22, 100:6, 103:9, 111:6, 112:6, 113:21</p>
C			
<p>C [4] - 1:9, 6:24, 118:1 cafes [1] - 96:6 California [3] - 8:19, 12:19, 27:13 call [3] - 6:3, 11:5, 27:23 called [6] - 13:23, 14:10, 27:3, 30:15, 51:20, 61:2 calling [3] - 19:21, 31:16, 82:23 calls [2] - 16:6, 77:3 CAMARDA [5] - 12:1, 26:8, 26:16, 28:19, 29:14 Camarda [3] - 6:7, 12:2, 29:7 came [4] - 7:22, 85:16, 101:22, 102:1 CAMP [4] - 37:8, 40:15, 47:16, 112:23 Camp [3] - 30:25, 37:9, 112:23 Campaign [2] - 16:25, 54:7 campaign [24] - 8:15, 21:25, 22:19, 24:4, 24:17, 27:22, 35:24, 40:12, 46:17, 46:19, 47:8, 49:15, 54:5, 54:23, 55:19, 68:16, 70:15, 74:9, 75:13, 75:14, 77:3, 82:25, 83:5 campaign's [1] - 87:11 campaigns [1] - 46:19 Can [1] - 19:9 can [52] - 2:2, 5:8, 17:4, 17:8, 17:25, 18:18, 22:12, 25:15, 25:20, 26:7, 28:7, 31:1, 35:7, 36:16, 44:9, 46:1, 46:13, 48:2, 56:5, 56:13, 56:23, 57:21, 58:11, 59:23, 61:5, 61:20, 64:19, 66:13,</p>	<p>71:21, 72:12, 73:25, 74:16, 74:19, 79:7, 79:17, 79:19, 87:11, 88:1, 91:4, 91:21, 97:1, 98:4, 101:6, 103:20, 106:11, 106:15, 106:17, 109:7, 111:17, 114:4, 114:17 can't [15] - 3:6, 10:12, 18:17, 21:5, 34:22, 34:24, 34:25, 46:4, 58:3, 71:3, 99:12, 100:21, 108:23, 110:21, 113:20 Canal [1] - 101:13 candidate [15] - 13:21, 17:4, 17:8, 24:23, 24:25, 36:8, 70:12, 78:15, 78:17, 78:19, 79:11, 79:18, 82:10 candidate's [1] - 81:10 candidates [26] - 11:14, 14:3, 15:16, 16:18, 18:23, 21:4, 26:14, 31:22, 33:15, 55:5, 58:19, 78:4, 78:14, 79:1, 81:1, 81:8, 81:13, 81:17, 81:19, 81:20, 81:23, 81:25, 82:5, 105:21, 106:4, 106:20 cannot [3] - 7:7, 35:3, 103:8 cap [4] - 15:13, 17:7, 23:20, 84:3 capacity [6] - 94:13, 99:4, 99:19, 111:14, 114:7, 114:13 care [2] - 36:19, 42:22 careful [1] - 76:12 carefully [1] - 20:12 cares [1] - 91:18 CARLO [1] - 1:16 Carlo [1] - 3:22 Carolina [1] - 88:12 CARRION [2] - 1:16, 4:13 Carrion [1] - 4:14 carrion [1] - 67:2 cars [1] - 60:7 case [4] - 14:1, 30:19, 52:12, 77:2 cases [3] - 64:6, 75:25, 76:2 casino [1] - 71:24 casting [2] - 44:8, 80:16 categories [1] - 58:13 category [2] - 58:16, 60:20 caused [1] - 81:3 caution [1] - 60:19 CB [14] - 38:1, 38:4, 38:10, 38:16, 38:22, 40:7, 95:13, 95:16, 96:14, 101:13, 103:16, 111:19, 112:23, 114:23 CCRB [6] - 86:21, 86:25, 87:19, 88:18, 88:22 CCRB's [1] - 87:16 CECILIA [2] - 118:6, 118:20</p>	<p>ceiling [1] - 84:3 cellphone [1] - 16:5 Center [1] - 2:25 Central [4] - 72:24, 83:12, 84:17, 104:24 central [2] - 41:3, 92:12 century [1] - 48:19 CEO [2] - 3:2, 3:24 certain [8] - 24:7, 30:12, 58:13, 58:18, 58:19, 61:1, 61:19, 115:11 certainly [6] - 56:9, 73:24, 85:15, 99:16, 104:22, 115:8 certification [1] - 39:12 certify [2] - 118:7, 118:12 CESAR [1] - 1:14 Cesar [2] - 2:3, 3:16 cesspool [1] - 51:20 CFB [2] - 36:2, 36:5 CFP [1] - 26:18 Chair [5] - 1:14, 62:9, 92:3, 95:3, 98:20 chair [19] - 2:4, 3:5, 3:10, 16:4, 17:22, 22:9, 30:13, 37:9, 51:1, 59:19, 61:6, 61:8, 69:8, 74:22, 93:18, 95:4, 95:5, 104:6, 112:23 chair's [1] - 27:20 chairing [1] - 52:10 chairman [1] - 14:17 chairs [2] - 8:17, 111:19 challenges [1] - 89:1 Chamber [1] - 3:25 chance [3] - 20:22, 89:4, 89:7 change [12] - 19:7, 19:15, 53:6, 56:15, 56:16, 79:14, 79:23, 86:24, 87:15, 94:17, 96:19, 115:19 changed [2] - 17:2, 95:22 changes [7] - 21:19, 53:12, 56:24, 68:6, 77:6, 104:17, 105:3 changing [5] - 34:2, 46:18, 57:2, 87:17, 91:10 chaotic [1] - 90:23 Chapter [2] - 69:5, 80:6 character [1] - 34:3 characterize [1] - 61:12 charged [1] - 41:11 charges [1] - 93:9 Charter [32] - 2:4, 4:17, 5:1, 5:2, 14:6, 14:15, 28:21, 31:12, 32:24, 33:1, 37:13, 40:7, 40:21, 40:24, 41:3, 41:6, 43:19, 63:15, 65:4, 65:17, 68:6, 69:4, 69:13, 71:17, 74:2, 74:10, 75:14, 75:22, 77:8, 77:11, 101:19, 103:18</p>	<p>CHARTER [1] - 1:1 checks [2] - 19:22, 52:19 CHER [2] - 80:4, 86:2 Cher [1] - 80:5 chess [1] - 8:9 Chhaya [1] - 2:22 chief [1] - 4:1 child [1] - 42:22 children [2] - 60:8, 82:17 choice [32] - 10:19, 10:25, 11:23, 24:2, 24:12, 24:16, 24:20, 24:24, 25:3, 25:23, 27:3, 27:15, 33:8, 48:11, 77:19, 80:8, 81:15, 81:16, 81:24, 82:3, 82:6, 82:8, 82:20, 82:24, 83:8, 84:25, 86:15, 105:16, 105:17, 107:10, 107:14 choosing [1] - 59:21 chosen [2] - 30:2, 91:2 Chung [1] - 103:14 circumvent [1] - 100:21 cities [3] - 20:12, 26:11, 83:4 citing [1] - 76:11 citizen [1] - 104:7 citizens [13] - 15:7, 16:23, 31:22, 32:3, 33:16, 41:10, 41:23, 49:5, 61:23, 71:2, 73:6, 73:18, 108:24 Citizens [2] - 10:9, 10:22 City [63] - 3:18, 5:20, 6:22, 7:4, 8:18, 10:9, 11:14, 13:17, 15:9, 17:2, 17:3, 17:16, 18:18, 22:7, 32:15, 33:1, 34:14, 39:6, 40:24, 41:3, 42:18, 44:22, 45:10, 45:12, 49:11, 50:19, 53:3, 53:16, 55:15, 61:21, 65:10, 65:11, 65:16, 66:18, 68:6, 68:9, 69:2, 69:24, 73:14, 74:2, 74:10, 77:8, 78:2, 78:13, 79:22, 79:24, 82:10, 83:3, 85:6, 85:11, 88:23, 89:4, 94:7, 95:21, 108:4, 110:24, 111:1, 111:5, 112:3, 113:21, 116:7, 116:13, 116:19 city [49] - 4:24, 6:13, 7:9, 8:4, 14:22, 15:21, 23:6, 31:18, 41:9, 41:10, 41:18, 42:17, 43:10, 46:9, 51:16, 53:23, 55:19, 56:20, 62:25, 63:6, 63:21, 63:24, 63:25, 64:12, 64:22, 65:13, 69:25, 73:7, 76:14, 77:11, 80:7, 80:13, 85:2, 85:3, 85:6, 85:11, 85:14, 86:12, 86:16, 90:25, 91:11, 93:13, 94:5, 94:22, 100:6, 103:9, 111:6, 112:6, 113:21</p>

<p>city's [5] - 8:22, 43:19, 46:7, 92:21, 93:12 City's [3] - 32:18, 40:21, 45:24 city-wide [2] - 85:14, 100:6 citywide [1] - 52:20 civic [16] - 4:23, 15:20, 31:15, 41:11, 41:22, 43:13, 49:4, 49:19, 49:24, 50:7, 50:17, 74:18, 74:19, 82:18, 93:11, 104:4 civically [1] - 90:19 civil [6] - 3:19, 32:14, 32:22, 33:11, 67:9, 73:8 Civil [1] - 2:12 civilian [3] - 75:13, 75:15, 87:19 Civilian [1] - 76:20 clarify [1] - 107:18 clarifying [1] - 111:18 class [4] - 54:9, 54:10, 54:13, 104:19 clear [2] - 109:22, 111:4 clearly [1] - 79:6 climate [1] - 44:6 clock [1] - 5:24 close [2] - 13:14, 37:15 Close [1] - 62:15 closed [2] - 11:4, 35:20 closely [2] - 13:1, 29:15 closer [1] - 66:20 closure [1] - 63:13 club [1] - 58:18 clubs [2] - 55:4, 58:15 co [4] - 3:12, 14:11, 52:10, 76:2 co-chairing [1] - 52:10 co-founder [1] - 3:12 co-terminality [1] - 14:11 co-workers [1] - 76:2 Coalition [2] - 62:15, 65:3 codifying [1] - 97:9 Coghlan [2] - 47:25, 55:23 COJO [1] - 4:8 colleague [1] - 10:16 collection [1] - 33:13 collective [1] - 25:19 Colorado [2] - 13:17, 106:8 combination [1] - 96:11 combine [1] - 107:6 combined [3] - 36:17, 37:4, 87:9 combing [1] - 107:6 come [15] - 6:3, 13:3, 50:1, 54:15, 67:3, 71:3, 77:2, 83:14, 85:1, 89:22, 91:22, 97:7, 101:19, 101:23, 101:25 comes [6] - 23:1, 43:20, 73:23, 88:4, 94:6, 115:21</p>	<p>coming [6] - 10:15, 49:22, 90:3, 102:13, 109:23, 114:10 commencement [1] - 39:17 commend [1] - 6:17 comment [11] - 21:5, 25:11, 28:12, 34:19, 38:2, 43:24, 46:16, 48:11, 60:3, 61:11, 62:19 comments [10] - 5:10, 5:23, 37:25, 41:5, 41:15, 61:25, 64:9, 64:13, 74:3 Commerce [1] - 3:25 Commission [54] - 2:5, 2:8, 3:11, 3:23, 5:6, 6:17, 6:23, 6:25, 9:21, 12:9, 12:11, 12:13, 12:17, 12:24, 22:12, 23:14, 28:10, 29:9, 29:10, 29:18, 29:19, 29:21, 30:1, 30:11, 30:14, 31:12, 31:24, 32:25, 34:11, 39:14, 40:2, 40:5, 40:7, 41:6, 43:6, 51:10, 62:17, 66:2, 69:5, 76:4, 76:9, 77:4, 77:11, 77:21, 90:13, 92:4, 92:12, 92:18, 94:9, 101:3, 106:21, 107:16, 108:7, 116:24 COMMISSION [1] - 1:1 Commission's [1] - 51:11 commissioner [6] - 4:14, 14:10, 76:23, 87:22, 93:17, 94:2 Commissioner [2] - 68:22, 75:11 commissioners [2] - 6:11, 14:17 COMMISSIONERS [1] - 1:12 Commissioners [6] - 7:5, 12:1, 20:3, 43:23, 74:3, 95:4 Commissions [1] - 4:17 committed [1] - 76:17 Committee [1] - 63:16 committee [11] - 10:21, 10:22, 26:17, 52:11, 61:7, 61:8, 69:10, 90:17, 92:21, 109:9 committees [3] - 8:10, 58:7, 69:8 common [1] - 104:25 communicate [1] - 41:19 communities [17] - 14:7, 14:13, 25:1, 28:13, 28:16, 29:24, 32:23, 33:24, 34:4, 39:8, 40:1, 40:10, 43:9, 43:18, 56:15, 97:12, 113:3 communities' [1] - 29:12 Community [19] - 2:22, 4:12, 4:15, 35:16, 37:10, 68:25, 72:24, 84:10, 89:18, 90:15, 95:5, 95:8, 95:11,</p>	<p>98:25, 99:2, 100:24, 100:25, 101:11, 114:22 community [133] - 7:16, 7:18, 8:20, 8:21, 9:12, 9:14, 9:16, 9:25, 14:15, 21:17, 21:22, 22:6, 22:17, 24:24, 30:16, 33:17, 34:4, 35:10, 35:21, 37:18, 37:19, 37:22, 37:23, 38:17, 38:19, 38:21, 38:23, 38:24, 39:4, 39:7, 39:15, 39:23, 40:9, 41:15, 41:21, 42:2, 42:3, 42:11, 42:19, 42:25, 43:14, 47:10, 47:15, 51:5, 51:10, 51:12, 51:18, 51:21, 52:11, 52:13, 52:23, 55:24, 56:1, 56:15, 56:18, 56:21, 57:2, 57:8, 57:23, 58:2, 58:21, 60:11, 61:8, 61:9, 61:21, 64:7, 64:16, 69:11, 71:10, 71:14, 72:16, 73:5, 73:18, 89:4, 89:5, 89:9, 89:21, 90:4, 90:9, 90:10, 91:17, 94:18, 95:12, 96:1, 96:4, 96:11, 96:22, 96:24, 96:25, 97:6, 99:4, 99:11, 99:18, 100:12, 100:14, 101:8, 102:3, 102:6, 102:9, 102:18, 102:20, 103:1, 103:5, 105:3, 108:10, 108:15, 108:19, 108:23, 109:17, 109:24, 110:23, 111:15, 111:22, 112:1, 112:5, 112:8, 112:13, 112:15, 112:18, 113:9, 113:15, 113:17, 113:19, 114:3, 114:5, 114:18, 114:25, 115:1, 115:11, 115:13 community's [1] - 94:12 community-based [1] - 38:23 compared [1] - 88:20 comparison [1] - 32:13 compelling [1] - 77:22 compensate [1] - 54:16 competition [2] - 36:6, 36:7 competitive [2] - 78:7, 79:10 Complaint [1] - 76:20 complaint [1] - 71:11 complete [1] - 35:7 completed [1] - 112:2 completely [3] - 64:22, 82:1, 108:25 complex [4] - 37:13, 63:8, 81:5, 95:17 complexes [1] - 60:9 complicated [3] - 27:5, 94:21, 96:9 composed [1] - 30:24</p>	<p>comprehensive [3] - 6:24, 51:25, 94:10 comprehensively [1] - 43:5 concept [1] - 20:8 concern [11] - 23:24, 25:20, 33:18, 57:6, 59:12, 73:8, 74:11, 83:15, 102:2, 102:12, 114:11 concerned [10] - 15:1, 15:5, 23:14, 23:18, 39:3, 58:7, 61:22, 79:7, 79:14, 104:7 concerns [12] - 16:15, 25:15, 31:14, 41:15, 44:4, 45:6, 45:9, 61:7, 61:15, 72:25, 82:13, 101:25 concluded [1] - 117:10 conclusion [2] - 34:11, 93:7 concretely [1] - 108:6 concur [1] - 99:16 condos [2] - 89:20, 89:23 conducting [1] - 6:18 confidence [2] - 101:3, 116:11 confines [1] - 65:2 conflict [9] - 52:4, 58:10, 58:25, 59:1, 59:7, 71:11, 72:20, 75:25, 76:22 conflicted [1] - 113:12 conflicts [3] - 51:5, 69:1, 100:8 conform [1] - 14:9 confused [1] - 105:23 confusing [1] - 48:12 confusion [2] - 86:4 congratulations [1] - 80:9 Congress [1] - 3:24 congressional [1] - 13:11 connect [1] - 66:23 Connors [2] - 75:7, 75:12 CONNORS [5] - 75:11, 87:8, 87:18, 88:3, 88:21 cons [2] - 51:7, 52:14 consecutive [1] - 42:5 consensus [1] - 37:20 consequence [1] - 99:23 consequences [1] - 56:18 Conservancy [1] - 92:6 conservancy [1] - 92:8 conservancy's [1] - 93:2 consider [8] - 37:15, 63:16, 67:21, 67:22, 68:6, 81:20, 94:9, 96:17 considerable [1] - 25:18 consideration [7] - 41:6, 43:4, 91:6, 92:14, 100:2, 100:10, 100:20 considerations [1] - 99:8 considered [5] - 9:20, 12:8, 24:18, 78:12, 106:22</p>
--	---	--	--

<p>considering [2] - 39:1, 41:14</p> <p>considers [1] - 94:12</p> <p>consistency [1] - 86:7</p> <p>consistent [4] - 44:3, 86:17, 86:18, 94:22</p> <p>constantly [2] - 45:19, 91:10</p> <p>constituents [5] - 16:11, 16:12, 81:11, 86:5, 94:4</p> <p>constituted [1] - 87:17</p> <p>constitutionalized [1] - 99:14</p> <p>constraints [1] - 76:13</p> <p>construction [1] - 59:13</p> <p>consultant [1] - 63:22</p> <p>consultants [3] - 54:23, 94:25, 109:8</p> <p>contemplate [1] - 22:1</p> <p>contemplated [1] - 41:16</p> <p>contentious [1] - 99:5</p> <p>continually [1] - 70:21</p> <p>continue [6] - 36:20, 40:8, 67:4, 83:3, 84:15, 93:8</p> <p>continued [2] - 30:18, 57:14</p> <p>continuities [2] - 13:24, 30:15</p> <p>continuity [1] - 57:1</p> <p>continuum [1] - 45:19</p> <p>contribution [6] - 8:5, 18:16, 54:11, 54:16, 55:19, 90:5</p> <p>contributions [7] - 8:8, 17:5, 19:13, 32:6, 46:25, 89:25, 98:8</p> <p>control [6] - 51:2, 61:20, 89:8, 104:9, 109:10, 116:20</p> <p>convened [1] - 77:11</p> <p>convenience [1] - 106:12</p> <p>conversation [1] - 65:14</p> <p>conversations [1] - 67:2</p> <p>copy [2] - 49:21</p> <p>Corporation [1] - 2:22</p> <p>corporations [1] - 17:12</p> <p>correct [2] - 66:3, 68:11</p> <p>Correction [3] - 63:1, 64:1, 64:17</p> <p>correction [2] - 63:2, 63:12</p> <p>correctly [3] - 31:18, 35:1, 86:22</p> <p>corruption [8] - 23:5, 23:15, 23:25, 47:2, 47:9, 73:22, 73:23</p> <p>cosponsored [1] - 22:7</p> <p>cost [7] - 22:23, 22:25, 23:4, 23:9, 25:5, 27:16, 86:1</p> <p>costly [2] - 11:13, 11:14</p> <p>costs [1] - 23:8</p>	<p>coterminous [1] - 9:25</p> <p>could [32] - 14:12, 19:5, 19:19, 22:11, 24:13, 28:8, 29:8, 49:25, 50:7, 50:8, 50:10, 50:15, 50:18, 56:25, 66:20, 74:23, 75:1, 79:11, 81:15, 85:20, 86:2, 87:25, 88:13, 99:17, 100:3, 100:5, 102:16, 103:12, 111:23, 112:18, 113:7, 115:12</p> <p>couldn't [5] - 11:18, 18:22, 36:11, 36:18, 58:24</p> <p>council [8] - 6:6, 12:16, 21:16, 26:24, 35:17, 50:3, 82:23</p> <p>Council [17] - 18:18, 22:7, 39:6, 44:22, 51:19, 61:21, 65:10, 78:2, 78:13, 79:25, 85:7, 85:11, 111:1, 111:6, 116:8, 116:13, 116:19</p> <p>councilman [3] - 6:9, 17:24, 91:7</p> <p>Councilman [2] - 22:8, 73:4</p> <p>councilmen [1] - 36:15</p> <p>country [6] - 13:12, 63:9, 69:25, 80:13, 83:6, 92:19</p> <p>COUNTY [1] - 118:4</p> <p>couple [4] - 21:9, 49:10, 86:20, 104:23</p> <p>coupled [1] - 37:19</p> <p>course [4] - 7:24, 47:17, 48:13, 49:8</p> <p>Court [2] - 65:13, 88:12</p> <p>court [3] - 67:9, 88:5, 88:8</p> <p>courts [1] - 88:10</p> <p>cover [1] - 27:16</p> <p>covered [2] - 66:19, 84:20</p> <p>COYB [1] - 71:12</p> <p>crane [1] - 83:20</p> <p>cranes [1] - 84:15</p> <p>crazy [1] - 107:19</p> <p>cream [1] - 106:3</p> <p>create [10] - 12:21, 18:14, 24:3, 24:16, 39:21, 50:7, 51:19, 91:20, 110:24, 113:1</p> <p>created [1] - 93:24</p> <p>creates [2] - 18:10, 96:19</p> <p>creating [2] - 63:16, 93:6</p> <p>creation [1] - 42:24</p> <p>credential [2] - 112:6, 112:17</p> <p>credibility [1] - 59:25</p> <p>creep [1] - 104:10</p> <p>crimes [2] - 75:22, 76:17</p> <p>crisis [4] - 76:10, 77:9, 92:22, 100:20</p> <p>criteria [8] - 12:16, 13:2, 14:6, 30:4, 100:13, 100:16, 100:19, 100:21</p> <p>critical [5] - 22:4, 40:3,</p>	<p>41:21, 43:20, 92:15</p> <p>criticize [1] - 115:1</p> <p>crucial [1] - 91:21</p> <p>Cude [2] - 89:16, 95:4</p> <p>CUDE [1] - 95:3</p> <p>cultural [1] - 33:23</p> <p>culture [1] - 39:20</p> <p>curious [4] - 24:10, 25:18, 57:25, 88:13</p> <p>Current [1] - 76:20</p> <p>current [11] - 22:25, 47:7, 55:2, 67:7, 70:2, 75:18, 85:15, 86:1, 86:14, 94:15, 100:25</p> <p>currently [12] - 3:23, 4:14, 13:9, 14:6, 14:7, 35:25, 41:10, 55:13, 88:20, 103:18, 114:12, 114:23</p> <p>custom [2] - 2:6, 6:8</p>	<p>defective [1] - 92:19</p> <p>defending [1] - 23:9</p> <p>defensive [1] - 81:11</p> <p>defer [2] - 56:21, 92:14</p> <p>deferred [2] - 32:24, 43:4</p> <p>define [1] - 53:7</p> <p>defining [1] - 57:22</p> <p>definitely [2] - 47:4, 108:9</p> <p>definition [3] - 14:14, 28:21, 28:24</p> <p>degree [1] - 94:1</p> <p>delegitimize [1] - 51:23</p> <p>Delgado [2] - 30:25, 34:17</p> <p>DELGADO [3] - 34:18, 47:9, 47:19</p> <p>deliberation [1] - 6:20</p> <p>deliberations [1] - 33:10</p> <p>delighted [1] - 95:6</p> <p>demands [1] - 37:14</p> <p>democracy [10] - 2:24, 4:22, 6:15, 7:9, 15:1, 15:2, 15:6, 31:19, 49:6, 88:22</p> <p>democratic [9] - 32:2, 34:13, 51:2, 69:21, 79:2, 82:2, 83:2, 83:8, 84:19</p> <p>demographics [1] - 42:3</p> <p>denied [1] - 11:4</p> <p>deny [1] - 35:2</p> <p>Department [5] - 63:18, 64:1, 64:2, 64:17, 73:13</p> <p>department [3] - 63:1, 94:7, 112:3</p> <p>dependence [1] - 55:4</p> <p>deprived [1] - 32:1</p> <p>deputy [1] - 3:17</p> <p>describe [1] - 4:17</p> <p>description [1] - 28:18</p> <p>designation [1] - 93:3</p> <p>designed [1] - 55:17</p> <p>desperately [2] - 77:13, 96:1</p> <p>despite [2] - 32:4, 32:6</p> <p>detail [2] - 67:16, 87:12</p> <p>detailed [1] - 64:25</p> <p>details [2] - 49:8, 114:15</p> <p>determination [1] - 43:15</p> <p>determine [2] - 12:21, 39:7</p> <p>determined [3] - 90:10, 107:9, 116:7</p> <p>developed [1] - 116:18</p> <p>developer [1] - 116:19</p> <p>developers [11] - 53:15, 55:18, 73:9, 83:17, 90:4, 94:16, 104:15, 113:4, 113:19, 114:14, 115:5</p> <p>development [9] - 39:2, 39:4, 43:17, 73:15, 94:6, 104:9, 114:22, 114:25, 115:2</p> <p>Development [1] - 2:22</p>
D			
<p>DA [1] - 76:1</p> <p>dale [2] - 44:17, 86:19</p> <p>DALE [2] - 1:15, 2:11</p> <p>Dale [2] - 2:10, 2:11</p> <p>Danny [1] - 22:8</p> <p>dark [1] - 92:22</p> <p>database [1] - 50:8</p> <p>date [1] - 67:13</p> <p>Dave [1] - 31:9</p> <p>Day [2] - 62:8, 72:23</p> <p>day [6] - 11:2, 11:4, 46:22, 54:24, 72:22, 118:17</p> <p>DAY [1] - 72:23</p> <p>days [2] - 65:19, 92:22</p> <p>DCP [1] - 9:14</p> <p>deal [5] - 17:1, 26:3, 29:20, 38:4, 44:1</p> <p>dealt [1] - 35:6</p> <p>death [2] - 56:17, 104:12</p> <p>DEB [1] - 1:15</p> <p>Deb [1] - 57:18</p> <p>debate [2] - 6:19, 52:15</p> <p>debates [2] - 55:8, 55:9</p> <p>Deborah [1] - 2:17</p> <p>Debra [2] - 98:17, 104:2</p> <p>decade [1] - 63:3</p> <p>decades [5] - 43:11, 56:7, 56:13, 91:14, 93:22</p> <p>decide [1] - 44:22</p> <p>decision [2] - 61:21, 67:18</p> <p>decisions [7] - 39:6, 39:24, 43:19, 59:6, 75:19, 76:23, 94:14</p> <p>decline [1] - 24:6</p> <p>dedicated [3] - 38:20, 92:9, 113:14</p> <p>deemed [2] - 78:24, 79:5</p> <p>deeply [1] - 91:18</p>			

<p>deviation [2] - 13:8, 13:16 devil [2] - 49:8, 114:15 did [14] - 31:6, 35:14, 36:3, 44:19, 58:1, 64:9, 66:24, 78:1, 78:23, 82:18, 86:11, 97:16, 102:8, 112:9 didn't [10] - 25:4, 27:25, 35:11, 36:17, 60:22, 88:21, 101:19, 110:6, 110:7 Diether [1] - 95:13 difference [1] - 86:9 different [12] - 36:14, 45:12, 45:20, 45:21, 46:9, 48:13, 52:14, 64:11, 86:14, 88:6, 108:18 difficult [3] - 22:10, 22:15, 37:20 diligence [1] - 6:23 diminish [1] - 40:5 diminished [1] - 17:14 direct [1] - 2:24 directed [1] - 5:5 direction [2] - 15:1, 85:18 director [3] - 2:21, 3:12, 10:8 disabilities [1] - 35:2 disadvantaged [2] - 20:25, 28:15 disagree [5] - 17:25, 18:2, 31:25, 42:7, 47:16 disagreed [1] - 9:19 disappointed [1] - 43:3 disciplinary [1] - 87:24 discipline [1] - 76:25 disconnection [1] - 80:25 discouraged [1] - 90:20 discrepancies [1] - 42:2 discrepancy [1] - 36:19 discuss [2] - 62:23, 69:1 discussed [4] - 13:2, 53:18, 62:22, 92:12 discussion [3] - 24:9, 51:6, 54:6 disenfranchised [1] - 107:12 disengagement [1] - 80:24 disgusting [2] - 47:14, 70:9 disheartened [1] - 76:8 disparate [1] - 41:13 displace [1] - 39:5 disrespect [1] - 78:25 distinct [2] - 81:9, 87:5 distinguished [1] - 98:21 distorted [1] - 17:13 district [14] - 9:21, 13:10, 30:9, 30:17, 34:3, 42:2, 42:14, 50:4, 53:2, 95:6, 99:1, 99:12, 107:8, 107:17 districting [3] - 12:13,</p>	<p>12:17, 30:11 districts [16] - 10:1, 12:16, 13:9, 13:11, 13:13, 13:20, 13:23, 13:24, 14:2, 14:8, 14:12, 30:4, 43:15, 84:3, 107:7, 113:1 diverse [4] - 40:10, 81:22, 91:9, 97:9 diversity [3] - 33:23, 39:19, 39:25 divided [2] - 30:12, 52:7 do [67] - 4:17, 4:18, 5:15, 6:13, 7:13, 10:3, 10:11, 10:14, 12:15, 14:4, 16:5, 18:2, 20:8, 21:1, 21:5, 26:17, 27:10, 28:14, 29:11, 38:17, 45:15, 45:17, 45:21, 46:13, 46:16, 46:22, 47:1, 49:10, 51:17, 55:5, 55:6, 59:7, 59:21, 60:22, 62:20, 62:25, 69:6, 74:25, 81:14, 82:17, 84:5, 85:4, 85:24, 87:7, 88:23, 88:24, 89:2, 90:7, 91:1, 95:23, 97:1, 97:3, 97:11, 98:4, 102:7, 102:10, 103:9, 105:3, 105:5, 112:9, 113:1, 114:16, 116:6, 116:11, 118:7 document [2] - 5:6, 41:18 does [10] - 26:21, 27:7, 33:4, 37:17, 69:6, 70:19, 91:13, 108:11, 110:11, 116:13 doesn't [8] - 9:14, 59:24, 84:4, 84:5, 84:6, 94:8, 110:19 DOI [1] - 63:17 doing [9] - 14:20, 22:20, 25:5, 55:18, 101:5, 107:20, 108:25, 110:2, 116:3 dollar [5] - 7:15, 7:24, 8:8, 18:7, 22:24 dollars [14] - 7:25, 15:18, 18:12, 18:24, 19:4, 19:5, 19:11, 19:14, 19:17, 19:18, 23:7, 37:2, 47:4, 70:20 dolls [1] - 83:18 dominant [1] - 54:9 don't [46] - 8:25, 9:22, 15:16, 17:25, 19:12, 20:14, 20:22, 23:11, 31:4, 35:15, 36:19, 45:14, 45:16, 45:22, 46:21, 48:15, 49:1, 49:11, 50:4, 50:17, 59:14, 59:16, 61:12, 62:8, 62:10, 65:21, 68:2, 70:10, 71:4, 72:3, 74:7, 79:14, 79:24, 84:9, 91:19, 104:21, 104:22, 106:15, 108:20, 109:18, 110:4, 110:12, 113:5, 113:18,</p>	<p>114:16, 115:15 donate [1] - 70:7 donated [1] - 15:22 donations [2] - 16:7, 17:9 done [16] - 7:7, 13:5, 17:1, 22:7, 22:10, 26:1, 26:11, 29:19, 29:21, 29:22, 30:8, 45:25, 54:2, 98:6, 105:6, 108:22 donor [1] - 16:21 donors [3] - 16:13, 16:14, 17:12 door [1] - 35:1 doors [1] - 66:16 Doris [1] - 95:13 DOT [1] - 91:20 down [8] - 12:23, 72:7, 76:25, 83:19, 85:21, 87:13, 101:20, 108:8 Downstate [1] - 65:2 downtown [1] - 101:12 dozens [1] - 79:9 Dr [2] - 110:14, 114:4 DR [8] - 110:16, 111:3, 111:11, 115:10, 115:15, 116:9, 116:15, 116:17 dramatic [1] - 55:14 dramatically [2] - 54:20, 54:25 draw [4] - 30:7, 84:14, 98:10, 107:16 drawing [6] - 13:20, 13:22, 14:2, 14:8, 28:16, 30:6 drawn [7] - 9:23, 12:16, 12:19, 13:11, 14:12, 30:4, 30:17 drive [1] - 60:7 driving [2] - 67:20, 68:8 Dromm [1] - 22:8 drop [1] - 19:3 drowned [1] - 16:20 DSA [1] - 73:13 due [2] - 67:5, 67:24 duly [1] - 118:9 during [1] - 102:8 duty [2] - 75:24, 82:18 dynamic [1] - 92:25</p>	<p>106:6 easing [1] - 33:13 East [3] - 90:14, 98:25, 101:14 easy [1] - 30:9 EATON [1] - 105:10 Eaton [2] - 98:17, 105:10 economic [2] - 15:20, 93:2 economist [1] - 61:1 economy [1] - 93:13 ECRB [1] - 87:20 educate [1] - 41:7 educated [2] - 28:9, 69:18 education [8] - 25:16, 26:16, 26:20, 26:22, 27:21, 48:14, 48:25, 112:16 educational [1] - 60:9 effective [3] - 16:22, 25:18, 52:2 effort [2] - 46:23, 48:25 efforts [4] - 8:15, 41:14, 41:19, 103:24 egregious [1] - 84:11 either [2] - 102:18, 113:1 elect [4] - 34:4, 35:11, 35:15, 88:11 elected [32] - 6:9, 8:24, 8:25, 13:21, 14:3, 30:2, 47:5, 52:17, 52:23, 52:25, 69:17, 70:4, 70:13, 70:19, 71:9, 71:24, 72:10, 75:13, 75:15, 75:18, 75:19, 76:7, 78:12, 79:2, 79:5, 87:19, 88:14, 88:18, 88:25, 96:18, 97:3, 114:5 election [29] - 4:22, 20:21, 21:8, 21:10, 25:6, 27:22, 27:24, 31:25, 34:22, 35:5, 48:21, 52:5, 52:13, 66:6, 66:7, 66:9, 67:24, 68:13, 68:18, 78:1, 78:22, 80:17, 82:11, 82:15, 82:22, 83:1, 85:6, 85:23 elections [30] - 7:10, 15:17, 27:2, 27:4, 31:15, 32:11, 33:3, 33:9, 44:2, 78:6, 78:7, 78:8, 80:18, 80:21, 82:6, 82:9, 85:3, 85:10, 86:6, 86:13, 86:16, 88:11, 89:2, 106:8, 107:19, 108:9, 114:12, 114:16, 115:3 electoral [2] - 33:12, 82:25 electorate [2] - 33:16, 51:24 eligible [2] - 80:22, 106:11 eliminate [3] - 35:4, 47:15, 55:16 eliminates [1] - 82:8 eliminating [4] - 8:9, 36:6, 55:12, 71:1</p>
E			
<p>e [2] - 50:3, 64:10 E [4] - 1:9, 118:1 e-mail [2] - 50:3, 64:10 each [4] - 38:19, 42:11, 44:12, 96:15 earlier [4] - 9:10, 82:14, 86:3, 108:4 early [1] - 82:16 ears [1] - 104:12 easier [3] - 33:6, 46:24,</p>			

