

Charter Review Committee Public Hearing

Moderated by Carlo Scissura

June 13, 2024

5:12 p.m.

New York Law School

185 West Broadway

New York, NY 10013

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A P P E A R A N C E S

List of Attendees:

Carlo Scissura, Chair of Charter Revision Commission

Dr. Hazel Dukes, Vice Chair of Charter Revision
Commission

Ken Ngai, Secretary of Charter Revision Commissions
(by videoconference)

Christopher Lynch, Member on the Panel of Charter
Revision Commission

Jackie Rowe-Adams, Member on the Panel of Charter
Revision Commission

Stephanie McGraw, Member on the Panel of Charter
Revision Commission

Edward Kiernan, Member on the Panel of Charter
Revision Commission

Kyle Bragg, Member on the Panel of Charter Revision
Commission

Max Rose, Member on the Panel of Charter Revision
Commission

Diane Savino, Executive Director of Charter Revision
Commission

Kathryn Wylde, Partnership for New York City

Deborah Glick, Manhattan Assemblymember

James Bristow, New York City Office of Management and
Budget

A P P E A R A N C E S (Cont'd)

Matthew Penfold, Assistant Commissioner for Property

Tax Research and Analytics, Department of Finance

Louisa Chafee, New York City Independent Budget Office

Richard 'Bo' Dietl

Andrew Rein, Citizens' Budget Commission

E.J. McMahon, Empire Center for Public Policy,

Manhattan Institute

Mitchell Moss

Brad Lander, New York City Comptroller

Gale Brewer, New York City Councilmember (by
videoconference)

Barbara Blair, President of Garment District Alliance

Erica Vladimir, New York State Sexual Harassment
Working Group

Jeanne Victor, New York State Equal Employment
Practices Commission

Howard Slatkin, Citizens' Housing and Planning Council

David Schwartz, New York Association of Wholesalers
and Distributors

Layla Law-Gisiko, City Club of New York

Ben Tocker, Yaffed

Goran Svorcan

Tiffany Fulton, Silent Voices United, Inc., C3

Frank Morano (by videoconference)

A P P E A R A N C E S (Cont'd)

Andrea Gordillo, Manhattan Community Board Three

Anthony Crowell, Dean, New York Law School

Darrell Fulton

Harald Wacker

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P R O C E E D I N G S

MR. SCISSURA: Good evening, everybody.

It's great to see everybody on this beautiful summer evening, and we really want to thank you all and welcome you to our third public hearing and our fourth meeting of the 2024 Charter Review Commission and the first of our two public hearings that will be held in Manhattan. And we've gotten a couple of questions about locations, and it's my hope that our next one will happen a little bit further north of where we are today in Manhattan, so we'll work together on that. It's also the first of three issue forums that the commission will host that will take a deep dive into important topics affecting our city.

Today we are focusing on fiscal responsibility and budgetary matters. We will hear from a number of experts including our comptroller and friend, the Honorable, Brad Lander. Next week, we will host forums on government and election reform in the Bronx on Monday, June 17th, and public safety in my home borough of Brooklyn on Thursday, June 20th.

I should introduce myself for those of you that don't know me. I'm Carlo Scissura, chair of the Charter Review Commission, and I'm honored to be here with such an esteemed and exciting group of

1 individuals. I'm going to acknowledge them now, our
2 vice chair, the one and only, Dr. Hazel Dukes. Kyle
3 Bragg -- yes, you can applaud them. Christopher
4 Lynch, Max Rose, Jackie Rowe-Adams, Stephanie McGraw,
5 and joining virtually, Ken Ngai. So I thank you all
6 for being here.

7 I generally would have them all say a
8 few words, but we want to jump right into the meeting.
9 We have a lot to cover tonight.

10 Let me thank, of course, president and
11 dean, Anthony Crowell of New York Law School for
12 hosting us and his entire team. Anthony and team, I
13 thank you all so much.

14 And we are also joined today by the
15 staff of the Charter Review Commission, executive
16 director, general counsel, and the entire team, so I
17 thank you all for making time.

18 So you know, I want to just touch on a
19 couple of things. So I mentioned tonight is an issue
20 forum, and I'm going to be talking about fiscal
21 responsibility, but I want to be clear that everyone
22 has an opportunity to testify. So it doesn't matter
23 what the forum is. You can talk about something other
24 than fiscal responsibility tonight at our hearing
25 on -- or our public forum on public safety. You can

1 talk about whatever you want. It's really an
2 opportunity to hear from New Yorkers. And I think
3 that's real exciting.

4 So the Charter Review Commission is
5 tasked with reviewing the entire city charter and
6 recommending changes that will help city government
7 work more efficiently and better serve all New
8 Yorkers. In addition to the -- reviewing the charter,
9 we will be soliciting recommendations and comments on
10 how to improve city government from members of the
11 public and experts at forums like this evening.

12 At the end of the process, the
13 commission will determine what proposals to take to
14 the voters in the form of ballot questions or
15 question, depends. That will appear on the ballot at
16 the November 5th general election.

17 And as always, we welcome members of
18 the public to come in both in person and via Zoom, and
19 we will hear -- be hearing comments, again, in person,
20 virtually. You can submit testimony. We've got you
21 covered on all bases.

22 So this hearing is the third in a
23 series of meetings to hear ideas from the public to
24 improve the city charter. We will be hosting
25 additional input sessions around the city in the

1 coming weeks, as I mentioned, including another one in
2 Manhattan. We encourage you to tell your friends,
3 neighbors, tweet about it, let people know that we are
4 doing this. We all have jobs and -- and schedules,
5 but we are here because we are committed to helping to
6 improve New York in our little way, and if we can do
7 that, then I think we've done some great things.

8 We will do our best to accommodate
9 everyone that wishes to speak, but if we run out of
10 time before you have a turn, we ask you to come to
11 another meeting or submit your testimony in writing.
12 You can check out all of our dates on our website,
13 www.nyc.gov/charter, and comments and testimony may be
14 submitted in writing to
15 charterinfo@citycharter.nyc.gov between now and the
16 close of business July 12th.

17 So to begin tonight's hearing and
18 forum, let me welcome a true leader in our city, Ms.
19 Kathy Wylde, a treasured colleague. She is the
20 president and CEO of the Partnership for New York
21 City, and she will be followed by an outstanding
22 elected official, assemblymember Deborah Glick.

23 So Ms. Wylde, the floor is yours.

24 MS. WYLDE: Thank you, Chairman
25 Scissura and members of the Charter Revision

1 Commission. Nice to see you all, for the opportunity
2 to testify today.

3 The Partnership for New York City is
4 deeply concerned about the affordability crisis facing
5 New Yorkers, and we believe it is directly linked to
6 the fiscal responsibility issues that the commission
7 is considering today. Later, you will hear from some
8 real experts on the budget -- which I am not -- but in
9 the meantime, I think that the Partnership can provide
10 a good understanding of how legislative and spending
11 practices contribute to the high cost of living and
12 doing business in our city.

13 Today, New York is the highest-cost
14 city in America, and the third most expensive city in
15 the world after only Singapore and Zurich. We have an
16 affordability crisis that impacts working people at
17 virtually all income levels, and when local government
18 increases its spending or imposes new mandates on
19 employers, those costs are ultimately borne by
20 taxpayers and consumers.

21 Employers have responded to the
22 affordability crisis by paying salaries in New York
23 City that are about 20 percent higher than for the
24 same job in lower-cost jurisdictions, but this is
25 still often not enough to make up for or to support a

1 comfortable life in the five boroughs. Our costs are
2 that high.

3 Government has responded to the
4 affordability crisis by creating new or expanded
5 programs and services to subsidize households that
6 cannot keep up with rising costs. As a result, city
7 spending has increased by 50 percent in the last
8 decade, and tax revenues have been increased to meet
9 budget needs. Just one example is the case of rising
10 rents, where over 30 percent of rent in a regulated
11 apartment building is attributable to local real
12 estate taxes.

13 There is no more important challenge
14 facing municipal government today than making our city
15 more affordable to the average New Yorker while
16 maintaining the programs and services that are
17 essential for a livable and equitable city. What can
18 the Charter Revision -- Charter Commission recommend
19 to address this challenge? The answer must be
20 providing more information on the fiscal and economic
21 impact of legislation to help the council and
22 administration make the best informed choices.

23 We believe this commission should
24 recommend language in the city charter that ensures
25 there is meaningful, independent analysis and public

1 discussion of the fiscal and economic impacts of
2 legislation prior to adoption and that any legislation
3 with a budget impact should be subject to disciplined
4 annual budget process. The charter already requires a
5 fiscal impact statement called an FIS before the City
6 Council acts on legislation, but too often this
7 involves only a cursory review that is not subject to
8 serious consideration or public comment.

9 We suggest that the charter stipulate a
10 clear process on fiscal matters of a certain size that
11 would involve three parties: the Council Finance
12 Division, the Independent Budget Office, and the
13 Office of Management and Budget. The FIS should be
14 published online prior to the bill's first hearing and
15 should be updated no later than the time the bill is
16 in final form and laid on the desks of councilmembers.

17 The charter does not currently require
18 consideration of the financial impact of new laws on
19 the city's citizens or its economy. The FIS focuses
20 solely on the city revenues and expenses. The
21 commission should add a requirement for economic
22 impact statements to the existing FIS. This statement
23 should include analysis such as the impact of a bill
24 on the creation or elimination of jobs and businesses,
25 potential changes in costs or prices for consumers and

1 industries, and changes to the city's ability to
2 attract investment.

3 We think all of these actions will
4 contribute to helping us understand the reasons we're
5 a high-cost and achieving a more affordable city.
6 Thank you.

7 MR. SCISSURA: Thank you, Kathy. I had
8 a question, and then I'll turn it over to my
9 colleagues. You mentioned council finance, IBO, and
10 OMB. I just want to make sure I understand your
11 position clearly. Is it your position and the
12 Partnership's position that those three entities
13 should create this analysis prior, or is it a
14 different entity that creates the analysis?

15 MS. WYLDE: No. It's -- we think, and
16 it's not explicit, and the idea was created in a city
17 charter amendment and really hasn't been involved in
18 performing that function, but we think that there
19 should be a serious look by all three agencies, 'cause
20 OMB has unique insights into the situation,
21 Independent Budget Office, the importance there is --
22 is the word "independent," is somebody's looking at
23 the consideration, looking at the fiscal impacts, and
24 this obviously -- this is particularly important for
25 larger expenditure items -- but for new programs,

1 we've seen in recent years that we've -- we've had
2 situations where legislation was passed that could
3 cost hundreds of millions of dollars that's outside
4 the budget, so it's -- there's no appropriation for
5 it. How does it get implemented?

6 And we've also seen other situations
7 where legislation is passed that has a huge impact on
8 the costs of small business without any consideration
9 of what that's going to cost us in terms of jobs, in
10 terms of neighborhood stability, so we think both
11 those things deserve a much more careful look, and
12 that particularly for big items, for new programs, for
13 permanent programs that we're going to have over the
14 long term, you know, we're having this fight over 3K
15 now, because we didn't do this kind of analysis before
16 passing the program, and we feel that for big items,
17 the three entities all should be looking at these
18 issues.

19 MR. SCISSURA: Great. Is there a
20 numerical amount that you think should be a threshold
21 before this all --

22 MS. WYLDE: Well, the budget expert who
23 I consulted on that, Carol O'Cleireacain, who was
24 budget director under Mayor Dinkins and is a long-time
25 friend, suggested -- and former Chief Economist at DC

1 37 -- suggested to me \$100 million in terms of the
2 complete review on the city spending.

3 MR. SCISSURA: Great.

4 Do any of the commissioners have any
5 questions or comments for Ms. Wylde?

6 DR. DUKES: I just want to say through
7 the years, you would do the Partnership and just being
8 a citizen, has always been thoughtful on how we can
9 make the city better for all of us to live, so thank
10 you so much, Kathy, for your input. I -- I listened
11 very carefully. I always think communication is so
12 great, and so bringing the three entities financial
13 together did make a lot of sense -- common sense.

14 MS. WYLDE: Thank you, Commissioner
15 Dukes. Much appreciate it.

16 MR. SCISSURA: Thank you.

17 Anybody else? All right.

18 Kathy Wylde, thank you very much.

19 Our next speaker will be Assemblymember
20 Deborah Glick, Manhattan Assemblymember.

21 I don't think I need to introduce you.
22 Everybody knows who you are. Thank you for your
23 service to New York.

24 MS. GLICK: Well, thank you. I'm here
25 because yesterday afternoon, I got an email at my

1 private email about this event, and we searched up
2 official email and found that sometime after hours on
3 Tuesday, something had actually been sent.

4 I'm not sure that most of the citizenry
5 is particularly well-informed about the process, and
6 so the notion that making information and government
7 more transparent, it would have, I think, been maybe
8 helpful for more people -- Manhattan, you know, the
9 last major revision was a very robust, long process in
10 which commission staff went to community boards across
11 the city, got testimony on a wide range of issues.

12 This seems to be a very abbreviated
13 process, which is concerning to me. I appreciate you
14 good souls were picked by the Mayor in his infinite
15 wisdom, so I -- I think that you are -- are troopers
16 for being here, but I do think that the -- that it is
17 concerning that this appeared to be hurried and rushed
18 and to be here today in June for the possible question
19 to be on the general election ballot is -- seems to me
20 not sufficient time for there to be the kind of
21 outreach to the public, the input from the public, and
22 the ability for the staff to go through comments and
23 to provide a really robust review of the charter,
24 which all of you have committed to doing, and I thank
25 you very much for that.

1 But I am distressed that the majority
2 of our responses to our immediate e-blast yesterday
3 was, you know, "Gee. I had no idea." And so I don't
4 know how many of my constituents could show up on --
5 on short notice to be here today when it's so
6 convenient to them, but so not convenient to so many
7 other New Yorkers, so I appreciate your comment at the
8 beginning that you hope that there will be more
9 opportunity for people in -- in other parts of the
10 city, because I do feel that sometimes people feel
11 overlooked, left out.

12 And the charter -- this notion of
13 fiscal responsibility. I appreciate the comments from
14 the Partnership. The affordability crisis is -- and
15 the administration is taking many, many steps that
16 unfortunately, I don't think will result in more
17 affordable housing, but rather more luxury housing,
18 and that is of deep concern to me. I don't know what
19 we could do in the charter that could do more to make
20 the city more affordable for everyday people. The
21 biggest thing is in fact housing, and I'm not sure
22 what this commission can do in terms of the
23 constitution of the City of New York that -- that
24 impacts that except that many of the people on the
25 panel individually have done a lot of work trying to

1 make this a more affordable city for them, but for the
2 constituency.