<p>Ellsworth [6] - 47:21, 50:25, 54:1, 57:20, 61:13, 69:4</p> <p>ELLSWORTH [7] - 48:1, 50:25, 58:1, 59:9, 59:16, 60:13, 60:24</p> <p>else [5] - 46:5, 46:15, 49:18, 61:24, 109:2</p> <p>elsewhere [1] - 104:15</p> <p>embracing [1] - 44:14</p> <p>emphasis [1] - 38:24</p> <p>employee [1] - 63:21</p> <p>employees [1] - 112:7</p> <p>empower [2] - 87:18, 87:21</p> <p>empowered [1] - 76:16</p> <p>empowering [2] - 8:10, 16:22</p> <p>empowers [2] - 7:9, 75:18</p> <p>enable [1] - 38:17</p> <p>enables [1] - 81:16</p> <p>enacted [1] - 26:11</p> <p>enclosing [1] - 67:10</p> <p>enclosure [2] - 63:7, 63:10</p> <p>encompassed [1] - 36:1</p> <p>encourage [3] - 55:8, 64:23, 83:12</p> <p>encourages [2] - 81:22, 105:18</p> <p>end [6] - 11:24, 46:22, 63:3, 102:13, 102:14, 104:3</p> <p>ending [1] - 9:1</p> <p>endless [1] - 59:22</p> <p>endorsed [1] - 58:18</p> <p>ends [1] - 23:10</p> <p>enforce [1] - 50:20</p> <p>enforcement [1] - 9:1</p> <p>engage [6] - 16:23, 41:8, 68:14, 94:24, 112:12, 113:7</p> <p>engaged [3] - 4:23, 90:19, 102:21</p> <p>engagement [20] - 15:20, 31:19, 33:17, 41:12, 41:22, 43:13, 49:4, 49:5, 49:7, 49:19, 49:24, 50:7, 50:17, 74:18, 74:20, 80:12, 104:4, 105:5, 112:5, 112:13</p> <p>enhance [2] - 31:19, 93:12</p> <p>enhanced [1] - 42:21</p> <p>enjoy [1] - 10:1</p> <p>enjoyed [1] - 15:8</p> <p>enormous [2] - 32:6, 56:24</p> <p>enough [5] - 11:19, 36:10, 82:19, 97:8, 102:2</p> <p>ensure [7] - 25:17, 29:9, 29:12, 34:1, 91:8, 91:11, 107:10</p> <p>ensuring [3] - 9:3, 17:10, 57:1</p> <p>entertain [1] - 117:1</p> <p>entire [6] - 4:24, 4:25, 5:1,</p>	<p>5:2, 10:5, 39:9</p> <p>entities [1] - 87:9</p> <p>entity [2] - 63:17, 105:4</p> <p>entrenched [1] - 56:23</p> <p>environment [4] - 51:3, 90:16, 91:10, 96:8</p> <p>environmental [1] - 38:25</p> <p>envisioned [1] - 20:7</p> <p>equal [2] - 13:12, 23:20</p> <p>equality [1] - 36:22</p> <p>equalize [1] - 17:7</p> <p>Eric [1] - 77:2</p> <p>error [3] - 23:3, 26:25, 73:15</p> <p>especially [2] - 9:12, 77:5</p> <p>espouse [1] - 56:13</p> <p>essential [1] - 32:14</p> <p>essentially [7] - 13:11, 13:25, 30:16, 66:5, 67:4, 68:14, 68:18</p> <p>established [5] - 36:1, 36:8, 41:20, 83:5, 93:20</p> <p>establishes [1] - 75:23</p> <p>establishing [1] - 49:3</p> <p>estate [13] - 53:10, 53:15, 55:17, 59:18, 60:4, 60:15, 61:16, 70:21, 73:9, 108:16, 108:18, 109:7, 116:19</p> <p>Estate [1] - 52:10</p> <p>etcetera [2] - 63:22, 90:2</p> <p>ethnic [3] - 28:17, 28:25, 33:23</p> <p>ethnicity [1] - 39:20</p> <p>euphemism [1] - 13:25</p> <p>evaluate [1] - 102:3</p> <p>evaluated [1] - 57:12</p> <p>evaluation [1] - 39:12</p> <p>even [24] - 11:16, 11:19, 16:9, 19:12, 21:13, 22:11, 22:14, 23:8, 27:21, 34:22, 34:25, 36:25, 50:4, 52:23, 54:19, 58:12, 73:11, 80:21, 90:17, 93:16, 93:18, 101:19, 107:21, 109:19</p> <p>evening [21] - 2:1, 2:11, 2:16, 2:20, 3:1, 3:4, 3:9, 3:21, 4:3, 4:6, 4:7, 4:10, 4:13, 10:7, 12:1, 55:22, 80:4, 92:3, 95:3, 100:23, 107:25</p> <p>events [1] - 68:16</p> <p>ever [1] - 81:5</p> <p>every [17] - 5:16, 7:10, 7:15, 7:24, 9:12, 22:24, 51:15, 56:4, 58:3, 58:4, 83:19, 85:23, 90:9, 93:6, 96:5, 98:7, 106:11</p> <p>everybody [4] - 60:25, 69:23, 74:22, 109:2</p> <p>everyone [8] - 2:14, 2:16, 3:21, 15:3, 27:1, 45:3, 46:5,</p>	<p>58:21</p> <p>everything [2] - 60:19, 66:21</p> <p>exact [2] - 64:15, 100:13</p> <p>exactly [2] - 49:9, 91:1</p> <p>examination [2] - 118:8, 118:10</p> <p>examine [1] - 12:25</p> <p>example [12] - 38:6, 52:8, 79:17, 88:6, 90:1, 95:18, 103:17, 110:4, 111:7, 111:23, 116:11</p> <p>examples [2] - 13:18, 51:5</p> <p>excerpt [1] - 51:8</p> <p>excuse [3] - 74:17, 94:23, 111:17</p> <p>executive [3] - 2:21, 10:8, 58:15</p> <p>exercise [2] - 17:22, 66:14</p> <p>existing [4] - 69:12, 74:2, 74:25, 94:12</p> <p>exists [3] - 14:6, 47:7, 55:13</p> <p>expand [2] - 34:13, 50:15</p> <p>expanded [2] - 53:19, 72:18</p> <p>expanding [1] - 31:17</p> <p>expect [1] - 45:14</p> <p>expedite [1] - 91:24</p> <p>expenditures [1] - 17:7</p> <p>expenses [1] - 82:9</p> <p>experience [9] - 23:11, 38:4, 38:15, 89:6, 95:16, 96:12, 103:1, 114:18, 114:20</p> <p>expertise [5] - 56:11, 97:2, 112:10, 112:14, 112:17</p> <p>experts [1] - 13:3</p> <p>expiring [1] - 9:7</p> <p>explainers [1] - 105:25</p> <p>express [1] - 72:25</p> <p>expressed [2] - 55:25, 82:3</p> <p>expressing [1] - 61:14</p> <p>extend [1] - 31:21</p> <p>extension [2] - 47:12, 96:21</p> <p>extensive [1] - 112:2</p> <p>extent [3] - 33:1, 39:3, 102:22</p> <p>extraordinary [1] - 94:21</p> <p>extremely [4] - 15:4, 16:22, 73:16, 101:17</p> <p>extremes [1] - 105:19</p> <p>eye [2] - 52:17, 52:19</p>	<p>facilitate [1] - 43:2</p> <p>facilities [1] - 100:14</p> <p>facing [1] - 86:9</p> <p>fact [9] - 6:14, 26:12, 48:21, 60:3, 64:13, 66:24, 95:24, 99:24, 115:5</p> <p>factors [2] - 38:25, 94:14</p> <p>faculty [1] - 101:2</p> <p>failed [3] - 33:22, 34:5, 111:13</p> <p>failing [1] - 6:16</p> <p>failure [1] - 35:7</p> <p>failures [1] - 44:1</p> <p>fair [7] - 37:5, 61:12, 82:7, 100:12, 100:15, 100:19, 100:21</p> <p>families [1] - 76:25</p> <p>family [1] - 100:2</p> <p>fantastic [1] - 105:24</p> <p>far [7] - 17:12, 26:16, 51:15, 54:4, 63:14, 85:15, 105:7</p> <p>fashion [1] - 30:7</p> <p>fault [2] - 102:22, 102:23</p> <p>favor [7] - 11:22, 13:20, 14:3, 77:22, 85:9, 87:4, 117:5</p> <p>favorite [2] - 106:2, 106:4</p> <p>Fe [1] - 48:17</p> <p>feasible [2] - 33:14, 55:15</p> <p>Federal [1] - 66:13</p> <p>federal [7] - 14:1, 30:19, 44:10, 65:11, 66:15, 67:8, 71:7</p> <p>fee [2] - 90:8, 90:9</p> <p>feedback [2] - 8:7, 67:22</p> <p>feel [6] - 36:20, 69:16, 84:19, 97:5, 113:3, 113:18</p> <p>feelings [1] - 85:4</p> <p>fees [1] - 23:12</p> <p>fellow [1] - 43:23</p> <p>felt [1] - 114:22</p> <p>few [4] - 4:16, 47:3, 96:13, 96:14</p> <p>fewer [2] - 38:20, 107:11</p> <p>field [5] - 12:23, 79:18, 81:22, 93:21, 93:22</p> <p>fields [1] - 61:1</p> <p>fifth [1] - 31:25</p> <p>fight [2] - 110:21, 113:19</p> <p>figure [1] - 54:15</p> <p>figured [2] - 27:12, 27:13</p> <p>figures [2] - 18:10, 109:16</p> <p>file [2] - 34:20, 67:9</p> <p>filed [6] - 39:18, 65:11, 65:13, 67:14, 71:11, 73:17</p> <p>filling [1] - 97:7</p> <p>final [1] - 102:19</p> <p>finalists [1] - 57:13</p> <p>finalized [1] - 102:14</p>
F			
<p>F [1] - 118:1</p> <p>facade [1] - 112:4</p> <p>face [3] - 17:2, 94:22, 95:18</p> <p>faced [2] - 38:13, 43:18</p> <p>faces [3] - 17:3, 57:1, 108:19</p>			

<p>finally [2] - 91:16, 110:8 finance [12] - 8:15, 21:25, 22:19, 46:17, 49:15, 54:5, 55:6, 55:8, 55:10, 70:15, 74:9, 83:6 Finance [2] - 16:25, 54:8 financed [4] - 36:2, 36:9, 36:12, 46:20 financial [4] - 38:16, 59:12, 92:22, 113:6 financing [4] - 35:24, 36:21, 37:2, 47:8 find [12] - 41:1, 43:3, 44:7, 49:13, 58:4, 72:12, 73:16, 99:25, 102:17, 105:19, 106:18, 115:24 finding [2] - 75:19, 113:11 findings [1] - 64:15 fine [1] - 73:8 finish [1] - 110:16 fire [1] - 52:25 first [18] - 5:16, 6:5, 7:14, 11:1, 12:12, 12:17, 13:7, 17:23, 35:11, 40:21, 43:24, 48:10, 50:13, 54:7, 66:14, 85:5, 108:9, 115:21 firsthand [1] - 89:6 fiscal [1] - 82:13 fit [1] - 96:20 five [12] - 9:10, 12:5, 12:8, 19:22, 38:8, 55:10, 57:16, 84:11, 102:9, 105:25, 107:6, 107:8 five-minute [1] - 105:25 fix [4] - 73:7, 74:4, 74:5, 74:7 fixated [1] - 28:13 flavors [1] - 106:3 flip [1] - 53:11 focus [1] - 5:8 focused [1] - 29:15 folks [4] - 19:7, 19:16, 19:21, 114:4 follow [5] - 25:12, 47:13, 59:3, 104:14, 106:8 follow-up [3] - 25:12, 47:13, 59:3 followed [1] - 42:6 following [5] - 29:5, 37:25, 41:4, 54:6, 74:24 follows [2] - 66:6, 66:9 footsteps [1] - 106:8 for [240] - 2:25, 3:12, 5:21, 6:17, 6:23, 6:25, 7:16, 7:18, 8:11, 8:21, 9:4, 9:12, 10:11, 10:13, 11:1, 11:13, 11:14, 11:25, 12:3, 13:13, 13:25, 14:18, 15:2, 15:16, 15:18, 15:22, 16:5, 16:17, 17:10, 17:12, 17:20, 19:22, 20:4,</p>	<p>21:13, 21:16, 21:23, 22:5, 22:23, 23:10, 24:4, 24:5, 24:6, 24:12, 26:1, 26:2, 27:2, 27:24, 28:3, 28:15, 30:10, 30:13, 31:8, 31:16, 31:21, 33:13, 33:14, 33:15, 36:18, 36:19, 37:8, 37:17, 37:20, 38:6, 38:10, 38:18, 38:19, 39:2, 39:15, 39:23, 40:8, 40:11, 40:23, 41:5, 41:7, 41:9, 41:24, 42:8, 42:11, 42:25, 43:8, 43:10, 43:11, 43:20, 44:5, 44:9, 44:13, 44:18, 44:22, 45:11, 45:12, 45:19, 45:25, 46:4, 46:6, 46:8, 46:11, 46:24, 47:13, 47:14, 48:19, 48:20, 48:23, 49:12, 49:16, 49:17, 49:25, 50:1, 50:11, 50:12, 50:13, 51:25, 52:6, 52:8, 52:9, 52:21, 53:22, 53:23, 54:16, 55:1, 55:24, 56:6, 56:13, 56:21, 57:19, 58:5, 59:5, 59:13, 59:17, 60:1, 60:16, 62:12, 63:2, 63:7, 65:14, 65:21, 67:21, 67:22, 68:23, 69:3, 69:15, 69:17, 69:19, 70:7, 70:11, 71:8, 71:20, 71:23, 72:2, 72:6, 74:21, 75:13, 75:14, 75:21, 76:6, 76:17, 77:1, 77:4, 77:12, 77:17, 78:2, 78:10, 78:11, 78:23, 79:10, 79:22, 80:20, 80:22, 80:23, 81:13, 81:25, 83:21, 85:10, 85:13, 85:14, 86:4, 86:13, 86:16, 88:5, 88:10, 89:5, 90:1, 90:13, 90:20, 91:14, 91:19, 94:1, 94:24, 95:10, 95:13, 95:18, 95:21, 96:1, 96:13, 96:23, 97:6, 97:11, 97:13, 98:1, 98:22, 99:13, 99:15, 99:19, 100:16, 101:4, 101:16, 102:2, 103:6, 103:17, 103:18, 103:23, 104:20, 105:16, 105:20, 105:23, 107:20, 108:10, 109:18, 109:25, 110:4, 110:5, 111:7, 111:8, 111:18, 112:12, 113:5, 113:9, 113:13, 113:14, 114:3, 115:1, 116:11, 118:6 force [2] - 27:8, 54:9 forced [1] - 77:1 forces [1] - 45:20 forget [1] - 100:13 forgive [1] - 86:22 forgot [1] - 27:6 form [4] - 41:25, 56:25, 102:3, 105:25</p>	<p>formally [1] - 3:16 former [2] - 10:9, 100:24 forming [1] - 83:7 forth [3] - 45:13, 46:10, 118:9 forums [1] - 84:14 forward [6] - 7:20, 17:9, 20:17, 33:15, 57:3, 108:19 foster [2] - 26:20, 93:11 found [9] - 26:12, 50:2, 50:5, 67:15, 78:12, 90:22, 93:3, 103:1, 108:3 foundation [1] - 7:8 founded [1] - 40:20 founder [1] - 3:12 four [12] - 6:2, 8:23, 17:21, 18:9, 18:10, 40:20, 47:18, 55:5, 62:3, 63:24, 72:8, 95:14 Francisco [1] - 48:16 frankly [2] - 23:22, 90:24 fraud [4] - 67:5, 67:6, 67:25, 68:17 free [4] - 47:13, 47:14, 64:21, 72:2 freedom [1] - 31:10 FREELAND [8] - 100:23, 101:10, 103:23, 111:13, 114:9, 116:5, 116:10, 116:16 Freeland [2] - 98:17, 100:24 fresh [4] - 57:1, 96:14, 97:8 friction [1] - 100:11 from [65] - 4:19, 5:13, 5:19, 7:3, 8:3, 8:15, 10:4, 13:9, 14:21, 15:23, 16:19, 17:8, 18:21, 19:15, 19:25, 23:12, 23:16, 25:19, 27:22, 38:5, 41:1, 42:10, 45:8, 45:12, 45:17, 46:9, 51:6, 54:18, 69:14, 69:15, 70:9, 70:19, 70:25, 71:2, 71:6, 71:8, 80:16, 80:18, 81:21, 83:11, 85:16, 87:2, 87:16, 90:20, 94:4, 95:8, 96:2, 96:11, 97:15, 101:13, 103:19, 105:19, 106:1, 107:2, 109:23, 110:22, 111:14, 114:10, 114:13, 114:18, 116:24 front [4] - 8:20, 49:22, 79:18, 81:20 fruition [1] - 91:23 frustrated [1] - 104:21 frustration [1] - 83:23 full [10] - 22:20, 23:20, 27:16, 40:16, 42:14, 82:21, 90:20, 90:22, 91:2, 91:3 full-time [1] - 42:14</p>	<p>fully [2] - 15:3, 55:10 function [2] - 99:13, 99:17 functional [1] - 96:16 functioning [1] - 21:21 fund [2] - 70:12, 71:8 fundamental [2] - 32:1, 42:17 funded [1] - 90:12 funding [3] - 36:1, 36:6, 42:19 fundraising [1] - 16:19 funds [7] - 15:13, 36:11, 36:16, 36:18, 36:21, 113:6, 113:11 further [8] - 39:5, 39:9, 42:23, 85:21, 107:21, 109:5, 118:12 furthermore [1] - 113:10 future [3] - 33:10, 43:4, 94:9</p> <p style="text-align: center;">G</p> <p>Gale [4] - 57:14, 70:20, 84:12, 116:11 galore [1] - 111:4 game [2] - 60:1, 71:25 Garner [1] - 77:2 Garvin [1] - 67:18 gather [1] - 88:15 gave [2] - 36:13, 36:24 general [7] - 20:8, 20:11, 55:14, 78:8, 80:18, 81:2, 85:11 generally [1] - 4:16 generating [1] - 96:21 geographic [3] - 14:9, 53:8, 53:18 gerrymandering [1] - 107:4 get [35] - 2:2, 7:7, 7:14, 16:6, 18:4, 20:22, 22:7, 22:10, 28:6, 55:1, 55:18, 60:7, 70:6, 71:4, 71:5, 72:3, 79:16, 79:25, 82:19, 87:11, 88:24, 90:18, 91:11, 91:12, 102:18, 103:13, 103:14, 104:16, 106:17, 109:10, 109:21, 113:8, 114:17 gets [4] - 59:21, 70:24, 104:8, 108:22 getting [9] - 4:23, 19:24, 46:3, 70:15, 70:18, 79:12, 79:22, 105:6, 109:20 give [16] - 18:17, 18:18, 19:9, 20:1, 34:3, 35:15, 47:3, 64:19, 87:23, 89:3, 89:7, 96:25, 107:17, 111:23 given [4] - 51:10, 54:4, 92:15, 118:10 gives [3] - 81:18, 101:3,</p>
--	--	---	---

<p>107:14 giving [9] - 7:17, 22:17, 35:9, 51:15, 51:16, 51:22, 68:23, 77:23, 87:21 glad [1] - 101:1 glimmer [1] - 53:4 go [21] - 5:16, 5:21, 24:25, 28:1, 44:17, 48:2, 50:20, 60:8, 62:10, 80:20, 83:15, 84:5, 84:16, 85:7, 86:5, 86:11, 87:13, 108:5, 111:1, 111:5, 114:9 goal [2] - 43:16, 64:21 goals [3] - 41:22, 46:22, 93:14 Godsil [2] - 3:5, 3:10 GODSIL [5] - 1:18, 3:4, 3:9, 24:1, 24:15 goes [6] - 9:17, 26:17, 60:8, 70:8, 71:6, 84:8 going [34] - 5:15, 5:22, 10:17, 15:1, 19:20, 20:17, 29:24, 30:20, 36:20, 47:4, 47:5, 49:10, 62:23, 70:3, 73:25, 74:8, 79:9, 79:16, 83:14, 83:18, 83:25, 84:16, 84:17, 84:19, 102:14, 104:9, 104:14, 109:4, 109:5, 109:20, 110:1, 110:14, 115:23, 116:2 Goldwin [2] - 89:15, 92:4 GOLDWIN [1] - 92:3 gone [1] - 113:3 Good [1] - 3:9 good [34] - 2:1, 2:11, 2:16, 2:20, 3:1, 3:4, 3:21, 4:3, 4:6, 4:7, 4:10, 4:13, 6:10, 10:7, 12:1, 12:24, 26:15, 40:18, 44:21, 49:23, 50:6, 55:22, 60:18, 61:13, 72:17, 80:4, 92:3, 95:3, 98:3, 98:5, 98:7, 100:23, 103:10, 107:25 goods [1] - 32:7 got [4] - 7:11, 8:2, 10:1, 50:1 gOTBAUM [1] - 10:7 Gotbaum [2] - 6:6, 10:8 GOTBAUM [9] - 10:13, 10:21, 20:10, 20:16, 21:3, 24:13, 24:22, 25:22, 25:25 gotten [1] - 29:16 governance [1] - 14:21 government [7] - 7:1, 17:15, 42:17, 44:11, 45:4, 45:5, 64:19 governmental [2] - 22:9, 52:9 governments [1] - 7:10 governor [2] - 80:18, 80:19 Grace [4] - 47:21, 48:7,</p>	<p>62:10, 62:14 GRACE [1] - 48:7 graduate [1] - 105:12 grandfathering [1] - 91:13 grandmother's [1] - 62:11 great [19] - 7:2, 7:9, 8:4, 10:17, 15:9, 17:1, 20:18, 27:19, 28:11, 29:20, 38:4, 39:19, 44:1, 45:15, 47:2, 99:16, 104:19, 116:13 Greater [1] - 3:3 greater [4] - 31:19, 38:24, 81:22, 99:19 greatly [2] - 14:19, 39:3 green [1] - 37:3 GREENBERG [6] - 1:4, 48:5, 53:22, 55:22, 60:22, 61:11 Greenberg [2] - 48:4, 53:24 GREENBERGER [9] - 1:14, 3:1, 25:12, 25:24, 26:15, 74:16, 84:24, 111:17, 112:20 Greenberger [1] - 3:2 GREENBERGER [1] - 113:23 Greenberger's [1] - 48:10 Greenwich [1] - 101:11 greetings [1] - 75:11 gross [1] - 104:10 ground [1] - 5:21 group [6] - 14:24, 16:19, 29:1, 87:11, 90:23, 115:11 groups [1] - 29:1 growing [2] - 81:3, 81:5 Gruday [1] - 89:16 guaranteeing [1] - 32:14 guard [1] - 93:10 guess [2] - 67:20, 87:14 guidance [2] - 38:15, 50:11 guide [4] - 49:12, 49:15, 49:16, 49:17 guys [1] - 20:7</p>	<p>hall [1] - 66:10 HALL [1] - 1:4 hand [2] - 56:10, 118:16 handle [2] - 34:22, 59:11 hands [2] - 74:23, 75:1 happen [7] - 25:3, 27:4, 44:9, 60:5, 60:16, 79:17, 110:10 happened [3] - 11:12, 110:9, 115:17 happening [2] - 79:21, 89:22 happens [4] - 27:22, 28:5, 60:3, 63:5 happy [1] - 48:25 hard [6] - 22:11, 38:13, 61:3, 73:16, 82:19, 113:11 Harlem [10] - 98:25, 108:14, 109:15, 110:5, 110:9, 115:17, 116:2, 116:4, 116:18 Harlemite [1] - 108:2 harmed [1] - 67:5 Harold [1] - 67:17 has [61] - 5:4, 10:15, 15:9, 16:25, 17:2, 17:13, 17:16, 20:11, 20:20, 23:6, 26:1, 26:2, 26:4, 26:10, 29:1, 29:16, 29:18, 30:8, 32:23, 36:8, 38:1, 38:4, 40:2, 40:23, 41:7, 41:15, 43:10, 44:13, 45:3, 45:10, 48:23, 49:15, 51:20, 53:4, 56:17, 57:14, 61:18, 61:24, 63:3, 63:19, 64:21, 66:12, 71:7, 75:14, 77:21, 84:25, 92:12, 93:22, 95:12, 95:13, 96:2, 96:15, 96:16, 98:14, 99:5, 103:6, 107:13, 107:20, 108:14, 109:22, 111:5 have [194] - 2:3, 3:7, 4:24, 5:7, 5:8, 5:10, 5:24, 7:20, 8:19, 8:25, 9:17, 10:23, 13:16, 16:7, 16:14, 18:7, 19:11, 19:16, 20:5, 20:7, 20:8, 20:13, 20:23, 21:8, 21:9, 23:11, 24:10, 24:23, 24:25, 25:12, 26:17, 26:20, 27:9, 28:4, 28:12, 29:4, 29:11, 30:3, 30:20, 32:8, 32:20, 34:9, 34:24, 35:2, 35:6, 35:21, 35:25, 36:9, 36:23, 37:24, 38:6, 38:11, 38:12, 38:14, 39:7, 39:8, 43:23, 44:4, 44:11, 45:4, 45:14, 47:4, 48:24, 49:6, 49:10, 49:12, 49:16, 49:19, 49:25, 51:4, 52:7, 52:13, 53:16, 54:4, 55:11, 56:6, 56:12, 58:10, 58:17, 58:20, 58:25, 59:11, 59:25, 61:3,</p>	<p>61:7, 61:15, 62:20, 62:21, 63:6, 63:9, 63:23, 64:11, 65:11, 65:16, 66:19, 67:8, 68:3, 72:14, 73:8, 73:10, 74:3, 74:7, 74:10, 77:12, 78:5, 79:2, 79:7, 79:8, 79:9, 80:12, 83:4, 83:14, 84:9, 84:24, 85:4, 86:14, 86:15, 86:22, 87:7, 88:7, 88:9, 88:10, 88:19, 88:20, 89:5, 89:7, 89:8, 89:19, 91:13, 91:19, 93:18, 93:24, 93:25, 94:4, 94:11, 94:20, 95:14, 95:15, 96:12, 97:20, 97:23, 97:25, 98:6, 98:16, 98:25, 99:25, 100:7, 100:18, 102:16, 102:20, 102:24, 102:25, 103:5, 103:9, 104:15, 104:21, 104:22, 104:25, 106:9, 106:12, 106:25, 107:5, 108:6, 108:7, 108:11, 109:3, 109:5, 109:13, 110:4, 110:15, 111:1, 111:8, 111:24, 112:9, 112:25, 113:3, 113:4, 113:5, 113:10, 113:11, 113:13, 114:12, 114:14, 114:16, 114:17, 115:7, 115:11, 115:15, 116:11, 116:13, 116:14, 118:16 haven't [2] - 62:17, 77:24 haves [1] - 36:22 having [14] - 8:23, 9:13, 9:16, 26:2, 31:8, 46:16, 49:21, 52:22, 52:23, 62:6, 67:25, 89:19, 107:15, 115:1 he [7] - 36:15, 50:5, 57:9, 67:16, 68:12, 68:16, 71:9 head [2] - 50:22, 67:14 healthy [1] - 96:21 hear [10] - 3:6, 5:13, 5:19, 10:12, 44:4, 57:25, 66:21, 69:20, 76:5, 114:8 heard [16] - 4:25, 5:1, 8:3, 10:4, 16:24, 23:16, 29:12, 44:1, 47:17, 51:15, 77:21, 77:24, 94:3, 94:6, 104:16, 104:22 HEARING [1] - 1:2 hearing [12] - 4:19, 5:11, 5:15, 19:25, 22:9, 37:8, 65:17, 67:12, 67:19, 77:17, 90:13, 103:15 hearings [2] - 29:24, 31:20 heavily [1] - 95:16 Heights [2] - 101:10, 101:11 held [2] - 12:19, 82:12 hello [1] - 2:23 help [7] - 15:15, 18:8,</p>
<p>H</p>		<p>had [40] - 3:18, 5:17, 5:18, 11:6, 11:12, 11:17, 13:3, 18:7, 21:18, 22:9, 22:22, 24:24, 27:2, 28:1, 28:13, 28:14, 29:21, 35:16, 35:17, 38:4, 49:19, 50:5, 50:21, 62:17, 64:14, 65:14, 66:22, 67:2, 69:18, 78:3, 78:4, 78:13, 96:15, 98:3, 99:17, 103:5, 112:4, 112:6, 112:16 Hale [1] - 77:18 hale [1] - 75:8 half [1] - 55:25 Hall [4] - 17:2, 17:3, 55:3, 83:16</p>	

<p>50:11, 59:24, 70:5, 85:19, 113:7 helpful [7] - 21:19, 46:4, 75:3, 98:14, 112:20, 113:24, 114:8 her [3] - 37:2, 70:22, 92:7 here [37] - 2:8, 2:18, 2:25, 3:14, 4:9, 6:12, 6:14, 10:16, 12:3, 15:15, 15:19, 16:21, 45:7, 45:18, 46:5, 51:8, 55:25, 65:22, 67:21, 68:25, 69:15, 69:23, 74:22, 76:9, 77:18, 80:7, 80:11, 86:24, 88:2, 92:7, 101:19, 103:3, 103:4, 104:4, 104:23, 111:19, 116:21 hereby [1] - 118:7 hereinbefore [1] - 118:9 hereunto [1] - 118:16 hesitancy [1] - 44:14 hi [5] - 27:24, 34:18, 72:23, 77:17, 105:10 high [3] - 26:12, 79:16, 108:23 higher [1] - 14:8 highest [2] - 88:8, 88:10 highjack [1] - 35:18 highlight [1] - 7:13 highlighted [1] - 12:5 highlighting [1] - 6:25 highly [3] - 61:15, 76:21, 96:16 hire [1] - 52:25 hired [1] - 113:10 hiring [1] - 54:22 his [4] - 36:16, 50:4, 59:23, 71:9 historic [2] - 92:20, 93:5 historical [3] - 41:1, 69:16, 109:16 historically [1] - 57:8 history [4] - 3:19, 40:4, 40:22, 45:24 hit [1] - 18:22 hm [1] - 88:3 HO [10] - 1:15, 44:18, 44:24, 45:1, 46:3, 86:20, 87:14, 87:25, 88:4, 89:11 Ho [1] - 2:11 hobby [1] - 29:1 hold [3] - 10:4, 76:16, 77:13 holder [1] - 96:21 holding [2] - 29:24, 82:14 holes [3] - 55:16, 83:17, 84:12 home [5] - 18:22, 100:2, 104:8, 106:12, 106:18 homeless [1] - 100:14 homelessness [1] - 100:20 homes [2] - 104:18, 105:2</p>	<p>honesty [1] - 60:1 hope [7] - 5:13, 10:1, 44:19, 45:1, 79:23, 85:18, 103:24 hopefully [1] - 77:23 hospitality [1] - 58:6 hospitals [1] - 60:8 hotel [1] - 58:6 hour [2] - 98:10, 106:16 hours [1] - 82:23 house [2] - 19:24, 73:11 how [33] - 18:4, 18:5, 20:7, 22:20, 25:19, 29:8, 29:10, 30:1, 37:4, 50:5, 56:5, 57:21, 58:11, 59:23, 61:20, 65:23, 72:12, 73:17, 73:25, 78:9, 86:12, 87:12, 87:17, 88:4, 104:17, 106:2, 106:3, 110:9, 112:18, 114:16 however [7] - 17:4, 37:15, 42:7, 45:17, 76:8, 92:15, 99:7 Hudson [1] - 101:13 huge [2] - 17:9, 73:2 human [2] - 51:3, 66:18 Human [2] - 51:1, 53:25 human-scale [1] - 51:3 hundred [4] - 10:24, 15:18, 23:7, 52:24 hurry [1] - 102:19 hurt [1] - 108:14 hyper [1] - 64:11</p> <p style="text-align: center;">I</p> <p>I [358] - 2:3, 2:6, 2:12, 2:14, 2:24, 3:6, 3:15, 3:16, 3:17, 3:22, 3:23, 3:25, 4:16, 4:18, 5:11, 5:25, 6:17, 6:21, 7:12, 9:6, 9:10, 9:19, 9:22, 10:1, 10:16, 11:1, 11:20, 14:19, 14:23, 14:24, 15:15, 15:24, 16:1, 16:5, 16:6, 16:7, 17:22, 17:25, 18:2, 18:9, 18:14, 18:20, 18:22, 20:5, 20:6, 20:13, 20:16, 21:3, 21:5, 21:6, 22:5, 22:7, 22:11, 22:16, 22:18, 22:22, 23:9, 23:19, 23:21, 23:22, 23:23, 25:2, 25:4, 25:6, 25:12, 25:15, 26:1, 26:5, 26:8, 27:1, 27:4, 27:6, 27:7, 27:14, 27:17, 27:20, 27:24, 27:25, 28:8, 28:11, 28:19, 28:20, 29:4, 29:7, 29:15, 29:20, 29:21, 30:8, 30:13, 30:21, 31:4, 34:18, 34:20, 34:25, 35:3, 35:5, 35:6, 35:11, 35:14, 35:16, 35:21, 36:13, 36:19, 36:20, 36:24, 37:25, 38:2, 43:22, 43:23, 44:19,</p>	<p>44:22, 45:1, 45:7, 45:13, 45:16, 45:17, 45:22, 46:3, 46:4, 46:12, 46:16, 46:21, 46:22, 47:10, 48:2, 48:10, 48:14, 48:25, 49:10, 49:11, 49:13, 49:22, 50:1, 50:2, 50:4, 50:5, 50:17, 50:21, 51:11, 58:2, 58:12, 58:15, 59:9, 59:10, 59:22, 60:2, 60:3, 60:4, 60:14, 60:19, 60:25, 61:1, 61:2, 61:4, 61:5, 61:7, 61:9, 61:11, 61:12, 62:10, 62:17, 62:25, 63:14, 64:9, 64:25, 65:9, 65:11, 65:14, 65:20, 65:21, 66:13, 66:17, 66:19, 66:21, 66:22, 66:25, 67:2, 67:10, 67:15, 67:17, 67:20, 68:2, 68:7, 68:24, 68:25, 69:5, 69:13, 69:16, 69:23, 70:9, 71:22, 72:25, 73:4, 73:13, 74:4, 74:16, 74:17, 74:22, 75:12, 77:21, 77:24, 78:1, 78:2, 78:9, 78:12, 79:23, 79:24, 80:7, 81:14, 82:23, 82:25, 83:3, 83:12, 83:14, 83:22, 84:4, 84:5, 84:24, 85:13, 85:17, 85:18, 85:22, 85:23, 86:2, 86:6, 86:8, 86:16, 86:21, 86:22, 87:4, 87:7, 87:10, 87:11, 87:14, 87:25, 88:1, 88:15, 88:25, 90:7, 90:17, 90:19, 90:21, 90:22, 90:23, 90:25, 91:4, 91:7, 91:16, 91:19, 96:23, 97:13, 97:25, 98:4, 98:9, 98:10, 98:24, 98:25, 99:3, 99:16, 100:6, 100:13, 100:17, 100:21, 101:3, 101:4, 101:16, 101:17, 101:19, 101:20, 101:22, 101:23, 101:25, 102:6, 102:7, 102:9, 102:24, 102:25, 103:4, 103:11, 103:14, 103:15, 103:21, 103:24, 104:4, 104:5, 104:12, 104:13, 104:22, 105:1, 105:15, 106:5, 106:7, 106:15, 106:16, 106:21, 107:18, 108:3, 108:4, 108:7, 108:9, 109:7, 109:22, 110:6, 111:13, 111:14, 111:17, 113:16, 114:6, 114:9, 114:13, 114:17, 114:22, 115:5, 115:7, 115:10, 115:12, 115:16, 116:5, 116:6, 116:9, 116:10, 116:12, 116:15, 116:17, 116:20, 117:1, 118:1, 118:6, 118:12, 118:14, 118:16 i [2] - 18:15, 29:17</p>	<p>I'd [7] - 2:1, 19:2, 31:13, 49:2, 62:11, 64:23, 71:17 I'll [13] - 2:9, 9:9, 17:23, 28:1, 46:13, 51:7, 65:3, 73:20, 80:11, 95:9, 108:5, 110:16, 114:9 i'm [1] - 50:25 I'm [89] - 2:17, 2:21, 3:1, 3:2, 3:4, 3:5, 3:10, 3:11, 3:21, 4:6, 4:7, 4:8, 4:10, 4:11, 4:14, 5:24, 10:8, 10:14, 11:22, 12:2, 12:3, 15:15, 15:19, 17:20, 18:24, 19:20, 22:2, 23:21, 24:1, 24:10, 24:13, 25:13, 25:18, 28:6, 31:2, 31:9, 34:21, 35:10, 37:9, 40:18, 45:2, 49:18, 50:25, 53:24, 57:24, 60:22, 60:25, 62:6, 62:14, 62:15, 62:23, 67:20, 68:7, 68:8, 69:10, 71:20, 72:23, 77:18, 78:6, 79:7, 79:14, 80:5, 83:1, 83:11, 85:9, 88:13, 89:18, 90:14, 90:19, 92:4, 95:4, 100:24, 101:1, 103:3, 104:5, 104:6, 105:10, 105:11, 108:1, 110:16, 111:22, 112:23, 115:3, 115:16 I've [40] - 3:18, 22:6, 55:23, 62:16, 68:20, 73:22, 103:5, 114:20, 116:17, 116:20 ice [1] - 106:2 ID [1] - 32:18 idea [9] - 18:1, 20:6, 20:20, 49:23, 50:6, 53:4, 56:9, 98:3, 103:10 ideal [1] - 102:21 ideas [3] - 8:6, 38:11, 49:10 identified [1] - 100:4 identify [1] - 45:5 if [74] - 2:2, 7:19, 19:5, 21:24, 22:24, 24:10, 24:23, 24:24, 25:20, 28:3, 29:7, 36:20, 37:20, 43:23, 44:10, 44:21, 45:14, 45:22, 46:1, 46:6, 46:13, 46:21, 47:3, 49:18, 50:6, 50:17, 55:14, 58:9, 58:17, 58:24, 59:7, 59:17, 61:2, 61:6, 61:7, 62:10, 67:4, 67:20, 67:23, 68:12, 70:10, 72:3, 74:21, 74:22, 74:25, 78:4, 79:14, 82:10, 85:16, 85:22, 86:21, 86:22, 87:15, 87:25, 88:13, 88:25, 91:12, 93:16, 97:6, 100:3, 102:7, 103:20, 105:2, 105:3, 106:2, 106:17, 106:21, 111:4, 111:23, 112:14, 114:11, 115:10, 117:1</p>
--	---	---	---

<p>ignoring [1] - 64:16 image [1] - 65:22 immediate [2] - 59:11, 74:7 immigration [1] - 32:17 impact [3] - 39:8, 39:25, 81:1 impacts [2] - 43:18, 93:2 implement [1] - 85:20 implemented [1] - 42:7 implementing [3] - 82:20, 85:2, 85:5 importance [1] - 10:18 important [13] - 8:16, 13:6, 17:17, 18:20, 21:21, 22:17, 23:23, 43:7, 49:7, 73:19, 96:17, 97:11, 101:18 imposed [1] - 90:8 imposing [1] - 99:8 imposition [2] - 33:24, 52:3 impossible [1] - 37:21 impressed [1] - 10:14 impropriety [1] - 18:15 improve [4] - 21:21, 24:8, 33:9, 93:11 improvement [3] - 15:14, 25:14, 51:14 improvements [2] - 91:22, 91:24 improving [2] - 43:9, 83:2 in [332] - 3:19, 3:20, 4:12, 4:19, 4:21, 4:22, 5:3, 5:9, 5:16, 5:18, 6:16, 6:22, 7:3, 7:10, 7:12, 7:19, 7:22, 7:23, 8:4, 8:19, 11:21, 11:22, 12:5, 12:14, 12:19, 13:12, 14:6, 14:15, 15:3, 15:5, 15:10, 15:25, 16:16, 16:22, 16:23, 17:5, 17:7, 17:12, 17:13, 17:15, 17:16, 18:3, 21:2, 22:3, 22:7, 23:3, 23:22, 24:1, 24:6, 24:19, 24:20, 24:23, 25:1, 25:8, 25:13, 26:9, 26:21, 27:4, 28:2, 28:9, 28:13, 28:22, 29:12, 29:22, 30:3, 30:6, 30:7, 30:8, 31:8, 31:10, 31:13, 31:17, 31:18, 31:23, 32:2, 32:6, 32:9, 32:13, 32:15, 32:22, 33:2, 33:12, 33:17, 34:11, 34:14, 34:25, 35:12, 37:10, 37:23, 38:25, 39:4, 39:6, 40:1, 40:10, 40:21, 41:8, 41:20, 42:4, 42:11, 42:18, 42:21, 43:7, 43:9, 44:6, 45:4, 45:5, 45:7, 45:20, 46:19, 47:2, 47:7, 47:9, 47:10, 48:2, 48:16, 48:18, 48:21, 49:6, 49:8, 49:11, 49:22, 49:25, 50:4, 50:9, 50:18, 52:15, 53:11, 53:18, 54:24, 55:6,</p>	<p>55:7, 55:16, 56:19, 57:7, 57:11, 57:15, 57:16, 58:1, 58:10, 58:16, 58:22, 59:5, 59:12, 60:1, 60:4, 60:5, 60:6, 60:10, 60:15, 60:17, 60:19, 60:20, 60:21, 61:1, 61:5, 61:19, 62:16, 62:24, 63:5, 63:6, 63:8, 63:23, 63:25, 64:2, 64:8, 64:9, 64:13, 64:15, 65:16, 67:16, 68:12, 68:13, 68:15, 68:17, 69:21, 70:21, 71:8, 73:3, 73:5, 73:6, 73:7, 74:12, 74:17, 75:19, 75:20, 76:7, 76:14, 76:15, 76:16, 77:2, 77:19, 77:22, 77:23, 78:1, 78:3, 78:5, 78:11, 78:12, 78:21, 79:3, 79:8, 79:11, 79:20, 79:21, 80:7, 80:8, 80:11, 80:13, 80:14, 80:15, 80:16, 80:17, 80:23, 81:3, 81:13, 81:14, 81:17, 81:19, 81:21, 82:1, 82:9, 82:11, 82:14, 82:21, 83:4, 83:6, 83:7, 83:16, 83:25, 84:2, 84:15, 84:18, 84:20, 85:8, 85:9, 85:17, 85:23, 86:3, 86:6, 86:9, 86:16, 87:4, 88:8, 88:12, 88:22, 89:1, 89:10, 89:20, 89:23, 90:9, 90:24, 91:1, 91:9, 91:14, 92:19, 92:24, 93:5, 93:10, 93:18, 93:21, 94:6, 96:16, 96:19, 97:21, 97:23, 98:9, 99:2, 99:17, 99:18, 99:21, 99:24, 100:4, 101:4, 102:7, 102:10, 102:18, 102:19, 102:21, 103:8, 103:11, 104:17, 104:18, 105:13, 105:25, 106:6, 106:8, 107:20, 109:13, 109:15, 109:24, 110:9, 110:12, 110:19, 111:3, 113:3, 113:8, 113:19, 114:7, 114:14, 114:15, 114:16, 114:20, 114:25, 115:3, 115:5, 115:9, 115:11, 115:12, 115:18, 116:2, 116:4, 116:11, 116:18, 117:5, 118:14 IN [1] - 118:16 inaudible [7] - 44:25, 48:1, 68:4, 97:17, 112:22, 112:25, 113:25 Inaudible [2] - 4:5, 60:24 incentive [2] - 24:4, 24:16 incentivizing [2] - 18:23, 19:14 include [7] - 32:16, 32:21, 39:11, 39:14, 42:13, 57:23, 76:6</p>	<p>included [1] - 6:19 includes [1] - 31:18 including [5] - 7:24, 33:12, 39:16, 53:17, 96:5 income [3] - 16:1, 39:20, 54:14 incomplete [1] - 77:10 increase [4] - 22:25, 24:19, 42:20, 43:1 increased [4] - 15:12, 15:19, 19:1, 42:13 increasing [3] - 7:25, 18:25, 36:21 incumbent [1] - 36:8 incumbents [3] - 13:25, 28:22, 30:9 independent [10] - 12:13, 12:18, 12:21, 29:10, 33:14, 53:1, 57:12, 75:16, 75:23, 93:8 indicate [1] - 14:4 indicated [1] - 3:15 individual [3] - 44:7, 81:8, 114:7 induces [1] - 55:3 indulge [1] - 74:21 industry [3] - 60:4, 60:5, 60:21 ineffective [1] - 76:21 inefficiency [1] - 25:14 inequality [1] - 36:19 infiltrated [1] - 74:12 influence [3] - 15:5, 17:5, 17:13 influenced [2] - 30:2, 60:12 influencing [2] - 59:20 inform [2] - 5:25, 112:18 informal [1] - 102:8 information [2] - 43:13, 73:16 informed [3] - 35:13, 35:14, 106:14 infrastructure [5] - 26:21, 89:22, 89:25, 90:6, 90:11 infuriate [1] - 51:24 inherent [2] - 55:13, 76:1 initiative [2] - 37:13, 41:17 initiatives [2] - 7:14, 33:16 input [4] - 37:18, 40:24, 76:12, 102:18 inside [1] - 17:3 insofar [1] - 113:21 Inspector [1] - 67:17 inspire [1] - 41:8 instance [1] - 50:1 instant [6] - 20:6, 26:9, 33:8, 34:19, 77:19, 78:4 instead [8] - 16:13, 19:20, 61:14, 65:20, 81:4, 81:7,</p>	<p>81:12, 94:14 Institute [1] - 3:13 instituted [3] - 27:15, 46:2, 57:10 institution [1] - 33:7 institutional [5] - 38:14, 56:11, 99:9, 103:2 institutionalized [1] - 59:1 institutions [1] - 81:4 instrument [1] - 103:16 integral [2] - 43:15, 92:20 integrated [1] - 26:22 integration [1] - 43:12 intended [2] - 78:25, 82:6 intends [2] - 76:9, 92:14 intent [1] - 53:6 intentions [1] - 16:10 interest [22] - 3:20, 14:8, 14:15, 28:13, 28:16, 37:24, 47:5, 51:5, 52:4, 52:20, 53:8, 57:22, 57:24, 58:5, 61:5, 69:2, 69:7, 71:12, 76:1, 76:22, 77:23, 100:8 interested [9] - 4:21, 18:3, 21:11, 22:3, 24:1, 74:17, 98:11, 105:13, 118:14 interesting [3] - 68:20, 75:4, 101:24 interests [2] - 42:10, 52:6 interim [1] - 51:11 interpretation [1] - 42:23 interrelated [1] - 87:6 interview [1] - 90:23 interviewed [1] - 57:13 into [12] - 12:23, 29:24, 30:15, 67:8, 73:1, 75:4, 81:6, 86:11, 87:9, 90:4, 103:24, 107:7 intrigued [1] - 25:13 introduce [1] - 2:8 introduction [1] - 22:8 invaluable [1] - 103:3 invested [1] - 93:4 investigate [2] - 63:20, 75:24 investigation [1] - 71:13 Investigation [2] - 63:18, 64:3 investigations [4] - 23:12, 62:24, 63:11, 63:13 investigative [1] - 63:19 investors [1] - 14:25 involved [4] - 70:21, 71:8, 82:14, 109:24 involvement [1] - 31:17 involves [1] - 56:9 involving [1] - 76:2 lowa [1] - 13:17 Ireland [2] - 48:19, 48:20</p>
--	---	--	--

<p>Irvington [2] - 23:6, 23:9 Irvington's [1] - 23:8 is [268] - 2:3, 2:6, 2:11, 2:17, 2:20, 2:23, 3:10, 3:15, 4:3, 4:13, 5:3, 5:6, 5:14, 5:15, 6:5, 6:8, 6:13, 6:15, 6:23, 7:14, 7:16, 7:17, 8:9, 9:6, 9:16, 9:21, 10:3, 10:7, 10:17, 10:22, 11:16, 12:2, 12:7, 12:12, 12:15, 13:7, 14:8, 14:24, 15:1, 15:3, 15:22, 15:23, 16:9, 17:6, 17:9, 18:4, 18:5, 18:12, 18:20, 18:25, 19:12, 20:8, 20:10, 21:6, 21:11, 21:12, 21:16, 22:6, 22:17, 23:3, 23:13, 23:14, 23:15, 23:17, 23:20, 25:6, 25:9, 25:20, 25:23, 25:25, 26:25, 27:22, 28:11, 28:21, 29:2, 29:10, 30:16, 30:17, 30:18, 30:24, 31:1, 31:9, 31:23, 32:15, 35:23, 35:24, 36:5, 36:7, 36:14, 36:18, 37:4, 37:5, 37:9, 37:13, 37:21, 38:7, 43:15, 44:3, 44:18, 45:1, 45:18, 46:1, 46:3, 47:1, 47:2, 47:5, 47:22, 47:24, 48:9, 49:8, 49:9, 50:20, 51:12, 51:25, 52:20, 53:19, 53:23, 54:12, 54:23, 55:2, 55:23, 56:4, 56:5, 56:8, 57:6, 57:19, 58:9, 59:10, 59:13, 60:5, 61:18, 61:22, 62:5, 63:10, 63:13, 63:18, 64:15, 64:19, 64:24, 65:1, 65:9, 65:14, 65:18, 65:19, 65:22, 65:23, 67:20, 68:5, 68:8, 68:13, 68:18, 68:23, 69:12, 69:22, 69:25, 70:5, 70:8, 70:14, 70:20, 70:21, 70:22, 70:23, 71:1, 71:20, 71:25, 72:19, 73:7, 73:9, 73:12, 73:18, 73:25, 74:4, 74:5, 75:12, 75:17, 75:24, 76:1, 76:21, 76:25, 77:9, 77:18, 78:10, 78:12, 79:15, 80:4, 80:14, 80:25, 81:4, 83:15, 83:17, 83:20, 83:23, 85:1, 85:15, 86:1, 86:4, 86:25, 88:9, 88:22, 89:22, 90:2, 91:10, 92:8, 92:18, 93:4, 93:10, 93:25, 94:17, 95:11, 96:17, 96:23, 97:7, 98:10, 98:24, 99:9, 99:10, 99:14, 100:4, 100:10, 100:12, 100:16, 100:23, 101:11, 101:13, 101:17, 102:2, 102:12, 102:15, 103:3, 103:16, 104:2, 104:12, 105:6, 105:10, 105:17, 106:1,</p>	<p>107:8, 107:25, 108:15, 108:25, 109:12, 109:17, 109:20, 109:25, 110:3, 110:21, 110:23, 111:10, 111:21, 112:13, 114:3, 114:10, 114:11, 114:15, 116:2, 116:3, 116:7, 116:19, 117:7, 118:8, 118:10 Island [3] - 4:8, 63:4, 101:15 isn't [1] - 115:25 issue [17] - 10:17, 17:17, 32:23, 35:16, 35:23, 35:24, 36:5, 53:5, 61:18, 65:1, 69:18, 69:20, 73:12, 73:22, 84:15, 99:5, 103:13 issued [5] - 5:4, 37:12, 64:8, 64:12, 64:14 issues [26] - 4:20, 5:7, 5:8, 5:12, 29:25, 31:22, 35:14, 35:21, 40:15, 41:2, 52:8, 54:3, 56:22, 69:1, 70:16, 71:18, 81:13, 82:2, 82:24, 92:11, 94:3, 94:21, 95:17, 96:4, 108:5, 111:22 it [1] - 63:18 it [172] - 5:4, 5:6, 9:13, 11:3, 11:5, 11:11, 11:13, 11:14, 11:19, 13:14, 18:10, 18:22, 19:1, 19:3, 19:15, 20:7, 20:8, 20:11, 20:13, 22:10, 22:14, 22:23, 23:4, 23:10, 24:3, 24:8, 25:6, 25:15, 25:17, 26:2, 26:4, 26:22, 27:5, 27:7, 27:12, 27:13, 28:25, 29:21, 30:5, 30:9, 30:14, 31:1, 32:15, 32:20, 33:14, 34:21, 35:10, 36:25, 37:6, 42:9, 44:2, 44:3, 44:9, 44:23, 45:2, 45:19, 45:24, 46:1, 46:3, 46:21, 46:23, 47:24, 48:14, 48:15, 48:20, 48:22, 48:23, 49:1, 49:9, 49:18, 49:23, 50:6, 56:5, 60:9, 61:2, 61:12, 62:7, 64:24, 66:6, 66:9, 69:19, 69:22, 70:2, 70:8, 70:22, 70:23, 72:3, 73:11, 73:20, 73:25, 75:17, 78:5, 81:18, 83:15, 84:4, 84:5, 84:6, 85:10, 85:14, 85:20, 85:22, 85:23, 85:25, 86:6, 86:11, 86:17, 86:23, 87:20, 88:4, 88:17, 88:25, 90:12, 93:9, 94:1, 94:6, 96:9, 96:17, 97:7, 97:9, 98:4, 98:9, 98:13, 99:5, 99:25, 100:9, 101:3, 102:2, 102:16, 102:22, 103:16, 105:3, 105:5, 105:20, 106:1, 106:7, 108:7, 108:8, 108:14, 108:22,</p>	<p>109:3, 109:10, 109:16, 109:22, 109:25, 110:2, 110:6, 110:7, 110:8, 110:12, 110:13, 110:20, 110:22, 110:25, 111:5, 111:9 it'd [1] - 114:7 It'd [1] - 98:1 it's [63] - 3:13, 4:8, 5:6, 7:2, 8:22, 10:11, 13:9, 14:1, 17:17, 18:23, 19:10, 21:13, 21:15, 22:12, 26:11, 27:5, 28:21, 44:12, 45:2, 45:25, 46:11, 47:11, 47:14, 48:12, 48:13, 48:15, 48:18, 48:21, 51:1, 58:23, 58:24, 58:25, 61:6, 64:25, 65:24, 72:2, 73:2, 73:16, 73:17, 75:3, 79:16, 79:22, 82:18, 83:19, 84:2, 84:20, 87:17, 92:24, 99:21, 100:2, 100:15, 100:18, 101:18, 101:21, 101:24, 102:14, 104:13, 107:18, 109:1, 109:19, 111:6, 113:20 items [5] - 6:25, 7:23, 12:8, 37:17, 59:22 its [13] - 34:22, 40:5, 40:6, 41:3, 41:10, 73:18, 81:1, 91:23, 92:20, 94:12, 94:13, 99:18, 113:3 itself [2] - 23:11, 96:19 ize [1] - 109:2</p>	<p>21:10, 22:2, 22:18, 22:19, 23:4, 23:7, 25:6, 25:10, 26:8, 26:19, 26:22, 27:14, 28:11, 28:19, 28:20, 35:4, 35:16, 43:24, 44:8, 46:16, 47:9, 47:12, 50:21, 51:8, 60:2, 60:20, 64:16, 65:21, 66:1, 66:15, 69:3, 69:15, 71:16, 72:4, 73:21, 74:23, 75:1, 75:3, 77:25, 80:10, 82:2, 84:8, 85:3, 85:14, 86:20, 87:25, 88:1, 88:13, 93:14, 101:6, 101:20, 102:8, 105:7, 105:12, 105:15, 108:3, 108:4, 108:5, 108:24, 109:3, 110:1, 110:2, 111:13, 112:1, 113:16, 115:18, 116:5 justice [2] - 77:1, 77:13 Justice [1] - 2:25 justification [1] - 30:13 justified [1] - 30:18</p>
K			
<p>Kacy [1] - 31:1 Kaitlyn [2] - 75:8, 80:4 Kallos's [1] - 91:7 Kallos [4] - 6:5, 36:15, 73:4, 84:13 KALLOS [7] - 6:10, 9:9, 18:9, 18:14, 22:5, 27:14, 27:19 Katherine [1] - 108:1 Kay [1] - 98:18 keep [6] - 73:20, 86:7, 86:17, 97:8, 109:5, 110:22 keeps [1] - 109:4 Kelly [6] - 31:3, 40:18, 47:21, 48:7, 62:8, 62:14 KELLY [2] - 31:3, 40:18 Ken [5] - 47:25, 55:23, 98:16, 98:24, 104:3 KENDRICK [1] - 83:11 Kendrick [2] - 75:9, 83:11 kick [1] - 67:18 killing [1] - 8:9 kind [7] - 50:7, 51:23, 59:22, 97:13, 112:10, 113:8, 113:9 knew [2] - 27:17, 57:9 know [52] - 13:10, 19:20, 20:14, 27:25, 31:2, 31:4, 35:5, 45:7, 45:16, 45:17, 45:23, 46:5, 46:6, 46:12, 46:21, 49:4, 50:17, 50:19, 58:7, 58:17, 59:12, 59:18, 60:25, 66:16, 66:17, 69:14, 70:13, 70:23, 74:4, 74:23, 77:21, 78:6, 79:15, 80:12, 83:14, 83:23, 84:1, 85:13,</p>			
J			
<p>JACOBS [7] - 68:22, 71:20, 71:22, 72:15, 74:4, 74:11, 74:14 Jacobs [2] - 62:5, 68:23 jail [1] - 63:8 Jails [1] - 62:14 jails [1] - 63:6 January [1] - 83:17 Jerome [1] - 112:2 job [2] - 38:18, 91:1 jobs [4] - 10:10, 93:6, 97:1, 97:4 John [2] - 62:8, 72:23 Joni [2] - 98:17, 105:10 Joseph [2] - 47:20, 48:9 jotted [1] - 101:20 judgment [1] - 116:13 July [8] - 1:6, 65:15, 65:21, 66:23, 102:1, 102:10, 102:14, 118:17 June [1] - 103:15 jury [1] - 67:1 just [81] - 5:4, 5:13, 5:21, 7:13, 8:7, 8:9, 18:23, 19:3, 19:7, 19:12, 19:19, 19:21,</p>			

<p>86:8, 86:10, 86:11, 88:11, 88:18, 102:6, 103:7, 104:13, 106:2, 106:3, 106:15, 108:21, 109:19 knowledge [1] - 103:2 known [1] - 16:15 knows [2] - 32:18, 58:22 Komatsu [2] - 62:5, 65:9 KOMATSU [9] - 65:9, 65:24, 66:1, 66:5, 66:8, 66:22, 68:4, 68:8, 68:12 Kyle [1] - 4:10 KYLE [1] - 1:17</p>	<p>101:1 lawfully [2] - 66:14, 66:16 laws [5] - 69:6, 83:6, 83:24, 84:6, 104:13 lawsuit [3] - 65:11, 65:13, 66:15 lawsuits [1] - 65:14 lawyer [1] - 2:12 lawyers [1] - 53:1 lead [1] - 17:17 leader [2] - 17:16, 58:18 leaders [2] - 76:15, 83:6 leadership [4] - 7:17, 58:25, 60:17, 61:18 leads [1] - 93:7 leap [1] - 27:20 learn [1] - 16:10 learns [1] - 26:3 least [9] - 9:19, 17:3, 28:7, 28:24, 29:25, 38:19, 40:10, 46:4, 81:12 leave [1] - 70:14 leaving [1] - 9:21 led [1] - 42:8 left [5] - 2:9, 31:6, 66:23, 75:10, 102:24 legal [4] - 23:8, 23:12, 45:10, 46:7 legally [1] - 30:18 legislate [1] - 16:8 legislation [1] - 87:8 legislative [2] - 13:13, 87:11 legitimacy [2] - 66:6, 67:23 legitimize [1] - 52:1 lengthy [1] - 56:8 less [3] - 13:2, 88:18, 97:6 let [9] - 5:13, 19:3, 52:25, 55:5, 68:2, 73:21, 74:23, 79:19, 98:13 let's [6] - 11:24, 75:10, 98:18, 105:3, 105:5, 109:18 letter [1] - 90:25 level [4] - 71:7, 100:6 levels [1] - 16:1 Liberties [1] - 2:12 licenses [1] - 58:8 licensing [2] - 58:6, 96:6 Lieutenant [1] - 67:15 life [7] - 4:23, 15:20, 31:18, 32:22, 40:1, 56:17, 81:2 lifetime [1] - 8:18 like [56] - 2:1, 9:14, 11:19, 16:21, 19:1, 19:21, 20:6, 22:13, 23:10, 24:11, 28:24, 29:18, 31:13, 34:18, 36:20, 37:11, 37:25, 38:2, 38:24, 47:10, 49:2, 49:21, 55:4, 55:11, 58:14, 58:24, 60:10, 62:12, 62:19, 63:14, 63:17,</p>	<p>64:23, 65:4, 66:15, 67:8, 71:17, 74:22, 79:6, 82:24, 83:12, 84:12, 86:23, 87:5, 88:1, 88:5, 89:8, 89:15, 98:18, 99:3, 100:17, 100:19, 104:24, 105:7, 105:17, 113:16, 115:14 likelihood [1] - 24:19 likely [1] - 88:15 likes [1] - 26:4 limit [5] - 5:23, 39:11, 55:19, 56:4, 57:4 limited [4] - 5:12, 57:4, 74:1, 96:18 limits [24] - 7:16, 8:5, 8:18, 8:21, 18:16, 22:5, 22:14, 33:25, 38:3, 42:4, 52:3, 56:9, 56:25, 71:23, 71:25, 79:8, 91:8, 91:12, 99:4, 99:6, 99:9, 103:4, 103:13 line [3] - 16:16, 28:15, 87:13 lines [3] - 30:6, 30:7, 30:17 liquor [2] - 58:8, 96:6 list [5] - 32:11, 49:25, 50:3, 53:15, 108:5 listen [1] - 113:21 listening [5] - 16:3, 16:11, 16:13, 114:24 listing [2] - 72:5, 72:11 literally [5] - 17:2, 56:7, 63:9, 64:15, 112:6 little [7] - 29:8, 77:25, 88:2, 88:14, 108:6, 108:11, 115:6 livability [1] - 51:2 live [6] - 34:25, 50:4, 60:6, 64:20, 108:23, 109:3 liveable [1] - 43:10 lives [2] - 64:20, 81:2 living [1] - 44:6 lobbying [4] - 69:1, 69:15, 70:16, 71:23 lobbyist [5] - 58:9, 59:17, 69:17, 71:13, 72:1 lobbyists [9] - 9:6, 58:5, 69:7, 70:4, 70:11, 70:18, 70:25, 72:15, 74:12 local [8] - 18:17, 31:21, 40:10, 45:4, 45:5, 61:8, 86:11, 109:24 locality [1] - 61:3 logic [1] - 60:10 logistical [2] - 45:6, 45:9 London [1] - 48:20 long [12] - 3:18, 17:12, 32:24, 40:22, 43:18, 56:10, 64:3, 65:23, 96:12, 96:24, 101:18, 113:4 long-term [3] - 43:18, 96:12, 96:24</p>	<p>longer [2] - 51:4, 56:14 longest [1] - 95:12 longevity [1] - 99:11 look [10] - 12:18, 46:12, 58:2, 64:25, 75:4, 83:13, 83:21, 83:25, 88:8, 114:11 looked [5] - 4:24, 20:11, 20:12, 72:19, 78:2 looking [7] - 45:21, 46:18, 74:1, 74:7, 74:8, 74:13, 115:17 looks [3] - 7:5, 89:15, 98:18 loop [3] - 55:16, 83:17, 84:12 lose [1] - 30:5 loss [2] - 15:18, 84:19 lost [2] - 23:6, 116:20 lot [15] - 21:18, 22:22, 37:14, 50:20, 54:2, 69:23, 89:20, 106:7, 106:19, 107:10, 107:11, 112:12, 114:11, 114:14, 116:11 LOUNGE [1] - 1:4 love [1] - 8:12 low [3] - 11:15, 78:10, 79:15 lower [4] - 18:25, 54:11, 54:20, 80:21 lowering [4] - 7:25, 8:4, 18:16, 33:11 lowest [1] - 78:20 loyalties [1] - 52:7 loyalty [1] - 58:17 LPC [2] - 93:8, 93:16 LPC's [1] - 93:25 lump [1] - 60:20 lumping [1] - 61:13 lunch [1] - 82:16 lunches [1] - 47:14 Lynn [4] - 47:21, 50:25, 54:1, 69:3</p>
L		M	
<p>lack [2] - 57:6, 90:24 Lally [2] - 47:20, 48:9 LALLY [1] - 48:9 land [33] - 7:18, 9:11, 22:18, 37:22, 38:23, 39:1, 39:6, 39:7, 39:16, 39:23, 40:11, 40:23, 42:17, 43:3, 43:19, 52:10, 52:24, 53:1, 53:5, 53:12, 61:6, 73:5, 83:13, 83:22, 92:11, 94:21, 95:20, 96:5, 99:19, 100:4, 103:7, 109:9, 111:22 land-use [16] - 7:18, 9:11, 22:18, 37:22, 38:23, 39:6, 39:7, 39:16, 39:23, 42:17, 43:19, 52:10, 53:1, 53:5, 53:12, 96:5 Landmark [1] - 104:25 landmark's [2] - 40:2, 93:9 Landmarks [1] - 92:5 landmarks [5] - 40:11, 84:2, 92:17, 93:3, 96:5 language [1] - 33:6 languages [1] - 42:22 large [7] - 19:22, 20:23, 55:12, 56:21, 82:1, 94:17, 100:1 larger [2] - 94:3, 107:7 largest [1] - 13:8 last [19] - 5:16, 9:9, 9:19, 28:23, 29:19, 30:11, 31:2, 31:7, 38:8, 40:13, 47:11, 62:6, 63:3, 65:15, 72:15, 83:17, 90:21, 98:16, 107:20 lastly [3] - 14:5, 82:8, 106:21 late [4] - 45:24, 90:25, 95:7, 98:10 later [1] - 12:22 Laughter [1] - 116:22 law [11] - 2:17, 14:1, 16:9, 30:19, 45:16, 45:18, 59:12, 66:12, 93:9, 93:15, 93:20 Law [4] - 2:18, 2:25, 3:11,</p>	<p>legally [1] - 30:18 legislate [1] - 16:8 legislation [1] - 87:8 legislative [2] - 13:13, 87:11 legitimacy [2] - 66:6, 67:23 legitimize [1] - 52:1 lengthy [1] - 56:8 less [3] - 13:2, 88:18, 97:6 let [9] - 5:13, 19:3, 52:25, 55:5, 68:2, 73:21, 74:23, 79:19, 98:13 let's [6] - 11:24, 75:10, 98:18, 105:3, 105:5, 109:18 letter [1] - 90:25 level [4] - 71:7, 100:6 levels [1] - 16:1 Liberties [1] - 2:12 licenses [1] - 58:8 licensing [2] - 58:6, 96:6 Lieutenant [1] - 67:15 life [7] - 4:23, 15:20, 31:18, 32:22, 40:1, 56:17, 81:2 lifetime [1] - 8:18 like [56] - 2:1, 9:14, 11:19, 16:21, 19:1, 19:21, 20:6, 22:13, 23:10, 24:11, 28:24, 29:18, 31:13, 34:18, 36:20, 37:11, 37:25, 38:2, 38:24, 47:10, 49:2, 49:21, 55:4, 55:11, 58:14, 58:24, 60:10, 62:12, 62:19, 63:14, 63:17,</p>	<p>64:23, 65:4, 66:15, 67:8, 71:17, 74:22, 79:6, 82:24, 83:12, 84:12, 86:23, 87:5, 88:1, 88:5, 89:8, 89:15, 98:18, 99:3, 100:17, 100:19, 104:24, 105:7, 105:17, 113:16, 115:14 likelihood [1] - 24:19 likely [1] - 88:15 likes [1] - 26:4 limit [5] - 5:23, 39:11, 55:19, 56:4, 57:4 limited [4] - 5:12, 57:4, 74:1, 96:18 limits [24] - 7:16, 8:5, 8:18, 8:21, 18:16, 22:5, 22:14, 33:25, 38:3, 42:4, 52:3, 56:9, 56:25, 71:23, 71:25, 79:8, 91:8, 91:12, 99:4, 99:6, 99:9, 103:4, 103:13 line [3] - 16:16, 28:15, 87:13 lines [3] - 30:6, 30:7, 30:17 liquor [2] - 58:8, 96:6 list [5] - 32:11, 49:25, 50:3, 53:15, 108:5 listen [1] - 113:21 listening [5] - 16:3, 16:11, 16:13, 114:24 listing [2] - 72:5, 72:11 literally [5] - 17:2, 56:7, 63:9, 64:15, 112:6 little [7] - 29:8, 77:25, 88:2, 88:14, 108:6, 108:11, 115:6 livability [1] - 51:2 live [6] - 34:25, 50:4, 60:6, 64:20, 108:23, 109:3 liveable [1] - 43:10 lives [2] - 64:20, 81:2 living [1] - 44:6 lobbying [4] - 69:1, 69:15, 70:16, 71:23 lobbyist [5] - 58:9, 59:17, 69:17, 71:13, 72:1 lobbyists [9] - 9:6, 58:5, 69:7, 70:4, 70:11, 70:18, 70:25, 72:15, 74:12 local [8] - 18:17, 31:21, 40:10, 45:4, 45:5, 61:8, 86:11, 109:24 locality [1] - 61:3 logic [1] - 60:10 logistical [2] - 45:6, 45:9 London [1] - 48:20 long [12] - 3:18, 17:12, 32:24, 40:22, 43:18, 56:10, 64:3, 65:23, 96:12, 96:24, 101:18, 113:4 long-term [3] - 43:18, 96:12, 96:24</p>	<p>longer [2] - 51:4, 56:14 longest [1] - 95:12 longevity [1] - 99:11 look [10] - 12:18, 46:12, 58:2, 64:25, 75:4, 83:13, 83:21, 83:25, 88:8, 114:11 looked [5] - 4:24, 20:11, 20:12, 72:19, 78:2 looking [7] - 45:21, 46:18, 74:1, 74:7, 74:8, 74:13, 115:17 looks [3] - 7:5, 89:15, 98:18 loop [3] - 55:16, 83:17, 84:12 lose [1] - 30:5 loss [2] - 15:18, 84:19 lost [2] - 23:6, 116:20 lot [15] - 21:18, 22:22, 37:14, 50:20, 54:2, 69:23, 89:20, 106:7, 106:19, 107:10, 107:11, 112:12, 114:11, 114:14, 116:11 LOUNGE [1] - 1:4 love [1] - 8:12 low [3] - 11:15, 78:10, 79:15 lower [4] - 18:25, 54:11, 54:20, 80:21 lowering [4] - 7:25, 8:4, 18:16, 33:11 lowest [1] - 78:20 loyalties [1] - 52:7 loyalty [1] - 58:17 LPC [2] - 93:8, 93:16 LPC's [1] - 93:25 lump [1] - 60:20 lumping [1] - 61:13 lunch [1] - 82:16 lunches [1] - 47:14 Lynn [4] - 47:21, 50:25, 54:1, 69:3</p>