3 But I -- I am disappointed in what
4 appears to be to all observers an attempt by this
5 mayor to just sort of derail something the council was
6 planning in putting this commission in place, when
7 it's serious business, and at the very least, should
8 not be wasting the time and -- and energy of so many
9 wonderful people for such an abbreviated process.
10 Thank you.

11 MR. SCISSURA: Thank you. Are there
12 any comments or questions?

13 Our first panel will be James Bristow
14 from the New York City Office of Management and Budget
15 and Assistant Commissioner Matt Penfold from the New
16 York City Department of Finance.

17 MR. BRISTOW: Thank you, members of the
18 Charter Revision Commission. My name is James
19 Bristow. I am the senior assistant director for
20 intergovernmental relations for the mayor's Office of
21 Management and Budget, known as OMB.

22 OMB is the City of New York's chief
23 financial agency. We have a wide range of
24 responsibilities that are critical towards protecting
25 the city's fiscal integrity, which include developing

1 the city's expense and capital budgets including
2 balancing the city budget as required by law,
3 overseeing the budgets of nearly 90 city agencies and
4 related entities, enhancing operations management
5 citywide, and evaluating the efficiency and
6 cost-effectiveness of city services and proposals and
7 the fiscal impact of local, state, and federal
8 legislation, providing vital information to government
9 officials from the local, national, and world
10 economies, as well as to forecasting economic
11 conditions and estimating city revenues.

12 Put simply, our staff ensures that city
13 operations are committed efficiently, effectively, and
14 the city's resources are managed responsibly. In
15 light of our role and these responsibilities, we
16 evaluate potential Charter Commission proposals
17 through the lens of the potential impact on the city's
18 fiscal stability. It is our responsibility to make
19 sure that any change to the laws and principles that
20 guide our actions are based on sound fiscal management
21 and build upon the current tools and flexibility
22 necessary to manage the city's fiscal needs and ensure
23 that the city remains a safe place -- safe and clean
24 place to live, to work, and raise a family.

25 Over the past four years, the city has

1 navigated two substantial back-to-back fiscal
2 challenges. While they used a different set of tools
3 to manage through these crises, there's a common
4 denominator: our adherence to strong, fiscal
5 management. This view is supported by ratings
6 agencies which have consistently upheld our strong
7 bond ratings and credit worthiness, citing our strong
8 governance and fiscal best practices, which has also
9 made these finances the envy of nearly every
10 municipality in the world.

11 Finally, we view the Charter Revision
12 Commission as an opportunity. As an institution, OMB
13 values a cautious approach to fiscal planning.
14 However, we also value transparency and innovation and
15 do not have a monopoly on wisdom or ideas. With this
16 in mind, we look forward to reviewing the suggestions
17 that are made to this commission and the
18 recommendations that you will issue.

19 Thank you for the opportunity to speak
20 before you today.

21 MR. SCISSURA: Thank you very much.

22 MR. PENFOLD: Good afternoon. My name
23 is Matt Penfold, and I'm the assistant commissioner
24 for property tax research and analytics in the
25 Division of Tax Policy under the Department of

1 Finance.

2 I'm here to testify in front of the
3 commission today to speak about the work the
4 department does on behalf of the city. The Department
5 of Finance is responsible for administering the tax
6 laws and for collecting various types of tax revenue
7 on behalf of the city, the most notable being property
8 tax, but also taxes including business corporation
9 tax, property transfer tax, utility tax, and
10 commercial rent tax. The Department of Finance
11 collects over \$45 billion annually, revenue that makes
12 every city service possible. Public education, police
13 and fire protection, hospitals and healthcare
14 facilities, parks and recreational centers, it all
15 starts with the Department of Finance. If you own a
16 home, drive a car, rent an apartment, or start a
17 business, you will interact with the Department of
18 Finance at some point.

19 All of these taxes come with a great
20 deal of complexity for the taxpayers they apply to.
21 The Department of Finance is around 2,000 employees
22 that administer the tax and revenue laws of the city
23 fairly, efficiently, and transparently to instill
24 public confidence, encourage compliance, while
25 providing exceptional customer service.

1 The Department of Finance endeavors to
2 ensure fiscal responsibility. Public budgeting can be
3 described as getting and spending. Our role is the
4 getting. We work closely with the Office of
5 Management and Budget and are responsible for setting
6 and managing the budget. We assist by providing
7 collections data, comparisons to previous years, and
8 if there are any, highlight new tax policy proposals
9 that might impact collections of any of the city's tax
10 revenue sources. We communicate with the Office of
11 Management and Budget regularly on collection numbers,
12 ensure they are equipped with the most up-to-date
13 information so budget decisions can be made with as
14 much clarity as possible.

15 Collections will fluctuate throughout
16 the year and can be best summarized as there will be
17 peaks and valleys. The city typically sees an influx
18 of collections that breaks off at the beginning of the
19 July, which is the start of the new tax year, but
20 there will be periods throughout the year where
21 certain collection streams take off. Understanding
22 the amount of money that the city will collect and is
23 therefore able to spend is a crucial part of
24 government.

25 Fiscal responsibility includes careful

1 consideration when proposing changes to a tax system
2 or the collections process. One would find this is
3 not the only part of this equation. We have partners
4 in government that play a major role in this process.
5 For example, the City Council votes on the tax rate
6 for each of the city's four property tax classes each
7 year.

8 The council has similar authority over
9 the interest rates that are applied to late property
10 tax payments. Each of these authorities have
11 parameters that confine the council's latitude. At
12 the end of the day, they do govern its authority,
13 which can have major impact on the city's revenue.
14 More specifically, the interest rates that the city
15 sets on late property tax payments are based off
16 recommendations made by the New York City's banking
17 commission. The banking commission makes these
18 recommendations based on a variety of factors, one of
19 the most important being interest rates that other
20 financial institutions are imposing.

21 Comparing interest rates is important
22 when thinking about the number of New Yorkers who
23 would be impacted and how this would impact future
24 collections. For example, if your credit card company
25 has an interest rate of 20 percent, your home repair

1 loan an interest of 15 percent, and your unpaid
2 property tax debt an interest of 2 percent, most New
3 Yorkers are going to prioritize the other payments
4 over their property taxes. This will impact the
5 city's revenue and therefore the overall budget.

6 In conclusion, it is our fundamental
7 belief that the city needs to make decisions
8 holistically, considering all the possible impacts,
9 not just on the city's budget, but on New Yorkers at
10 large. We are grateful for our partners in city
11 government that willingly take on this responsibility.

12 Thank you for allowing me the
13 opportunity to testify before you today.

14 MR. SCISSURA: Thank you very much.

15 Any questions or comments from
16 commissioners?

17 Yeah, Kyle?

18 MR. BRAGG: Thank you for your
19 testimony. I heard some synergies between what I've
20 heard from the Partnership, Kathy Wylde, concerns
21 regarding possibly legislation from the City Council
22 and the impact it might have on fiscal -- on the
23 health of the city but also its citizens. Am I right
24 in assuming that some of the recommendations that she
25 made are -- is where you are leaning to?

1 MR. BRISTOW: Just speaking from our
2 side, you know, we certainly are concerned about
3 legislation that -- that requires a -- you know,
4 fiscal impact or some sort of funding that occurs
5 outside the budget process. You know, the budget is
6 passed as, you know, as a way to predict the
7 expenditures for the -- for the upcoming fiscal year,
8 at least the upcoming financial plan, so then
9 legislation is then -- you know, that has fiscal
10 impact is legislated outside of that process, it, you
11 know, can have negative impact on -- on the way of
12 recommending the budget. Absolutely.

13 MR. BRAGG: Thank you.

14 DR. DUKES: Did I hear you say that you
15 do forecasts for preparing your budget?

16 MR. BRISTOW: Absolutely. There is,
17 you know, the budget itself, you know, is --

18 DR. DUKES: Right.

19 MR. BRISTOW -- does -- you know, it
20 does --

21 DR. DUKES: But when you say you do
22 forecasts, do you get any input from the citizens of
23 New York, or do you have hearings? I mean, what are
24 your forecasts coming from?

25 MR. BRISTOW: So you know, when I was

1 referring to forecasts just a moment ago, I was saying
2 that the, you know, the budget is -- is, you know, set
3 in place for a year, and that is, you know, to get
4 expenditures for a certain program area or for an
5 agency for the course of that year. As far as public
6 input, however, you know, there is, you know, after
7 the January budget that's put out as well as the April
8 budget that's put out, there's a series of hearings at
9 which OMB appears as well as all of the largest
10 agencies as well, and there's also a chance for public
11 comment in addition to that.

12 DR. DUKES: Just listening to our
13 assemblywoman, when you says that, what part of the
14 constituency of the city of people -- is it community
15 boards? Is it --

16 MR. BRISTOW: So there's also a
17 built-in process for community boards to opine on the
18 budget throughout the -- the course of the fiscal
19 year. And then it can be individual citizens. It can
20 be trade associations. It can be advocacy groups
21 that -- that deliver public testimony as well as input
22 that's solicited through elected officials who relay
23 it to the administration. That -- that, you know,
24 pathway is frequently used as well.

25 MR. SCISSURA: Great. Thank you very

1 much.

2 MR. BRISTOW: Thanks.

3 MR. SCISSURA: Our next panel will be
4 the New York City Independent Budget Office, Louisa
5 Chafee, the director, will provide testimony.

6 We're ready when you are.

7 MS. CHAFEE: Okay. Is the acoustics
8 okay?

9 MR. SCISSURA: Yes.

10 MS. CHAFEE: Okay. Good evening,
11 Chairman Scissura, Vice Chair, Dr. Dukes, executive
12 director Savino, and members of the commission. I'm
13 Louisa Chafee, the director of the New York City
14 Independent Budget Office.

15 IBO is a nonpartisan, independent
16 government agency mandated by the New York City
17 charter. IBO's mission is to enhance public
18 understanding of the New York City budget, public
19 policy, and economy through independent analysis.

20 For the fiscal year that starts July
21 1st, 2024, the mayor's proposed budget totals \$111.6
22 billion. The city's budget is the fourth largest in
23 the country. The size alone warrants transparency.

24 You have IBO's written testimony, but
25 I'd like to focus on just a few points this evening.

1 The first, enhancing the city's budget
2 structure to promote transparency. Each year, when
3 the City Council adopts the budget, it authorizes
4 spending in a series of categories, referred to as
5 units of appropriation, or UAs. The idea was for the
6 budget to be assembled with clear, understandable
7 building blocks to show New Yorkers how the city
8 allocates its resources and to facilitate effective
9 oversight. Large mid-year shifts in spending between
10 one UA and another would require City Council
11 approval.

12 In practice though, neither the
13 original goal of transparency nor the City Council
14 review of major spending has really been realized.
15 Some agency budgets include UA categories that are
16 understandable and allow the public to see how
17 programs are funded. The UAs of the Department of
18 Social Services include legal service programs,
19 emergency food assistance, and Fair Shares, so they're
20 grouped by function, but the UAs for many other city
21 agencies are far more opaque. The budgets of all the
22 123 police precincts are combined into a single UA
23 along with all of NYPD's borough-wide offices and
24 various response units or divisions such as detective
25 work, forensic investigation, narcotics and strategic

1 response. It's a single UA, budgeted at \$1.5 billion
2 out of a total agency budget of approximately 5.8
3 billion.

4 New UAs are often added each year as a
5 part of budget negotiations, but there has not been a
6 systematic approach to the dual challenge of ensuring
7 transparency and managerial flexibility. So IBO holds
8 a public commission to examine the charter's UA
9 description in light of the goal of increased
10 transparency so that the public can clearly identify
11 how each key function of any agency is provided and
12 funded.

13 My second point regards enhancing
14 accessibility of financial impact information. In the
15 launch of this Charter Revision Commission, the
16 mayor's press release stated that this commission is
17 charged "to evaluate processes for determining the
18 financial impact to proposed legislation, whether the
19 financial impact is funded, and making that
20 information more transparent to the public." I'm
21 pleased to be here to discuss how IBO's work in
22 support -- do discuss IBO's work in support of these
23 goals.

24 The charter currently requires the City
25 Council to prepare fiscal impact statements on each

1 proposed local law prior to a committee vote and
2 directs the IBO to prepare analyses when requested by
3 specific officials. IBO's ability to provide useful
4 fiscal impact statement depends on one, the clarity of
5 the proposed legislative language; two, the existence
6 and timeliness of data from the relevant agencies; and
7 three, the timing of the request relative to the
8 potential council vote.

9 As a point of comparison, the
10 Congressional Budget Office, the federal equivalent of
11 IBO, is legally mandated to price virtually all
12 Congressional enactments each year. However, its
13 staff is considerably larger than IBO's, and the
14 Congressional calendar affords significant time
15 between committee vote and adoption, and further,
16 while CPO prices the bills, most cost estimates
17 indicate negligible budgetary impact.

18 Here in New York City, in recent years,
19 the City Council has enacted between 125 and 175 local
20 laws each year. The council's calendar between
21 committee consideration and the full City Council vote
22 is generally extremely short. Similar to the federal
23 arena, most laws do not have significant budget
24 impacts, and some are drafted in a manner that makes
25 estimating costs very difficult.

1 So IBO welcomes a dialogue with the
2 commission as to how IBO might add value in this area,
3 particularly by analyzing proposals that have the
4 potential to trigger large cost increases in amounts
5 that would be material to the city's overall budget.

6 The third point I'd like to talk about
7 is ensuring cost-effective services to New Yorkers.
8 So New Yorkers are not well-served, unless city
9 agencies administer the budget both effectively and
10 efficiently, ensuring that the city gets real value
11 for its spending. Emergency contracting is ripe for
12 reform. IBO's analysis of an area such as
13 asylum-seeker services and the city's COVID-19
14 response raised concerns that the city has incurred
15 costs due to government agencies' continued reliance
16 on contracts that were first awarded at the height of
17 the crisis -- emergency contracts. It makes sense
18 that our agencies must award emergency contracts with
19 little if none competition in the crisis. But they
20 are often extended long past when it is both feasible
21 and prudent to seek other vendors at lower costs.

22 So IBO supports this commission's
23 examination to establish a two-year time limitation on
24 these contracts and only allowing ongoing use when
25 both the comptroller and the mayor renew their joint

1 determination that the emergency procurement method
2 continues to be appropriate.

3 IBO welcomes the opportunity to work
4 with you and your staff around these and other ideas
5 in the testimony in enhancing financial responsibility
6 and increasing transparency. I'm available to you if
7 you have any questions this evening or in the weeks to
8 come, and I thank you for the opportunity to testify.

9 MR. SCISSURA: Great. Thank you. I
10 want to just make sure I understand something. So is
11 it your testimony that you would like to see -- or IBO
12 would like to see for emergency contracts, two years
13 max?

14 MS. CHAFEE: IBO would recommend
15 that -- that emergency contracts last two years,
16 unless at the two-year mark, the two entities that
17 must agree before an emergency contract begins, the
18 mayor and the comptroller, again agree at two years
19 that the emergency is still warranted.

20 MR. SCISSURA: Got it. So it's two
21 years max, subject to an agreement of those two
22 entities?

23 MS. CHAFEE: Exactly. And it's those
24 two officials that start the emergency contract.

25 MR. SCISSURA: Great. Thank you.

1 Anybody else?

2 MS. MCGRAW: Yeah, I'd like to --

3 MR. SCISSURA: Ms. McGraw?

4 MS. MCGRAW: Yes. Hi. I'd like to --

5 can you explain when you say, "emergency contracts,"

6 what would be considered as an emergency contract?

7 Are you saying that you want them to go on two-year

8 terms? What -- can you elaborate a little on that?

9 MS. CHAFEE: I'd be happy to, but I'll
10 try and not go into such depth that you fall asleep.

11 MR. SCISSURA: Thank you very much.

12 MS. CHAFEE: So there are many
13 different ways -- there are many different ways that
14 the city buys services, procures services through
15 competitive bidding, but also in very certain
16 circumstances when an official emergency has been
17 declared, the mayor and the comptroller can agree that
18 it is an emergency, and they will embark upon services
19 without any competition.

20 So for example, after Superstorm Sandy,
21 during the beginning of COVID, and again with the
22 asylum-seeker arrival beginning, there were situations
23 so sudden and so grave that the mayor and the
24 comptroller -- the two entities with the
25 responsibility -- agreed that this was not a place

1 where traditional competition should occur but rather
2 they would embark upon the emergency contract vehicle
3 is what it's called in the world of procurement, so
4 they do some special type of contract.

5 MS. MCGRAW: Thank you.

6 MS. CHAFEE: But it doesn't require
7 competition, and the pricing is often very high
8 compared to competition, because the reality is that
9 competition brings pricing down. So why spending of
10 dollars is often linked to some form of vendors
11 competing for business.

12 MS. MCGRAW: Thank you.

13 MR. LYNCH: I would just like to say,
14 that's a great way to put it, two years, and putting
15 that limitations on it, because many times you see
16 that city contracts are given out and these contracts
17 go on years and years and years, and then a contractor
18 will go from \$5 million to ten years later, we're
19 spending \$60 million on a contract, so I think that's
20 a great thing you pointed out.

21 We're talking about fiscal
22 responsibility and transparency, but we have these
23 contracts that are just going on without any
24 oversight, any interaction with these agency. They're
25 just going on, so this evening, just hearing about all

1 the fiscal -- fiscal responsibility and how the --
2 these agencies work together, it will help New
3 Yorkers, save them money, and also perhaps then help
4 with the -- with the home -- with the real estate
5 issues that we talked about that are pricing people
6 out of the city.

7 MR. SCISSURA: Great. Thank you.
8 Okay.

9 Ms. Chafee, appreciate it, and we
10 appreciate your written testimony. It will give us
11 some work to do over the weekend.

12 MS. CHAFEE: Thank you.

13 MR. SCISSURA: I'm going to ask a
14 speaker to come up.

15 Richard -- I didn't know your name was
16 Richard, by the way -- Richard -- Richard 'Bo' Dietl.
17 Please come up and present your testimony.

18 And following this, we will have the
19 Citizen's Budget Commission and Empire Center.

20 MR. DIETL: Thank you.

21 MR. SCISSURA: And we're going to ask
22 you to stay within three minutes if you can.

23 MR. DIETL: First of all, I want to
24 thank the commission and my friend over here, the
25 co-chairman over here, Hazel Dukes, I've known many,

1 many years. It's an honor to be here with you and Mr.
2 Chairman.

3 First of all, I -- I want to let people
4 know I'm here now as a father and grandfather, and my
5 family still lives in New York City, so this is one of
6 the most important issues, I really believe, facing us
7 right now.

8 For people who don't know my
9 background, I was a New York City homicide detective.
10 I retired after 15 years. My career in law
11 enforcement spans now almost 55 years of working in
12 security and investigations. Right now, I have a
13 company out of New York. I have over 500 employees.
14 Ninety-eight percent are minorities, and I continue to
15 work trying to protect the city. In the New York City
16 Police Department, I was involved with over 1500
17 felony arrests. I was involved with 80 citations. I
18 was also one of the original decoys back in the early
19 '70s when we were surged with robberies. I used to
20 dress up with theatrical makeup and would go around
21 New York City and get mugged. I was stabbed, I was
22 shot up, I was hospitalized dozens of times.

23 I love this city, and that's why I'm
24 here today, and please bear with me a little bit. I
25 may ramble a little bit, but I think it's one of the

1 most important issues.

2 Right now, we have a major threat.
3 That's the public safety and crime that's going on out
4 there. My own family, my sons, my daughters, my
5 grandchildren, I have a really vested interest here.

6 The City Council's decisions are
7 impeding effective policing with excessive directives
8 on -- on bans, on restraints, in the name of
9 preventing excess force -- excessive force. The ban,
10 for instance, on a headlock. They call it a
11 chokehold. And this was never disputed or never
12 debated in the City Council. They have a diaphragm
13 law. I ask anyone, if you have someone resisting
14 arrest, and you're trying to handcuff them, I can take
15 a 90-year-old female, and if she's fighting with me,
16 it's going to be very, very difficult not to touch
17 them, and that's one of the issues that the City
18 Council -- the mayor put something out. The City
19 Council puts a directive, and all the sudden the
20 mayor -- the -- vetoes it, and the next thing, the
21 City Council overrides his veto.

22 The mayor's a former police captain.
23 He knows about policing, and the City Council comes,
24 and they put all these directives. Every time the
25 mayor tries to do something, it -- it doesn't happen.

1 This is really an important issue because of morale.

2 Now the NYPD's mandated to provide
3 detail reports. If someone goes up to a police
4 officer on the street and asks them directions to
5 Times Square, they got to stop, and they got to print
6 out a report onto their iPhone, and they got to send
7 it in. All these things are only increasing. The
8 reporting's taking away from the actual policing.
9 This is contributing to the rising in crime and the
10 slow of the response time for serious crimes. This
11 police officer's safety's at risk and prevent
12 effective policing in high-risk situations. Our
13 officers hands are tied due to these new policies,
14 making fewer arrests.

15 Crime statistics are falsely reported
16 as downward. The numbers are not accurate because
17 less cooperation from the public as the police are
18 portrayed as their enemy. Additionally, less emphasis
19 on protecting and policing has allowed criminals to
20 become brazen to our police officers. We see it all
21 the time. They spit at them, they do everything.

22 In 2021, the city passed a significant
23 police reform legislation that included measures to
24 make it easier to sue police officers, the removal of
25 qualified immunity. Now you have a police officer

1 that comes on the force. All the sudden, he's trying
2 to do his job, he gets sued, not just losing his job,
3 he gets sued. The home that he's been paying into,
4 they could take it away from it. Why don't -- why are
5 we losing the police officer? Why -- they retired and
6 the best of these are going out. Without our police
7 officers, then we're going to have anarchy in this
8 city.

9 New York's anti-mask law, that was put
10 into effect because of COVID. That was in 2020, but
11 right now, we have facial recognition, and we all
12 know, and we all could read the newspapers, we have
13 people coming through our southern border, coming into
14 New York City, and then they're coming into New York
15 City. Some of these on the terrorist watch list.
16 When they wear a mask, you can't facially identify
17 them as being terrorists. And it's going to happen in
18 New York. I was here 9/11. I went down there. Even
19 though I was retired, I went down there the first day.
20 I stayed for day after day. I remember 9/11, and this
21 is one of the issues.

22 Immigration/migration, look it. I am
23 really out there for the American Dream. I see
24 families. I see ladies sitting on the street with
25 their babies on their back, selling fruit. I feel for

1 that. I'm really open for that. That's not what I'm
2 worried about.

3 I'm worried about the criminal element
4 of gangs, i.e. those two officers in Queens that were
5 shot by an illegal from Venezuela who had been
6 arrested on other crimes, but we can't turn him over
7 to ICE. You tell me why when you're a person who gets
8 arrested on a felony, and you're illegally in this
9 country, why can't we turn it over to ICE? It's time
10 for that to change, and I know I -- I talked to this
11 mayor before. I know he tries to go, and every time
12 he tries to go with something, the City Council
13 overrides his veto.

14 My own son was hit --

15 MR. SCISSURA: We're going to ask you
16 to wrap up if you can.

17 MR. DIETL: Okay. I got -- right here.
18 My own son was hit by an illegal scooter going to
19 lunch from my office. He had a severe injury to his
20 knee, ACL, he had to get operated on. Okay, real --
21 we'll wrap it up.

22 Officers are feeling unsupported by the
23 city leadership. Officers' hands are tied. We need
24 to strip the power of the progressive City Council and
25 give it back to this mayor who knows about law and

1 order and can help the police officers in this city,
2 'cause without the police, we are going to be in real
3 trouble, and I'll tell you today -- you can mark my
4 words -- we will have a terrorist attack soon. We
5 don't have any idea. We have no identity on these
6 people that have come through our southern border, and
7 if we don't turn them over to ICE, there are a lot of
8 people on that watch list that are going to cause
9 destruction.

10 I'm worried about my grandson that's
11 sitting over there, my daughter, and my family. I'm
12 not here as a cop. I'm here as a New York citizen to
13 say please, please, we have to be together, and we
14 have to fight this crime wave that is destroying our
15 beautiful City of New York. Everybody says, "Bo. You
16 got a lot of money. Move to Florida." I'm not moving
17 to Florida. I'm staying. You got to support this
18 city to make this city safe for everyone. Please.

19 MR. SCISSURA: Thank you very much.

20 MR. DIETL: Thank you.

21 MR. SCISSURA: Yes?

22 MS. ROWE-ADAMS: What a presentation.

23 MR. DIETL: Thank you.

24 MS. ROWE-ADAMS: It is the truth, and
25 that's why we're here, not only for public safety, but

1 the city period, being safe, and people like you to
2 speak up and speak out. How do you see our Charter
3 Revision Commission working on this mission?

4 MR. DIETL: Okay. Thank you. That's a
5 very beautiful question.

6 MR. SCISSURA: Big question.

7 MR. DIETL: Okay. What we can actually
8 do is put it on the ballot in November to give the
9 policing policy -- I'm talking about law
10 enforcement -- crime in New York City is the biggest
11 issue in my heart. Now I believe in the housing and
12 all that, but I'm talking about the crime. Put it on
13 the ballot in November. Let the people of New York
14 vote if they want to support our cops and support our
15 mayor to make our city safer. That's what I'd like to
16 do. I'll show you. People from all over our city
17 will vote to support our police, 'cause that's what we
18 want to do, be safe.

19 My grandson can't walk around. The
20 other day he was attacked. My daughters, they get
21 attacked. I am scared. I carry a gun. They can't.
22 I'm scared for everyone in your families up here.
23 This is real.

24 MR. SCISSURA: Thank you.

25 MR. DIETL: Thank you.

1 MR. SCISSURA: Yes, Mr. Rose?

2 MR. ROSE: Thanks for your testimony.

3 Nice to see you.

4 MR. DIETL: Thank you.

5 MR. ROSE: I'm just confused about one
6 thing. All right? Just a couple questions. One, do
7 you see any point of the City Council?

8 MR. DIETL: No. It's not the point of
9 the City Council. It's the point about that what do
10 they know actually? When we had the headlock, the
11 choke thing that came in from that incident that --
12 that happened in Staten Island, all of a sudden, I
13 used the -- the -- I call it a headlock. I used it
14 hundreds of times. We have to take each one of these
15 directives and evaluate what it is. A chokehold is a
16 chokehold. A headlock is a headlock.

17 MR. ROSE: I get that. I guess, I'm
18 just asking a more philosophical question here, but in
19 democracy, right, and in any legislature, people
20 legislate all the time about things that they don't
21 have any immediate experience of. You see it in
22 Congress. There's people sitting on the Armed
23 Services Committee that have never served in the
24 military and so on and so forth.

25 So I guess I'm trying to ask you here,

1 do you think that any city council is unprepared to
2 legislate on public safety issues, or is your problem
3 about this City Council in New York City?

4 MR. DIETL: That's a very good
5 question. You know, you have an executive branch.
6 Our mayor's the executive branch. When you -- you
7 could put an emergency executive order that we will
8 turn over any felony people that are in this country
9 illegal to ICE. The mayor could do that. And the
10 City Council doesn't have to do it. That's why you
11 have an executive branch, and then you have the
12 law-making branch that you are part of.

13 My point is we could work with the City
14 Council, but when they override vetoes that this mayor
15 knows are wrong, what do you do to stop it? I say we
16 have a democracy in New York and America; right? And
17 in New York. Why not put it on the ballot in
18 November, our public safety and policing and let the
19 people of New York. I don't care if we win by one
20 vote. Democracy is the -- should be the ones that
21 control.

22 MR. ROSE: I get it. And thank you for
23 the clarification.

24 By the way, with that tan, you look
25 like you spent at least some time in Florida.

1 MR. DIETL: Well, I'm going to tell you
2 something, I'd rather be here in New York fighting for
3 New York City for all the people and a lot of people
4 don't know. When I was a decoy, I used to decoy up in
5 Harlem when they told me you can't go to Harlem, Bo.
6 It's too dangerous. I said, "Well, I'm going up there
7 to protect the people," and that's what I'm here
8 today. You want to see some knife wounds on me? I
9 got them. I was hospitalized dozens of times.

10 MR. SCISSURA: We can see that
11 post-charter.

12 MR. DIETL: All right. All right. And
13 thank you so much. You guys and the other lady before
14 said you're not going to do anything. I think you can
15 do something. Let's let the people of New York vote
16 for public safety. Thank you very much.