<p>107:18 make [28] - 6:1, 12:9, 16:15, 16:24, 21:25, 28:2, 30:9, 33:5, 33:14, 34:18, 36:21, 37:20, 43:24, 46:16, 46:23, 46:24, 49:2, 54:8, 60:2, 72:19, 75:19, 80:11, 85:19, 98:8, 103:12, 103:20, 106:6, 106:13 makers [1] - 16:9 makes [7] - 6:15, 16:12, 75:17, 82:6, 93:1, 94:13, 106:7 making [8] - 9:2, 12:12, 12:17, 23:19, 89:24, 90:5, 108:22, 112:7 management [1] - 75:2 manager [2] - 42:14, 99:1 manager's [1] - 99:12 managers [1] - 53:2 mandatory [1] - 9:17 Manhattan [14] - 5:15, 37:10, 51:6, 52:11, 55:24, 57:9, 58:2, 70:24, 95:5, 95:11, 102:10, 109:2, 109:3, 109:6 manipulated [1] - 28:22 manner [1] - 68:12 manpower [1] - 49:20 many [24] - 5:14, 5:19, 7:3, 11:3, 11:16, 16:6, 19:8, 20:22, 23:16, 25:1, 29:18, 29:24, 31:16, 41:1, 48:13, 48:16, 51:11, 56:5, 80:23, 96:4, 101:2, 115:2 maps [1] - 29:23 March [2] - 64:2, 67:1 MARCO [1] - 1:16 Marco [1] - 4:14 marginalized [1] - 77:5 mark [2] - 19:13, 45:5 Mark [2] - 63:17, 64:2 Markowitz [1] - 4:2 marriage [1] - 118:13 Marty [1] - 4:2 mAS [1] - 40:20 MAS [5] - 40:23, 41:7, 41:24, 43:11, 104:23 mass [1] - 54:22 massive [1] - 113:2 master [4] - 58:11, 59:24, 60:12, 96:10 match [11] - 7:25, 15:12, 18:6, 19:3, 19:13, 22:20, 22:24, 23:20, 27:16, 36:16, 104:20 matched [3] - 18:25, 19:10, 22:24 matches [1] - 17:9 matching [9] - 7:15, 7:24,</p>	<p>8:7, 15:13, 16:21, 35:24, 36:18, 36:21, 54:18 materials [1] - 26:19 math [1] - 105:13 matter [5] - 84:5, 84:6, 84:7, 117:9, 118:15 maxes [1] - 54:21 maximum [2] - 54:11, 54:16 May [1] - 76:5 may [13] - 13:10, 26:5, 27:5, 41:14, 42:23, 61:11, 73:10, 75:5, 81:20, 102:22, 103:19, 116:10 maybe [4] - 27:8, 49:18, 50:6, 114:19 mayor [13] - 3:18, 4:21, 9:15, 12:11, 16:2, 65:15, 65:20, 66:3, 67:12, 67:16, 68:10, 71:7, 80:18 Mayor's [2] - 4:15, 75:1 mayor's [3] - 66:10, 67:14, 83:16 mayoral [6] - 42:8, 48:21, 66:9, 67:24, 68:17, 80:22 MD [1] - 98:18 me [35] - 5:13, 10:18, 10:25, 11:19, 19:9, 20:20, 21:11, 27:24, 28:3, 31:8, 35:6, 46:6, 62:12, 65:20, 67:8, 67:16, 67:18, 68:2, 68:23, 70:6, 70:7, 73:21, 74:17, 74:21, 74:23, 85:22, 86:22, 94:23, 97:19, 97:22, 98:13, 98:22, 101:3, 105:17, 111:17 mean [6] - 29:18, 30:13, 34:20, 54:11, 57:25, 70:9 meaning [1] - 78:4 means [5] - 33:11, 34:13, 78:21, 79:10, 100:20 meant [1] - 59:10 meantime [1] - 84:15 measure [2] - 31:24, 32:10 measures [1] - 87:24 mechanisms [4] - 74:19, 74:25, 75:5, 76:16 median [1] - 54:14 meet [6] - 25:1, 35:18, 35:19, 46:21, 102:7, 102:10 meeting [14] - 16:6, 35:18, 40:16, 41:22, 47:11, 50:2, 50:3, 68:1, 68:5, 95:8, 102:9, 108:3, 116:21, 117:7 meetings [12] - 5:18, 6:19, 37:19, 42:20, 50:1, 53:16, 53:18, 65:10, 66:11, 66:12, 68:15 member [22] - 4:12, 6:6, 9:16, 18:18, 21:16, 35:17, 50:4, 55:23, 56:5, 58:3, 58:9, 58:23, 75:12, 79:25, 80:5,</p>	<p>89:18, 90:15, 90:17, 95:13, 100:24, 100:25, 101:1 Member [1] - 51:19 member's [1] - 26:24 members [42] - 2:7, 5:5, 6:11, 7:17, 8:21, 10:23, 12:24, 17:21, 30:1, 34:5, 38:6, 38:7, 38:8, 38:12, 42:4, 42:9, 42:15, 56:2, 56:3, 56:6, 56:10, 56:12, 57:4, 58:14, 71:10, 71:18, 82:23, 85:7, 86:25, 88:5, 89:4, 89:5, 91:2, 91:3, 92:4, 94:20, 95:19, 96:12, 96:13, 98:21, 111:19 memory [7] - 38:14, 56:11, 95:18, 95:25, 99:10, 99:14, 103:2 MENDY [1] - 1:19 Mendy [2] - 4:4, 4:7 mentioned [1] - 9:10 mentors [1] - 103:5 menu [1] - 112:4 merit [2] - 57:15, 88:7 merit-based [1] - 57:15 met [1] - 10:23 methodology [1] - 64:4 Meyerowitz [1] - 89:15 Michigan [1] - 88:12 microphone [1] - 66:21 middle [5] - 54:8, 54:10, 54:13, 62:11, 104:19 midst [1] - 4:19 might [16] - 9:13, 18:8, 19:16, 22:14, 23:6, 24:8, 24:16, 44:22, 50:13, 61:7, 61:9, 62:19, 86:12, 88:18, 111:24, 115:6 million [11] - 22:23, 23:2, 23:3, 23:7, 23:9, 25:7, 25:9, 26:19, 26:25, 37:2, 93:4 Millionaires [3] - 14:23, 16:4, 18:21 millionaires [2] - 15:8, 19:22 mimic [1] - 64:14 mimicked [2] - 63:10, 64:6 mind [2] - 47:1, 62:10 minds [3] - 5:9, 6:22, 27:19 mine [1] - 56:1 minimal [1] - 36:4 Minneapolis [1] - 48:17 Minnesota [1] - 13:17 minor [1] - 32:13 minorities [2] - 28:14, 107:15 minority [1] - 107:17 minute [2] - 69:3, 105:25 minutes [3] - 4:16, 5:24, 5:25 MIROCZNIK [3] - 1:19, 4:3,</p>	<p>4:6 Mirocchnik [1] - 4:7 misconduct [1] - 77:7 mission [1] - 43:11 mistakenly [1] - 44:7 mistrust [1] - 81:3 misuse [1] - 104:10 mitigate [1] - 100:7 mix [1] - 92:25 mm [1] - 88:3 mm-hm [1] - 88:3 mock [1] - 91:20 model [2] - 12:24, 12:25 models [4] - 12:19, 12:20, 20:13, 20:16 modifying [1] - 54:7 moment [2] - 74:21, 108:7 momentum [1] - 85:13 money [22] - 7:14, 15:5, 15:17, 16:17, 17:5, 17:13, 18:1, 18:4, 26:23, 28:7, 35:5, 36:4, 36:9, 36:10, 37:5, 51:17, 71:1, 72:2, 73:9, 104:15, 104:20, 114:17 monitoring [1] - 44:12 month [4] - 96:5, 97:1, 116:2 month's [1] - 47:11 monthly [1] - 53:14 months [2] - 6:19, 103:19 more [65] - 4:23, 6:2, 12:13, 12:17, 15:17, 18:10, 18:12, 18:17, 20:8, 20:10, 24:17, 29:17, 29:20, 29:25, 31:25, 32:4, 33:5, 33:14, 34:1, 34:24, 35:9, 35:15, 38:22, 43:10, 49:7, 51:17, 51:22, 51:24, 57:25, 78:3, 78:7, 78:14, 79:10, 79:11, 79:12, 80:10, 81:5, 81:17, 81:22, 82:6, 84:17, 85:13, 85:19, 87:12, 88:15, 90:19, 91:9, 93:4, 93:16, 94:9, 95:14, 95:15, 95:19, 96:23, 101:23, 103:12, 103:21, 106:19, 107:10, 108:6, 109:4, 114:21, 114:24 morning [2] - 6:10, 40:18 Morris [5] - 6:7, 14:24, 18:21, 19:21, 101:10 most [21] - 7:12, 18:20, 20:19, 21:21, 22:4, 22:17, 32:1, 32:19, 35:12, 45:25, 63:6, 63:25, 64:18, 80:18, 83:5, 84:11, 84:19, 92:18, 102:6, 103:8 Motion [1] - 48:22 motion [2] - 117:2, 117:3 move [7] - 5:22, 6:2, 7:20, 30:20, 31:7, 50:18, 68:3</p>
---	---	--	---

<p>moving [2] - 85:6, 108:17 mR [5] - 4:13, 87:25, 88:4, 89:11, 111:13 Mr [8] - 3:7, 6:9, 14:17, 29:7, 44:19, 67:2, 72:22, 74:22 MR [173] - 2:1, 2:11, 3:15, 3:21, 4:3, 4:6, 4:10, 4:16, 6:10, 9:8, 9:9, 10:3, 11:25, 12:1, 14:16, 14:17, 17:18, 17:20, 18:9, 18:12, 18:14, 20:3, 20:5, 20:15, 20:18, 20:19, 21:14, 22:5, 23:13, 23:19, 26:6, 26:8, 26:16, 27:1, 27:6, 27:12, 27:14, 27:17, 27:19, 28:11, 28:19, 29:3, 29:6, 29:14, 30:20, 30:24, 31:4, 31:8, 33:20, 33:22, 34:7, 34:9, 34:16, 37:7, 40:14, 43:22, 44:18, 44:21, 44:24, 44:25, 45:1, 45:16, 46:3, 46:13, 46:15, 47:17, 47:20, 47:24, 48:4, 48:8, 48:9, 50:24, 53:21, 55:21, 57:17, 59:2, 59:15, 60:2, 60:14, 61:24, 62:2, 62:5, 62:7, 65:6, 65:8, 65:9, 65:23, 65:24, 66:1, 66:4, 66:5, 66:7, 66:8, 66:22, 68:2, 68:4, 68:5, 68:8, 68:11, 68:12, 68:19, 68:22, 71:19, 71:20, 71:21, 71:22, 72:14, 72:15, 72:21, 72:23, 73:21, 74:4, 74:6, 74:11, 74:14, 74:15, 75:7, 77:15, 77:17, 80:3, 83:9, 84:21, 85:9, 86:19, 86:20, 87:14, 89:12, 89:14, 89:18, 92:2, 95:2, 97:14, 97:18, 97:20, 97:22, 97:23, 97:25, 98:1, 98:2, 98:3, 98:4, 98:5, 98:6, 98:9, 98:12, 98:13, 98:15, 98:16, 98:20, 100:23, 101:6, 101:10, 103:22, 103:23, 104:1, 105:9, 105:10, 107:23, 110:14, 111:10, 111:12, 111:16, 112:1, 114:1, 114:9, 116:5, 116:10, 116:16, 116:20, 116:23, 117:1, 117:5, 117:7 ms [2] - 31:3, 114:3 Ms [6] - 34:17, 48:10, 57:20, 61:13, 103:14, 111:17 MS [67] - 2:16, 2:19, 2:23, 3:1, 3:4, 3:9, 10:7, 10:13, 10:21, 20:10, 20:16, 21:3, 21:15, 24:1, 24:13, 24:15, 24:22, 25:12, 25:22, 25:24, 25:25, 26:15, 29:4, 29:7, 34:18, 37:8, 40:15, 40:18,</p>	<p>47:9, 47:16, 47:19, 47:23, 48:1, 48:2, 48:5, 48:7, 50:25, 53:22, 55:22, 57:19, 58:1, 59:3, 59:9, 59:16, 60:13, 60:22, 60:24, 61:11, 62:9, 74:16, 75:11, 80:4, 83:11, 84:24, 86:2, 87:8, 87:18, 88:3, 88:21, 92:3, 95:3, 104:2, 107:25, 108:14, 112:20, 112:23, 113:23 much [27] - 6:13, 8:25, 11:22, 14:18, 16:2, 16:13, 18:4, 18:5, 22:20, 27:9, 29:17, 30:22, 34:15, 47:18, 62:9, 72:21, 75:6, 80:10, 89:12, 98:20, 98:22, 105:7, 107:23, 111:11, 113:23, 116:6 multi [1] - 79:18 multi-candidate [1] - 79:18 multiple [1] - 79:10 multiplier [1] - 8:1 municipal [10] - 31:15, 32:12, 32:13, 33:2, 33:9, 44:8, 49:12, 49:16, 85:10, 100:6 Municipal [1] - 40:19 musical [1] - 8:17 must [8] - 7:13, 22:13, 34:7, 38:13, 41:22, 56:3, 82:11, 96:23 must-do [1] - 7:13 my [86] - 2:3, 2:9, 2:11, 2:16, 2:19, 2:20, 2:23, 3:9, 3:15, 4:3, 4:13, 9:6, 10:7, 10:16, 11:16, 12:2, 14:23, 16:5, 19:21, 20:10, 25:25, 31:9, 35:23, 35:24, 36:5, 37:8, 37:9, 38:3, 43:22, 47:1, 48:9, 50:21, 53:23, 54:2, 55:23, 56:1, 61:3, 61:6, 61:8, 61:9, 62:10, 62:11, 62:18, 63:2, 64:9, 64:13, 64:24, 65:9, 66:14, 66:23, 68:22, 69:15, 70:6, 75:10, 75:11, 77:17, 77:18, 79:24, 80:4, 80:11, 82:23, 85:16, 98:24, 99:21, 100:2, 100:23, 102:1, 102:12, 102:17, 103:1, 104:2, 104:8, 105:10, 105:15, 106:5, 107:25, 108:15, 108:23, 111:14, 114:11, 114:13, 114:18, 118:16 myself [2] - 18:22, 95:10</p>	<p>4:13, 10:7, 12:2, 14:24, 31:2, 31:9, 37:9, 48:6, 48:9, 49:6, 53:23, 55:23, 62:6, 62:11, 65:9, 68:23, 75:12, 77:18, 80:4, 98:24, 100:23, 104:2, 105:10, 107:25, 110:1 naming [1] - 110:2 narrow [1] - 5:7 narrower [1] - 13:16 narrowing [1] - 13:7 narrowly [1] - 57:22 nation [1] - 83:7 national [2] - 63:14, 96:19 nationwide [1] - 80:16 natural [1] - 24:18 nature [2] - 29:23, 92:15 NAVARRO [2] - 118:6, 118:20 necessarily [3] - 87:6, 99:10, 100:9 necessary [3] - 25:17, 54:23, 82:9 need [20] - 9:13, 13:5, 15:17, 16:11, 33:20, 42:19, 43:24, 69:8, 70:16, 76:25, 77:13, 91:8, 91:11, 91:16, 94:18, 105:3, 105:4, 106:13, 109:23, 113:13 needed [3] - 51:13, 51:25, 91:24 needs [8] - 15:6, 26:22, 51:13, 91:1, 94:12, 96:1, 97:5, 110:3 negative [1] - 24:6 negligence [1] - 67:5 negotiate [1] - 98:7 negotiations [1] - 94:16 Negros [1] - 110:9 neighborhood [11] - 5:17, 51:2, 53:7, 58:22, 84:1, 104:8, 110:12, 110:20, 110:21, 110:22, 115:19 neighborhoods [10] - 14:13, 19:24, 30:12, 73:2, 84:18, 94:7, 101:7, 101:8, 104:18, 105:1 never [1] - 77:2 new [24] - 8:6, 8:8, 8:22, 19:12, 38:6, 38:8, 38:10, 38:11, 48:19, 63:16, 71:17, 90:3, 90:9, 91:9, 93:1, 93:20, 94:6, 96:13, 96:20, 105:4, 107:19, 114:21 New [73] - 3:3, 3:17, 3:18, 3:24, 5:20, 6:6, 6:22, 7:4, 8:17, 10:9, 11:12, 13:16, 15:9, 16:22, 16:25, 17:6, 26:6, 31:17, 32:1, 32:15, 32:18, 34:14, 39:4, 39:13, 39:19, 40:3, 40:9, 40:20,</p>	<p>40:21, 41:8, 41:20, 42:18, 43:20, 45:23, 46:19, 49:11, 50:18, 52:10, 54:8, 54:15, 59:18, 61:23, 65:12, 65:16, 66:8, 66:11, 66:17, 68:6, 68:9, 69:2, 69:24, 77:4, 77:5, 77:6, 77:12, 79:21, 80:5, 80:13, 80:19, 82:9, 83:3, 88:8, 88:23, 89:3, 92:5, 92:10, 92:17, 93:1, 93:5, 101:9, 110:24, 118:7 NEW [3] - 1:4, 1:5, 118:3 news [1] - 64:11 next [14] - 14:16, 30:24, 47:20, 48:2, 65:8, 68:21, 75:7, 79:24, 82:6, 89:14, 100:1, 109:12, 115:20, 115:24 nice [2] - 10:11, 10:13 Nieves [1] - 67:15 NIMBY [1] - 110:4 nine [3] - 38:6, 55:24, 93:6 nitro [1] - 66:15 no [31] - 32:8, 35:8, 36:7, 37:19, 38:19, 49:14, 49:17, 50:1, 56:4, 56:14, 59:9, 62:1, 65:1, 66:5, 67:3, 67:6, 67:7, 67:23, 72:15, 78:25, 79:18, 82:10, 85:22, 97:25, 103:3, 104:2, 104:20, 105:17, 112:25, 116:25, 118:14 nobody [3] - 11:7, 20:24, 70:23 nominating [1] - 79:21 non [2] - 38:5, 49:12 non-municipal [1] - 49:12 non-reappointment [1] - 38:5 noncitizen [4] - 32:8, 44:5, 44:14, 45:23 noncitizens [1] - 34:12 none [4] - 9:4, 31:22, 51:14, 54:23 nonetheless [1] - 43:6 nonprofit [1] - 51:1 nonsecretor [1] - 62:20 normal [2] - 16:23, 105:8 North [1] - 88:12 northern [1] - 27:13 Northern [1] - 48:20 not [118] - 4:25, 8:7, 9:13, 9:19, 11:13, 13:13, 15:15, 15:24, 17:11, 18:25, 21:10, 22:1, 26:2, 26:4, 27:5, 27:8, 28:6, 29:1, 29:14, 31:4, 31:24, 32:3, 35:12, 35:13, 35:14, 36:2, 36:3, 37:17, 37:21, 38:13, 40:5, 43:5, 44:8, 44:10, 45:10, 45:25, 52:22, 54:9, 55:5, 55:6,</p>
N			
<p>N [1] - 1:9 name [34] - 2:3, 2:11, 2:17, 2:20, 2:23, 3:9, 3:15, 4:3,</p>			

<p>55:15, 56:1, 56:5, 57:23, 58:23, 59:8, 59:15, 60:11, 60:16, 60:17, 60:19, 61:3, 61:9, 61:20, 62:16, 68:7, 69:7, 70:11, 71:24, 72:4, 72:19, 74:24, 76:14, 78:23, 79:15, 81:20, 82:4, 85:1, 85:23, 87:10, 88:23, 88:24, 89:24, 90:5, 91:13, 94:5, 97:20, 97:25, 99:10, 99:24, 101:24, 102:2, 102:7, 102:10, 102:15, 102:20, 103:3, 103:9, 104:5, 104:13, 105:6, 105:11, 107:18, 108:11, 108:16, 109:8, 110:1, 110:10, 110:11, 111:1, 111:14, 112:9, 112:13, 113:13, 114:20, 115:3, 115:8, 117:1, 118:12</p> <p>notably [1] - 33:5 Notary [1] - 118:6 note [2] - 64:10, 102:19 notes [1] - 101:21 nothing [4] - 49:7, 49:21, 62:20, 66:25 notice [2] - 50:2, 95:7 noticed [1] - 49:11 notification [4] - 39:15, 53:6, 53:9, 100:17 notify [1] - 75:2 nots [1] - 36:23 November [3] - 67:12, 67:19, 115:9 now [30] - 5:3, 7:4, 8:19, 10:8, 15:8, 34:21, 34:23, 35:22, 47:10, 49:4, 52:11, 63:23, 64:18, 69:8, 69:25, 70:3, 70:5, 71:12, 71:14, 71:19, 74:8, 78:25, 79:15, 83:20, 87:22, 88:22, 90:2, 93:14, 98:7, 106:25 nuance [1] - 81:5 nuances [1] - 96:10 null [1] - 68:18 number [16] - 5:12, 5:18, 13:4, 20:23, 24:7, 26:10, 28:3, 28:8, 42:5, 54:25, 72:8, 77:22, 90:3, 91:2 numerous [1] - 4:20 NY [1] - 1:5 NYC [7] - 1:1, 51:1, 53:25, 72:24, 75:2, 83:12, 104:24 NYC.gov [1] - 75:1 NYPD [4] - 63:25, 64:6, 64:8, 64:15 NYU [4] - 2:18, 2:25, 60:9, 101:1</p>	<p style="text-align: center;">O</p> <p>Oakland [1] - 48:16 obfuscated [1] - 64:22 objection [1] - 99:7 objections [1] - 32:9 observation [1] - 99:21 obvious [4] - 37:24, 52:7, 69:22, 74:9 obviously [1] - 79:1 occasionally [1] - 28:5 occupation [1] - 39:20 occur [1] - 110:11 occurred [2] - 11:7, 25:8 occurrence [1] - 28:4 occurring [2] - 82:3, 113:3 October [2] - 11:9, 11:11 of [583] - 2:4, 2:7, 2:21, 2:25, 3:2, 3:3, 3:5, 3:10, 3:12, 3:14, 3:16, 3:17, 3:18, 3:22, 3:24, 3:25, 4:1, 4:8, 4:11, 4:12, 4:14, 4:19, 4:23, 5:5, 5:8, 5:9, 5:12, 5:14, 5:18, 5:19, 5:20, 6:11, 6:19, 6:21, 7:2, 7:3, 7:8, 7:14, 7:24, 8:3, 9:5, 9:14, 10:8, 10:13, 10:15, 10:17, 10:22, 10:23, 11:3, 11:10, 11:12, 11:20, 11:22, 12:4, 12:8, 12:20, 13:4, 13:23, 13:24, 14:7, 14:14, 14:15, 14:17, 14:19, 14:20, 14:21, 14:24, 15:1, 15:2, 15:5, 15:18, 15:20, 15:23, 15:24, 15:25, 16:4, 16:10, 16:14, 16:19, 16:20, 17:2, 17:5, 17:11, 17:13, 17:21, 17:22, 18:1, 18:4, 18:15, 19:20, 19:22, 19:25, 20:3, 20:6, 20:8, 20:9, 20:10, 20:21, 20:23, 21:18, 21:20, 21:21, 22:1, 22:2, 22:4, 22:22, 23:4, 23:5, 23:15, 23:24, 24:10, 25:5, 25:9, 25:10, 25:14, 25:15, 25:20, 26:1, 26:10, 26:13, 27:12, 27:16, 27:21, 28:7, 28:13, 28:16, 28:21, 28:23, 29:17, 29:18, 29:22, 29:23, 30:1, 30:6, 30:13, 30:15, 30:24, 31:10, 31:11, 31:20, 31:25, 32:1, 32:11, 32:16, 32:22, 33:7, 33:8, 33:11, 33:23, 33:24, 34:3, 34:12, 34:21, 35:5, 35:11, 36:13, 37:1, 37:9, 37:15, 37:16, 38:1, 38:3, 38:4, 38:5, 38:7, 38:9, 38:25, 39:2, 39:3, 39:12, 39:17, 39:19, 39:25, 40:3, 40:9, 40:12, 40:19, 40:20, 40:21, 40:22, 41:6,</p>	<p>41:9, 41:12, 41:19, 41:22, 41:23, 42:5, 42:9, 42:10, 42:16, 42:20, 42:21, 42:22, 42:25, 43:9, 43:11, 43:12, 43:14, 43:15, 43:18, 44:1, 44:2, 44:3, 44:12, 45:23, 46:5, 46:7, 46:21, 46:22, 47:7, 47:8, 47:12, 47:17, 47:18, 48:13, 48:18, 48:22, 48:25, 49:3, 49:5, 49:8, 49:9, 49:10, 49:19, 49:22, 49:24, 50:3, 50:7, 50:8, 50:16, 50:17, 50:20, 50:21, 51:1, 51:5, 51:6, 51:7, 51:8, 51:12, 51:14, 51:20, 51:23, 52:4, 52:9, 52:10, 52:13, 52:14, 52:17, 52:18, 52:22, 53:2, 53:4, 53:6, 53:8, 53:15, 53:17, 53:25, 54:2, 54:7, 54:12, 54:13, 54:14, 54:16, 54:17, 54:21, 54:22, 54:23, 54:25, 55:10, 55:12, 55:19, 55:23, 56:1, 56:2, 56:8, 56:14, 56:24, 56:25, 57:5, 57:6, 58:3, 58:13, 58:15, 59:6, 59:18, 59:20, 59:22, 61:1, 61:4, 61:6, 61:8, 61:16, 61:20, 61:23, 62:3, 62:19, 62:24, 63:1, 63:3, 63:8, 63:17, 63:18, 63:24, 64:1, 64:2, 64:5, 64:13, 64:17, 65:2, 65:4, 65:12, 65:15, 65:20, 66:2, 66:23, 67:1, 67:12, 67:14, 67:15, 67:24, 68:5, 68:9, 68:17, 68:25, 69:1, 69:4, 69:5, 69:14, 69:20, 69:23, 70:14, 70:15, 71:2, 71:9, 71:11, 71:14, 71:17, 71:18, 71:23, 72:9, 72:11, 72:24, 73:1, 73:10, 73:13, 73:15, 73:22, 73:23, 74:6, 74:13, 74:18, 74:23, 74:24, 75:12, 75:22, 75:25, 76:6, 76:13, 76:22, 77:2, 77:6, 77:8, 77:19, 77:22, 77:23, 77:25, 78:10, 78:14, 78:15, 78:16, 78:17, 78:18, 78:20, 78:22, 79:1, 79:4, 79:8, 79:9, 79:13, 79:17, 79:25, 80:5, 80:8, 80:19, 80:21, 81:4, 81:7, 81:12, 81:19, 81:22, 82:10, 83:2, 83:4, 83:5, 83:13, 83:15, 83:22, 84:11, 84:17, 84:19, 84:25, 85:9, 85:18, 85:25, 86:7, 86:9, 86:20, 86:25, 87:4, 87:10, 87:16, 88:5, 88:23, 89:3, 89:18, 89:19, 89:20, 90:3, 90:7, 90:11, 90:15, 90:24, 91:3, 91:5, 91:9, 91:23, 92:5, 92:15,</p>	<p>92:18, 92:20, 92:22, 92:25, 93:3, 93:13, 93:22, 93:24, 94:7, 94:14, 95:19, 95:20, 96:12, 96:20, 96:22, 96:23, 97:5, 98:6, 98:13, 98:21, 98:25, 99:1, 99:4, 99:5, 99:7, 99:9, 99:11, 99:16, 99:18, 99:22, 99:23, 100:3, 100:4, 100:8, 100:11, 100:12, 100:13, 100:20, 100:24, 100:25, 101:1, 101:9, 101:20, 102:4, 102:8, 102:12, 102:13, 102:14, 102:23, 103:4, 103:8, 103:15, 103:17, 103:22, 104:3, 104:5, 104:6, 104:9, 104:10, 104:12, 104:23, 105:11, 105:12, 105:13, 106:7, 106:24, 107:1, 107:13, 108:5, 108:9, 109:1, 109:3, 109:5, 109:10, 109:12, 110:24, 111:15, 111:19, 111:20, 111:23, 112:3, 112:4, 112:5, 112:6, 112:8, 112:10, 112:12, 112:15, 112:23, 113:8, 113:9, 113:12, 113:15, 113:16, 114:11, 114:14, 114:24, 115:12, 115:19, 115:21, 116:4, 116:6, 116:11, 116:20, 117:6, 118:7, 118:10, 118:13, 118:14, 118:17</p> <p>OF [2] - 118:3, 118:4 off [6] - 16:5, 21:2, 21:4, 27:20, 50:21, 76:9 offer [5] - 37:25, 41:4, 43:6, 81:15, 98:8 offering [3] - 64:18, 95:8, 98:22 office [22] - 8:11, 9:13, 11:1, 15:16, 25:10, 41:20, 42:1, 44:9, 49:3, 49:19, 49:24, 50:7, 50:10, 50:12, 50:16, 55:2, 75:24, 79:3, 96:20, 99:12, 104:6, 105:4 officers [7] - 63:11, 63:12, 75:21, 87:24, 89:6, 99:12 offices [6] - 41:11, 45:12, 46:9, 50:12, 50:16, 76:1 official [6] - 6:9, 13:21, 47:5, 63:21, 70:14, 95:9 officials [13] - 8:24, 8:25, 9:6, 14:3, 30:3, 69:17, 70:4, 70:19, 71:24, 72:10, 79:3, 96:18, 97:3 often [10] - 30:5, 30:8, 33:22, 56:16, 81:10, 95:17, 96:9, 114:19, 114:21, 115:1 Ohio [1] - 9:17</p>
---	---	---	---