17 MR. SCISSURA: Thank you very much. We
18 appreciate your thoughts.

19 All right. Let me welcome Andrew Rein,
20 the president of Citizens' Budget Commission.

21 MR. REIN: How you doing?

22 MR. SCISSURA: And E.J. McMahon from
23 Empire Center for Public Policy and the Manhattan
24 Institute.

25 And Dean Crowell, I thanked you

1 earlier, but I will thank you now that you're actually
2 here. I appreciate you allowing us to visit and spend
3 some time at New York Law School. What do you say,
4 you are -- we are New York's law school; is that
5 right?

6 Well, please give a round of applause
7 to Dean Anthony Crowell.

8 MR. SCISSURA: Oh, actually, I'm being
9 told that Professor Mitchell Moss, you are going to
10 join this panel as well. So it's great to see you.
11 Please join us.

12 But gentlemen, you can begin.

13 MR. REIN: Thanks for the opportunity
14 to speak right after Bo Dietl.

15 Good evening. Thank you for the
16 opportunity to participate and thank you all for your
17 service to the people of New York.

18 We're -- I'm Andrew Rein, president of
19 the Citizens' Budget Commission. We are at your
20 service to help you through this process, not only
21 with our recommendations but providing any feedback on
22 issues that you want to raise to us.

23 We're pleased to provide our following
24 recommendations and options, which are briefly
25 reviewed. We've provided a more detailed memo. Given

1 the CRC's accelerated timeframe, these are
2 preliminary, and we're providing some of the details,
3 and we'll get them to you, of course, in time so you
4 could do your work both fast and with high quality.
5 We have seven preliminary recommendations, focused on
6 three areas. First are five to improve the city's
7 fiscal integrity and stability.

8 The number one is to create a rainy-day
9 fund deposit, withdrawal, and balance rules. The last
10 rainy-day fund created the last charter revision
11 commission created the rainy-day fund. This is the
12 Charter Revision Commission that can bring it home
13 with those rules. Currently, deposits aren't
14 mandated, making it unlikely the city's going to make
15 sufficient deposits in good times to protect New
16 Yorkers in the future.

17 Furthermore, you can actually use the
18 funds for almost anything. At minimum, the charter
19 should require mandatory deposits, withdrawals be
20 limited to a recession or severe emergency, and the
21 target size. We're currently developing more specific
22 language to include the economic conditions under
23 which to require those deposits, guidance on those
24 mandatory deposits, and how to define a recession or a
25 severe emergency.

1 Second, we have a retiree health
2 benefits trust. We think it should be created in the
3 charter and established rules. Right now, it's
4 established in law, and it's frankly used as a de
5 facto rainy-day fund. The charter should establish
6 the RHBT to ensure it's available to accumulate the
7 resources so that we can pay the city's long-term
8 liability for retiree benefits, and the charter should
9 also require annual deposits and start to fill up that
10 fund so that we have that money available for those
11 retirees and also can limit the -- eliminate the
12 ability to use it as a rainy-day fund, 'cause now we
13 got a good one.

14 The last -- the next two can be seen as
15 a pair to improve the accuracy and relevance of the
16 legislative and executive fiscal elements --
17 estimates, and these have long been an issue, but
18 they've come to a head in the last year.

19 The next recommendation is to
20 strengthen the requirements for legislative fiscal
21 impact statements. I've heard these discussed today.
22 Legislation has often been introduced and sometimes
23 passed that has massive and potentially destabilizing
24 fiscal impacts. Charter-required added sunshine can
25 increase the likelihood that fiscal needs are

1 considered when passing this legislation. The charter
2 should first require that impact statements be
3 published much earlier, so the council and the public
4 can have time to consider them, and then to increase
5 the likelihood that long-term affordability is
6 actually better promoted and considered by the
7 council, CBC is developing two possible approaches.

8 One is through to require the fiscal
9 impact statement to identify a preferred way to pay
10 for it, whether to be offsetting savings or locally
11 controlled revenues. That's not to lock it in and
12 require it, but to put it on record, saying how are we
13 going to pay for this big piece of legislation.

14 And the other is whether and how to
15 limit the city's obligation to implement newly acted
16 policy that has major budget implications if it has
17 not been incorporated into the budget. Of course,
18 such a requirement only should be designed so that it
19 does not remove the appropriate authority of the
20 legislative branch. This is a delicate balance.

21 On the executive side, our
22 recommendation is to improve the accuracy of financial
23 plan estimates. The charter has a requirement that
24 revenues and expenditure estimates be reasonable and
25 appropriate, and that's good, but it should be

1 bolstered. Underbudgeting has increased to
2 unprecedented levels, distorting the budget picture
3 and the fiscal debate.

4 CBC's recommending three improvement
5 approach, the first being to require the city to
6 provide details of its estimates if the city and state
7 comptrollers identify that those estimates are varying
8 significantly from their own estimates. Second is to
9 require the executive to explain if there is
10 significant year-to-year changes such as when dollars
11 fall off the fiscal cliff, but the program is -- is
12 assumed to continue. That deserves an explanation.
13 And the third is to consider whether there should be
14 comptroller certification.

15 The fifth fiscal -- impact of the fifth
16 fiscal recommendation is to cap debt service at 15
17 percent of tax revenue so that debt is not only
18 affordable for the economy but for the operating
19 budget and does not squeeze out other priorities.

20 Two quick ones to go. The second
21 improvement area is management quality and efficiency.
22 We need quality management, and we need delivering
23 good services to the people. Performance management
24 requires both robust data and a management review and
25 accountability process. The charter establishes the

1 mayor's manager comport, but to complement that, the
2 charter should set forth the framework, the
3 management, planning, scope, periodicity, how often,
4 and the reporting of a comprehensive performance
5 management process.

6 And our final area of improvement is to
7 improve resident feedback. The charter should require
8 the city to conduct and publish a statistically valid
9 resident feedback survey at least once every five
10 years with results of the community board level so we
11 know what every neighborhood's thinking, and by
12 different demographic groups, race, ethnicity, income
13 level, so we can say, find out straight from New
14 Yorkers what is the quality of city services and what
15 is the quality of life. That feedback straight from
16 New Yorkers is what city government needs to deliver
17 to New Yorkers.

18 With that, I'm happy to answer any
19 questions, and thank you again for the opportunity to
20 be here, and thank you again for your service.

21 MR. SCISSURA: Andrew, appreciate you,
22 as always.

23 MR. REIN: That I can speak this fast?
24 But it's great to be able to do.

25 MR. SCISSURA: I'm going to let the

1 other two panelists go, and then we'll -- we'll do
2 questions if we have any.

3 Sir, you're up.

4 MR. MCMAHON: Thank you very much.
5 Thank you for this opportunity to speak to you tonight
6 on this important subject.

7 From a historical standpoint, this is
8 very well-timed, because remind you as we -- as we
9 gather here this evening, we're approaching the 50th
10 anniversary of the fiscal crisis, which was the city's
11 virtual bankruptcy, which is the event that shaped
12 many of the -- of the -- much of the budget process
13 that we're talking about had a profound influence on
14 the charter provisions as they now stand. The budget
15 process that developed in the wake of that crisis as
16 shaped by city charter and state law I think has --
17 has paid numerous dividends and strengthened and
18 improved the budget process a lot, but that doesn't
19 mean updates are not clearly in order after all these
20 years.

21 You've already heard a lot of good
22 ideas in several subjects here this -- this evening or
23 this afternoon. I agree with -- with much of what
24 Andrew just -- just proposed, particularly in -- for
25 greater accountability and better -- better financial

1 impact statements. Also what was suggested by the IBO
2 director and especially, for instance, the two-year
3 contract limit and again, strength in role for IBO in
4 doing -- more regularly doing estimates of major
5 proposals.

6 I'm going to touch on three areas, two
7 of which are -- you've heard these other speakers
8 touch on, one of which is the first to raise. The
9 first stems from what's the largest wild card in the
10 state's -- in the city's current financial plan, which
11 is the City Council's expansion of the Family
12 Homelessness and Eviction Prevention Supplement
13 program, also known as FHEPS or FHEPS. I'll go with
14 FHEPS at the risk of annoying people. The five-year
15 cost estimates for the -- for the entitlement
16 expansion enacted by the council range from a low of
17 just under \$11 billion, of which is the council's
18 estimate, to over \$17 billion, which is the mayor's
19 estimate.

20 Even if the lower figure is accurate,
21 this may rank as the most expensive initiative ever
22 launched by the council or any council outside the
23 budget process. As the social services commissioner
24 said in her December letter to the deputy council
25 speaker, the local laws creating or expanding the

1 program, "Raised substantial financial, operational,
2 and legal issues."

3 However, putting those issues aside,
4 aside from all the substance associated with this
5 policy change, the way the FHEPS expansion came about
6 via four local laws enacted outside the budget
7 process, kind of beside it, but outside it, clearly
8 violated the spirit if not the letter of the city
9 charter. As you know, the city now faces a class
10 action lawsuit on this matter aimed at forcing the
11 mayor to implement the program. The plaintiffs' legal
12 brief in that case asserts among other things that,
13 "No New York City charter provision supports the
14 notion that a local law must be specifically funded by
15 an appropriation for its implementation to be valid."

16 Now, it could be argued in response to
17 that that the charter implicitly requires an
18 appropriation for such expenditures, but in any case,
19 lawsuit aside, the requirement needs to be clarified
20 once and for all.

21 So I began with in this first area,
22 three specific recommendations, the wording of the
23 provision changes I -- I give here, but the most
24 important is no local law requiring additional city
25 funds expenditures shall take place unless supported

1 by a separate and distinct item of appropriation.
2 That's basic.

3 Another, repeating a figure that was
4 mentioned in the IBO testimony earlier, when it comes
5 to big, very significant program expansions, no
6 separate and distinct appropriation with a certified
7 fiscal impact of \$100 million or more in additional
8 city funds when fully effected should begin to take
9 effect in any year unless contingent upon and linked
10 to reductions totally the same or more in other city
11 funds expenditures. Provided, however, this
12 requirement could be waived by a mayor.

13 By the way, my \$100 million, as was
14 mentioned in Kathy Wylde's testimony, \$100 million is
15 the figure in the financial emergency law that
16 represents the maximum deficit the city can run before
17 triggering a control period, or at least used to.

18 My next recommendation is -- is aimed
19 at dealing with -- with an issue that Andrew raised
20 via the CBC, which is, as he said, underbudgeting in
21 the mayor's financial plan has reached unprecedented
22 levels. This has been a long-time feature and
23 syndrome of city budgeting. It didn't begin with this
24 mayor. It goes back at least to the early Guiliani
25 days. But it has been quite extreme in recent years.

1 For instance, in the fiscal '25 plan, examples include
2 overtime costs which the city comptroller estimates
3 will total a billion dollars more than the mayor
4 estimates and the remainder of this year and all of
5 next, and welfare cash assistance which the
6 comptroller says the mayor is low-balling to the tune
7 of \$500 million next year. The state comptroller's
8 report, I think, roughly agreed with that, and both of
9 the comptroller estimates are far more credible than
10 the estimate in the mayor's financial plan.

11 To deal with that issue, I suggest -- I
12 have a similar suggestion to CBC's, but starting
13 earlier in the process, as follows: any budget line
14 for which the mayor's financial plan forecasts a
15 year-to-year expenditure decrease shall be accompanied
16 by a detailed supporting statement explaining why and
17 how such a decrease is expected to materialize. That
18 doesn't happen now. It just puts it blithely stated.
19 It needs to be backed up with details so that it can
20 be considered and -- and its credibility can be
21 weighed.

22 I want to -- one last area I'm going to
23 talk about deals with the subject that was the basic
24 underlying original sin behind the fiscal crisis,
25 which is the use of long-term and -- and borrowed

1 money to cover operating expenses and the expense
2 budget. You've got a charter provision then on
3 section 217-C that was designed to cover that by
4 saying the city may issue capital debt only to finance
5 capital projects, and the capital budget may not
6 include expense items that are properly includable
7 only in the expense budget. That's designed to
8 prevent what the city was doing for 15 years or 14
9 before -- before it collapsed.

10 Nonetheless, in fiscal years 2002 and
11 2003, the city's budget was balanced in part by \$2.1
12 billion in fiscal recovery notes issued by the
13 transitional finance authority in the wake of 9/11.
14 Approval for that borrowing authority came from the
15 legislature days after the 9/11, the World Trade
16 Center attack. But it quickly became apparent, while
17 the human cost of -- of the World Trade Center attack
18 was incalculable, the actual fiscal impact in terms of
19 reconstruction and recovery costs on the city was
20 minimized by -- by a very generous outpouring of
21 federal aid.

22 Those two bond issues' total of \$2.1
23 billion beginning under Mayor Guiliani and again under
24 the first year of Mayor Bloomberg essentially served
25 to paper over a budget gap that was clearly present in

1 Mayor Guiliani's last budget before the attack. It
2 was basically a garden -- putting aside the very
3 serious attack, the fiscal situation really amounted
4 to a aside from that, which was covered by the federal
5 government. It was a garden-variety fiscal crisis
6 shortfall driven by a recession and by expenditures
7 running in excess of likely revenues.

8 We ended up -- it took -- it took 20
9 years to pay off that debt to the tune of up to \$180
10 million a year. As recently as 2019, there was \$558
11 million in recovery bonds still outstanding. That
12 should not happen again. Mayor De Blasio in 2020
13 attempted to repeat that and sought state authority to
14 issue \$5 billion in bonds to help cover anticipated
15 revenue shortfalls due to the COVID crisis. That
16 proposal was slow-walked, sidetracked by then Governor
17 Cuomo, and ultimately proved moot because of all the
18 federal aid the city got.

19 But the precedent is there, and that
20 door should be shut, and the way to do it is easy, and
21 there should be a -- an added provision in the charter
22 that reads as follows: proceeds of long-term bonds
23 and notes shall in no case be used to pay for
24 operating expenses. Full stop.

25 I'll conclude there. Thank you for the

1 opportunity, and I look forward to answering any
2 questions.

3 MR. SCISSURA: Thank you.

4 Professor Mitchell Moss, it's always a
5 pleasure to see you.

6 MR. MOSS: Thank you, Chairman
7 Scissura. I just want to thank you, the members of
8 the panel, for inviting me, and I just also want to
9 acknowledge my friend, Anthony Crowell, President and
10 Dean of New York Law School for making the space
11 available for this hearing.