<p>okay [10] - 20:15, 40:14, 46:13, 72:6, 72:15, 74:14, 75:3, 98:2, 98:18, 111:16 Okay [1] - 44:24 old [1] - 92:25 older [1] - 58:23 on [139] - 2:9, 4:20, 5:8, 5:12, 6:3, 6:22, 7:6, 8:7, 8:20, 11:6, 11:9, 12:17, 13:2, 13:3, 19:4, 19:16, 23:8, 26:19, 29:15, 30:11, 30:21, 31:6, 31:10, 35:14, 38:1, 38:3, 38:12, 38:24, 39:8, 39:11, 39:25, 40:19, 40:24, 43:6, 45:18, 46:4, 47:1, 47:9, 52:19, 53:14, 53:24, 54:3, 55:1, 55:4, 56:4, 56:6, 56:10, 56:12, 56:13, 58:6, 58:24, 59:19, 60:7, 60:11, 61:16, 63:4, 65:15, 65:21, 66:23, 67:1, 67:12, 67:13, 67:19, 69:3, 70:4, 70:8, 71:6, 71:14, 71:23, 72:16, 75:10, 76:5, 76:12, 77:10, 81:1, 81:12, 81:17, 82:4, 82:24, 84:8, 84:24, 85:2, 85:3, 85:5, 88:16, 88:24, 89:5, 89:21, 90:14, 91:2, 91:5, 91:15, 91:21, 92:5, 93:2, 94:3, 94:14, 94:15, 95:13, 95:16, 95:19, 95:23, 99:22, 101:2, 102:1, 102:25, 103:1, 103:5, 103:9, 103:15, 104:5, 104:9, 105:11, 106:4, 106:20, 107:16, 108:16, 109:4, 109:8, 109:9, 110:25, 111:9, 111:15, 112:5, 112:7, 112:15, 114:18, 114:23 once [6] - 77:3, 82:18, 82:20, 86:18, 108:7, 109:10 one [73] - 3:8, 5:15, 6:3, 8:8, 8:16, 8:22, 9:24, 10:17, 12:4, 12:8, 19:3, 19:10, 20:5, 21:8, 21:16, 21:24, 25:15, 27:4, 28:3, 28:12, 31:20, 31:25, 33:21, 36:14, 38:9, 38:20, 41:13, 44:3, 44:9, 46:16, 49:14, 49:17, 51:19, 52:3, 52:17, 53:6, 54:11, 54:18, 54:19, 56:10, 57:3, 58:11, 60:20, 60:21, 61:24, 65:1, 71:14, 73:4, 74:6, 83:4, 83:15, 84:25, 86:24, 87:9, 88:20, 92:18, 95:18, 95:24, 98:16, 99:7, 99:16, 100:3, 100:10, 100:11, 107:7, 109:11, 109:13, 111:19, 111:20, 112:5, 115:10 ones [4] - 21:1, 21:20, 22:3, 114:20</p>	<p>ongoing [2] - 71:14, 76:13 online [5] - 29:23, 42:25, 49:17, 51:9, 105:25 only [24] - 9:15, 10:16, 11:13, 17:4, 19:4, 21:24, 49:6, 51:23, 56:19, 66:24, 79:12, 80:19, 80:21, 81:10, 85:25, 91:4, 95:24, 97:4, 100:17, 101:21, 102:24, 113:13, 113:18, 113:20 opaque [1] - 104:11 open [4] - 6:18, 35:1, 66:12, 79:9 operate [1] - 61:5 operating [1] - 110:5 operational [1] - 42:12 operations [1] - 22:9 opinion [3] - 82:21, 102:4, 107:15 Opinion [2] - 69:6, 69:13 opinions [1] - 55:25 opponent [1] - 27:9 opponents [4] - 36:2, 36:11, 36:17, 37:3 opportunities [1] - 16:15 opportunity [10] - 5:19, 14:18, 40:12, 60:14, 62:18, 68:24, 69:19, 74:10, 81:18, 98:22 oppose [1] - 39:1 opposed [3] - 28:17, 114:6, 114:21 opposite [1] - 88:17 opt [2] - 49:25, 50:8 opt-in [1] - 49:25 option [1] - 81:12 or [89] - 7:21, 8:22, 9:6, 11:4, 11:5, 11:23, 13:20, 13:21, 14:3, 15:17, 17:3, 18:10, 18:12, 19:6, 19:8, 19:13, 19:24, 20:1, 20:8, 21:24, 23:5, 23:8, 23:11, 28:17, 29:2, 31:1, 36:1, 36:3, 36:8, 36:21, 38:13, 40:5, 42:8, 45:10, 50:11, 50:12, 51:17, 52:5, 53:11, 53:12, 54:19, 56:17, 57:21, 58:15, 59:7, 61:14, 62:21, 69:7, 69:10, 70:13, 71:3, 72:11, 72:17, 74:24, 77:19, 78:3, 78:14, 80:18, 81:13, 81:21, 82:16, 82:17, 84:2, 84:3, 85:1, 85:3, 85:7, 86:12, 89:16, 90:11, 94:25, 95:14, 99:7, 101:8, 102:10, 102:15, 102:19, 104:20, 105:4, 107:6, 111:19, 113:1, 113:9, 116:1, 116:14, 118:13 order [6] - 24:19, 25:1, 78:11, 81:19, 86:7, 86:16</p>	<p>organization [3] - 11:21, 80:7, 92:9 original [2] - 20:21, 36:12 oscar [1] - 48:23 other [38] - 6:16, 8:4, 10:10, 13:15, 19:11, 20:12, 22:16, 25:1, 25:4, 29:2, 33:11, 34:13, 36:11, 36:16, 37:3, 38:16, 40:15, 42:11, 44:9, 49:17, 52:19, 56:12, 58:13, 60:12, 61:4, 62:21, 67:4, 69:9, 71:4, 74:2, 88:9, 99:6, 110:3, 110:23, 111:18, 112:7, 115:12, 116:23 others [6] - 16:20, 68:3, 73:10, 94:19, 95:14, 104:24 our [106] - 2:2, 2:6, 4:24, 5:3, 5:15, 5:16, 6:5, 6:8, 7:12, 9:25, 10:4, 10:5, 10:21, 10:23, 15:2, 15:3, 15:6, 15:8, 15:20, 15:21, 16:12, 17:10, 23:3, 24:8, 32:15, 39:4, 40:1, 40:15, 40:22, 41:9, 43:7, 44:12, 46:19, 47:3, 47:7, 52:15, 53:19, 53:23, 55:14, 58:1, 60:7, 62:24, 63:6, 63:24, 64:18, 64:19, 64:20, 64:22, 70:19, 71:7, 71:14, 72:2, 74:1, 74:12, 75:14, 75:17, 75:20, 75:21, 75:22, 76:5, 77:3, 77:10, 81:3, 81:4, 86:1, 86:16, 87:10, 89:14, 89:20, 89:21, 89:25, 90:1, 90:2, 90:4, 90:9, 91:10, 91:21, 92:6, 92:12, 95:6, 95:19, 96:4, 97:1, 97:3, 97:11, 99:6, 99:21, 100:11, 100:14, 100:15, 100:18, 102:22, 104:11, 104:17, 104:18, 105:1, 105:2, 112:1, 113:8, 114:25 ours [1] - 16:21 out [42] - 3:14, 7:2, 7:14, 8:14, 12:20, 15:23, 16:20, 18:1, 23:1, 24:25, 27:12, 27:13, 28:1, 28:7, 29:24, 43:3, 44:2, 47:13, 49:14, 49:18, 49:20, 50:2, 50:5, 54:15, 57:5, 67:10, 67:15, 67:18, 72:12, 80:22, 90:13, 101:22, 102:1, 102:13, 103:22, 104:9, 106:10, 108:3, 108:16, 108:25, 115:24, 116:4 outbreak [1] - 80:8 outcome [3] - 61:20, 68:17, 118:14 outcomes [4] - 94:15, 115:4, 115:6 outdated [1] - 56:14</p>	<p>outgunned [1] - 114:17 outline [1] - 69:6 outlining [1] - 6:24 outreach [1] - 42:21 outside [3] - 65:2, 109:3, 109:5 over [23] - 5:21, 9:1, 22:18, 26:19, 29:16, 35:18, 36:15, 36:17, 37:1, 37:4, 41:2, 51:3, 52:7, 52:24, 67:2, 76:23, 78:22, 89:8, 95:21, 96:14, 96:19, 108:5, 109:20 overall [2] - 54:12, 90:22 overarching [1] - 63:19 overbuilding [1] - 89:20 overburdened [1] - 90:3 overdevelopment [2] - 84:14, 113:2 overdue [1] - 101:18 overseas [1] - 48:18 overseen [1] - 41:25 oversight [1] - 67:7 overwhelming [1] - 79:4 owe [1] - 61:4 own [6] - 34:22, 53:1, 55:8, 91:23, 93:2, 106:12 owners [2] - 53:16, 108:18 owns [1] - 59:13</p> <p style="text-align: center;">P</p> <p>P [2] - 1:9 P.M [2] - 1:6, 117:9 page [1] - 53:6 page-notification [1] - 53:6 pages [1] - 7:11 paid [1] - 58:9 panel [16] - 6:5, 10:5, 13:3, 17:21, 28:11, 30:21, 30:24, 31:8, 47:20, 48:3, 57:12, 75:7, 89:14, 98:16, 98:21, 112:6 panelists [1] - 21:23 panels [2] - 6:1, 62:17 papers [1] - 67:14 pardon [1] - 97:22 Park [4] - 72:24, 83:12, 84:17, 104:24 park [2] - 96:1, 96:2 parks [1] - 96:7 part [10] - 25:14, 27:12, 27:21, 43:11, 45:23, 45:25, 55:12, 63:3, 90:11, 91:5 partake [1] - 55:6 participate [5] - 15:3, 15:25, 32:2, 32:22, 55:7 participating [3] - 6:15, 59:5, 62:16 participation [5] - 21:12, 31:15, 33:12, 42:24, 43:2</p>
--	---	--	--

<p>participatory [1] - 50:15 particular [6] - 3:20, 24:24, 31:13, 37:24, 106:7, 109:14 particularly [10] - 4:21, 11:17, 23:14, 23:23, 32:19, 37:21, 73:14, 74:17, 102:5, 109:9 parties [5] - 14:4, 19:25, 33:15, 56:23, 118:13 partisan [1] - 9:5 partners [1] - 67:6 parts [1] - 38:1 party [9] - 9:5, 13:22, 31:10, 37:4, 81:7, 81:10, 81:21, 81:23, 105:21 pass [1] - 96:14 passed [2] - 70:6, 84:10 passionate [1] - 80:10 past [2] - 30:8, 55:24 Patriotic [3] - 14:23, 16:4, 18:21 Paul [1] - 48:17 pay [5] - 23:10, 55:13, 71:8, 82:16, 116:3 pay-for-play [1] - 71:8 pay-to-play [1] - 55:13 paying [5] - 21:7, 23:10, 32:4, 70:7, 70:11 Pearl [3] - 6:7, 14:24, 18:21 PEARL [4] - 14:17, 23:19, 26:6, 27:12 Peg [1] - 92:6 penalizing [1] - 19:18 people [86] - 4:18, 4:23, 5:10, 5:14, 5:19, 6:2, 8:4, 11:17, 14:25, 15:25, 16:20, 17:1, 17:11, 18:2, 18:24, 19:4, 19:5, 19:18, 20:1, 20:20, 20:22, 21:1, 21:5, 21:7, 21:10, 22:22, 23:16, 24:18, 25:1, 25:22, 26:13, 28:12, 35:2, 35:21, 44:4, 44:11, 49:25, 50:8, 50:11, 57:24, 58:4, 58:14, 60:10, 60:15, 60:16, 60:17, 60:18, 60:19, 60:20, 61:16, 62:21, 63:5, 64:20, 67:4, 67:8, 69:7, 69:9, 69:23, 70:6, 70:11, 71:5, 74:1, 77:6, 79:4, 79:12, 84:8, 84:9, 84:12, 88:6, 88:23, 89:3, 90:3, 99:25, 103:6, 104:23, 105:8, 106:17, 106:18, 109:4, 109:7, 111:6, 113:17, 116:4, 116:12 per [1] - 38:21 Perales [6] - 2:3, 3:16, 62:10, 92:3, 95:3, 98:21 PERALES [92] - 1:14, 2:1, 3:7, 3:15, 4:16, 9:8, 10:3,</p>	<p>11:25, 14:16, 17:18, 17:20, 18:12, 20:3, 20:19, 21:14, 23:13, 28:11, 29:3, 29:6, 30:20, 30:24, 31:4, 33:20, 34:7, 34:16, 37:7, 40:14, 43:22, 46:15, 47:17, 47:20, 47:24, 48:4, 48:8, 50:24, 53:21, 55:21, 57:17, 59:2, 59:15, 61:24, 62:2, 62:5, 65:6, 65:8, 65:23, 66:4, 66:7, 68:2, 68:5, 68:11, 68:19, 71:19, 71:21, 72:14, 72:21, 73:21, 74:6, 74:15, 75:7, 77:15, 80:3, 83:9, 84:21, 86:19, 89:12, 89:14, 92:2, 95:2, 97:14, 97:20, 97:23, 98:1, 98:3, 98:5, 98:9, 98:13, 98:16, 103:22, 104:1, 105:9, 107:23, 110:14, 111:10, 111:12, 111:16, 114:1, 116:20, 116:23, 117:1, 117:5, 117:7 perceived [1] - 80:25 percent [19] - 10:24, 11:8, 13:9, 22:23, 23:1, 38:7, 52:24, 54:14, 63:9, 78:15, 78:17, 78:20, 78:21, 79:25, 80:19, 80:21, 82:10, 96:15, 107:1 percentage [3] - 72:11, 78:10, 78:21 percentages [1] - 26:13 perception [2] - 30:1, 73:6 Perception [1] - 3:13 perform [2] - 46:6, 91:20 perhaps [5] - 22:16, 43:1, 50:10, 50:16, 93:17 period [1] - 90:8 person [10] - 9:24, 28:5, 59:23, 78:23, 90:18, 109:19, 116:1, 116:8, 116:14, 116:19 person's [1] - 95:24 personal [4] - 21:5, 111:14, 114:13, 114:18 personally [5] - 10:18, 58:12, 62:25, 73:7, 85:9 perspective [4] - 25:19, 41:1, 96:14, 106:1 perspectives [1] - 91:9 persuasive [1] - 20:19 pertain [1] - 84:4 Peters [2] - 63:17, 64:2 petitioning [1] - 8:12 phenomenal [1] - 25:6 Philips [1] - 75:8 PHILLIPS [2] - 77:17, 85:9 Phillips [1] - 77:18 philosophically [1] - 59:10 philosophy [1] - 116:14 phone [2] - 16:17, 97:15</p>	<p>physician [1] - 108:1 physics [1] - 105:12 pick [1] - 48:23 picking [1] - 110:1 picks [1] - 36:1 picture [1] - 48:23 Pictures [1] - 48:22 piece [2] - 22:16, 22:20 Pike [1] - 47:22 pipe [1] - 113:8 place [8] - 26:1, 57:16, 84:2, 93:10, 100:9, 103:11, 104:13, 109:21 places [7] - 5:18, 6:16, 26:10, 44:12, 48:16, 60:6, 107:21 plaintiff's [1] - 67:13 plan [3] - 77:10, 94:8, 101:20 plank [1] - 63:2 planner [9] - 38:18, 38:20, 42:14, 51:16, 103:9, 112:17, 113:5, 113:7, 113:10 planners [6] - 9:11, 53:1, 91:17, 100:5, 113:14 Planning [5] - 53:4, 53:17, 73:14, 94:8, 112:4 planning [10] - 9:14, 38:23, 39:24, 40:23, 42:17, 53:9, 92:13, 94:3, 94:11, 113:9 plans [3] - 39:1, 51:18, 91:23 plant [1] - 110:5 platform [2] - 42:25, 81:1 platforms [1] - 42:21 play [6] - 45:20, 55:13, 56:19, 65:21, 70:10, 71:8 played [1] - 65:25 please [8] - 2:15, 28:2, 34:19, 35:15, 64:10, 64:23, 96:25, 97:3 pleased [2] - 10:25, 12:7 pleasure [2] - 4:9, 56:2 plenty [2] - 16:14, 61:16 plots [2] - 95:20, 115:18 plurality [1] - 79:20 plus [1] - 17:9 point [21] - 4:18, 18:3, 19:15, 19:17, 20:10, 26:24, 34:8, 49:2, 54:7, 55:14, 67:10, 67:20, 68:7, 68:8, 68:20, 72:15, 72:16, 80:9, 96:20, 116:5 pointed [1] - 44:2 points [1] - 101:24 polarized [1] - 81:7 police [15] - 63:11, 63:12, 75:20, 75:21, 76:3, 76:14, 76:16, 76:22, 76:24, 77:7, 77:14, 87:24, 88:16, 89:6,</p>	<p>89:9 polices [1] - 89:9 policy [5] - 12:3, 17:14, 32:2, 40:23, 52:7 political [19] - 7:8, 8:10, 9:23, 9:24, 13:22, 14:3, 14:9, 15:4, 15:7, 16:23, 24:8, 31:18, 32:22, 47:12, 51:20, 55:4, 58:15, 58:18, 81:2 politically [2] - 22:10, 22:14 politician [1] - 47:14 politicians [6] - 12:22, 24:4, 105:18, 108:12, 111:7 politics [9] - 7:15, 15:6, 15:25, 17:6, 17:10, 17:13, 18:1, 28:7, 81:6 poll [1] - 35:3 polling [2] - 26:12, 44:12 polls [1] - 80:20 pool [1] - 100:4 poor [1] - 46:24 poorer [1] - 110:21 popular [1] - 85:20 population [4] - 13:7, 13:16, 49:5, 107:1 portion [1] - 90:11 pose [1] - 13:20 position [3] - 61:19, 89:8, 95:9 positions [4] - 34:10, 38:2, 58:19, 89:5 possibility [2] - 50:13, 100:8 possible [11] - 5:14, 5:23, 13:15, 15:24, 19:8, 25:2, 49:3, 50:18, 53:8, 86:17, 97:2 possibly [4] - 49:3, 49:24, 59:23, 61:20 potent [1] - 34:1 potential [5] - 24:3, 24:11, 79:10, 86:4, 100:7 potentially [1] - 86:9 power [11] - 7:20, 9:1, 9:11, 15:7, 17:1, 22:18, 35:10, 35:15, 40:5, 56:24, 84:9 powerful [2] - 40:8, 61:19 powers [2] - 7:18, 52:17 practical [2] - 45:6, 45:9 precludes [1] - 52:5 preference [2] - 81:19, 85:16 preliminary [12] - 5:4, 7:4, 12:6, 15:10, 31:11, 31:23, 37:12, 76:7, 80:15, 92:16, 101:21, 102:13 prepared [1] - 51:4 prerequisite [1] - 94:1 present [1] - 98:23 presentations [1] - 112:7</p>
--	---	---	--

<p>preservation [7] - 40:2, 92:13, 92:17, 92:19, 93:19, 93:22, 93:25</p> <p>preserve [2] - 13:23, 56:25</p> <p>preserving [2] - 40:3, 92:9</p> <p>preside [1] - 35:18</p> <p>president [10] - 3:2, 3:23, 4:8, 18:19, 52:9, 56:3, 57:10, 70:24, 92:6, 116:8</p> <p>President [2] - 4:2, 57:14</p> <p>presidential [2] - 79:20, 80:17</p> <p>presidents [1] - 7:19</p> <p>press [2] - 3:7, 3:8</p> <p>pressure [1] - 70:22</p> <p>pressures [1] - 43:17</p> <p>presumed [1] - 13:21</p> <p>pretty [1] - 29:22</p> <p>prevailed [1] - 68:13</p> <p>prevented [1] - 96:2</p> <p>prevents [1] - 95:8</p> <p>previous [6] - 8:2, 13:24, 29:21, 30:16, 91:4, 102:24</p> <p>previously [1] - 3:17</p> <p>Price [1] - 62:14</p> <p>PRICE [3] - 47:23, 48:2, 62:9</p> <p>price [3] - 47:23, 47:24</p> <p>pride [1] - 93:11</p> <p>primaries [6] - 78:3, 78:13, 78:18, 79:24, 85:14, 105:20</p> <p>primarily [1] - 5:12</p> <p>primary [13] - 11:2, 11:4, 11:7, 23:21, 27:25, 28:1, 78:6, 80:20, 80:23, 82:11, 85:10, 100:11</p> <p>principal [1] - 99:15</p> <p>principally [1] - 99:3</p> <p>principals [1] - 73:10</p> <p>principle [1] - 52:18</p> <p>print [1] - 32:12</p> <p>printed [2] - 49:20, 54:22</p> <p>printing [1] - 26:19</p> <p>prior [2] - 3:24, 40:20</p> <p>priorities [2] - 91:25, 96:20</p> <p>prioritization [1] - 14:12</p> <p>prioritized [1] - 14:5</p> <p>prisons [1] - 63:5</p> <p>privilege [2] - 2:4, 99:1</p> <p>pro [2] - 70:3, 114:25</p> <p>pro-development [1] - 114:25</p> <p>probably [2] - 26:23, 36:9</p> <p>problem [12] - 16:9, 26:5, 48:15, 49:1, 63:23, 73:3, 76:13, 80:13, 81:16, 89:19, 90:6, 96:23</p> <p>problems [4] - 47:7, 51:19, 58:13, 66:17</p>	<p>procedure [1] - 104:14</p> <p>proceed [2] - 41:14, 89:17</p> <p>proceedings [1] - 2:7</p> <p>process [34] - 5:3, 6:18, 7:8, 8:12, 9:24, 15:4, 16:24, 28:2, 28:9, 29:13, 29:16, 33:12, 34:14, 38:23, 39:9, 39:17, 41:25, 42:6, 51:13, 53:3, 57:7, 57:15, 71:2, 79:21, 83:3, 88:7, 90:23, 101:25, 102:15, 102:21, 102:23, 104:11, 106:24, 116:7</p> <p>processes [1] - 40:11</p> <p>processor [1] - 41:16</p> <p>producing [1] - 32:7</p> <p>profession [1] - 61:4</p> <p>professional [2] - 58:9, 59:17</p> <p>professionalized [1] - 93:23</p> <p>professionals [1] - 94:25</p> <p>professor [1] - 2:17</p> <p>profile [1] - 79:17</p> <p>profits [1] - 89:24</p> <p>program [4] - 2:24, 32:18, 35:24, 93:24</p> <p>progressive [1] - 83:5</p> <p>prohibit [1] - 13:22</p> <p>prohibiting [2] - 9:5, 14:2</p> <p>project [1] - 70:6</p> <p>projects [1] - 70:21</p> <p>prominence [1] - 43:14</p> <p>promised [2] - 95:21, 95:25</p> <p>promote [1] - 34:13</p> <p>prompt [1] - 74:19</p> <p>properly [1] - 38:18</p> <p>property [3] - 53:16, 93:11, 108:16</p> <p>proportional [1] - 107:11</p> <p>proposal [9] - 15:11, 15:19, 17:6, 19:12, 31:23, 33:1, 42:8, 57:3, 87:2</p> <p>proposals [9] - 15:10, 31:14, 31:20, 37:23, 41:24, 86:21, 86:24, 87:5, 106:6</p> <p>propose [3] - 33:4, 63:15, 90:7</p> <p>proposed [5] - 19:6, 37:17, 51:14, 56:24, 76:6</p> <p>proposes [1] - 33:24</p> <p>proposing [1] - 77:5</p> <p>pros [2] - 51:6, 52:14</p> <p>prosecute [1] - 75:25</p> <p>prosecutor [2] - 75:16, 87:3</p> <p>prosecutors [1] - 75:23</p> <p>prospective [1] - 88:1</p> <p>protect [6] - 28:22, 30:9, 76:18, 77:6, 83:24, 93:12</p> <p>protecting [1] - 13:25</p>	<p>protection [1] - 92:20</p> <p>protections [1] - 84:2</p> <p>proud [1] - 101:1</p> <p>provide [3] - 39:15, 50:10, 52:1</p> <p>provided [3] - 40:24, 72:1</p> <p>providing [2] - 9:10, 111:21</p> <p>provision [5] - 13:19, 14:2, 42:22, 109:2, 110:4</p> <p>provision-ize [1] - 109:2</p> <p>provocative [1] - 17:22</p> <p>proximity [1] - 37:15</p> <p>proxy [1] - 56:20</p> <p>PUBLIC [1] - 1:2</p> <p>public [50] - 4:20, 5:6, 5:9, 5:14, 6:11, 6:19, 7:15, 9:3, 10:9, 10:15, 15:16, 18:6, 22:20, 25:7, 25:10, 26:3, 27:16, 31:20, 32:20, 35:20, 41:20, 42:10, 42:20, 50:12, 52:19, 52:20, 53:10, 53:22, 54:18, 54:21, 55:6, 55:11, 58:11, 59:25, 61:2, 61:5, 65:17, 66:10, 66:11, 67:11, 67:12, 67:19, 68:15, 72:2, 72:8, 76:12, 90:15, 90:16, 90:17</p> <p>Public [3] - 36:25, 42:1, 118:6</p> <p>public's [1] - 17:14</p> <p>publicize [1] - 53:14</p> <p>publicly [3] - 25:8, 37:2, 55:7</p> <p>pull [1] - 108:8</p> <p>punches [1] - 66:22</p> <p>purchase [1] - 73:15</p> <p>purpose [4] - 29:2, 52:2, 68:5, 95:21</p> <p>purposes [1] - 100:17</p> <p>push [1] - 76:9</p> <p>pushed [2] - 108:15, 108:25</p> <p>pushing [2] - 22:11, 116:4</p> <p>put [14] - 5:1, 7:5, 22:13, 33:15, 34:25, 57:3, 58:16, 75:1, 98:9, 100:1, 106:20, 108:16, 111:8, 115:8</p> <p>putting [5] - 29:23, 89:21, 108:18, 115:24, 115:25</p>	<p>Queens [1] - 4:12</p> <p>quest [1] - 113:8</p> <p>question [25] - 15:23, 17:23, 20:4, 24:14, 25:13, 27:20, 29:4, 38:3, 44:18, 45:1, 45:2, 45:10, 48:12, 49:9, 57:19, 59:3, 65:19, 68:20, 74:16, 74:18, 84:24, 99:3, 99:9, 100:12, 111:18</p> <p>questioning [2] - 10:6, 44:16</p> <p>questions [10] - 10:4, 21:15, 43:23, 86:20, 99:19, 99:22, 112:10, 112:19, 114:1, 116:23</p> <p>quick [4] - 34:19, 58:2, 59:3, 69:15</p> <p>quickly [5] - 5:22, 26:4, 47:9, 71:22, 110:16</p> <p>quid [1] - 70:3</p> <p>quite [2] - 8:25, 37:14</p> <p>quo [1] - 70:3</p>
R			
<p>R [2] - 1:9, 118:1</p> <p>race [3] - 36:7, 37:1, 39:20</p> <p>paces [5] - 36:14, 49:13, 49:16, 49:17, 79:11</p> <p>Rachel [3] - 3:4, 3:10, 23:18</p> <p>RACHEL [1] - 1:18</p> <p>racial [3] - 28:17, 29:1, 33:23</p> <p>raise [5] - 36:4, 36:10, 36:11, 36:17, 54:17</p> <p>raised [5] - 32:9, 33:18, 37:4, 99:8, 108:2</p> <p>raises [1] - 25:16</p> <p>ran [3] - 3:25, 11:1, 25:8</p> <p>ranging [1] - 63:23</p> <p>rank [4] - 34:20, 81:18, 106:2, 106:3</p> <p>ranked [34] - 10:18, 10:25, 11:22, 11:23, 14:8, 24:2, 24:12, 24:16, 24:20, 24:24, 25:3, 25:23, 27:3, 27:15, 33:8, 34:20, 48:11, 77:19, 80:16, 81:14, 81:16, 81:24, 82:3, 82:8, 82:20, 82:24, 83:8, 84:25, 86:15, 105:16, 105:17, 107:9, 107:14</p> <p>ranking [1] - 26:13</p> <p>rankly [1] - 28:22</p> <p>rap [4] - 9:9, 33:20, 34:7, 66:1</p> <p>rape [6] - 62:23, 63:4, 63:5, 63:7, 63:20, 64:5</p> <p>rarely [2] - 7:1, 15:17</p> <p>rate [5] - 22:25, 63:7, 63:10, 63:13, 64:5</p>			
Q			
<p>qualification [2] - 45:13, 46:10</p> <p>qualifications [2] - 45:11, 46:8</p> <p>qualified [2] - 12:22, 36:3</p> <p>qualify [1] - 36:18</p> <p>quality [1] - 39:25</p> <p>quarter [2] - 37:1, 38:9</p> <p>quarters [1] - 78:22</p>			