12 My name is Mitchell Moss. I have been
13 a resident of New York for most of my life. I've been
14 teaching at NYU since 1973 including the past 53 years
15 courses on New York City, and I just want to say that
16 I'm a graduate of every public school I've ever
17 attended in New York. Public School 3, Public School
18 137, Forest Hills High School.

19 And my message is very simple. It's
20 going to be very brief, and I'm going to live within
21 the three-minute time limit.

22 We cannot take the strength of the
23 city's economy for granted. We've been living in
24 unusual times. We have the benefit of Nancy Pelosi
25 giving \$5 billion to the City of New York, which the

1 previous mayor found a way to spend as quickly as he
2 could. We also have benefitted from a almost zero
3 percent interest rate, which has allowed revenues to
4 boom as well as the equity market, and I think we
5 should be recognizing that these special moments are
6 not going to continue forever.

7 Simply put, we need a new culture of
8 fiscal prudence in making any commitments to spending
9 funds collected by those who work here, live here,
10 study here, shop here, and visit. Because \$80 billion
11 according to the New York City Office of Management
12 and Budget -- \$80 billion is money that we collect.
13 We get very little from the federal government, and
14 despite all the attention about who the president is
15 and the members of the Congress, they only give us
16 about \$10 billion a year, and the state gives us \$20
17 billion, and that's all categorical money, so the
18 future is in our hands, not who we elect to go to
19 Washington, and I think this is very important and why
20 the mayor is such a pivotal force in determining the
21 future of the city.

22 So if you can recognize that the
23 federal spending for the pandemic which helped us
24 immensely is over or just about over and that we're
25 not going to see that repeat itself in the interim,

1 the question's what should we do, and let me say
2 Albany thinks it's much tougher times in the city,
3 because Albany is dependent almost two-thirds on the
4 income tax. It's a much narrower fiscal base. It's
5 much more fragile. It's not as well run as the city,
6 which is why New York City has much more people
7 working in the government than the state of New York.
8 That's true if you look at the state rules and what
9 they pay, and I'm not even going to go into the city
10 more. I'm not even talking about living in Albany.

11 Now what do we mean by fiscal prudence?
12 I think it has to be a core value. You can't put it
13 in the charter, but it's got to be a core value
14 underlying any time you decide to expand or launch a
15 new program. And since the Budget Commission that
16 we've heard today has talked about the importance of
17 having stronger methods of identifying the fiscal
18 impact of new spending, I have a suggestion that's
19 simpler. We cannot allow the people who propose
20 spending to judge its impact. This is not something
21 that's so profound. If someone's going to say, "We
22 need this," we should have someone decide whether it's
23 warranted and what the cost will be.

24 And by doing that, I suggest we have
25 the Office of Management and Budget and the IBO, two

1 organizations who don't agree on many things, be
2 involved in reviewing what the City Council wants to
3 do. Rather than let the City Council determine what
4 to do and how to spend it, we should have an
5 independent city agency -- two city agencies -- be
6 involved in making sure that that spending is prudent.
7 This allows us to do it without hiring new outside
8 consultants or contractors or professional experts,
9 but by simply using the brains we have on the city
10 payroll to make sure that the energy and talent of the
11 City Council is allowed to work its will without any
12 constraint.

13 The second point I want to make -- and
14 this is a little different -- is this: the Office of
15 Management and Budget does a phenomenal job presenting
16 the budget and then reviewing it and projecting the
17 revenues. You've heard this already. I believe we
18 don't do enough though. We should determine what is
19 the share of the city's spending as its share of the
20 total city's economic product. In other words, we
21 shouldn't allow spending by the city government to
22 grow faster than the economy of the city as a whole,
23 because we depend on that economy to pay for the
24 police, to pay for billions of gallons of water
25 delivered every day, to educate 900,000 students, to

1 provide 1.5 million emergency medical calls, and to
2 operate 30,000 acres of public park, 6,000 streets,
3 and about 879 bridges.

4 Simply put, the -- we are dependent
5 upon the economy which generates the revenue and that
6 has to be considered, so we cannot be growing our
7 expenses faster than the sources of that, which are
8 the economy itself. And how do we do this? I want to
9 propose that we draw upon the City University of New
10 York's Institute for State and Local Finance run by
11 former Commissioner of Corrections Michael Jacobson, a
12 former deputy mayor, Mark Sure, to provide the
13 technical expertise working with OMB to provide this
14 analysis required every year in January when the mayor
15 presents his budget.

16 Thank you very much.

17 MR. SCISSURA: Thank you very much.

18 Okay. This was a lot -- a lot to take
19 in. I'm going to turn it over to anyone who has
20 questions. But I think you gave us homework to do
21 this weekend.

22 MR. LYNCH: I just had a question. If
23 you could expand on the retiree health benefits trust?
24 I think you were talking about the benefits and how
25 the city makes payment based on when it was secure and

1 then the excess money?

2 MR. MCMAHON: So the retiree health
3 benefits trust in concept is a trust so that the city
4 puts in money to pay for retiree health benefits. You
5 work for the city, you get retiree health benefits.
6 I'm eligible. Thank you. And -- and every year, when
7 people -- current workers are -- are working,
8 they're -- they're getting rights to benefits that'll
9 be paid later. So the conceptual idea is let's fill
10 up this trust akin to a pension fund that when those
11 bills come due.

12 That's not how we use it. We basically
13 use it just to pay each year's bill. You know, every
14 year. At a certain point, those bills are going to go
15 up, and -- and we have a big liability, and
16 something's going to really hit the operating budget.
17 The -- the way it's structured though, 'cause we
18 couldn't have a real rainy-day fund until it was
19 created in the last charter revision commission, is
20 Mayor Bloomberg, Mayor De Blasio used it as a
21 rainy-day fund, 'cause they didn't have another thing.

22 What we're saying now that we have a
23 rainy-day fund, let's not use it that way. Let's use
24 it for its purpose, and it costs a lot of money to
25 fill up that fund every year. Let's pay the current

1 bill. Then let's add a little more, and over time, we
2 can start to build up that fund so that when those
3 retirees need those benefits, the money's there, and
4 they're not hitting that year's city's tax base
5 exponentially just to pay for, you know, your kids' --
6 your -- your -- you know, the teacher you had in first
7 grade. Does that make sense?

8 MR. LYNCH: Yeah.

9 MR. MCMAHON: Okay. Thank you.

10 MR. SCISSURA: So I have a question for
11 Professor Moss. Your trigger of OMB and IBO, do you
12 have a numerical amount? Are you -- are you sticking
13 to the hundred million, as a few people said already?

14 MR. MOSS: You know, I have to know my
15 limits. I'll let the bookkeepers next to me have
16 that.

17 MR. SCISSURA: Then Mr. McMahon, 217-C
18 that you spoke about, would you eliminate that with
19 your wording that you closed with?

20 MR. MCMAHON: No. I would add -- just
21 add to it.

22 MR. SCISSURA: So you would keep 217-C?

23 MR. MCMAHON: It's -- would be
24 deliberate redundancy.

25 MR. SCISSURA: I'm sorry?

1 MR. MCMAHON: Deliberate redundancy.
2 Just to make it crystal clear, you -- you should not
3 do this.

4 MR. SCISSURA: Got it.

5 MR. MCMAHON: Do not borrow your way
6 to -- into insolvency.

7 MR. SCISSURA: Got it.

8 MR. MCMAHON: Or risk it.

9 MR. SCISSURA: I think we can -- we can
10 all agree we never want a repeat of the 1970s.

11 Okay. Any other questions?

12 I imagine that we will hear some
13 follow-up, particularly from you, Andrew.

14 MR. REIN: We will -- we will provide
15 some follow-ups and details and language to help be
16 more specific.

17 MR. SCISSURA: And we may have you
18 back. We may have you back again.

19 MR. REIN: Anything we can do to help.

20 MR. SCISSURA: I appreciate you all.
21 Thank you very much.

22 MR. MCMAHON: Thank you.

23 MR. MOSS: Thank you.

24 MR. REIN: Thank you.

25 MR. SCISSURA: Okay. I believe our

1 city comptroller, Brad Lander, has joined us, so
2 Comptroller Lander, your timing is actually
3 impeccable.

4 We are ready whenever you are.

5 MR. LANDER: All right. Good evening.
6 Thank you to Chair Scissura and all the members of the
7 Charter Revision Commission including many, many
8 friends. It's -- I'm grateful for the opportunity to
9 testify before you tonight.

10 I'm New York City Comptroller Brad
11 Lander, charged with the responsibility of being a
12 steward of the city's fiscal health and attending to
13 its fiscal responsibility, and so I'm especially
14 grateful to be here tonight to testify on that theme.

15 I'll be outlining five proposals to
16 strengthen the city's fiscal management, all of which
17 are in this report which we've just given to you guys
18 that we released last week. These proposals would
19 ensure that we one, accumulate sufficient reserves for
20 times of economic recession, as you heard on the last
21 panel. Two, run city agencies more efficiently while
22 avoiding cuts to essential services. Three, maintain
23 the affordability of the city's debt. Four, overhaul
24 our capital planning for a range of reasons to better
25 face the future given the aging infrastructure and the

1 era of the climate crisis. And fifth, start paying
2 our vendors including our MWBEs and our number of
3 human service providers on time.

4 I won't read everything that's in my
5 written testimony, which you have before you in
6 addition to the report. You know, but I think it is
7 just worth noting here we are, just about five decades
8 on from the fiscal crisis. Next year will be the 50th
9 anniversary. And at -- you know, that was caused in
10 part by changes in the broader -- broader global
11 economy, but in part by the city's own weaknesses in
12 its fiscal management that we did not know what
13 resources were coming and what obligations we had
14 coming out of that. As a result of the Financial
15 Emergency Act, a really sound set of fiscal management
16 practices were put in place that have served us very
17 well for the last 50 years. But 50 years later, it's
18 time to take a serious look at what 21st century
19 fiscal management should look like, and that really is
20 what we detail here.

21 So first builds -- and three of them
22 are pretty close to what Citizens' Budget Commission
23 is proposing, so I won't go into excruciating detail,
24 but number one is to put in the charter, require the
25 adoption of a rainy-day fund policy to make sure that

1 there's a clear target for where it's supposed to be
2 and a formula for annual contributions and rules for
3 withdrawals rather than leaving that to the
4 vicissitudes of each annual budget negotiation. What
5 we're proposing is that you say in the charter the
6 city, the mayor, the council, and the comptroller have
7 to work together to adopt that policy.

8 We have made recommendations for what
9 the policy should be, but I don't think you should put
10 the policy in the charter. I think you should mandate
11 the development of a policy. Our proposal is
12 sufficient reserves for the length of an average
13 recession, so you could get through a recession. That
14 would be 16 percent of revenues.

15 We propose a deposit formula that's a
16 little complicated, but that would automate when
17 you've got a little more tax revenue each year, half
18 of it would go into reserves automatically, and so you
19 build up the reserves without having to have the
20 council and the mayor kind of fighting it out about
21 what that should be.

22 And third, that you only do withdrawals
23 in periods of general recession, and you can see our
24 proposal in detail, but what we propose is that you
25 mandate the establishment of a formula and some rules,

1 because right now, the voters said, "Let's create a
2 rainy-day fund," but there's no requirements to
3 actually fill it up. So it's like, a kind of
4 half-empty vessel with no clarity about how things get
5 in it or how things get out of it.

6 Second, we propose a formula for a
7 better way of looking at city savings programs.
8 The -- the way that the budget process works under the
9 Fiscal Emergency Act is four adjustments each year,
10 and the rules for what has to be in them is pretty
11 straightforward, but it doesn't include savings and
12 efficiencies, and so mayors, at their own,
13 essentially, kind of whim or decision, decide when to
14 do PEG announcements -- programs to eliminate the
15 gap -- but it's not in any predictable time horizon,
16 and so they often come at the last minute. There's
17 two weeks, agencies, give us your savings, and it
18 doesn't allow commissioners to do long-term planning.

19 There's no incentives to think over a
20 few years and try to come up with things that actually
21 will save money in the long term, to think what could
22 we do less of? I know what I'd like to do more of.
23 If I could phase this down, I can phase that up, so we
24 outline a way that that could be built into the
25 budgeting process to help us achieve savings without

1 cutting essential services.

2 And one part of that is to require that
3 agencies have on their budgets the claims that the
4 city pays out as a result of harms caused by those
5 agencies. Right now, if it's a traffic crash caused
6 by a city vehicle or an incident of police misconduct,
7 those are paid out of the general fund. If you move
8 responsibility for those payments onto the books of
9 the city agency, then they would have a financial
10 incentive to bring them down.

11 They could keep some of the savings and
12 invest them in programs that they believe are needed
13 and save the city money.

14 Third is a proposal to address a debt
15 affordability, and I'm not going to go into in detail
16 here, but basically, we have a debt management policy
17 that we shouldn't spend more than 15 percent of our
18 annual budget on debt service, 'cause we need the rest
19 for our teachers and our firefighters and our social
20 services and our public safety, but there's no clear
21 policy for actually maintaining it. We have a
22 proposal for how to guarantee that we stay below 15
23 percent of our spending on debt service that could be
24 put in the charter and would help make sure that is --
25 works over time.

1 Fourth -- and Chair, I know this one
2 will be close to your heart -- is to overhaul our
3 approach to infrastructure and capital planning.
4 Right now, honestly, we have no idea what it would
5 cost to put our infrastructure in the state of good
6 repair. We do an annual --

7 MR. SCISSURA: A lot of money.

8 MR. LANDER: Well, yes. But we spend a
9 lot of money on an annual assessment that doesn't tell
10 us anything the AIMS report is, but we did an audit of
11 it. It's basically totally worthless. And some of
12 that is because of what's required by the charter and
13 not required by the charter. So you could adjust the
14 charter to require an assessment that's actually
15 usable in the budget, and a budget that sets
16 priorities instead of being, kind of, an agency
17 laundry list. And we detail in here the Government
18 Finance Officers' Association and Municipal Financial
19 Officers' Association have a set of best practices
20 that we believe the city should adopt.

21 And last, but not least, is to mandate
22 timeframes for each stage of the procurement process.
23 I don't know how many people of you or how many people
24 in this room have done city procurement with a
25 nonprofit or an MWBE, but you know, the average

1 nonprofit contract is not registered, doesn't arrive
2 at my office for registration until ten months after
3 its effective date. It's really unconscionable. It's
4 bad financial practice. We, by the charter, have a
5 30-day deadline for registering or returning a
6 contract, and we've done over 30,000 contracts just in
7 this term, the last three years, and we've met our
8 30-day timeline on every single one.

9 No one else in the process has a
10 mandated timeline, and so they go over, so our
11 proposal here is that the charter would mandate that
12 the procurement policy board set timelines for each
13 step of the process so that we can hold the agencies
14 themselves, the contracting agencies, DOE and all the
15 others, and the oversight agencies, mayor's office,
16 the contract services, Office of Management and
17 Budget, and the Law Department, accountable to
18 timeframes just like we are accountable to one. Maybe
19 no one loves getting assigned a deadline, but nothing
20 compels you to hit a deadline like having one.

21 I'm happy to talk and -- and any
22 questions about it. We think those are good, concrete
23 proposals, all actionable with charter action, and all
24 real concrete steps forward to stronger fiscal
25 management.

1 I will say on the way in, Barbara Blair
2 gave me her testimony on the city's Fair Share
3 policies, which are really land use and not fiscal,
4 but I wholeheartedly endorse what she is proposing on
5 the land use side on a better Fair Share policy, and I
6 thank you for the opportunity this evening.

7 MR. SCISSURA: Great. Always a
8 pleasure to see you. So I -- you know, by the way, I
9 think first of all, let me complement you, because
10 these are very, very well thought out. I think for
11 those of us that -- that live in different jobs and
12 organizations, we -- we've been affected by one or
13 more of these in our professional worlds and personal
14 worlds. I -- I have a question about number one and
15 five, and I want to make sure I'm -- I'm clear. On
16 both, are you suggesting that we put in the charter
17 language that there should be a rainy-day policy and
18 language that there should be timeframes in your fifth
19 point on the way you have 30 days on other agencies,
20 but are you -- are you saying that we just do that
21 without --

22 MR. LANDER: Assign clear
23 responsibility for promulgating the policy, so the --
24 you can mandate --

25 MR. SCISSURA: So you're not saying for

1 us to write the policy?

2 MR. LANDER: You aren't going to be
3 able to know how long it should take the Law
4 Department versus OMB to sign off, so the -- the
5 proposal would be for number five, to require that the
6 Procurement Policy Board promulgate deadlines by some
7 date for each of the contracting and oversight
8 agencies, and report, you know, regularly, quarterly,
9 annually, in real time on how the agencies are doing
10 at hitting theirs.

11 And then similarly for the rainy-day
12 fund policy, to require -- we propose that the mayor,
13 the council, and the comptroller set policy. Now, you
14 know, the mayor and the council would do things
15 through their normal process. How you would include
16 the comptroller in that, we'd be glad just to give our
17 ideas.

18 MR. SCISSURA: Great.

19 Any questions, comments?

20 DR. DUKES: Yes, hi.

21 MR. LANDER: Great to see you, Mama
22 Dukes.

23 DR. DUKES: Over the years, from small
24 nonprofit groups, way before your time, it's been a
25 real curse in our community for nonprofits. They go

1 in their pockets to pay. There -- you said you have a
2 30-day in your office, but you have ten days from the
3 time they're to be -- or the contract is to be
4 implemented before -- thank you, Mr. Chairman --
5 before these persons get paid. Is that -- and I want
6 to piggyback on what my colleague said. We have
7 people being vendors in the city for thousands of
8 years, ever since we had a city. Do they have to have
9 the same kind of scrutiny that people who are new
10 coming in?

11 MR. LANDER: Well, so you know, we
12 obviously give more scrutiny to a vendor the first
13 time that we're contracting with them than when we're
14 renewing and have a track record, but there's
15 integrity reviews even if you get your contract
16 renewed. Yeah. So we have over the years,
17 unfortunately, built up a system in which most of our
18 contracts are not registered for payment. So the
19 charter provides -- you go to any agency, whatever it
20 is -- Department of Youth and Community Development
21 enters into a contract with you. You might have
22 responded to an RFP or you know, some various other
23 procurement methods. They say we want to enter into a
24 contract with you. That takes a while for them to
25 negotiate the contract, but you get that contract

1 negotiated. That might be, you know, so they say,
2 "Oh, good news. The council allocated some money."

3 Part of the problem is you only find
4 out in June, you know, find out June 28th the council
5 allocated you some money, but the year starts July
6 1st, and so now you're kind of already behind the
7 eight-ball, and then by the time you get your award
8 letter, it's September. And then by the time the
9 Department of Youth and Community Development sends
10 you a draft contract, it's October or November, and
11 then you say, "Well you got this part wrong. We're
12 doing this service, not that service," and by the time
13 they finalize the contract with you, it's January.
14 You still got to be providing the work starting back
15 last July, because it all has to be provided in that
16 year.

17 And now it goes to the Law Department,
18 and they take a while, because they don't have a time
19 deadline, and then it goes to the mayor's office
20 contract services and goes to OMB. It used to be on
21 big contracts, OMB reviewed it twice. We got one of
22 those removed. And then eventually it gets to my
23 office for -- for registration. No one in the process
24 up to the point I've just described has any deadline
25 requirements.

1 Once it gets to our office, there is a
2 charter requirement that we, once it's submitted to
3 us, review it, register it, or return it, because it's
4 flawed, but you know, 99 percent of them get
5 registered, but we have returned some significant
6 ones, because they were procured improperly -- within
7 30 days. And we've done every one of the 30,000 we've
8 received in 30 days. I got a staff that does it.
9 They're good. I watch a dashboard and make sure it
10 happens.

11 But there's no timelines on anybody
12 else in the process. So yes, what we're proposing is
13 that you mandate the Procurement Policy Board to set
14 timelines for the other procuring and oversight
15 agencies. You know, that one always obviously, if you
16 already know you got the money from the council on
17 June 28th, and the council starts on July 1st, it's
18 going to be a little -- take a couple of months for
19 that, but it could be three months instead of ten
20 months.

21 And yes, that would save many
22 organizations. It affects nonprofits, but it also
23 really affects our minority and women-owned businesses
24 who also are not strongly capitalized, and if they get
25 a contract, can't wait ten months, or they got to go

1 get a loan. Maybe the bank's charging them a ton of
2 interest. So yes. And you'll find if you talk to
3 any -- basically any nonprofit or any MWBE that does
4 business with the city, they will --

5 DR. DUKES: All the time?

6 MR. LANDER: Yes.

7 DR. DUKES: Yes.

8 MR. BRAGG: I just want to thank you
9 for -- I'm sorry. I cut you off.

10 MS. ROWE-ADAMS: Thank you. Thank you
11 for your testimony and we hear you. But Hazel asked a
12 great question, because what about the new -- the new
13 vendors or the ones that's established? Is there a
14 difference? Do they get different treatment? That'd
15 be very important to know.

16 MR. LANDER: There's not a different
17 legal treatment. I mean, so there's many different
18 procurement methods. The city might put out an RFP
19 and multiple bidders bid. But there's something
20 called noncompetitive small -- noncompetitive small
21 procurement. For MWBE specifically up to now, \$1.5
22 million where if an agency knows a qualified MWBE,
23 they can hire them for a qualified service without
24 going out to bid.

25 So if you've got an RFP, everybody has

1 to comply with the same rules, and they all get
2 vetted. If you use one of those other procurement
3 methods, you know, it's much more likely to be a
4 vendor that the city agency has used before. The
5 procurement process then is the same.

6 There's what used to be called Vendex,
7 the integrity reviews, and everyone has to do that,
8 you know, new or old. Now if your Vendex forms are
9 already on file with the city, you know, you don't
10 have to file new ones, so there's some steps you can
11 skip if you're already in the system, but -- but for
12 each individual contract, it still has to go through
13 this process.

14 MS. MCGRAW: Yes. I have two
15 questions. Thank you, Comptroller. So the rainy-day
16 money, where did that rainy-day money come from? Is
17 it a process where it will be put to the side, and
18 what would the rainy-day money be used for? That's
19 one part to it.

20 MR. LANDER: Yeah. So the idea of a
21 rainy-day fund is, in my opinion, that it should be
22 for times of economic recession. You know, you build
23 up a budget that's got, you know, teachers and police
24 officers and firefighters and social workers and
25 nurses, and you've got a head count and that's -- you

1 know, and then, you know, that's kind of always going,
2 trending up, and that's fine as long as your revenues
3 are trending up, as they are right now.

4 Then you hit a recession, and your
5 revenues go down, but you have that work force and the
6 services that you're obligated to provide and for that
7 period of time of recession, you're in trouble. And
8 so if you've saved for -- to have savings to replace
9 revenue when it goes down, now you can cover a
10 recession, and you don't have to be laying off
11 teachers just at the moment when your city's in
12 recession.

13 It's not easy to do that, because then
14 each year, you'd rather spend that money on your many
15 other needs. You need affordable housing, and you
16 need public safety, and you don't really want to put
17 money away for a rainy day, because you need it now,
18 but if you don't put it away for the rainy day, when
19 that recession comes, you're really going to be at the
20 worst time, having to cut.

21 MR. SCISSURA: And we have seen rain.

22 MR. LANDER: Yes.

23 MR. SCISSURA: We have seen rain.

24 MR. LANDER: No, no. We've had this, I
25 mean, you know, this -- we've -- we've all been

1 through periods when there did have to be layoffs or
2 hard cuts, at exactly the worst times when you --
3 people need more services, and you want the city to
4 keep investing. So the idea is you build up those
5 reserves. We weren't allowed to do it. We didn't
6 have a policy that allowed the city to stay, which I
7 know sounds weird, but there's like weird accounting
8 rules, and until 2019 when the state legislature and
9 the previous charter revision commission authorized a
10 rainy-day fund, so now we have the fund, but we don't
11 have any rules for putting money in it or how big it's
12 supposed to get.

13 Our -- our proposal is just that you
14 say those rules have to be set. We think the rules
15 should be the target size should be what's necessary
16 to get the city through the length of an average
17 recession based on the ones that we've had over the
18 last 50 years.

19 And our proposal for how much to put in
20 is basically you look at, you know, your revenues and
21 what you've projected, and when your tax revenues for
22 things other than property taxes, your sales tax, your
23 business tax, your income tax, when they go over what
24 you had had in previous years, that's new money. Take
25 half that new money and put it in your rainy-day fund.

1 You can still use the other half on new needs, but you
2 didn't now -- didn't have to cut anything. You even
3 have a little more to spend in good times, but half of
4 it automatically goes into your rainy-day fund.

5 It will build up over time. You don't
6 have to leave it to the council and the mayor. Look,
7 when you get to the end of the budget process, and
8 they're fighting over -- like, what council and mayor
9 are going to be like, you know what we should do with
10 that last \$500 million is put it in the rainy-day
11 fund? They're going to say, "No. Our kids need this.
12 Our -- our neighborhoods need that."

13 But then you won't have it in your
14 rainy day, so a formula like the one I've described,
15 you don't have to cut anything, but you don't have to
16 leave it to politics to -- it's like an automatic
17 savings program. You do a payroll deduction. You
18 say, "Just take it before I even see it. Please put
19 it in my savings account, so I'm not tempted to spend
20 it, and then it'll be there when I need it."

21 MR. SCISSURA: Great.

22 MS. MCGRAW: Thank you so much. And
23 the other question is, you mentioned about some of the
24 different agencies that your agency, it takes you 30
25 days, that's when your --

1 MR. LANDER: Usually 17. Our average
2 is 17 days.

3 MS. MCGRAW: So what are you asking the
4 Charter Commission to do? Are you asking us to --
5 that all the other agencies have that same policy
6 so -- so some agencies might not start to lose
7 their -- their nonprofits, because they take them nine
8 months, you mentioned sometimes it takes nine months.
9 And so -- and the ones that really suffer in this
10 process is our Black and brown organizations with very
11 low budgets and -- and some of the marginalized
12 communities, so that's what -- that is a big concern
13 to me.

14 MR. LANDER: I'm recommending that
15 you -- there's this -- there's an entity called the
16 Procurement Policy Board, which is three mayoral reps
17 and two comptroller reps, and it sets procurement
18 policy. You could mandate them to set specific
19 timelines for each of the agencies within the
20 procurement process. It's a little different if
21 you're actually the agency developing the contract.
22 You need longer than the law department does to review
23 it. And I don't think the Charter Revision Commission
24 can, you know, in the time you have, figure out how
25 many days for each agency, but you could mandate the

1 procurement policy board by a date to, a reasonable
2 date, give them -- some -- us -- I'm a member of a
3 procurement policy board -- mandate the Procurement
4 Policy Board to set those timelines.

5 MR. SCISSURA: Great. Okay.

6 Yes, sir?

7 MR. BRAGG: Thank you, Comptroller, for
8 your testimony. I appreciate your thinking and your
9 proposals on, particularly one and five.

10 We all know that when we get into
11 crisis, that the easiest way to deal with the fiscal
12 emergencies is to lay off city employees who are
13 providing much-needed services to the city. So I -- I
14 appreciate your thinking there.

15 And also on number five, because MWBEs
16 are challenging, not necessarily all of them can --
17 can withstand the -- the long process that it takes to
18 get them paid, and that is a problem that needs to be
19 looked at and also corrected. You -- you pointed out
20 very aptly that, you know, they -- they sometimes are
21 forced to go to banks to take loans in order to
22 survive, and those loans, the interest rates of those
23 loans can do more harm to them than good, and so your
24 office's -- I commend you, has done an excellent job
25 at turning over and making sure these contracts were

1 done on a timely basis and everybody should be held to
2 the same high standard. Thank you.

3 MR. LANDER: Thank you very much.

4 MR. SCISSURA: Thank you very much.

5 Comptroller Lander, we appreciate you
6 taking the time.

7 MR. LANDER: An honor to appear before
8 you. Thank you very much.

9 MR. SCISSURA: We may have some
10 follow-up.

11 MR. LANDER: Great. We'll be happy to
12 talk.

13 MR. SCISSURA: Okay. I'm going to call
14 up three speakers at a time. Jeanne Victor, Erica
15 Vladimir, and Barbara Blair, and while you are -- you
16 three are coming up, I know that we have councilmember
17 and former borough president, Gale Brewer, on the
18 Zoom, so Councilmember Brewer, I'm going to have you
19 jump in. I know you've got probably 20 things on
20 tonight, so we really appreciate you jumping on.