<p>rather [5] - 14:14, 34:9, 44:3, 82:5, 112:2 ratio [1] - 54:18 reach [1] - 54:12 reached [1] - 11:8 read [5] - 31:1, 51:8, 51:9, 54:4, 64:24 reading [3] - 62:6, 97:15, 108:4 ready [1] - 20:3 real [17] - 14:13, 21:11, 53:10, 53:15, 55:17, 56:17, 59:18, 60:4, 60:15, 61:16, 70:21, 73:9, 83:21, 108:16, 108:18, 109:7, 116:19 Real [1] - 52:9 realities [1] - 16:14 reality [1] - 56:19 realize [1] - 104:12 realized [1] - 94:17 really [31] - 7:23, 18:21, 21:4, 26:3, 27:5, 30:6, 34:7, 49:13, 59:24, 65:4, 70:23, 72:14, 72:19, 79:23, 85:22, 85:24, 87:4, 99:24, 101:22, 102:3, 103:7, 105:11, 105:12, 105:15, 105:24, 106:1, 108:8, 108:21, 115:7, 115:25, 116:3 realms [1] - 61:19 reapplication [1] - 42:6 reappointed [3] - 38:14, 56:4, 91:3 reappointment [2] - 9:2, 38:5 reason [5] - 21:11, 28:12, 44:13, 85:23, 109:25 reasonable [2] - 42:5, 56:25 reasons [2] - 45:20, 80:23 recall [2] - 34:5, 111:7 receive [1] - 17:8 received [5] - 36:15, 37:1, 78:15, 78:17, 78:19 receives [1] - 82:10 recent [3] - 7:12, 78:1, 92:24 recently [5] - 36:14, 37:12, 83:14, 84:10, 106:9 recommend [4] - 21:20, 32:25, 39:6, 39:22 recommendation [7] - 8:22, 21:18, 29:9, 29:11, 91:8, 100:18, 102:17 recommendations [11] - 7:6, 7:7, 8:2, 12:10, 14:20, 21:19, 23:22, 41:5, 67:22, 100:3, 102:5 recommends [1] - 38:22 record [3] - 46:11, 48:24,</p>	<p>118:10 recorded [1] - 67:17 recording [1] - 67:17 records [1] - 72:9 recusal [3] - 59:5, 59:9, 59:10 redirecting [1] - 29:10 redistributed [1] - 82:5 redistrict [1] - 107:1 redistricting [6] - 12:4, 12:7, 12:10, 13:4, 28:23, 106:24 reduce [3] - 42:24, 54:21, 54:25 reduced [1] - 54:17 reductions [1] - 55:15 reelection [1] - 70:7 refer [2] - 31:24, 32:25 reference [1] - 45:7 referenced [1] - 80:15 referendum [2] - 111:5, 111:7 referendums [2] - 110:25 refers [1] - 31:16 reflect [3] - 7:1, 34:2, 56:14 reflected [1] - 7:3 reflecting [1] - 57:2 reform [13] - 12:10, 46:17, 51:12, 53:2, 54:5, 57:14, 70:16, 74:9, 77:13, 83:1, 83:8, 102:6 reforming [1] - 4:22 reforms [4] - 51:7, 51:14, 52:1, 52:2 refreshments [1] - 42:23 regarding [8] - 5:2, 12:10, 31:14, 34:19, 34:20, 35:9, 95:7, 100:13 regardless [2] - 15:25, 32:16 regards [1] - 92:7 register [2] - 105:15, 106:5 registered [1] - 80:19 registration [2] - 8:13, 33:7 regulated [1] - 69:21 regulation [2] - 52:18, 95:18 rehashing [1] - 65:20 Reinvent [1] - 12:3 reinvigorating [1] - 92:21 reject [1] - 39:5 rejection [1] - 90:25 relate [1] - 59:6 related [2] - 57:6, 118:12 relation [1] - 104:3 relatively [1] - 90:18 release [2] - 37:16 released [2] - 64:3, 65:18 relevant [3] - 41:2, 41:15,</p>	<p>93:14 relies [2] - 94:15, 95:16 religion [1] - 39:19 rely [1] - 107:16 remained [1] - 38:12 remains [2] - 41:2, 87:22 remember [2] - 11:1, 11:3 remind [2] - 27:1, 45:22 removal [1] - 9:4 remove [1] - 97:10 removed [1] - 103:19 removing [1] - 8:12 renamed [1] - 109:19 renaming [3] - 109:12, 109:14, 109:16 renege [1] - 95:23 rents [2] - 108:22, 116:1 repeat [2] - 24:13, 79:7 repeatedly [2] - 65:10, 67:3 replace [3] - 85:14, 86:1, 87:19 report [34] - 5:4, 5:5, 6:24, 7:4, 7:23, 12:6, 12:14, 23:22, 31:11, 31:16, 31:23, 32:10, 33:4, 33:18, 37:12, 37:16, 38:1, 51:11, 62:21, 64:4, 64:6, 64:7, 64:14, 75:2, 76:8, 80:15, 86:10, 92:17, 100:4, 101:22, 102:1, 102:13, 102:19 reports [3] - 15:11, 64:12, 66:25 Represent [1] - 80:6 represent [8] - 14:23, 14:24, 25:15, 33:22, 34:2, 57:24, 108:19, 113:18 representation [2] - 32:9, 107:11 representations [1] - 9:3 representative [2] - 41:23, 104:6 representatives [1] - 16:2 represented [1] - 81:8 represents [1] - 52:6 Republican [2] - 37:3, 79:20 request [1] - 39:2 requesting [2] - 16:6, 59:24 require [2] - 32:10, 48:14 required [8] - 42:13, 42:15, 53:5, 53:13, 55:1, 82:15, 93:25, 99:10 requirement [2] - 93:17, 97:10 requirements [4] - 33:13, 36:12, 59:5, 93:21 research [2] - 3:12, 78:1 researching [2] - 106:16, 106:19 resemblance [1] - 86:7</p>	<p>resequenced [1] - 14:7 reset [1] - 7:8 reside [1] - 32:15 resided [1] - 99:10 resident [4] - 68:25, 72:24, 98:24, 105:4 residential [4] - 73:2, 84:1, 84:18, 105:5 residents [8] - 8:11, 19:9, 32:8, 32:16, 33:2, 39:22, 99:25, 112:8 resolution [2] - 84:7, 84:11 resolutions [1] - 104:11 resource [3] - 66:11, 99:13, 99:15 resources [10] - 32:20, 38:17, 51:23, 66:18, 92:11, 92:20, 94:13, 94:24, 96:25, 106:13 respect [2] - 21:17, 37:22 respectfully [1] - 47:16 respective [1] - 39:8 respond [6] - 37:11, 40:12, 48:10, 61:11, 92:16, 114:4 responding [1] - 47:6 response [6] - 31:11, 37:20, 62:1, 103:24, 114:8, 116:25 responses [1] - 31:16 responsibilities [1] - 76:10 responsibility [1] - 34:24 responsible [1] - 109:17 restriction [1] - 113:8 result [3] - 41:13, 67:23, 115:3 resulted [1] - 96:16 results [2] - 78:1, 78:2 retreating [1] - 81:6 returning [1] - 91:3 reusing [1] - 92:10 revamp [1] - 52:16 revenue [1] - 108:25 revenue's [1] - 39:1 reversing [1] - 14:11 review [11] - 43:8, 62:17, 69:15, 75:13, 75:15, 75:20, 75:21, 76:7, 77:8, 77:10, 87:20 Review [2] - 40:7, 76:20 reviewed [1] - 57:11 revise [1] - 74:2 Revision [6] - 2:5, 4:17, 31:12, 32:24, 41:6, 63:15 REVISION [1] - 1:1 revision [4] - 37:13, 39:14, 43:19, 65:5 revisions [2] - 40:25, 41:4 revisit [1] - 101:18 revisiting [1] - 45:19</p>
--	--	--	--

<p>revitalizing [1] - 92:10 Reynoso [1] - 51:20 rezoning [4] - 7:21, 112:2, 112:3 ridiculous [1] - 111:6 right [35] - 29:3, 31:21, 32:2, 32:3, 32:8, 32:14, 32:21, 33:2, 34:4, 34:12, 34:21, 34:22, 35:20, 35:23, 39:2, 39:17, 44:20, 49:6, 54:2, 56:16, 60:13, 63:23, 66:14, 68:19, 70:2, 71:14, 75:10, 85:17, 87:7, 87:22, 88:21, 88:22, 90:7, 98:7, 111:12 rightfully [1] - 17:14 rights [4] - 3:19, 3:20, 67:9, 73:15 Rikers [1] - 63:4 ring [1] - 16:17 risk [1] - 107:1 road [2] - 85:21, 109:13 roads [1] - 60:7 robust [2] - 102:16, 112:4 role [4] - 39:23, 40:6, 40:8, 56:19 rolled [1] - 87:9 Roosevelt [1] - 101:15 root [1] - 83:2 rooted [1] - 100:9 ropes [1] - 103:7 Rosie's [1] - 62:15 round [2] - 28:23, 70:14 rounding [2] - 23:3, 26:25 Roxanne [1] - 30:25 ruined [2] - 104:8, 105:2 Rule [1] - 72:18 rule [3] - 52:4, 54:13, 72:11 rules [4] - 5:21, 52:16, 74:1, 103:11 run [15] - 8:11, 15:16, 17:4, 19:4, 19:19, 27:4, 30:3, 44:22, 50:11, 50:12, 81:23, 84:13, 89:4, 103:22, 106:25 runner [1] - 79:18 runners [1] - 81:21 running [4] - 19:7, 19:16, 19:23, 22:22 runoff [15] - 11:9, 11:24, 20:6, 20:22, 25:5, 25:8, 26:9, 33:8, 34:19, 35:4, 77:20, 78:4, 82:9, 82:11, 85:15 runoffs [2] - 21:13, 86:1 Rutgers [1] - 3:11</p>	<p>safe [1] - 93:9 safety [4] - 64:19, 90:16, 91:18, 91:24 said [13] - 21:3, 23:13, 23:17, 23:19, 30:14, 47:10, 65:20, 73:22, 87:10, 95:25, 103:14, 116:15, 116:17 sale [1] - 73:14 same [10] - 15:7, 58:16, 58:22, 61:6, 64:15, 64:16, 67:13, 71:4, 101:7, 116:14 Samuel's [1] - 114:4 Samuels [3] - 98:18, 108:1, 110:14 SAMUELS [10] - 107:25, 108:14, 110:16, 111:3, 111:11, 115:10, 115:15, 116:9, 116:15, 116:17 San [1] - 48:16 Santa [1] - 48:17 save [1] - 35:4 Save [3] - 72:23, 83:11, 104:23 savings [1] - 86:1 saw [3] - 30:11, 79:16, 90:23 say [34] - 5:13, 11:21, 18:22, 19:2, 22:1, 25:4, 27:23, 28:2, 28:7, 28:19, 28:20, 29:15, 35:3, 44:19, 45:4, 51:12, 57:23, 58:3, 60:15, 63:5, 66:16, 66:21, 73:21, 86:13, 88:13, 90:19, 94:5, 96:23, 103:3, 103:4, 109:15, 109:18, 111:13, 114:17 saying [2] - 19:9, 19:20 says [4] - 28:5, 62:7, 65:17, 103:18 Sazarra [1] - 14:10 Scale [2] - 51:1, 53:25 scale [2] - 51:3, 94:17 Scheuer [1] - 75:8 SCHISSURA [1] - 1:16 schmauch [1] - 44:19 SCHMAUCH [6] - 33:22, 34:9, 44:21, 44:25, 45:16, 46:13 Schmauch [1] - 31:9 school [2] - 27:3, 90:2 School [4] - 2:18, 2:25, 3:11, 101:1 schools [2] - 60:8, 96:8 Schumacher [1] - 30:25 sciences [1] - 48:22 SCISSURA [10] - 3:21, 20:5, 20:15, 20:18, 27:1, 27:6, 27:17, 60:2, 60:14, 101:6 Scissura [1] - 3:22</p>	<p>scope [1] - 87:15 Scotland [1] - 48:20 Scott [1] - 57:10 scream [1] - 27:8 screening [1] - 57:12 seats [2] - 2:2, 79:9 Seattle's [1] - 55:11 second [12] - 7:16, 11:6, 12:14, 27:10, 35:9, 52:3, 54:20, 55:14, 82:15, 87:2, 95:25, 117:4 seconds [1] - 102:24 secretary [3] - 3:16, 3:22, 4:11 secretary-treasurer [1] - 4:11 Section [2] - 65:16, 103:17 security [2] - 67:14, 67:16 see [23] - 3:13, 6:16, 6:21, 7:2, 8:16, 9:6, 18:9, 19:1, 28:24, 29:25, 35:17, 38:24, 46:13, 46:23, 58:12, 73:25, 78:9, 81:10, 85:22, 86:21, 101:2, 115:12, 115:16 SEECHARRAN [4] - 1:20, 2:19, 29:4, 29:7 Seecharran [1] - 2:21 seeing [2] - 81:4, 81:7 seek [1] - 58:20 seeking [1] - 24:7 seeks [1] - 51:2 seem [3] - 22:13, 62:19, 87:5 seemed [1] - 11:19 seems [7] - 24:11, 70:3, 70:23, 77:1, 79:1, 79:6, 82:1 seen [2] - 114:20, 116:17 SEIU [1] - 4:11 select [1] - 88:4 selected [2] - 87:1, 88:9 selection [2] - 41:25, 88:7 self [1] - 39:12 self-certification [1] - 39:12 sell [2] - 47:13, 89:23 send [1] - 49:20 sending [1] - 110:13 sends [3] - 49:14, 49:18, 92:7 senior [3] - 12:2, 58:14, 108:24 sense [8] - 18:4, 47:2, 58:10, 58:16, 104:19, 104:25, 105:6, 106:7 sensible [1] - 93:21 sensitive [2] - 28:20, 73:24 sent [3] - 5:10, 110:7 sentence [2] - 40:13, 100:18 sentiment [1] - 114:10</p>	<p>separate [10] - 32:11, 32:12, 45:8, 51:25, 52:15, 86:23, 87:2, 87:16, 89:1, 104:14 September [4] - 11:2, 11:6, 11:10, 40:16 serious [2] - 37:21, 76:10 seriously [3] - 46:18, 63:16, 101:23 servants [1] - 73:8 serve [11] - 3:22, 3:23, 41:23, 42:5, 56:2, 56:5, 58:10, 58:11, 58:24, 76:19, 97:5 served [5] - 3:17, 4:1, 56:6, 95:13, 95:15 serves [1] - 63:17 service [7] - 53:23, 61:2, 61:8, 91:5, 91:14, 96:24, 101:17 Service [1] - 50:19 services [2] - 32:7, 96:7 servicing [4] - 2:4, 56:10, 95:12, 99:1 set [8] - 45:11, 45:13, 46:8, 46:10, 57:3, 70:5, 118:9, 118:16 several [5] - 10:10, 12:9, 33:4, 41:11, 93:23 sewage [1] - 110:5 sexual [2] - 63:8, 64:21 sexually [4] - 62:24, 63:20, 64:5, 65:3 shadow [1] - 84:20 shaking [1] - 81:23 shall [1] - 48:8 shaped [1] - 107:17 share [6] - 77:25, 88:15, 100:12, 100:16, 100:19, 100:21 SHARON [1] - 1:14 Sharon [2] - 3:1, 84:23 she [5] - 37:1, 60:22, 61:14, 97:18, 116:12 she's [2] - 54:2, 103:15 Sheila [2] - 75:8, 83:11 shelly [1] - 111:16 shelters [1] - 100:15 shift [1] - 17:1 shockingly [1] - 79:2 shop [1] - 60:6 short [8] - 20:21, 21:6, 55:10, 64:24, 65:24, 73:20, 80:11, 97:7 should [69] - 9:25, 12:12, 12:25, 13:14, 13:19, 14:7, 18:6, 19:7, 30:17, 32:16, 32:19, 32:21, 32:25, 37:16, 39:10, 41:19, 42:7, 42:12, 42:15, 43:1, 45:4, 52:13,</p>
S			
<p>S [1] - 1:9 sacrosanct [1] - 64:18 sad [2] - 11:4, 90:19</p>			

<p>52:16, 53:5, 53:7, 53:9, 53:10, 53:13, 54:8, 57:15, 57:23, 60:10, 67:10, 69:14, 71:24, 71:25, 72:1, 72:3, 72:6, 72:9, 72:10, 72:16, 72:18, 83:6, 84:3, 85:1, 86:6, 86:17, 88:7, 90:11, 91:22, 93:8, 94:1, 94:11, 94:20, 97:9, 107:18, 109:8, 109:24, 110:10, 110:11, 110:18, 110:24, 111:1, 111:3, 111:8, 112:11</p> <p>shouldn't [2] - 72:3, 77:12</p> <p>show [2] - 74:23, 112:4</p> <p>showing [1] - 36:14</p> <p>shown [3] - 6:23, 10:15, 48:24</p> <p>shows [1] - 36:25</p> <p>Side [2] - 101:14, 104:7</p> <p>side [3] - 112:5, 112:8, 112:15</p> <p>sides [1] - 69:20</p> <p>sidewalk [2] - 58:8, 96:6</p> <p>signatories [1] - 55:1</p> <p>signature [1] - 33:13</p> <p>signatures [3] - 109:20, 109:21, 109:23</p> <p>significant [3] - 15:14, 46:23, 113:6</p> <p>signs [1] - 35:1</p> <p>similar [2] - 21:16, 64:7</p> <p>similarly [1] - 21:23</p> <p>simple [2] - 75:17, 106:2</p> <p>simply [3] - 15:24, 16:16, 102:2</p> <p>since [4] - 15:9, 93:22, 101:21, 102:25</p> <p>sincere [1] - 61:14</p> <p>single [8] - 7:15, 22:24, 58:3, 58:4, 82:22, 106:11, 106:22, 107:5</p> <p>sink [1] - 99:24</p> <p>sit [3] - 84:4, 108:8, 109:8</p> <p>site [1] - 96:3</p> <p>sites [1] - 35:3</p> <p>sits [1] - 88:24</p> <p>sitting [6] - 16:16, 54:2, 56:13, 108:16, 112:15, 115:18</p> <p>situated [1] - 39:24</p> <p>situation [1] - 59:11</p> <p>six [3] - 35:20, 54:18, 103:19</p> <p>size [2] - 13:10, 13:12</p> <p>skew [1] - 42:9</p> <p>slide [1] - 25:11</p> <p>slush [1] - 71:8</p> <p>small [8] - 16:19, 16:21, 17:5, 17:8, 18:24, 19:4, 59:22, 96:8</p>	<p>smaller [1] - 12:23</p> <p>smallest [1] - 13:8</p> <p>smart [1] - 26:6</p> <p>smoothly [1] - 6:2</p> <p>so [124] - 5:7, 5:11, 5:18, 5:25, 6:13, 7:3, 7:19, 8:24, 9:9, 11:9, 11:20, 14:4, 15:12, 16:6, 16:12, 19:1, 21:6, 21:15, 23:7, 24:1, 24:15, 25:12, 25:22, 26:20, 27:11, 28:16, 28:25, 29:20, 35:15, 35:21, 35:23, 36:18, 36:25, 37:6, 44:12, 47:6, 47:14, 48:16, 48:23, 48:25, 49:1, 49:2, 49:6, 49:8, 49:10, 49:18, 50:5, 50:6, 51:7, 51:15, 57:24, 59:24, 60:4, 60:9, 60:14, 60:19, 61:9, 62:9, 62:18, 64:10, 64:12, 65:19, 65:22, 66:1, 66:5, 67:4, 67:15, 67:20, 69:8, 69:14, 69:22, 70:9, 70:18, 71:16, 73:11, 73:20, 73:22, 77:23, 78:9, 79:8, 80:23, 82:18, 83:20, 85:20, 86:13, 86:16, 87:11, 87:20, 87:21, 88:1, 88:22, 88:23, 89:22, 90:7, 93:21, 95:9, 96:24, 96:25, 97:4, 100:2, 101:1, 101:2, 101:16, 102:12, 102:17, 102:24, 103:17, 103:23, 104:25, 105:2, 106:11, 108:4, 108:23, 109:2, 109:23, 110:11, 110:18, 112:12, 113:13, 115:3, 115:6, 116:3, 116:6</p> <p>social [3] - 32:2, 38:25, 96:7</p> <p>socialist [1] - 31:10</p> <p>society [1] - 82:2</p> <p>Society [1] - 40:19</p> <p>sole [1] - 75:24</p> <p>solution [2] - 56:8, 73:5</p> <p>solutions [1] - 81:15</p> <p>solve [2] - 51:18, 75:25</p> <p>some [53] - 5:8, 6:21, 8:3, 8:6, 18:2, 19:16, 20:13, 20:20, 23:5, 26:23, 29:2, 44:9, 44:13, 45:6, 46:7, 48:25, 50:7, 50:21, 51:17, 56:20, 56:24, 60:12, 61:7, 71:18, 73:9, 81:15, 83:5, 83:13, 83:22, 84:8, 84:9, 86:7, 88:6, 91:23, 95:20, 96:12, 100:14, 101:20, 101:25, 102:22, 102:24, 103:4, 105:24, 107:16, 107:18, 107:21, 113:8, 113:9, 113:11, 113:16, 114:24, 115:12</p>	<p>somebody [6] - 61:18, 79:19, 91:17, 110:1, 110:19, 115:21</p> <p>someone [5] - 46:6, 60:3, 78:11, 112:15, 113:12</p> <p>something [14] - 22:6, 22:12, 23:17, 29:14, 29:22, 46:11, 50:5, 77:24, 110:2, 110:10, 110:18, 110:19, 113:1, 115:7</p> <p>sometimes [3] - 56:17, 97:6, 109:18</p> <p>soon [2] - 39:16, 53:3</p> <p>Sophie [2] - 89:15, 90:14</p> <p>Sorry [1] - 66:22</p> <p>sorry [12] - 4:6, 10:13, 11:22, 24:13, 36:24, 60:22, 62:15, 66:1, 67:11, 69:10, 83:1, 110:17</p> <p>sort [8] - 46:7, 63:17, 70:14, 85:18, 87:9, 101:20, 102:8, 105:13</p> <p>sound [2] - 27:5, 40:23</p> <p>sounds [2] - 60:10, 86:23</p> <p>source [1] - 100:11</p> <p>SOUTH [10] - 1:4, 89:18, 97:18, 97:22, 97:25, 98:2, 98:4, 98:6, 98:12, 98:15</p> <p>South [1] - 89:14</p> <p>space [2] - 52:19, 84:20</p> <p>speak [8] - 2:14, 7:2, 10:17, 14:18, 46:4, 66:20, 68:24, 101:20</p> <p>speaker [1] - 6:1</p> <p>SPEAKER [9] - 2:14, 3:6, 10:12, 48:6, 66:20, 97:19, 115:14, 117:3, 117:4</p> <p>speakers [1] - 43:25</p> <p>speaking [8] - 31:9, 40:19, 80:8, 92:5, 95:9, 111:14, 114:7, 114:13</p> <p>special [11] - 52:6, 57:22, 57:24, 58:5, 61:3, 75:16, 75:23, 84:3, 87:3, 113:1</p> <p>specific [5] - 29:11, 55:16, 63:2, 63:13, 72:4</p> <p>specifically [4] - 15:11, 62:23, 63:15, 104:23</p> <p>specifics [1] - 26:2</p> <p>spectacle [1] - 54:21</p> <p>speculation [1] - 53:11</p> <p>speech [1] - 16:18</p> <p>spend [10] - 16:2, 16:3, 16:5, 16:12, 16:18, 19:19, 19:23, 26:19, 82:23, 106:15</p> <p>spending [5] - 15:13, 19:21, 23:20, 54:20, 106:19</p> <p>spent [2] - 23:8, 26:23</p> <p>split [2] - 79:12, 81:24</p> <p>splitting [1] - 8:14</p>	<p>spoke [3] - 35:21, 73:4, 113:17</p> <p>spreadsheets [2] - 36:13, 36:25</p> <p>SQUARE [1] - 1:4</p> <p>SS [1] - 118:3</p> <p>St [1] - 48:17</p> <p>stabilize [1] - 93:10</p> <p>staff [21] - 4:1, 5:4, 6:21, 7:4, 12:5, 12:14, 14:21, 15:11, 20:11, 31:11, 37:12, 42:15, 53:17, 57:13, 76:4, 76:8, 80:15, 86:10, 92:17, 93:25, 94:25</p> <p>staffing [1] - 42:13</p> <p>staggered [1] - 8:23</p> <p>stake [1] - 45:4</p> <p>stand [2] - 76:15, 77:4</p> <p>standardization [1] - 57:7</p> <p>standardize [2] - 103:12, 103:20</p> <p>standardized [2] - 41:24, 42:16</p> <p>standardizing [1] - 9:2</p> <p>standards [1] - 57:6</p> <p>standpoint [4] - 69:14, 69:16, 71:15, 71:17</p> <p>start [6] - 2:9, 23:10, 31:6, 44:15, 62:8, 75:10</p> <p>started [2] - 2:2, 101:22</p> <p>starting [1] - 8:16</p> <p>starts [2] - 18:14, 115:19</p> <p>State [10] - 3:17, 45:13, 46:9, 46:10, 65:12, 66:12, 80:14, 88:11, 108:4, 118:7</p> <p>STATE [1] - 118:3</p> <p>state [8] - 13:13, 45:16, 48:18, 53:9, 71:7, 83:7, 86:11, 86:12</p> <p>statement [3] - 20:9, 20:11, 43:7</p> <p>Staten [1] - 4:8</p> <p>states [4] - 13:12, 13:15, 84:7, 88:10</p> <p>statewide [1] - 32:5</p> <p>statue [2] - 45:13, 46:10</p> <p>Statue [1] - 66:13</p> <p>status [1] - 32:17</p> <p>stemming [1] - 23:12</p> <p>step [5] - 17:9, 19:2, 59:16, 69:3, 85:17</p> <p>steps [1] - 33:4</p> <p>Steven [1] - 66:19</p> <p>still [5] - 17:6, 19:16, 79:5, 79:13, 80:1</p> <p>stood [1] - 84:13</p> <p>stop [3] - 7:21, 76:14, 113:2</p> <p>strategy [1] - 41:18</p> <p>Street [3] - 101:12, 101:14</p>
--	--	---	---

<p>street [6] - 83:19, 91:18, 91:21, 96:6, 109:18, 109:25 streets [2] - 109:13, 109:14 strengthen [1] - 93:13 strengthened [1] - 94:18 stress [1] - 90:17 stretch [2] - 15:22, 69:9 strides [1] - 15:9 Stringer [1] - 57:10 strong [3] - 23:15, 79:18, 85:4 stronger [3] - 38:22, 39:2, 39:23 strongest [2] - 7:6, 92:18 strongly [3] - 40:4, 88:22, 89:10 structure [1] - 43:13 student [1] - 105:12 studies [1] - 91:20 study [2] - 93:2, 115:7 stupid [1] - 106:16 subcontractor [1] - 63:22 subdivisions [1] - 14:10 subject [3] - 9:24, 53:17, 59:6 submission [1] - 7:12 submit [3] - 46:11, 62:18, 108:6 submitted [5] - 43:8, 52:15, 66:25, 97:20, 97:23 subsequent [1] - 41:3 subsequently [1] - 81:11 subsidiarity [1] - 52:18 substance [1] - 102:25 substantial [2] - 46:24, 103:18 substantiation [2] - 63:7, 64:5 substantive [1] - 101:24 subtleties [1] - 96:10 subway [2] - 60:7, 90:1 succeed [1] - 24:20 success [1] - 93:7 successful [2] - 42:12, 93:16 such [12] - 8:7, 8:18, 8:23, 18:17, 41:4, 50:10, 51:15, 58:5, 60:9, 82:4, 83:8, 118:9 sudden [1] - 115:19 suddenly [1] - 44:11 sufficient [2] - 36:10, 37:18 sufficiently [1] - 112:13 suggest [10] - 8:6, 8:14, 12:18, 20:17, 33:7, 34:1, 51:7, 53:3, 54:13, 85:7 suggested [1] - 12:14 suggesting [1] - 18:24 suggestion [4] - 9:20, 24:15, 111:20, 114:5</p>	<p>suggestions [1] - 62:18 sum [3] - 43:9, 71:21, 72:14 super [3] - 73:1, 83:18, 104:10 support [24] - 8:5, 8:11, 8:13, 8:19, 8:20, 9:18, 10:15, 10:24, 20:9, 26:9, 27:11, 34:12, 38:18, 42:14, 76:16, 77:19, 79:19, 80:8, 85:17, 94:22, 97:2, 105:16, 106:5, 108:9 supported [2] - 7:23, 112:14 supporters [1] - 24:19 supporting [3] - 23:21, 41:11, 108:12 supportive [1] - 52:22 supports [1] - 38:16 suppose [1] - 18:2 supposed [3] - 56:19, 65:18, 109:17 suppressing [1] - 68:13 suppression [2] - 67:25, 68:16 Supreme [2] - 65:12, 88:12 sure [16] - 17:20, 28:1, 28:3, 29:3, 29:6, 31:2, 36:22, 48:2, 61:24, 68:7, 72:19, 78:6, 87:14, 108:22, 112:1, 115:3 Sure [1] - 114:9 surprised [1] - 44:10 surrogate [1] - 99:13 survey [2] - 58:1, 102:8 surveys [1] - 48:24 susceptible [1] - 107:4 SVU [1] - 64:6 switch [1] - 67:5 sworn [2] - 76:18, 118:9 sympathetic [3] - 45:2, 45:3, 88:19 system [42] - 11:24, 16:12, 21:2, 21:25, 24:21, 26:17, 35:4, 35:25, 47:3, 47:8, 48:14, 54:9, 54:17, 55:2, 55:6, 55:11, 55:13, 57:11, 69:22, 69:25, 70:2, 70:5, 74:12, 79:6, 81:7, 81:24, 85:15, 86:14, 86:15, 90:1, 90:2, 94:15, 105:16, 105:24, 106:9, 106:23, 106:25, 107:3, 107:5, 107:13, 107:19 System [1] - 16:25 systems [2] - 16:21, 105:14</p>	<p>tables [1] - 58:8 tactical [1] - 12:12 take [17] - 2:2, 4:16, 18:24, 19:5, 19:11, 45:1, 54:14, 54:17, 60:14, 64:23, 76:2, 76:12, 76:15, 103:24, 106:25, 107:3, 107:7 taken [4] - 38:2, 51:6, 58:19, 67:7 takes [1] - 96:9 taking [5] - 18:1, 19:18, 30:14, 46:12, 64:25 talk [5] - 12:4, 29:8, 57:21, 63:10, 100:22 talked [1] - 111:20 talking [4] - 18:5, 19:8, 65:1, 86:3 tall [1] - 73:1 talls [1] - 104:10 Tammany [1] - 55:3 Tara [3] - 31:1, 40:18 target [1] - 72:5 targeted [1] - 28:14 task [1] - 40:3 tax [2] - 53:11 taxes [1] - 32:4 taxpayer [1] - 72:2 taxpayers' [1] - 37:5 team [1] - 58:25 teams [1] - 58:15 technical [4] - 99:20, 111:21, 112:9, 112:14 technology [2] - 29:17, 29:20 televised [1] - 55:7 tell [3] - 35:7, 74:8, 101:6 telling [1] - 115:22 temple [1] - 66:23 ten [6] - 13:9, 19:3, 19:10, 20:2, 91:14, 96:15 tend [3] - 78:7, 114:19, 114:21 term [28] - 7:16, 8:18, 8:20, 22:5, 22:14, 28:16, 33:24, 38:3, 42:4, 43:18, 52:3, 56:8, 56:25, 57:4, 79:8, 91:8, 91:12, 96:12, 96:18, 96:24, 99:4, 99:5, 99:9, 100:13, 103:3, 103:13 terminality [1] - 14:11 terminology [1] - 26:7 terms [9] - 8:23, 29:22, 42:5, 53:8, 56:5, 56:8, 86:3, 86:9, 99:18 Terri [2] - 89:16, 95:4 terrible [2] - 11:20 terribly [3] - 11:13, 108:15 testified [4] - 5:10, 23:16, 65:10, 99:25 testify [1] - 62:12</p>	<p>testifying [2] - 53:24, 67:11 testimony [20] - 4:25, 5:1, 6:24, 35:20, 37:9, 43:6, 45:8, 51:4, 51:9, 52:16, 53:19, 54:1, 54:4, 61:13, 64:24, 69:4, 76:5, 77:18, 98:23, 118:10 than [20] - 11:11, 13:16, 14:8, 14:14, 18:18, 29:20, 31:25, 32:4, 34:9, 38:20, 49:7, 78:7, 80:10, 81:5, 86:14, 93:4, 95:14, 95:15, 95:19, 96:24 thank [80] - 4:7, 6:21, 10:3, 11:24, 11:25, 14:15, 14:16, 14:18, 17:18, 29:3, 30:21, 31:8, 34:15, 34:16, 37:6, 37:7, 37:8, 40:16, 43:21, 43:22, 47:15, 47:18, 47:19, 48:5, 50:23, 50:24, 53:19, 53:21, 53:22, 55:20, 55:21, 55:22, 57:16, 57:17, 62:2, 62:9, 62:12, 65:6, 68:22, 68:23, 72:21, 73:20, 74:14, 74:15, 75:6, 77:15, 80:2, 80:3, 83:9, 84:20, 84:21, 89:11, 89:12, 90:13, 91:25, 92:2, 95:1, 95:2, 97:13, 97:14, 98:12, 98:13, 98:15, 98:20, 98:22, 100:22, 101:4, 101:16, 103:23, 103:25, 104:1, 105:8, 105:9, 107:23, 111:11, 111:12, 112:20, 113:23, 117:8 thanks [1] - 77:17 That [1] - 118:8 that [476] - 2:8, 2:14, 3:8, 3:25, 4:1, 4:19, 5:3, 5:7, 5:8, 5:11, 5:13, 5:25, 6:5, 6:14, 6:18, 7:7, 7:9, 7:19, 7:23, 8:3, 8:13, 8:16, 8:24, 9:11, 9:14, 9:16, 9:17, 9:20, 9:22, 9:23, 10:10, 10:17, 11:7, 11:16, 11:20, 11:21, 12:5, 12:7, 12:22, 12:23, 12:25, 13:5, 13:15, 13:19, 13:22, 14:2, 14:5, 14:6, 14:9, 14:20, 16:7, 16:9, 16:14, 17:20, 18:2, 18:8, 18:13, 18:14, 18:15, 18:17, 18:23, 18:25, 19:15, 19:16, 19:17, 19:18, 20:1, 20:12, 20:16, 20:20, 20:24, 21:1, 21:5, 21:7, 21:11, 21:12, 21:16, 21:20, 22:3, 22:5, 22:6, 22:12, 22:23, 22:25, 23:6, 23:13, 23:17, 23:19, 23:21, 24:2, 24:3, 24:11, 24:15, 24:20, 24:22, 24:25, 25:2, 25:4, 25:7, 25:13, 25:15, 25:16,</p>
<p>T</p>		<p>T [2] - 118:1 table [4] - 104:3, 112:5, 112:8, 112:16</p>	

2018 - CHARTER REVISION - 7/23/2018

<p>25:17, 25:20, 25:22, 25:25, 26:2, 26:3, 26:4, 26:8, 26:12, 26:20, 26:21, 26:23, 26:25, 27:2, 27:3, 27:14, 27:17, 27:21, 28:2, 28:8, 28:9, 28:20, 29:1, 29:5, 29:9, 29:12, 29:15, 29:23, 30:4, 30:5, 30:7, 30:8, 30:12, 30:13, 30:14, 30:16, 30:17, 30:18, 31:1, 31:19, 31:23, 32:7, 32:10, 32:15, 33:4, 33:10, 33:18, 34:1, 35:25, 36:5, 36:22, 37:5, 38:12, 39:9, 39:21, 41:15, 43:3, 43:12, 43:16, 44:3, 44:8, 44:13, 44:15, 44:19, 45:3, 45:5, 45:12, 45:17, 45:23, 46:9, 46:11, 46:14, 46:22, 47:2, 47:3, 47:5, 47:7, 47:22, 48:24, 49:4, 49:11, 49:13, 49:14, 50:13, 51:1, 51:7, 51:8, 51:12, 51:13, 51:14, 51:19, 52:1, 52:4, 52:15, 52:19, 52:20, 53:3, 54:10, 54:12, 54:15, 55:13, 55:17, 56:9, 56:14, 57:1, 57:23, 57:25, 58:10, 58:17, 58:21, 58:22, 58:23, 59:4, 59:6, 59:7, 59:9, 59:13, 59:22, 59:23, 59:25, 60:3, 60:5, 60:6, 60:15, 60:23, 60:25, 61:15, 61:19, 62:2, 62:16, 63:15, 63:17, 64:6, 64:7, 64:8, 64:10, 64:12, 64:14, 64:18, 64:20, 65:1, 65:17, 66:24, 67:13, 67:17, 67:18, 68:3, 68:13, 68:15, 69:6, 69:9, 69:13, 69:16, 69:22, 69:25, 70:3, 70:5, 70:6, 70:12, 70:13, 70:23, 71:4, 71:15, 73:7, 73:16, 73:24, 73:25, 74:7, 74:10, 74:13, 74:19, 75:5, 75:19, 76:1, 76:4, 76:9, 76:24, 77:6, 78:3, 78:12, 78:21, 78:22, 79:4, 79:5, 79:7, 79:14, 79:23, 80:9, 80:10, 80:12, 81:14, 82:2, 82:13, 82:25, 83:13, 83:15, 83:17, 83:23, 83:24, 84:3, 84:12, 84:25, 85:7, 85:13, 85:15, 85:16, 85:17, 85:18, 85:20, 86:2, 86:3, 86:6, 86:8, 86:12, 86:13, 86:15, 86:16, 86:24, 86:25, 87:3, 87:6, 87:7, 87:10, 87:12, 88:19, 88:20, 88:25, 89:2, 89:3, 89:4, 89:8, 89:9, 89:10, 90:7, 90:8, 91:4, 91:5, 91:8, 91:10, 91:11, 91:12, 92:11, 92:14, 93:1, 93:7, 93:10, 93:15, 93:17, 93:24,</p>	<p>94:5, 94:7, 94:11, 94:16, 94:17, 94:19, 94:21, 95:12, 95:24, 96:1, 96:2, 96:16, 96:17, 97:10, 97:19, 99:11, 99:14, 99:16, 99:17, 99:23, 100:2, 100:5, 100:7, 100:10, 100:15, 100:18, 101:5, 101:22, 102:2, 102:10, 102:12, 102:15, 102:18, 102:19, 102:21, 103:1, 103:2, 103:4, 103:8, 103:10, 103:11, 103:12, 103:13, 103:20, 104:12, 104:19, 104:25, 105:1, 105:6, 106:13, 106:20, 107:10, 107:17, 108:20, 109:7, 109:10, 109:12, 109:15, 109:17, 109:18, 109:23, 110:3, 110:9, 110:10, 110:11, 110:18, 110:20, 110:21, 111:3, 111:8, 111:24, 112:8, 112:9, 112:16, 112:17, 113:9, 113:18, 114:1, 114:5, 114:8, 114:11, 114:12, 114:22, 115:3, 115:5, 115:8, 115:12, 115:15, 115:24, 116:3, 116:5, 116:6, 116:9, 118:9, 118:10, 118:12, 118:14 that's ^[38] - 10:18, 12:24, 13:13, 21:4, 22:19, 26:18, 29:14, 37:6, 45:15, 48:12, 50:5, 50:17, 61:22, 62:7, 68:11, 68:19, 74:9, 75:3, 79:21, 87:2, 88:9, 90:12, 99:8, 100:10, 104:9, 107:21, 109:10, 109:11, 109:14, 109:20, 110:9, 110:18, 112:20, 113:2, 113:24, 115:16, 115:18, 116:16 That's ^[1] - 44:21 the ^[1032] - 2:3, 2:4, 2:6, 2:7, 2:12, 2:21, 2:24, 3:2, 3:5, 3:7, 3:8, 3:10, 3:12, 3:16, 3:18, 3:22, 3:23, 3:24, 3:25, 4:14, 4:19, 4:23, 4:24, 4:25, 5:1, 5:2, 5:3, 5:5, 5:7, 5:8, 5:9, 5:14, 5:19, 5:20, 5:21, 5:23, 5:25, 6:1, 6:10, 6:11, 6:14, 6:21, 6:23, 6:25, 7:1, 7:3, 7:5, 7:6, 7:8, 7:13, 7:14, 7:16, 7:17, 7:20, 7:23, 7:25, 8:3, 8:4, 8:10, 8:12, 8:17, 8:20, 8:24, 9:5, 9:9, 9:15, 9:20, 9:21, 9:22, 10:5, 10:14, 10:15, 10:21, 10:22, 11:2, 11:4, 11:10, 11:13, 11:14, 11:15, 11:21, 11:22, 11:23, 11:24, 12:2, 12:4, 12:5, 12:8, 12:11, 12:12, 12:13, 12:14, 12:15, 12:16,</p>	<p>12:17, 12:18, 12:20, 12:23, 13:2, 13:3, 13:7, 13:8, 13:9, 13:12, 13:22, 14:4, 14:5, 14:6, 14:11, 14:14, 14:15, 14:18, 14:19, 14:21, 14:23, 15:1, 15:5, 15:7, 15:10, 15:11, 15:12, 15:13, 15:15, 15:17, 15:20, 15:23, 16:4, 16:6, 16:9, 16:10, 16:13, 16:14, 16:17, 16:19, 16:20, 16:23, 16:25, 17:1, 17:2, 17:3, 17:5, 17:7, 17:12, 17:14, 17:21, 17:22, 17:23, 17:25, 18:6, 18:16, 18:18, 19:6, 19:13, 19:25, 20:3, 20:6, 20:9, 20:19, 20:20, 20:21, 20:22, 21:1, 21:2, 21:3, 21:6, 21:12, 21:17, 21:19, 21:20, 21:21, 21:23, 21:25, 22:3, 22:7, 22:13, 22:16, 22:17, 22:19, 22:24, 22:25, 23:5, 23:6, 23:7, 23:8, 23:11, 23:14, 23:20, 23:22, 23:24, 24:3, 24:7, 24:14, 24:19, 24:20, 24:22, 25:4, 25:5, 25:7, 25:9, 25:10, 25:15, 25:16, 25:25, 26:3, 26:7, 26:12, 26:18, 26:24, 27:16, 27:18, 27:20, 27:21, 27:22, 27:23, 28:4, 28:5, 28:10, 28:12, 28:15, 28:16, 28:20, 28:21, 28:23, 28:24, 29:8, 29:9, 29:12, 29:13, 29:16, 29:18, 29:19, 29:23, 29:25, 30:1, 30:3, 30:4, 30:6, 30:7, 30:8, 30:11, 30:12, 30:13, 30:24, 31:6, 31:8, 31:10, 31:11, 31:13, 31:14, 31:17, 31:18, 31:20, 31:21, 31:22, 31:23, 31:24, 32:1, 32:3, 32:9, 32:10, 32:14, 32:19, 32:21, 32:22, 33:1, 33:2, 33:4, 33:12, 33:13, 33:16, 33:18, 33:22, 33:24, 34:2, 34:4, 34:11, 34:12, 34:13, 34:19, 34:20, 34:25, 35:1, 35:3, 35:4, 35:5, 35:14, 35:18, 35:19, 35:20, 35:23, 35:25, 36:4, 36:5, 36:7, 36:8, 36:11, 36:14, 36:16, 36:21, 36:22, 36:24, 36:25, 37:3, 37:5, 37:11, 37:12, 37:15, 37:16, 37:20, 37:25, 38:1, 38:3, 38:7, 38:12, 38:19, 39:3, 39:5, 39:12, 39:14, 39:17, 39:21, 39:25, 40:2, 40:3, 40:5, 40:7, 40:9, 40:10, 40:12, 40:19, 40:21, 40:24, 41:3, 41:4, 41:5, 41:6, 41:8, 41:9, 41:10, 41:20, 41:22, 41:23, 42:1, 42:8, 42:9,</p>	<p>42:10, 42:22, 42:24, 43:9, 43:11, 43:12, 43:13, 43:14, 43:19, 43:24, 44:1, 44:2, 44:4, 44:10, 44:15, 45:3, 45:10, 45:11, 45:12, 45:16, 45:24, 45:25, 46:1, 46:7, 46:9, 46:11, 46:18, 46:22, 46:24, 47:7, 47:10, 47:11, 47:12, 47:20, 48:2, 48:21, 48:23, 49:5, 49:8, 49:15, 49:17, 49:20, 50:13, 50:15, 50:16, 50:18, 50:19, 50:21, 51:3, 51:7, 51:9, 51:10, 51:13, 51:14, 51:18, 51:20, 51:24, 51:25, 52:1, 52:2, 52:5, 52:9, 52:12, 52:14, 52:16, 52:17, 52:18, 52:19, 53:2, 53:3, 53:7, 53:11, 53:12, 53:15, 53:17, 53:18, 54:4, 54:6, 54:7, 54:9, 54:10, 54:11, 54:12, 54:13, 54:14, 54:17, 54:20, 54:21, 54:22, 54:25, 55:1, 55:2, 55:5, 55:6, 55:10, 55:11, 55:12, 55:15, 55:16, 55:18, 55:19, 55:24, 55:25, 56:2, 56:8, 56:10, 56:12, 56:21, 56:24, 57:5, 57:6, 57:7, 58:6, 58:10, 58:11, 58:12, 58:14, 58:16, 58:21, 58:22, 58:24, 59:6, 59:13, 59:18, 59:19, 59:24, 60:1, 60:3, 60:4, 60:5, 60:6, 60:18, 61:5, 61:11, 61:18, 61:20, 62:2, 62:5, 62:14, 62:17, 62:25, 63:1, 63:2, 63:3, 63:6, 63:8, 63:13, 63:14, 63:15, 63:19, 63:25, 64:1, 64:4, 64:6, 64:14, 64:16, 64:17, 64:18, 64:23, 65:2, 65:4, 65:13, 65:15, 65:16, 65:19, 65:20, 65:21, 65:22, 65:23, 66:3, 66:6, 66:8, 66:10, 66:16, 66:17, 66:21, 66:24, 67:8, 67:12, 67:13, 67:15, 67:18, 67:20, 67:23, 68:5, 68:6, 68:8, 68:9, 68:12, 68:17, 68:24, 69:1, 69:4, 69:10, 69:24, 70:2, 70:5, 70:6, 70:8, 70:11, 70:24, 70:25, 71:1, 71:2, 71:4, 71:8, 71:12, 71:13, 71:17, 71:23, 72:1, 72:2, 72:8, 72:9, 72:25, 73:1, 73:7, 73:8, 73:11, 73:13, 73:14, 73:22, 73:23, 74:2, 74:4, 74:6, 74:9, 74:10, 74:11, 74:18, 74:24, 75:4, 75:12, 75:25, 76:1, 76:2, 76:4, 76:5, 76:6, 76:7, 76:9, 76:10, 76:12, 76:13, 76:17, 76:20, 76:22, 76:24, 77:2, 77:6,</p>
--	--	--	--

<p>77:8, 77:9, 77:11, 77:21, 77:23, 78:2, 78:10, 78:16, 78:17, 78:20, 78:22, 78:23, 78:24, 79:1, 79:4, 79:13, 79:20, 79:23, 79:25, 80:5, 80:7, 80:15, 80:16, 80:17, 80:20, 80:22, 81:1, 81:11, 81:13, 81:18, 81:23, 82:2, 82:11, 82:13, 82:19, 83:1, 83:2, 83:4, 83:5, 83:6, 83:7, 83:13, 83:15, 83:16, 83:17, 83:19, 83:20, 83:22, 84:6, 84:7, 84:9, 84:11, 84:15, 84:19, 84:24, 84:25, 85:15, 85:17, 85:19, 85:21, 85:24, 85:25, 86:1, 86:4, 86:5, 86:10, 86:14, 86:21, 86:24, 86:25, 87:3, 87:8, 87:13, 87:15, 87:16, 87:19, 87:20, 87:21, 87:22, 87:23, 88:8, 88:11, 88:17, 88:19, 88:20, 88:22, 88:23, 89:3, 89:7, 89:8, 89:23, 89:24, 90:10, 90:11, 90:16, 90:22, 90:23, 90:25, 91:5, 91:10, 91:15, 91:22, 92:5, 92:8, 92:11, 92:15, 92:16, 92:18, 92:19, 92:21, 92:22, 92:24, 92:25, 93:1, 93:2, 93:7, 93:9, 93:12, 93:13, 93:14, 93:16, 93:17, 93:18, 93:20, 93:21, 93:22, 93:25, 94:3, 94:4, 94:7, 94:12, 94:14, 94:20, 95:7, 95:11, 95:12, 95:17, 95:19, 95:21, 95:22, 95:24, 96:4, 96:8, 96:11, 96:14, 96:17, 96:20, 96:22, 97:2, 97:5, 97:6, 97:8, 97:11, 98:10, 98:21, 98:25, 99:1, 99:2, 99:3, 99:4, 99:7, 99:9, 99:11, 99:12, 99:15, 99:16, 99:17, 99:21, 99:22, 99:23, 99:24, 100:3, 100:4, 100:5, 100:6, 100:7, 100:9, 100:11, 100:13, 100:15, 100:19, 101:3, 101:4, 101:8, 101:13, 101:18, 101:24, 102:1, 102:3, 102:5, 102:12, 102:13, 102:14, 102:19, 102:23, 102:25, 103:1, 103:4, 103:7, 103:9, 103:13, 103:15, 103:17, 103:19, 104:3, 104:5, 104:7, 104:9, 104:10, 104:11, 104:12, 104:13, 104:15, 104:17, 104:19, 104:21, 104:22, 105:5, 105:11, 105:13, 105:16, 105:19, 105:23, 106:8, 106:13, 106:20, 106:21, 106:23, 107:1, 107:9, 107:13, 107:20,</p>	<p>108:7, 108:12, 108:19, 108:21, 108:22, 109:9, 109:12, 109:17, 109:19, 109:20, 109:25, 110:1, 110:3, 110:5, 110:8, 110:21, 110:23, 111:1, 111:18, 111:19, 111:20, 112:2, 112:3, 112:5, 112:7, 112:8, 112:9, 112:12, 112:13, 112:15, 112:16, 112:18, 113:2, 113:4, 113:5, 113:13, 113:14, 113:15, 113:16, 113:19, 113:20, 113:21, 114:3, 114:10, 114:13, 114:15, 114:18, 114:24, 115:1, 115:5, 115:8, 115:12, 115:14, 115:19, 115:20, 115:21, 115:24, 115:25, 116:1, 116:4, 116:6, 116:7, 116:8, 116:13, 116:14, 116:24, 117:7, 117:9, 118:7, 118:8, 118:10, 118:13, 118:14</p> <p>The [1] - 65:11</p> <p>their [57] - 6:23, 9:1, 16:1, 16:2, 16:10, 16:11, 16:15, 16:18, 16:24, 19:19, 19:23, 19:24, 24:5, 24:18, 27:10, 27:11, 32:6, 32:23, 33:23, 34:3, 34:6, 36:2, 38:17, 45:4, 52:25, 53:14, 55:8, 56:2, 56:15, 56:16, 56:20, 56:21, 72:10, 76:2, 82:16, 82:17, 82:21, 88:10, 89:6, 89:9, 90:24, 91:15, 94:5, 94:6, 95:16, 96:10, 97:4, 100:1, 104:16, 105:18, 105:21, 106:12, 106:17, 110:22, 113:4</p> <p>them [31] - 6:3, 8:24, 16:3, 16:12, 22:2, 30:10, 35:6, 35:11, 35:15, 50:14, 51:24, 52:2, 55:7, 55:8, 56:16, 58:16, 60:1, 61:4, 69:19, 72:5, 80:25, 81:19, 82:21, 84:17, 87:21, 87:23, 89:7, 106:18, 113:5</p> <p>themselves [4] - 2:8, 44:7, 76:24, 81:8</p> <p>then [18] - 10:5, 11:9, 19:10, 21:8, 21:9, 21:23, 28:3, 30:3, 30:4, 55:15, 70:10, 72:8, 75:18, 85:6, 85:20, 94:13, 110:8, 112:18</p> <p>there [52] - 11:9, 11:18, 12:11, 13:4, 13:15, 13:19, 17:6, 18:2, 20:13, 20:16, 21:24, 24:5, 24:15, 26:10, 27:21, 27:25, 36:7, 41:10, 44:13, 45:6, 46:1, 47:2, 56:4,</p>	<p>58:13, 60:18, 67:3, 69:12, 70:3, 71:25, 72:10, 72:19, 79:11, 80:23, 83:24, 84:1, 84:4, 86:4, 86:23, 88:6, 89:1, 90:8, 93:16, 100:3, 103:11, 104:24, 105:24, 108:23, 110:3, 112:14, 114:1, 115:18, 116:23</p> <p>there's [25] - 20:13, 29:17, 35:8, 36:22, 37:14, 45:9, 49:7, 49:21, 50:20, 59:22, 59:25, 66:5, 66:12, 67:6, 67:7, 67:23, 71:13, 73:6, 83:19, 83:21, 83:24, 85:5, 85:13, 102:9, 115:20</p> <p>thereafter [1] - 65:19</p> <p>therefore [1] - 76:24</p> <p>these [21] - 23:12, 34:9, 41:19, 54:3, 55:14, 56:8, 56:23, 62:16, 64:10, 66:17, 70:18, 71:18, 78:5, 83:25, 90:4, 91:23, 92:15, 93:14, 94:19, 105:1, 109:21</p> <p>they [93] - 7:20, 8:19, 9:13, 15:16, 16:3, 16:5, 16:7, 19:5, 19:10, 19:19, 20:14, 22:13, 23:17, 24:20, 26:7, 27:12, 28:14, 28:15, 30:7, 30:14, 30:15, 32:3, 34:24, 34:25, 35:1, 35:7, 35:17, 35:19, 36:3, 36:9, 36:10, 37:4, 41:12, 41:23, 43:23, 47:13, 49:16, 49:19, 53:5, 53:13, 58:10, 58:11, 58:17, 60:11, 60:21, 61:20, 62:20, 66:18, 69:18, 71:3, 71:4, 72:3, 72:5, 76:18, 76:25, 81:13, 82:18, 86:5, 87:5, 88:10, 88:11, 89:22, 94:22, 95:22, 95:23, 97:4, 98:7, 101:7, 104:16, 106:9, 106:12, 106:13, 106:20, 108:20, 109:1, 109:8, 109:10, 109:15, 109:18, 110:6, 110:7, 110:20, 113:18, 114:19, 114:21, 114:25, 116:14</p> <p>they'd [1] - 29:22</p> <p>they're [20] - 20:24, 21:15, 35:13, 35:14, 36:6, 36:9, 47:12, 58:7, 72:12, 72:13, 81:17, 89:24, 97:4, 97:7, 105:2, 109:15, 115:22, 115:23</p> <p>they've [4] - 26:11, 26:18, 67:3, 106:22</p> <p>thing [13] - 23:21, 25:4, 64:16, 83:15, 107:14, 108:10, 109:11, 109:12, 110:3, 110:23, 115:20, 115:24, 116:18</p>	<p>things [12] - 6:1, 8:3, 13:5, 29:18, 29:23, 45:21, 64:10, 71:4, 74:6, 83:13, 84:25, 111:20</p> <p>think [96] - 4:18, 5:11, 9:13, 9:22, 12:11, 12:24, 12:25, 13:4, 13:14, 13:19, 14:1, 14:5, 14:11, 17:25, 18:9, 18:14, 18:15, 18:20, 21:1, 21:3, 21:5, 21:7, 21:20, 22:1, 22:3, 22:5, 22:12, 22:16, 23:9, 23:19, 23:21, 23:23, 25:2, 25:6, 25:15, 25:19, 27:6, 27:7, 27:19, 27:21, 28:8, 29:15, 29:20, 29:21, 30:8, 46:3, 46:22, 49:13, 49:22, 58:12, 59:7, 59:9, 59:10, 59:22, 60:3, 61:1, 61:6, 61:12, 61:15, 64:25, 69:13, 69:16, 69:23, 73:4, 73:7, 73:13, 83:22, 84:4, 85:23, 86:6, 86:8, 86:16, 88:7, 88:14, 88:17, 90:25, 91:16, 100:6, 101:3, 101:17, 101:23, 102:9, 103:11, 103:14, 103:15, 103:21, 106:7, 106:17, 109:22, 110:21, 111:13, 114:13, 115:10, 116:6, 116:12, 116:20</p> <p>thinking [4] - 27:17, 49:18, 75:4, 101:22</p> <p>third [4] - 7:17, 33:15, 79:13, 105:21</p> <p>third-parties [1] - 33:15</p> <p>third-party [1] - 105:21</p> <p>this [131] - 4:18, 4:21, 5:14, 6:13, 6:17, 6:22, 7:9, 8:4, 9:20, 10:11, 10:14, 15:19, 17:16, 18:3, 22:12, 23:13, 26:24, 27:24, 28:11, 29:18, 30:21, 31:24, 32:10, 32:16, 32:18, 32:23, 32:24, 33:21, 33:25, 34:7, 36:18, 37:5, 37:18, 37:21, 38:6, 43:5, 43:7, 44:18, 45:1, 47:2, 49:9, 50:2, 50:3, 50:6, 50:20, 53:9, 54:1, 54:24, 55:11, 56:17, 57:14, 57:19, 63:10, 63:23, 64:21, 65:1, 65:4, 66:2, 66:15, 67:25, 68:5, 69:5, 69:25, 70:7, 70:14, 71:1, 71:6, 71:16, 71:17, 71:24, 72:16, 73:6, 74:17, 76:9, 76:14, 77:3, 77:22, 78:1, 78:9, 79:1, 79:8, 79:15, 79:23, 80:13, 80:24, 81:15, 81:21, 84:14, 85:2, 85:19, 86:22, 90:6, 90:9, 90:20, 91:4, 92:11, 92:14, 93:20,</p>
---	---	---	---

<p>94:8, 95:7, 95:25, 96:1, 96:19, 101:2, 101:17, 101:23, 102:8, 102:15, 102:21, 104:12, 105:17, 106:23, 107:13, 107:20, 108:3, 108:10, 108:25, 109:1, 110:23, 111:4, 114:3, 115:23, 116:10, 116:17, 116:21, 118:13, 118:14, 118:17</p> <p>thorough [3] - 38:22, 102:4, 102:15</p> <p>those [44] - 7:2, 9:12, 11:17, 12:20, 15:22, 15:23, 15:24, 16:9, 21:1, 22:4, 24:6, 34:4, 34:5, 38:1, 45:8, 53:17, 56:1, 56:14, 60:10, 63:13, 65:14, 68:15, 70:10, 75:25, 76:18, 78:14, 78:16, 78:18, 87:3, 87:9, 89:5, 91:11, 91:12, 91:13, 94:14, 95:23, 97:4, 97:10, 109:22, 110:25, 114:14, 114:17, 115:11, 117:5</p> <p>though [2] - 11:19, 109:1</p> <p>thoughts [4] - 18:7, 24:10, 50:21, 102:25</p> <p>thousand [5] - 15:18, 18:12, 19:23, 47:3, 93:6</p> <p>thousands [1] - 93:24</p> <p>three [18] - 5:24, 5:25, 7:13, 24:7, 36:16, 37:2, 54:25, 55:16, 65:19, 78:3, 78:14, 78:18, 78:22, 95:14, 107:6, 107:8, 110:8, 115:10</p> <p>threshold [2] - 36:4, 78:10</p> <p>through [9] - 7:7, 9:23, 28:9, 42:20, 50:3, 58:3, 66:16, 111:1, 111:5</p> <p>throughout [5] - 40:22, 69:9, 69:10, 69:24</p> <p>thus [3] - 54:4, 56:23, 96:21</p> <p>tightened [1] - 28:25</p> <p>time [40] - 5:16, 6:2, 6:4, 9:6, 11:10, 11:19, 11:20, 16:3, 16:5, 16:8, 16:13, 16:18, 17:17, 19:20, 19:21, 19:23, 20:21, 21:6, 31:7, 39:11, 42:14, 43:20, 50:13, 64:24, 70:8, 71:16, 73:23, 76:5, 80:11, 83:20, 91:15, 95:22, 97:8, 102:2, 102:25, 103:22, 106:13, 106:19, 111:10, 113:11</p> <p>timeframe [1] - 37:18</p> <p>timer [1] - 76:13</p> <p>times [2] - 20:2, 48:13</p> <p>timing [2] - 102:12, 106:24</p> <p>tithing [1] - 54:14</p> <p>titles [1] - 104:20</p>	<p>to [638] - 2:1, 2:8, 3:7, 3:13, 3:25, 4:1, 4:9, 4:17, 4:25, 5:7, 5:10, 5:13, 5:15, 5:19, 5:21, 5:22, 5:23, 6:1, 6:3, 6:10, 6:13, 6:17, 7:2, 7:5, 7:12, 7:20, 8:6, 8:11, 8:14, 8:16, 9:15, 9:24, 10:11, 10:14, 10:17, 10:18, 10:24, 11:12, 11:19, 11:21, 12:4, 12:9, 12:15, 12:21, 13:5, 13:14, 13:20, 13:23, 14:2, 14:4, 14:12, 14:13, 14:18, 14:21, 15:3, 15:7, 15:12, 15:13, 15:15, 15:25, 16:3, 16:4, 16:8, 16:11, 16:13, 16:17, 16:23, 17:1, 17:7, 17:11, 17:17, 18:4, 18:14, 18:16, 18:17, 18:18, 18:23, 19:1, 19:3, 19:6, 19:7, 19:8, 19:10, 19:11, 19:20, 20:20, 20:22, 21:11, 21:17, 21:21, 21:25, 22:1, 22:6, 22:10, 22:13, 23:1, 23:10, 23:20, 24:4, 24:5, 24:16, 24:17, 24:19, 24:22, 24:25, 25:1, 25:13, 25:17, 25:20, 26:8, 26:22, 26:24, 27:1, 27:4, 27:6, 27:8, 27:20, 27:23, 28:3, 28:6, 28:10, 28:14, 28:17, 28:19, 28:20, 28:22, 28:24, 28:25, 29:9, 29:11, 29:20, 30:3, 30:7, 30:9, 30:10, 30:20, 30:21, 31:11, 31:13, 31:16, 31:21, 31:22, 31:24, 32:2, 32:3, 32:8, 32:11, 32:12, 32:13, 32:14, 32:20, 32:21, 32:25, 33:1, 33:2, 33:11, 33:15, 33:16, 33:20, 33:22, 33:25, 34:1, 34:3, 34:4, 34:5, 34:11, 34:12, 34:13, 34:18, 35:2, 35:3, 35:4, 35:10, 35:17, 36:12, 36:20, 37:11, 37:14, 37:22, 37:25, 38:2, 38:17, 38:20, 38:24, 39:5, 39:14, 39:15, 39:24, 40:5, 40:6, 40:7, 40:8, 40:12, 40:20, 41:3, 41:7, 41:8, 41:18, 41:21, 42:4, 42:11, 42:13, 42:15, 42:19, 42:24, 43:3, 43:4, 43:7, 43:10, 43:15, 43:24, 44:7, 44:11, 44:15, 44:22, 45:3, 45:5, 45:7, 45:11, 45:14, 45:17, 45:21, 46:8, 46:16, 46:23, 46:24, 47:1, 47:4, 47:6, 48:10, 48:22, 49:2, 49:10, 49:20, 50:1, 50:8, 50:11, 50:12, 50:20, 51:10, 51:16, 51:17, 52:5, 52:17, 53:2, 53:5, 53:6, 53:9, 53:13, 54:2, 54:5, 54:8,</p>	<p>54:12, 54:15, 54:16, 54:18, 54:19, 54:21, 55:1, 55:7, 55:8, 55:13, 55:16, 55:17, 55:18, 56:6, 56:11, 56:19, 56:21, 57:4, 57:25, 58:21, 59:6, 59:10, 59:14, 59:16, 59:21, 59:25, 60:2, 60:4, 60:5, 60:8, 60:15, 60:16, 60:20, 61:3, 61:11, 61:12, 62:12, 62:15, 62:18, 62:20, 62:23, 63:3, 63:14, 63:20, 64:11, 64:20, 64:23, 64:24, 65:4, 65:18, 65:20, 66:1, 66:2, 66:10, 66:14, 66:15, 66:20, 66:21, 66:23, 67:1, 67:3, 67:4, 67:5, 67:8, 67:9, 67:18, 67:21, 67:22, 67:24, 68:6, 68:14, 68:24, 68:25, 69:3, 69:7, 69:8, 69:9, 69:17, 69:19, 69:22, 70:3, 70:16, 70:23, 71:9, 71:10, 71:12, 71:18, 72:1, 72:14, 72:19, 72:25, 73:11, 73:16, 73:18, 73:24, 73:25, 74:2, 74:8, 74:22, 75:5, 75:19, 75:20, 75:21, 75:24, 75:25, 76:5, 76:8, 76:9, 76:10, 76:11, 76:15, 76:16, 76:18, 77:1, 77:4, 77:11, 77:12, 77:13, 77:24, 78:7, 78:9, 78:11, 79:9, 79:16, 79:25, 80:11, 80:20, 81:6, 81:11, 81:15, 81:16, 81:18, 81:20, 81:23, 82:5, 82:15, 82:17, 82:19, 82:21, 83:3, 83:12, 83:13, 83:14, 83:16, 83:18, 83:21, 83:24, 84:14, 84:15, 84:16, 84:19, 85:5, 85:6, 85:14, 85:22, 85:23, 85:25, 86:5, 86:6, 86:7, 86:17, 86:21, 87:12, 87:14, 87:15, 87:18, 87:19, 87:21, 87:23, 87:24, 88:4, 88:15, 88:19, 88:20, 88:24, 89:3, 89:4, 89:7, 89:8, 89:25, 90:6, 90:10, 90:18, 90:19, 91:1, 91:8, 91:11, 91:14, 91:15, 91:16, 91:19, 91:20, 91:22, 92:6, 92:9, 92:12, 92:14, 92:16, 92:25, 93:7, 93:9, 93:12, 93:25, 94:6, 94:9, 94:18, 94:20, 94:24, 95:6, 95:22, 95:23, 96:10, 96:17, 96:20, 97:3, 97:7, 97:8, 97:10, 97:11, 98:8, 98:9, 98:23, 99:3, 99:10, 99:17, 99:20, 100:1, 100:7, 100:9, 100:19, 100:21, 101:1, 101:4, 101:13, 101:14, 101:16, 101:18, 101:20, 102:3, 102:14, 102:17, 102:18,</p>	<p>102:19, 102:20, 102:22, 103:3, 103:4, 103:13, 104:3, 104:14, 105:3, 105:15, 105:16, 105:18, 105:20, 106:2, 106:3, 106:5, 106:6, 106:7, 106:10, 106:13, 106:16, 106:17, 106:20, 106:21, 106:23, 107:4, 107:6, 107:8, 107:16, 108:5, 108:6, 108:7, 108:19, 108:20, 109:1, 109:3, 109:5, 109:17, 109:21, 109:22, 109:23, 110:2, 110:3, 110:6, 110:7, 110:8, 110:10, 110:13, 110:14, 110:15, 110:20, 110:24, 111:1, 111:5, 111:7, 111:8, 111:13, 111:21, 112:10, 112:12, 112:25, 113:2, 113:6, 113:7, 113:8, 113:13, 113:16, 113:21, 114:4, 114:6, 114:8, 114:19, 114:21, 114:24, 115:7, 115:8, 115:17, 115:19, 115:21, 115:23, 116:2, 116:3, 116:5, 116:12, 118:12, 118:13</p> <p>toaster [1] - 106:16</p> <p>today [13] - 5:21, 10:16, 15:19, 41:4, 45:14, 45:18, 62:13, 62:19, 79:3, 83:19, 90:14, 95:9, 108:4</p> <p>together [4] - 19:25, 38:9, 60:24, 108:8</p> <p>told [3] - 5:24, 67:16, 100:16</p> <p>Tone [1] - 6:24</p> <p>tonight [9] - 3:14, 6:12, 6:14, 12:4, 31:9, 67:21, 68:24, 92:7, 94:4</p> <p>tons [1] - 59:20</p> <p>too [11] - 7:1, 17:12, 18:5, 23:23, 30:8, 32:24, 35:10, 56:15, 113:4, 115:2, 116:9</p> <p>took [2] - 35:19, 76:4</p> <p>tools [1] - 75:5</p> <p>top [2] - 45:17, 50:21</p> <p>topic [1] - 43:7</p> <p>topics [1] - 92:16</p> <p>total [3] - 17:7, 54:17, 72:4</p> <p>totally [1] - 70:1</p> <p>touch [1] - 35:12</p> <p>tourists [2] - 39:22, 93:13</p> <p>Towaki [1] - 65:9</p> <p>towaki [1] - 62:5</p> <p>toward [1] - 78:25</p> <p>towards [1] - 17:10</p> <p>towers [2] - 83:25, 84:16</p> <p>town [2] - 66:10, 67:11</p> <p>Town [1] - 83:16</p> <p>track [1] - 48:24</p>
---	--	---	---