21 MS. BREWER: Thank you very much, Mr.
22 Chair.

23 I am attending one of the events, and I
24 will provide testimony. I think you're having two
25 more, so I will be better equipped at the next meeting

1 to be able to participate in a meaningful way, but I
2 appreciate the opportunity just to let you know I'm
3 paying attention, and so far the testimony has been
4 excellent.

5 I have to say having been through a lot
6 of charters myself, I do think that hopefully you will
7 take everybody's suggestions and focus on, you know, a
8 variety of things. In terms of the City Council, we
9 have another topic we want to discuss, but I hope that
10 you would take all of this seriously, and I think you
11 will. Thank you very much. I look forward to the
12 next meeting.

13 MR. SCISSURA: Councilmember Brewer,
14 Thank you. It's always a pleasure to see you.

15 Okay. Why don't I start with Barbara?

16 MS. BLAIR: Okay. Good evening, Mr.
17 Chair, and the committee. My name's Barbara Blair.
18 I'm the president of the Garment District Alliance.

19 The most recent New York City charter
20 was passed in November of 2019 with a serious
21 omission. It recognized but did not codify the
22 concept of Fair Share for all our communities or
23 remove the loopholes that allow for bad faith
24 placement of challenging facilities. Fair Share was
25 intended to establish criteria that would foster the

1 equitable citywide distribution of assets to a
2 community such as open space parks and other positive
3 community services while preventing the clustering of
4 undesirable uses such as methadone clinics, needle
5 exchanges, shelters, and other social service entities
6 that serve challenged communities.

7 In addition to not adhering to the
8 concepts of Fair Share, the city has also failed to
9 provide a basic level of transparency about the
10 concentration of services or any public outreach
11 required by the city charter. The New York City
12 charter has a mandate to locate city services and
13 facilities in an equitable way. A recent audit and
14 report from the New York City Comptroller, Brad
15 Lander, found that that the city unevenly distributes
16 city facilities while keeping critical data and a
17 concentration of services in neighborhoods unavailable
18 and failing to produce mandated analysis of
19 neighborhood impact.

20 The Garment District Alliance requests
21 that this committee ensure that Fair Share is codified
22 in a public planning and approval process. We ask
23 that the city Charter Revision Committee establish
24 clear, centralized city oversight over Fair Share
25 compliance, improve and regularly update the Fair

1 Share criteria, improve public access -- access to
2 information on sitings, facility capacity, and
3 concentration, reform the citywide statement of needs,
4 prohibit unfair sitings in oversaturated districts
5 through a local law that amends the New York City
6 charter to reduce overconcentration of city facilities
7 in certain community districts including the siting
8 city facility of facilities contracted by the city to
9 perform services on their behalf or otherwise
10 receiving any city financial contribution of support
11 including emergency-contracted facilities in any
12 community district highly concentrated with such
13 facilities.

14 An agency proposing a siting could
15 overcome the prohibition by demonstrating the facility
16 services the needs of the population in the immediate
17 geographic community except where the need was created
18 by an unfair concentration of similar existing
19 facilities.

20 Unlike applications for liquor and
21 cannabis licenses, which are subject to community
22 reviews that consider all elements of the immediate
23 area, social service providers are not subjected to
24 such a review.

25 We hope this committee will correct

1 this situation, and I thank you for the opportunity to
2 speak.

3 MR. SCISSURA: Thank you. Great to see
4 you.

5 Erica?

6 MS. VLADIMIR: Sure. Hello, everybody.
7 Commissioners, thank you so much for hosting these
8 hearings and the opportunity for the public to
9 testify.

10 My name is Erica Vladimir. By day, I
11 am a nonprofit communications professional. In my
12 free time, I am a cofounder of the New York State
13 Sexual Harassment Working Group. I am a New York City
14 Democratic State Committee member for the 76th
15 Assembly District. I am active in the Four Freedoms
16 Democratic Club on the Upper East Side, and I am
17 called the Best Aunt Ever.

18 So I have three proposals that I want
19 to share with you. I'm not going to go into great
20 detail, and I will be submitting written testimony. I
21 will have more detail. I'm happy to answer any
22 questions you might have or follow up before you have
23 to submit your recommendations in August.

24 So first, the mayor has specifically
25 asked the commission to look at public safety and

1 fiscal management. And so my proposal is that the
2 Civilian Complaint Review Board should have an
3 independent budget that is not tied to political
4 negotiations between the mayor and City Council. We
5 already see this with the Independent Budget Office,
6 which gets a set percentage of OMB's budget every
7 year. I believe that the Civilian Complaint Review
8 Board budget should be tied to the NYPD budget.

9 Second, you know, New York City has
10 taken considerable strides in protecting workers
11 against harassment and discrimination. There is still
12 a lot of work to be done in all spaces, but as someone
13 who is a cofounder of the Sexual Harassment Working
14 Group, I would like to propose something that is more
15 focused on public servants. I would like to propose
16 an independent investigatory body that reviews
17 harassment and discrimination claims against elected
18 and appointed officials.

19 We understand that there is a unique
20 power dynamic, especially if a staffer is going to
21 come forward, and right now in certain situations, you
22 have colleagues who have to investigate their
23 colleagues for such types of claims. This is not
24 independent. Other things, such as politics, always
25 get in the way as much as we don't want them to, and

1 we say they don't. They do. And it can create
2 conflicts of interest, and the -- the process itself
3 might not be the priority.

4 This is something that I've been
5 working and fighting for on the state level. I know
6 that there are some City Council members who are
7 calling for this as well. But this would be a great
8 opportunity to make sure that we don't lose public
9 servants who are leaving the public workforce because
10 of the type of harassment and discrimination that's
11 inflicted upon them by folks who are higher up than
12 them.

13 And then finally, I believe that we can
14 create a better line of succession from the mayoralty
15 should that need to be considered. Right now, if the
16 mayor resigns or is no longer mayor, the public
17 advocate is the one who becomes mayor. But their
18 ideologies, the way they want to run the city don't
19 always align; right? They -- they are elected
20 separately. But that can cause chaos and dysfunction
21 at a time when the city needs stability, when we are
22 transitioning to someone else being in charge.

23 And so I believe that, you know, we
24 most often see mayors put their first deputy mayor in
25 charge if they're leaving on a trip or something like

1 that. Why not have the first deputy mayor be the
2 person who's next in line of succession, and yes,
3 you're -- most people would argue, but they're not
4 elected, and you're right. So why don't we follow the
5 federal government and have the first deputy mayor run
6 on a ticket with the mayor, similar to president and
7 vice president? This way, we know that this is
8 someone who the mayor or the candidate at hand will
9 trust and will be able to create continuity instead of
10 chaos in case the mayor needs to resign or is just no
11 longer fit for office.

12 So thank you very much. Those are my
13 three proposals.

14 MR. SCISSURA: Thank you very much.

15 MS. MCGRAW: Thank you. That's a good
16 idea.

17 MS. VICTOR: Good evening, Chair
18 Scissura, Vice Chair Dukes, and all of the members of
19 the New York City Charter Revision Commission. Thank
20 you for allowing me to speak on behalf of the New York
21 City Equal Employment Practices Commission. I'm the
22 executive director, Jeanne Victor, and my office
23 supports our board, Chair Aldrin Bonilla, Vice Chair,
24 Elaine Reese, Commissioner Menaska Alcantara,
25 Commissioner Nicole Yearwood, and Commissioner Ngozi

1 Ocaro.

2 This year marks the 35th anniversary of
3 the creation of the Equal Employment Practices
4 Commission, or we call it the EEPC. The EEPC was
5 created in 1989 by an amendment to the city charter,
6 specifically charter chapter 36, as an independent,
7 non-mayoral city agency empowered to audit and
8 evaluate the employment practices and procedures of
9 city agencies and their efforts to ensure fair and
10 effective equal employment opportunities for people of
11 color and women, who are either employees or
12 applicants for employment with the city.

13 The EEPC currently audits the EEO
14 programs of 143 city agencies. In addition, we're
15 charged with conducting a ten-year study of the
16 underutilization of women and people of color in the
17 city's work force. This is pursuant to local law 13
18 of 2019. We've completed four years of Local Law 13
19 reports, which may be found on our website.

20 Although the EEPC performs its
21 functions, it's continued success and our ability to
22 look more deeply into audits and our Local Law 13
23 analyses and mandates is hampered by questions
24 regarding our lack of enforcement power, our -- our
25 questions of jurisdiction and independence, and a lack

1 of secure and an autonomous budget. To address these
2 areas of concern, a brief summary of the proposed
3 change as follows. I'm only proposing three changes.

4 One, fiscal independence: when I came
5 on board three years ago, the EEPC had a head count of
6 14. It was cut down to 12, so we're very small. Over
7 the last few years, the EEPC's budget has been
8 essentially flat, with the exception of the recent
9 PEGs that were assessed against it, and of course, the
10 loss of head count. This has caused us to struggle to
11 fulfill our charter mandate.

12 In addition, Local Law 13 requires the
13 EEPC to make legislative, regulatory, and budgetary
14 recommendations to the Department of Citywide
15 Administrative Services, the Office of the Mayor, and
16 the New York City Council.

17 The EEPC is asking to change the
18 charter in order to properly establish and preserve
19 independence in its budget structure by using a
20 comparative appropriations model similar to the fiscal
21 structure of the Independent Budget Office. In our
22 case, we've compared our functions to that of the New
23 York City Comptroller due to its similarity in
24 independence and its duty to audit the programs and
25 activities of each city entity. Similar to the New

1 York City Comptroller, the EEPC is charged with
2 safeguarding the city from "fraud, waste, and abuse in
3 employment practices."

4 The proposed strategy of anchoring the
5 amount of the EEPC's budget to a set percentage of
6 that of the New York City Comptroller will stabilize
7 the fiscal structure of the EEPC and its ability to
8 operate independently, thus providing the City of New
9 York with a consistent and well-run EEO program across
10 all city entities.

11 Number two is additional enforcement
12 measures. The EEPC's enforcement authority is
13 currently limited to publishing a report and
14 recommending to the mayor the appropriate corrective
15 action the EEPC deems necessary to ensure compliance
16 with the city charter provisions. Such a repercussion
17 for failure to implement and assign corrective actions
18 creates minimal consequences for noncompliance,
19 especially for non-mayoral entities. The proposed
20 language of section 832-C strengthens the EEPC's
21 enforcement authority by permitting it to recommend
22 budgetary consequences for an entity's failure to
23 correct areas of EEO noncompliance.

24 And lastly, jurisdiction: throughout
25 the years, a considerable amount of the EEPC's time

1 has been spent responding to challenges pertaining to
2 its authority and jurisdiction. To provide clarity in
3 jurisdictional arguments, the definition of agency
4 established in the city charter Section 831 warrants
5 additional clarification and a clearer delineation of
6 those entities subject to the EEPC's authority. The
7 additional language proposed is consistent with
8 criteria applied in New York Corporation Counsel
9 opinion number 11-90, and subsequent opinions which
10 examined whether and to what extent the provisions of
11 city charter Chapter 36 extend to which governmental
12 entities.

13 While these charter changes are
14 relatively minor, we believe that they will have a
15 significant impact towards helping to ensure that city
16 entities establish and maintain a fair and equitable
17 workplace. We believe that such actions will do more
18 to address inequities in the workplace, reduce
19 litigation, and resulting settlements and judgments
20 that ultimately draw city funds away from the city's
21 priorities. For these reasons, we believe that such
22 minor changes to the charter make good fiscal sense
23 for the city.

24 Thank you for your time this evening.

25 MR. SCISSURA: Thank you very much.

1 Do you have any comments or questions?

2 Yes, sir?

3 MR. BRAGG: I have one. Thank you. I
4 apologize. I had to step out of the room. Nature
5 called. But the young woman in the middle. I didn't
6 get to catch your name, 'cause I was out of the room.
7 I just had a quick question on the CCRB is separate,
8 being enjoined to the PD budget. I didn't -- I don't
9 quite understand the rationale, so could you elaborate
10 on why you think that's necessary for the group, the
11 two being attached?

12 MS. VLADIMIR: Yeah. Absolutely. So
13 the Civilian Complaint Review Board is -- is tasked
14 with holding NYPD accountable, and one of the things
15 that we can do to keep New Yorkers safe is to make
16 sure that the NYPD is following through with any
17 orders and maintaining safety as opposed to harming
18 New York City residents.

19 Because they are in its essence tasked
20 with supporting and helping to keep New York City
21 residents safe, I believe that the CCRB should be --
22 have their funding tied to what the NYPD's budget is.
23 I -- I don't want to give a percentage, because that's
24 just not my wheelhouse. I'm not an economist. I went
25 to law school, so I don't -- I don't have to work with

1 numbers. But you know, I think it's similar to the
2 way that the Independent Budget Office is tied to OMB.
3 They're -- what they provide is -- is a little
4 different, but it is still in the same purview of what
5 the city is asking for them to do.

6 MR. BRAGG: Okay. I -- I hear you.
7 I'm just struggling with the connection between CCRB's
8 budget and the side of PD and attachment to PD's
9 budget. I don't -- somehow, I'm missing the
10 relevance.

11 MS. VLADIMIR: I see them as both
12 public safety agencies, and so, you know, again, if
13 you all were -- were tasked with looking at these
14 proposals. If you have something, I would love to
15 hear or like, you know, discuss at a later date of how
16 we can just ensure that CCRB's budget remains
17 consistent and independent from political
18 negotiations.

19 Right now, from 2023 to 2024, their
20 budget went down by \$1.4 million, and yet we are
21 seeing the rise in lawsuits against the NYPD to
22 increase, which means that there probably needs to be
23 similar level of accountability. We shouldn't be
24 taking an oversight and accountability agency's
25 funding away from them when they are tasked with that

1 level of accountability.

2 MR. BRAGG: That I do. Thank you.

3 MR. SCISSURA: All right. Thank you
4 very much.

5 MS. VLADIMIR: Thank you.

6 MR. SCISSURA: Howard Slatkin, David
7 Schwartz, and Layla Law-Gisiko. I hope I got that
8 right. So we got Howard Slatkin, David Schwartz.

9 MR. SLATKIN: Good evening, Chair --

10 MR. SCISSURA: We're going to ask if
11 you could try to be within three minutes.

12 MR. SLATKIN: Absolutely. I thank you
13 for the opportunity to -- to testify this evening.
14 I'm Howard Slatkin. I'm the executive director of
15 Citizens' Housing and Planning Council, a nonprofit
16 organization dedicated to the well-being of the city's
17 housing stock and the people it serves.