<p>tradeoffs [1] - 56:10 trained [1] - 35:13 training [4] - 9:16, 42:16, 51:17, 94:23 transfer [1] - 40:6 transferrable [2] - 106:22, 107:5 transparency [6] - 39:10, 43:1, 72:4, 73:12, 73:17, 90:24 transparent [3] - 6:18, 39:10, 57:15 transportation [2] - 90:16, 96:7 treasurer [1] - 4:11 treat [1] - 56:20 tremendous [1] - 93:3 Tremont [1] - 101:11 tried [3] - 22:6, 67:11, 68:14 tries [1] - 116:12 trigger [1] - 53:10 trouble [1] - 62:6 true [4] - 13:13, 59:15, 114:23, 118:10 truly [2] - 20:24, 41:23 trust [1] - 17:15 try [1] - 5:22 trying [6] - 64:20, 66:10, 87:14, 90:18, 103:13, 112:25 turn [5] - 16:5, 21:8, 64:9, 81:11, 81:21 turning [1] - 80:22 turnout [3] - 11:15, 80:14, 80:20 turnover [3] - 38:5, 96:15, 96:22 TV [1] - 54:22 tweaks [1] - 21:24 twelve [1] - 78:16 twice [1] - 25:9 two [23] - 8:23, 12:11, 21:15, 21:24, 24:7, 27:19, 28:8, 37:23, 43:24, 56:4, 81:7, 81:23, 86:23, 87:3, 87:5, 87:9, 97:6, 100:2, 110:7, 111:18, 115:10, 116:1 two-family [1] - 100:2 two-party [2] - 81:7, 81:23 types [3] - 17:10, 19:25, 41:12</p>	<p>39:17, 51:13, 53:2, 104:11 umbrella [1] - 50:19 unabated [1] - 77:7 unbelievable [1] - 47:11 uncertain [1] - 94:15 uncoordinated [1] - 41:13 under [10] - 19:6, 30:18, 50:16, 50:19, 76:13, 78:15, 78:17, 78:19, 100:10, 107:4 undergoing [1] - 71:13 underlined [1] - 51:18 understand [16] - 4:18, 22:19, 25:22, 26:7, 60:25, 68:7, 86:21, 87:4, 87:15, 88:1, 89:1, 89:2, 92:13, 103:7, 114:6, 114:10 understanding [4] - 11:16, 25:25, 95:17, 100:15 understood [1] - 26:13 unduly [1] - 30:2 unelected [1] - 51:22 unfortunate [1] - 28:4 unfortunately [3] - 20:14, 69:21, 95:7 unified [1] - 102:4 uniformed [3] - 42:25, 103:12, 103:21 union [3] - 8:22, 58:23, 60:17 Union [3] - 2:13, 10:9, 10:22 unions [3] - 58:15, 58:23, 61:17 unique [2] - 93:1, 95:21 Unit [1] - 4:15 united [1] - 29:2 university [1] - 101:10 UNIVERSITY'S [1] - 1:4 Unknown [1] - 3:6 UNKNOWN [8] - 2:14, 10:12, 48:6, 66:20, 97:19, 115:14, 117:3, 117:4 unknown [1] - 46:1 unlike [1] - 10:16 unnecessary [1] - 55:3 unpopular [1] - 81:25 unreasonable [1] - 82:1 unrepresented [1] - 107:2 unsavory [1] - 55:3 until [9] - 10:4, 17:4, 45:24, 53:12, 76:15, 94:16, 99:24, 108:22, 109:4 unusual [1] - 56:6 unwillingness [1] - 76:11 up [48] - 2:15, 5:9, 5:25, 6:3, 7:22, 9:9, 10:23, 15:13, 23:10, 25:12, 26:9, 33:20, 34:7, 45:24, 46:5, 47:13, 48:12, 59:3, 59:13, 66:1, 66:19, 70:5, 71:3, 71:21,</p>	<p>72:14, 73:23, 75:1, 77:4, 78:2, 81:23, 82:16, 83:14, 83:25, 84:13, 84:16, 84:18, 85:1, 85:16, 85:22, 86:13, 87:25, 91:23, 100:1, 110:7, 110:8, 111:10, 115:24, 115:25 upholds [1] - 76:21 upon [2] - 77:3, 90:8 Upper [2] - 101:14, 104:7 upper [1] - 54:10 uppermost [1] - 5:9 ups [1] - 91:20 upset [1] - 28:6 uptown [1] - 115:13 upzoning [2] - 99:23, 115:2 urban [8] - 9:11, 38:18, 38:20, 91:16, 113:4, 113:7, 113:10, 113:14 urbanism [1] - 51:4 urge [8] - 12:15, 33:10, 34:11, 39:14, 40:5, 55:15, 94:8, 115:8 urgency [1] - 83:21 urges [1] - 40:7 us [19] - 5:7, 5:10, 5:11, 7:3, 11:3, 15:2, 18:8, 22:11, 64:19, 83:24, 90:13, 96:18, 98:1, 101:6, 103:8, 110:13, 111:23, 113:7, 113:22 Us [1] - 80:6 use [39] - 6:1, 7:18, 9:11, 22:18, 29:17, 37:22, 38:23, 39:1, 39:6, 39:7, 39:16, 39:23, 40:11, 40:23, 42:17, 43:4, 43:19, 52:10, 52:24, 53:1, 53:5, 53:12, 61:6, 73:5, 74:24, 75:5, 82:16, 83:13, 83:22, 85:23, 92:11, 94:21, 96:5, 96:6, 99:19, 100:4, 103:8, 109:9, 111:22 used [6] - 20:24, 28:17, 48:16, 48:18, 78:5, 84:12 useful [2] - 98:1, 111:24 uses [3] - 48:20, 48:22, 68:16 using [3] - 85:10, 85:14, 85:25 usual [1] - 106:24 usually [1] - 27:22 utilized [1] - 29:19 utilizing [1] - 83:18 utterly [1] - 55:2</p>	<p>value [1] - 69:19 values [3] - 56:14, 57:2, 93:11 VANDERBILT [1] - 1:4 variety [1] - 42:21 various [2] - 40:24, 41:12 verified [1] - 64:13 versus [3] - 86:11, 86:12, 86:15 very [60] - 10:11, 10:13, 10:14, 10:25, 11:4, 11:15, 11:21, 11:22, 12:7, 13:5, 14:14, 14:18, 20:11, 22:10, 23:15, 26:6, 28:21, 28:24, 30:3, 30:5, 30:22, 34:15, 38:19, 40:10, 44:21, 46:17, 47:6, 47:18, 58:7, 61:15, 61:19, 61:22, 64:3, 64:7, 69:22, 71:22, 72:21, 73:8, 73:19, 75:6, 77:25, 79:16, 88:21, 89:10, 89:12, 90:25, 98:20, 98:22, 105:7, 107:4, 107:23, 109:22, 110:16, 111:4, 111:11, 111:24, 113:23 via [2] - 64:10, 79:19 vice [5] - 3:5, 3:10, 27:20, 52:8, 95:3 victory [1] - 81:25 video [6] - 65:18, 65:21, 65:23, 65:25, 67:16, 105:25 view [3] - 20:10, 32:15, 45:3 views [4] - 81:9, 88:6, 88:16, 88:19 Village [2] - 90:15, 101:12 villager [1] - 53:24 violence [2] - 65:3, 77:7 violent [1] - 76:17 virtual [1] - 43:2 vision [1] - 91:25 vitality [1] - 39:21 voice [6] - 7:10, 40:9, 82:21, 88:24, 104:17, 107:15 voiced [1] - 82:14 voices [11] - 7:2, 7:3, 16:20, 16:24, 29:12, 38:12, 56:20, 94:5, 104:16, 114:25, 115:2 void [1] - 68:18 volunteer [2] - 80:5, 94:19 volunteered [1] - 97:1 vote [40] - 9:25, 11:8, 11:18, 20:23, 21:6, 27:10, 27:24, 28:1, 28:3, 31:21, 32:3, 32:21, 33:2, 34:12, 35:19, 50:12, 61:21, 70:22, 78:11, 78:16, 78:18, 78:20, 78:23, 79:13, 79:25, 82:11, 91:21, 99:22, 99:23, 105:20, 105:22, 106:9, 106:11, 106:14, 106:22, 107:5,</p>
<p>U</p>		<p>V</p>	
<p>U.S.C [1] - 66:13 ultimate [1] - 76:23 ultimately [10] - 70:9, 70:10, 70:12, 70:13, 70:17, 71:6, 71:9, 71:10, 76:24, 78:23 ULURP [6] - 39:9, 39:11,</p>	<p>66:19, 70:5, 71:3, 71:21,</p>	<p>vacancy [1] - 97:7 vague [3] - 14:14, 28:21, 30:5 valuable [1] - 40:4</p>	

<p>110:25, 111:8, 111:9 voted [3] - 10:24, 79:3, 79:5 voter [21] - 8:15, 21:12, 25:16, 26:16, 26:17, 26:20, 26:21, 27:23, 28:10, 49:14, 49:16, 67:24, 67:25, 68:16, 68:17, 80:12, 80:14, 85:19, 86:5, 106:1 voter's [1] - 49:12 voters [22] - 19:8, 22:13, 26:6, 28:9, 32:12, 32:25, 48:24, 78:22, 80:22, 81:10, 81:16, 81:18, 81:24, 82:5, 82:15, 82:19, 83:23, 84:4, 105:20, 106:11, 107:12 voters' [1] - 81:2 votes [3] - 79:12, 81:25, 82:4 voting [50] - 3:20, 10:19, 10:25, 11:23, 24:2, 24:6, 24:12, 24:16, 24:21, 24:25, 25:3, 25:23, 26:9, 27:3, 27:15, 33:5, 33:8, 34:20, 44:5, 44:14, 45:11, 45:23, 46:8, 48:11, 72:9, 72:13, 77:19, 77:20, 78:5, 80:8, 81:12, 81:15, 81:16, 81:17, 82:4, 82:8, 82:19, 82:20, 82:24, 83:8, 84:25, 86:15, 105:13, 105:16, 105:18, 106:6, 107:10, 107:14, 107:19 vulnerable [1] - 32:19</p>	<p>87:15, 92:6, 92:16, 106:5 wants [2] - 44:15, 113:21 war [1] - 8:9 was [76] - 3:16, 4:21, 5:5, 9:20, 11:2, 11:3, 11:4, 11:9, 11:11, 11:13, 11:14, 11:15, 11:20, 12:5, 13:2, 17:20, 22:10, 22:23, 24:2, 24:15, 24:23, 25:5, 25:6, 25:8, 25:16, 25:17, 27:7, 27:25, 28:16, 29:21, 30:14, 31:21, 40:20, 43:4, 44:3, 44:8, 45:23, 45:24, 46:3, 54:1, 57:9, 61:2, 61:12, 61:14, 62:11, 64:8, 65:25, 69:19, 71:9, 78:9, 78:21, 78:23, 80:9, 83:15, 87:14, 88:25, 90:19, 91:5, 92:20, 93:15, 93:17, 93:20, 95:19, 95:25, 97:18, 97:19, 101:16, 111:14, 112:14, 112:17, 114:22, 118:9 WASHINGTON [1] - 1:4 wasn't [2] - 11:18, 113:12 waste [1] - 54:21 wasted [1] - 82:4 wasting [1] - 105:21 watch [1] - 82:17 watered [1] - 76:25 way [15] - 19:15, 21:13, 27:18, 31:6, 34:1, 46:18, 60:18, 69:17, 70:15, 86:24, 88:8, 101:5, 102:18, 103:8, 118:14 ways [1] - 50:20 we [233] - 2:2, 4:19, 4:24, 5:3, 5:8, 5:13, 5:17, 5:23, 5:24, 6:1, 6:3, 6:8, 6:16, 7:22, 8:2, 8:3, 8:5, 8:6, 8:11, 8:14, 8:19, 8:20, 9:18, 11:6, 11:21, 12:7, 12:9, 12:11, 12:14, 12:18, 12:24, 12:25, 13:4, 13:14, 13:19, 14:1, 14:5, 14:11, 15:4, 15:6, 18:3, 19:14, 20:23, 22:1, 22:2, 22:9, 22:11, 22:24, 23:8, 23:10, 23:16, 26:8, 26:17, 26:20, 27:2, 28:23, 29:14, 29:25, 30:11, 31:1, 31:6, 31:25, 32:20, 33:10, 34:1, 34:11, 35:3, 35:25, 38:6, 38:11, 38:14, 38:18, 38:23, 39:1, 39:2, 39:5, 39:9, 39:14, 39:22, 39:24, 40:4, 40:11, 41:1, 41:4, 41:9, 42:7, 43:3, 43:6, 43:11, 44:1, 44:4, 44:6, 44:10, 45:17, 45:19, 46:13, 46:17, 48:8, 49:4, 49:6, 49:11, 49:18, 50:15, 50:18, 51:4, 51:7, 52:13, 52:16,</p>	<p>52:22, 53:3, 54:4, 54:13, 55:15, 55:20, 58:1, 58:3, 58:4, 60:6, 60:7, 60:8, 61:15, 62:2, 62:8, 63:6, 63:9, 63:10, 63:23, 64:14, 67:25, 68:3, 69:8, 69:16, 71:10, 72:3, 72:12, 73:7, 73:24, 73:25, 74:6, 74:7, 74:10, 74:12, 75:5, 76:4, 76:8, 77:9, 77:10, 77:13, 78:4, 78:13, 79:2, 79:7, 79:8, 79:14, 79:16, 79:23, 80:12, 80:15, 83:4, 83:6, 83:23, 83:25, 85:1, 85:7, 85:20, 86:13, 86:15, 87:8, 87:18, 87:20, 87:23, 88:4, 88:7, 88:9, 88:20, 88:21, 89:2, 89:3, 89:7, 89:9, 89:19, 90:7, 91:8, 91:11, 91:12, 91:16, 92:13, 92:16, 93:15, 94:8, 94:11, 94:17, 94:19, 94:22, 95:14, 95:18, 97:1, 97:11, 98:16, 100:19, 103:9, 103:11, 104:17, 104:19, 104:20, 104:21, 105:2, 105:4, 106:25, 109:13, 110:4, 111:4, 111:8, 112:25, 113:3, 113:5, 113:10, 113:11, 113:13, 113:20, 114:12 we'd [1] - 100:17 we'll [4] - 10:3, 10:4, 10:5, 31:6 we're [21] - 5:15, 5:22, 8:16, 18:4, 28:19, 30:20, 44:6, 47:6, 61:22, 67:21, 73:24, 74:8, 79:9, 80:6, 84:18, 86:3, 86:8, 89:19, 95:5, 105:6 we've [12] - 5:1, 5:18, 7:10, 10:1, 10:4, 20:12, 47:17, 51:9, 51:15, 94:3, 100:16, 111:20 wealthy [4] - 14:25, 16:19, 17:11, 54:10 website [1] - 53:14 weigh [1] - 81:17 weirdly [1] - 107:16 Weiser [1] - 2:23 WEISER [4] - 1:21, 2:23, 21:15, 59:3 welcome [1] - 95:6 well [25] - 18:1, 28:7, 29:22, 31:4, 35:12, 36:24, 39:24, 47:6, 50:14, 58:1, 58:21, 59:23, 62:2, 63:5, 65:12, 68:2, 68:19, 69:22, 81:2, 104:4, 105:7, 111:18, 114:4, 114:15, 116:2 Wendy [3] - 2:23, 21:14, 59:2 WENDY [1] - 1:21</p>	<p>went [4] - 5:17, 58:3, 110:5, 110:8 were [36] - 12:7, 21:24, 23:9, 27:3, 27:17, 28:12, 28:15, 30:12, 30:14, 30:17, 36:3, 38:8, 43:3, 44:7, 44:11, 57:8, 57:11, 61:6, 61:7, 68:9, 69:17, 76:18, 78:14, 78:16, 78:18, 79:3, 79:5, 82:13, 85:16, 85:22, 91:3, 93:21, 95:22, 95:23, 97:15 weren't [1] - 97:15 West [2] - 104:7, 104:25 what [63] - 4:17, 6:15, 9:17, 10:3, 11:12, 13:23, 14:10, 16:10, 18:3, 18:5, 18:20, 18:25, 19:20, 20:14, 21:19, 21:25, 23:18, 25:22, 26:13, 30:15, 39:21, 46:3, 47:24, 49:9, 51:19, 57:25, 59:21, 61:22, 62:7, 62:21, 65:20, 66:16, 70:18, 70:19, 70:23, 71:20, 72:5, 74:4, 74:5, 74:11, 74:18, 75:4, 78:9, 78:12, 79:17, 84:5, 84:6, 84:7, 85:16, 88:9, 88:15, 90:10, 90:11, 95:22, 101:6, 101:8, 102:4, 104:16, 112:10, 115:16, 115:17, 116:3 what's [5] - 13:24, 47:1, 48:6, 51:24, 89:22 whatever [3] - 11:5, 71:25, 72:17 when [36] - 5:24, 11:1, 13:3, 15:2, 16:7, 16:17, 18:9, 19:19, 22:14, 23:11, 25:7, 27:23, 44:4, 44:22, 45:24, 57:9, 57:22, 61:18, 63:10, 64:13, 76:1, 79:17, 81:17, 83:25, 84:20, 86:5, 88:4, 93:14, 93:20, 94:6, 95:20, 99:24, 110:5, 113:18, 115:17, 116:18 where [20] - 5:3, 9:19, 26:11, 29:19, 35:17, 36:7, 39:12, 50:8, 59:11, 72:12, 104:13, 106:9, 106:10, 106:12, 107:9, 109:22, 110:4, 111:24, 114:10 whereby [1] - 66:13 WHEREOF [1] - 118:16 whereupon [1] - 65:25 Whereupon [1] - 117:9 whether [9] - 8:21, 24:11, 39:7, 45:10, 48:11, 74:24, 84:2, 85:1, 85:4 which [44] - 8:9, 9:18, 9:21, 10:22, 10:25, 12:15, 12:16, 13:2, 19:2, 21:12, 23:1,</p>
W			
<p>wait [5] - 21:9, 77:1, 77:12, 91:19, 95:25 waiting [2] - 16:16, 16:17 waive [1] - 100:19 wake [1] - 82:16 walk [3] - 66:15, 67:8, 89:23 walking [1] - 90:5 Walter [1] - 89:14 want [50] - 6:17, 7:12, 11:21, 15:15, 15:18, 15:24, 16:1, 27:1, 27:10, 28:6, 28:19, 28:20, 30:7, 30:21, 46:16, 48:10, 50:1, 50:11, 59:14, 59:16, 60:2, 66:21, 72:25, 79:24, 83:3, 87:18, 87:19, 87:20, 87:23, 89:3, 89:7, 91:19, 101:4, 101:16, 104:4, 104:16, 104:17, 105:15, 106:20, 106:21, 108:5, 108:20, 109:1, 110:6, 110:7, 110:12, 110:19, 111:5, 111:6 wanted [11] - 8:6, 8:14, 12:9, 19:6, 50:8, 77:24, 78:9,</p>			

<p>23:13, 23:15, 25:8, 25:9, 25:14, 28:4, 30:16, 33:8, 37:23, 38:1, 38:7, 44:6, 45:7, 53:7, 54:23, 57:11, 66:7, 68:12, 77:1, 78:21, 79:9, 79:11, 81:13, 82:6, 82:18, 87:22, 91:24, 94:15, 99:14, 101:7, 106:16, 106:19, 114:16</p> <p>while [3] - 7:1, 36:2, 57:1</p> <p>whistle [4] - 66:9, 66:25, 68:14, 68:15</p> <p>white [1] - 73:11</p> <p>who [76] - 5:10, 6:11, 7:2, 8:24, 9:12, 11:17, 14:25, 15:22, 15:23, 17:11, 23:16, 24:6, 24:18, 24:23, 27:7, 30:3, 32:14, 34:5, 35:2, 38:13, 44:15, 45:3, 46:6, 49:25, 50:8, 50:11, 51:12, 51:16, 52:6, 53:16, 56:12, 57:24, 58:4, 58:14, 59:21, 60:15, 60:16, 61:16, 68:14, 70:11, 74:1, 75:22, 78:15, 78:17, 78:19, 78:23, 79:3, 81:20, 88:24, 89:5, 91:3, 91:13, 91:17, 94:5, 95:13, 95:15, 96:18, 103:6, 103:7, 104:15, 105:19, 106:3, 107:8, 109:25, 110:20, 111:19, 113:5, 113:7, 113:12, 113:17, 114:17, 115:4, 116:2, 116:13</p> <p>who's [5] - 59:23, 90:18, 105:23, 108:21, 115:25</p> <p>whole [3] - 21:18, 36:13, 116:18</p> <p>whom [3] - 57:9, 73:10</p> <p>whose [3] - 75:24, 105:12, 118:8</p> <p>why [12] - 19:14, 59:8, 62:8, 65:21, 67:25, 68:2, 70:20, 88:14, 88:16, 88:17, 91:2, 110:12</p> <p>wide [9] - 41:18, 85:2, 85:3, 85:6, 85:11, 85:12, 85:14, 94:22, 100:6</p> <p>widest [1] - 53:8</p> <p>will [38] - 2:6, 5:11, 5:23, 5:25, 6:1, 6:2, 6:3, 6:8, 17:22, 29:15, 33:20, 39:8, 42:9, 45:22, 46:1, 46:21, 46:23, 47:13, 51:18, 60:14, 70:7, 70:11, 70:13, 70:14, 71:22, 74:13, 74:21, 76:14, 82:4, 82:20, 86:13, 97:5, 99:22, 99:24, 106:18, 109:2, 116:5, 117:1</p> <p>willing [2] - 22:2, 76:15</p> <p>win [3] - 30:10, 79:19, 80:1</p>	<p>window [1] - 12:23</p> <p>wings [1] - 64:11</p> <p>winner [4] - 78:24, 106:25, 107:3, 107:7</p> <p>winner-take-all [3] - 106:25, 107:3, 107:7</p> <p>winnings [2] - 107:8, 107:9</p> <p>winning [3] - 78:20, 79:1, 79:13</p> <p>wish [1] - 54:5</p> <p>with [104] - 3:19, 6:5, 6:8, 6:13, 7:21, 7:22, 8:17, 8:23, 9:4, 9:9, 9:11, 9:20, 9:25, 14:9, 15:7, 16:10, 17:25, 21:17, 22:11, 23:18, 23:24, 25:3, 27:2, 28:14, 33:17, 33:20, 35:6, 35:16, 35:21, 35:25, 37:19, 37:22, 38:11, 38:12, 41:11, 41:24, 42:7, 43:18, 44:15, 45:25, 46:17, 47:2, 47:13, 48:25, 51:4, 51:11, 51:16, 52:2, 52:17, 53:16, 53:19, 55:18, 57:12, 58:22, 62:2, 62:8, 62:14, 62:15, 62:20, 62:25, 64:16, 65:15, 66:17, 67:2, 67:12, 69:7, 71:3, 72:23, 74:11, 77:25, 78:9, 78:13, 78:25, 79:18, 80:21, 81:9, 82:3, 83:23, 86:2, 87:8, 87:12, 87:19, 87:22, 89:6, 89:24, 90:3, 91:7, 91:23, 91:25, 93:23, 94:16, 94:19, 97:2, 98:6, 98:7, 101:7, 101:25, 103:15, 104:8, 107:3, 112:14, 113:11, 116:9</p> <p>withdrew [1] - 8:2</p> <p>within [12] - 26:18, 26:22, 54:12, 64:6, 65:18, 69:2, 69:4, 69:12, 70:2, 74:10, 86:10, 118:7</p> <p>without [9] - 16:15, 41:14, 49:4, 77:8, 79:19, 97:9, 105:21, 107:15, 113:6</p> <p>witness [2] - 118:8, 118:11</p> <p>WITNESS [1] - 118:16</p> <p>women [1] - 64:20</p> <p>won [4] - 15:17, 78:14, 78:16, 78:19</p> <p>wonder [2] - 16:7, 29:7</p> <p>wonderful [3] - 3:13, 80:9, 115:23</p> <p>wondering [1] - 111:23</p> <p>words [2] - 26:1, 42:11</p> <p>work [18] - 6:15, 14:19, 20:7, 51:16, 54:2, 59:21, 60:4, 60:5, 60:15, 60:16, 60:21, 61:2, 61:5, 92:12, 97:11, 101:4, 108:11, 113:5</p> <p>worked [1] - 41:7</p>	<p>workers [1] - 76:2</p> <p>working [6] - 6:22, 38:13, 58:6, 87:11, 92:25, 113:12</p> <p>works [2] - 15:2, 69:22</p> <p>world [2] - 81:4, 83:4</p> <p>worried [2] - 61:9, 115:16</p> <p>worry [1] - 115:5</p> <p>worse [4] - 11:11, 21:13, 79:22, 115:6</p> <p>worst [2] - 21:2, 81:12</p> <p>worth [1] - 64:25</p> <p>would [97] - 8:18, 12:15, 12:18, 13:20, 13:22, 14:4, 15:13, 19:2, 20:7, 20:17, 21:24, 21:25, 22:16, 22:20, 22:25, 24:3, 24:18, 24:20, 24:22, 24:25, 25:2, 25:17, 25:18, 26:8, 27:9, 27:14, 27:15, 27:24, 28:9, 28:23, 29:10, 31:19, 32:10, 33:5, 33:9, 33:14, 34:3, 34:18, 35:3, 37:11, 37:25, 38:2, 38:24, 39:10, 44:10, 46:4, 46:6, 46:12, 48:11, 48:14, 48:15, 49:1, 49:9, 49:19, 49:23, 50:6, 51:23, 52:2, 52:3, 52:8, 52:22, 54:11, 54:15, 55:11, 57:3, 58:12, 58:16, 60:19, 61:2, 63:14, 74:22, 78:5, 83:12, 85:7, 85:18, 86:14, 86:24, 87:12, 88:15, 91:24, 93:16, 99:19, 100:7, 100:19, 102:17, 102:21, 103:10, 106:23, 107:5, 107:6, 107:10, 107:17, 113:16, 115:3, 115:8</p> <p>wouldn't [3] - 19:10, 88:17, 100:9</p> <p>write [2] - 108:6, 111:8</p> <p>writing [3] - 97:21, 97:24, 98:10</p> <p>written [14] - 31:5, 43:7, 49:12, 49:14, 49:15, 54:1, 64:9, 64:24, 72:6, 75:14, 93:15, 110:11, 110:18, 111:3</p> <p>wrong [4] - 26:5, 35:1, 86:22, 116:10</p> <p>wrote [1] - 87:8</p>	<p>40:20, 41:2, 41:7, 55:25, 56:4, 79:22, 91:14, 92:24, 93:15, 95:14, 95:15, 95:20, 96:10, 96:13, 96:14, 97:6, 103:6, 107:21, 115:18</p> <p>yes [8] - 9:8, 19:5, 25:24, 47:17, 62:7, 66:4, 87:18, 89:17</p> <p>yet [2] - 20:14, 81:5</p> <p>yield [1] - 56:23</p> <p>YMCA [1] - 3:3</p> <p>YORK [3] - 1:4, 1:5, 118:3</p> <p>York [57] - 3:3, 3:17, 3:18, 3:24, 5:20, 6:6, 6:22, 7:4, 8:18, 10:9, 11:13, 13:17, 15:9, 16:22, 16:25, 17:6, 17:16, 26:6, 32:15, 34:14, 39:4, 39:13, 40:20, 40:21, 42:18, 43:20, 45:23, 46:19, 49:11, 50:18, 52:10, 59:18, 61:23, 65:12, 65:16, 66:8, 66:12, 66:17, 68:6, 68:9, 69:2, 69:24, 77:6, 79:22, 80:5, 80:14, 82:10, 83:3, 88:8, 88:23, 89:4, 92:5, 93:1, 101:9, 110:24, 118:7</p> <p>York's [8] - 39:19, 40:3, 40:9, 41:21, 54:8, 92:10, 92:17, 93:5</p> <p>Yorkers [9] - 31:17, 32:1, 32:19, 41:8, 54:15, 77:4, 77:5, 77:10, 80:20</p> <p>you [280] - 3:6, 3:7, 3:14, 4:7, 5:11, 6:21, 7:5, 9:18, 10:3, 10:11, 10:12, 10:14, 11:3, 11:5, 11:24, 11:25, 12:15, 12:18, 12:25, 13:3, 13:10, 14:15, 14:16, 14:18, 14:19, 17:18, 18:7, 18:9, 18:17, 18:18, 18:25, 19:1, 19:9, 19:15, 19:20, 20:7, 20:8, 21:1, 21:8, 21:9, 21:18, 21:20, 21:24, 22:1, 22:3, 23:4, 23:11, 24:10, 24:13, 24:23, 24:24, 25:19, 25:21, 26:2, 27:7, 27:8, 27:9, 27:10, 27:17, 27:23, 27:24, 28:1, 28:3, 28:6, 28:7, 29:3, 29:8, 29:11, 30:21, 31:2, 31:8, 33:20, 34:7, 34:15, 34:16, 35:7, 36:13, 36:24, 37:6, 37:7, 37:8, 40:16, 43:21, 43:22, 44:2, 45:1, 45:7, 45:14, 45:22, 46:5, 46:6, 46:23, 47:3, 47:6, 47:15, 47:18, 47:19, 48:5, 49:22, 50:19, 50:23, 50:24, 53:19, 53:20, 53:21, 53:22, 55:20, 55:21, 55:22, 57:9, 57:16, 57:17, 57:21, 57:23, 57:25,</p>
			X
			X [3] - 1:1, 1:7, 53:7
			Y
			<p>YC [1] - 32:18</p> <p>yeah [1] - 71:22</p> <p>year [11] - 8:23, 11:20, 38:6, 38:8, 57:5, 65:15, 90:21, 91:4, 93:6, 96:15</p> <p>years [22] - 27:2, 29:17,</p>

<p>58:7, 58:17, 58:19, 58:20, 58:25, 59:7, 59:11, 59:12, 59:14, 59:16, 59:18, 60:19, 60:25, 61:6, 61:7, 61:10, 62:3, 62:8, 62:9, 62:10, 62:12, 64:23, 65:6, 65:16, 65:22, 66:2, 66:16, 66:20, 66:21, 67:21, 67:22, 68:9, 68:22, 68:23, 69:14, 70:5, 70:10, 70:13, 70:20, 71:21, 72:14, 72:21, 73:20, 74:8, 74:14, 74:15, 74:16, 74:21, 74:23, 74:24, 74:25, 75:6, 77:15, 77:23, 77:24, 77:25, 78:6, 79:15, 80:2, 80:3, 80:10, 82:2, 83:9, 83:13, 83:14, 83:21, 84:1, 84:20, 84:21, 85:4, 85:7, 86:8, 86:9, 86:11, 87:12, 87:15, 88:8, 88:11, 88:13, 88:14, 88:16, 88:17, 88:19, 89:11, 89:12, 90:13, 92:1, 92:2, 94:4, 95:1, 95:2, 95:6, 97:13, 97:14, 97:15, 97:16, 97:20, 97:23, 98:3, 98:9, 98:12, 98:13, 98:15, 98:20, 98:22, 100:22, 101:4, 101:5, 101:6, 101:7, 101:16, 102:17, 103:19, 103:20, 103:23, 103:25, 104:1, 104:4, 105:1, 105:8, 105:9, 106:2, 106:3, 106:15, 106:18, 106:25, 107:5, 107:6, 107:23, 108:11, 108:20, 110:12, 111:11, 111:12, 111:18, 111:23, 112:6, 112:21, 113:18, 113:23, 114:4, 114:11, 114:16, 115:7, 115:8, 115:11, 115:15, 115:22, 115:24, 117:8 you'll [3] - 10:1, 28:2, 103:24 you're [20] - 6:14, 14:20, 19:17, 36:20, 47:4, 57:22, 58:17, 58:24, 59:17, 59:19, 59:20, 59:21, 87:4, 110:12, 110:14, 114:6, 115:17, 116:3 you've [3] - 58:18, 58:19, 103:22 young [1] - 90:18 your [48] - 8:7, 14:20, 15:10, 17:6, 23:24, 25:19, 27:9, 28:8, 31:2, 43:8, 45:7, 46:21, 48:6, 49:22, 53:22, 59:6, 59:12, 60:10, 62:21, 68:7, 68:20, 69:12, 70:7, 70:12, 74:4, 74:5, 75:1, 75:10, 86:21, 88:1, 88:16, 97:13, 101:4, 101:16, 101:21, 102:4, 102:19,</p>	<p>103:14, 103:23, 106:2, 106:4, 107:9, 110:12, 111:10, 114:7, 114:8, 114:20, 116:18</p> <p style="text-align: center;">Z</p> <p>Zealand [1] - 48:19 zero [3] - 13:15, 63:9, 91:25 zombie [1] - 8:10 zones [1] - 94:8 zoning [6] - 53:7, 83:24, 84:7, 99:22, 104:11, 104:13</p> <p style="text-align: center;">°</p> <p>° [4] - 117:12</p>
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