18 I will spend my three minutes talking
19 about the need for a candid accounting of costs
20 imposed by government actions, in particular on the
21 creation and operation of housing. As noted by others
22 in their thoughtful remarks earlier in this hearing,
23 the charters today contain requirements for fiscal
24 impact statements estimating the effect of new
25 legislation on city revenues and expenditures.

1 And as noted, these statements lack not
2 only teeth, but also relevance to decisions that
3 produce after public hearings and debate on
4 legislation, and they're frequently -- I don't want to
5 say fudged -- ascribing zero fiscal impact to bills
6 that do demand significant agency resources and reduce
7 agency capacity for other important business. They --
8 as a result, these are -- these statements are widely
9 ignored, and we're effectively covering our eyes and
10 ears about the true cost of implementing these laws
11 and the capacity of agencies to do all the work that
12 they need to do.

13 The impact of these statements would be
14 improved by requiring publication of the statement
15 prior to a hearing on the legislation or other means
16 of improved transparency or consequences for
17 inadequate statements, and I know that others have
18 recommended some thoughtful ideas on the subject. But
19 I also want to talk about that you've heard several
20 speakers observe that housing and housing
21 affordability is one of the greatest challenges that
22 the city faces today. And a similar lack of
23 transparency is helping to fuel our housing
24 affordability crises. We've been using our housing
25 stock in a way as a credit card on which we charge the

1 costs of other public policy goals without attention
2 to the size of the bill or ultimately, who pays it.

3 When laws or rules add cost to building
4 and operating housing, they contribute to rising
5 rents, deferred maintenance, and reduced resident
6 services. This poses a particular risk for affordable
7 housing and supportive housing, which cannot raise
8 rents to cover the higher costs that we face. While
9 rising construction costs may have many causes, they
10 are a key driver of our housing shortage and
11 affordability crises. Every dollar of increase in
12 these costs decreases the amount of affordable housing
13 the city's budget can support and further limits
14 private housing construction to the sort of product
15 that can be marketed to a luxury audience.

16 Of course, laws and regulations do
17 advance important goals for safety, sustainability,
18 consumer protection, and numerous other public
19 purposes, but ignoring their financial consequences
20 prevents thoughtful policy design that would limit the
21 adverse effects on residents, and people who are
22 seeking housing. For instance, recently enacted
23 changes to construction site safety requirements can
24 add as much as \$17,000 per unit to the cost of new
25 midrise apartment buildings. Whether that's important

1 or not, those are the kind of sound decisions that can
2 only be made about tradeoffs if they're disclosed in a
3 clear and timely manner for decision makers to
4 consider.

5 The commission should consider amending
6 the charter to require something similar, a housing
7 financial impact assessment prior to public hearing
8 for legislative or rule-making decisions that would
9 impose significant costs on the construction and
10 operation of housing in order to provide general
11 accounting of these costs. The purpose would be to
12 inform, debate, and decisions, enable the housing
13 budget to go further, and prevent our city from
14 stumbling deeper into a housing crisis.

15 Thank you.

16 MR. SCISSURA: Thank you very much.

17 David?

18 MR. SCHWARTZ: Hello. I'm David
19 Schwartz. I'm a New York lawyer, but I'm here on
20 behalf of the New York Association of Wholesalers and
21 Distributors.

22 New York State over the last 15 years
23 has lost \$30 billion due to untaxed cigarettes.
24 Illegal, untaxed cigarettes. New York City over the
25 last 15 years has lost \$10 billion. It's roughly a

1 third of the state. \$10 billion due to untaxed,
2 illegal cigarettes coming up the I-95 corridor every
3 day, millions and millions and millions of cigarettes
4 coming up.

5 So what I'm going to talk about today,
6 and I can talk about a lot of topics, but what I'm
7 going to talk about today is very germane to the issue
8 of this hearing today. I applaud Mayor Adams. He's
9 the first mayor to take some steps to -- to stop this
10 problem with that -- with the Smoke Out Act that was
11 passed in the New York State budget. Sheriff Miranda
12 is doing a great job getting out there every single
13 day, but he has limited resources, and so far, we have
14 thousands, as you know, because we all know, 'cause we
15 walk through the streets of the City of New York, we
16 have thousands of illegal stores.

17 Now the focus is -- has been on
18 marijuana, legal cannabis, but those stores are
19 criminal enterprises. They're selling illegal
20 cigarettes, untaxed, illegal cigarettes. They're
21 selling illegal, untaxed vapor products. So although
22 we've closed down now, I think, a couple hundred
23 stores, we have a long way to go. And the problem
24 won't stop once we close down these stores, because
25 they're coming up by the millions up this I-95

1 corridor.

2 The other thing that these illegal,
3 untaxed cigarettes does, not just the budgetary point
4 of view to the billions of dollars, they have been --
5 it's been shown --

6 MR. SCISSURA: I want to -- I want to
7 interrupt. Time is fleeting. I want you to tell us
8 what you'd like the Charter --

9 MR. SCHWARTZ: Okay. What I'd like the
10 Charter -- what I'd like the commission to do, number
11 one is, we're down cigarette licenses. We're down
12 from 10,000 to 4,990. That's the exact amount of
13 illegal shops that have opened up. So I have -- I
14 have people complaining. Bodega owners, newsstands,
15 little grocery stores. That's who it's affecting. I
16 have them complaining every single day that they're
17 only selling six cartons when the illegal store's
18 selling 40 cartons.

19 So -- so what I would like the
20 commission to do is to mandate that we get back to a
21 normal amount of cigarette licenses, because if we're
22 going to have cigarettes sold in the City of New York,
23 they should be sold at legal stores, legal brick and
24 mortar stores in the City of New York. So we need
25 to -- to not -- get rid of that moratorium that's on

1 cigarette licenses right now by consumer protection
2 and get it back up to 10,000. We need to invest
3 resources into stopping -- stopping these cigarettes
4 coming up I-95 from North Carolina, whose tax is \$4
5 per carton. Ours is \$68.50. We need to invest -- and
6 resources, law enforcement resources in the stopping
7 that.

8 It's not going to cost you a dime.
9 It's going -- it's going to give us billions of
10 dollars in revenue. Yeah, we're going to spend a
11 little bit of money on enforcement, but it's going to
12 be well worth it, stopping it at the source coming
13 into the City of New York, because if we close down
14 all these shops, we'll go back to illegal cigarettes
15 being sold in the back of trunks, and we don't want
16 that either.

17 We want to stop this problem, and those
18 are two ideas that I think we can -- we can use to
19 stop the problem, and what I'll do is I'll -- I found
20 out about this hearing at the last minute. I
21 apologize, Chairman. And I'll -- I'll draft a memo,
22 outlining certain ideas.

23 MR. SCISSURA: Great. Thank you.

24 MR. SCHWARTZ: Thank you.

25 MS. LAW-GISIKO: Thank you very much.

1 Good evening, Chairman and members of the Charter
2 Revision Commission. And thank you for the
3 opportunity. My name is Layla Law-Gisiko. I am the
4 president of the City Club of New York.

5 The City Club of New York is a civic
6 organization founded in 1892, and our mission is to
7 advocate for sound urban policies and good government.

8 Before I go into my testimony, I would
9 like to second the comments that were made by
10 Assemblymember Glick earlier tonight. I agree with
11 her that the communication about the -- the hearings
12 from the commission are not as broadly advertised as
13 they could, and I really urge the commission, for
14 example, to publish all the upcoming meetings with the
15 dates and locations. Right now, there's only this
16 meeting that is advertised. It would be immensely
17 helpful to know and understand when the further -- the
18 subsequent meetings and hearings will happen and in
19 which boroughs.

20 MR. SCISSURA: Just for clarification,
21 we've -- we've announced through the end of June the
22 meeting schedule. So it should be out there.

23 MS. LAW-GISIKO: Oh. That -- that's
24 great. That is fantastic.

25 MR. SCISSURA: But we'll make sure we

1 continue to push that out there.

2 MS. LAW-GISIKO: Fantastic. Much
3 appreciated. I think that New Yorkers are really
4 eager to participate in the work of -- of the
5 commission, and they will come and testify if they are
6 aware of these opportunities.

7 So those are my preliminary remarks. I
8 will be very brief. It doesn't have to do with fiscal
9 policy, although I'm, you know, very interested to
10 hear what my colleagues had to say.

11 But today, I want to present to you our
12 formal position on behalf of the City Club
13 recommending that registered lobbyists be restricted
14 from being appointed to official task forces, working
15 groups, and boards of the City of New York. The
16 presence of registered lobbyists in these critical
17 roles poses significant concerns regarding conflict of
18 interest. It is vital for our community
19 decision-making processes to maintain the highest
20 standard of impartiality and integrity. Allowing
21 registered lobbyists to hold positions within these
22 bodies risks undermining public trust and could
23 potentially skew decisions in favor of special
24 interest groups rather than the public good. By
25 restricting the appointment of registered lobbyists to

1 these roles, we can ensure that us -- our task forces,
2 working groups, and boards remain focused on serving
3 the public interest. This measure will help safeguard
4 against undue influence and limit bias and external
5 pressures.

6 And I thank you for taking this into
7 consideration.

8 MR. SCISSURA: Thank you very much.

9 MS. ROWE-ADAMS: Thank you.

10 MS. MCGRAW: Thank you.

11 MR. SCISSURA: Hearing no questions or
12 comments? Okay.

13 Thank you very much.

14 Ben Tocker, Tiffany Fulton, and Goran
15 Svorcan. Ben Tocker, Tiffany Fulton, and Goran
16 Svorcan.

17 You are Ben; correct?

18 MR. TOCKER: Yes.

19 MR. SCISSURA: And you are Goran?

20 MR. SVORCAN: Yes.

21 MR. SCISSURA: And Tiffany?

22 MS. FULTON: Yes.

23 MR. SCISSURA: Come on up.

24 Okay. We'll start with you, Ben.

25 MR. TOCKER: Thank you. Good evening.

1 Thank you to the Charter Revision Commission for
2 welcoming the public to submit testimony. My name is
3 Ben Tocker.

4 I'm here representing Yaffed. We're a
5 nonprofit advocacy organization committed to
6 protecting the educational rights of children in New
7 York's nonpublic schools, and we've been fighting for
8 improvements to the quality of education at failing
9 yeshivas for over a decade.

10 Last year, the New York State Education
11 Department enacted Commissioner's Regulation Part 130,
12 which outlines an enforcement mechanism by which local
13 school districts are to hold nonpublic schools
14 accountable to state educational law Section 3204.
15 This law, known as the Compulsory Education Law, first
16 passed over a hundred years ago, and it demands that
17 every nonpublic school offer an education that is
18 substantially equivalent to what is offered by local
19 public schools.

20 Commissioner's Regulation Part 130 is a
21 step in the right direction, but the unfortunate
22 reality is that many yeshivas are continuing to ignore
23 the law. Some have even taken a radical stand,
24 proclaiming that they should be free of all government
25 oversight. Sadly, this position is supported by a few

1 city and state elected officials who continue to
2 politicize the educational rights of New York's
3 nonpublic school students and seek to undermine the
4 current law and the implementation of the regulation
5 of Commissioners Part 130.

6 Under the current enforcement
7 framework, all nonpublic schools in New York State
8 must have demonstrated compliance with Educational Law
9 Section 3204 by the end of the 2024 to 2025 school
10 year. Demonstration can be performed by one of six
11 pathways, including using a state-approved accreditor
12 or having a local school district conduct a review.
13 The school district must catalog how each school
14 demonstrates compliance and report to the state when
15 such action has occurred and how.

16 While we're hopeful that this
17 regulation will have a significant impact on quality
18 of general education programs throughout the nonpublic
19 school sector, we're concerned that it alone is not a
20 sufficiently rigorous enforcement mechanism. The
21 politicization of this issue and the history of
22 complacency on the part of the state's educational
23 regulators demand that the system have built-in checks
24 and balances.

25 For that reason, in order to safeguard

1 the educational rights of New York City's nonpublic
2 school students, we recommend to the Charter Revision
3 Commission that the New York City Comptroller be
4 vested with the authority to audit the programmatic
5 reviews and the compliance demonstration of all
6 nonpublic schools under the jurisdiction of the New
7 York City Department of Education. The expertise of
8 the Comptroller's office and their ability to track
9 fund disbursements to program activities will be an
10 invaluable aid in ensuring that bad actors are
11 prevented from obfuscating the process or otherwise
12 inhibiting school reform.

13 Every child has a right to an education
14 and the children of New York City have waited long
15 enough for educational justice. We hope you consider
16 our proposal, and we thank you for the opportunity to
17 speak today.

18 MR. SCISSURA: Thank you very much.

19 Goran? Did I say that right?

20 MR. SVORCAN: Yeah. Close enough.

21 MR. SCISSURA: How do you say it?

22 MR. SVORCAN: Goran.

23 MR. SCISSURA: Goran.

24 MR. SVORCAN: Yeah. Thank you for
25 letting me speak. I -- my qualifications are that I

1 am a private citizen who lives here, so hopefully that
2 is enough. And I promise this is under three minutes.

3 MR. SCISSURA: You're a New Yorker.

4 MR. SVORCAN: I wanted to preface this
5 by saying that some time back, I read a series of
6 interviews that talked to average citizens in
7 different countries, asking them what they admired
8 about various other countries. One of the most common
9 sentiments expressed about the US was how much people
10 are amazed and loved our national parks. The idea of
11 a country realizing the importance of giving its
12 citizens access to nature and preserving that nature
13 resonated with many people outside of our borders, and
14 I'm sure within them as well. Even our more ornery
15 siblings across the Atlantic in the UK recognize the
16 importance of public access to park land with their
17 colloquy called, "Right to Roam," namely the right of
18 citizens to traverse natural land regardless of
19 ownership.

20 In a city as dense as ours and one
21 hopefully getting denser through the City of Yes
22 program, providing access to green spaces will become
23 more and more important and require increasingly
24 clever solutions. But their own goals in this regard,
25 we are currently committing. There are private parks

1 in this city. So my proposal is simple. Introduce an
2 amendment to the city charter banning private parks.
3 Ask these individuals --

4 MR. SCISSURA: Did you say banning
5 private parks?

6 MR. SVORCAN: Banning.

7 Access to nature should not be a luxury
8 afforded to a select few, but a right granted to all.
9 Thank you.

10 MR. SCISSURA: Thank you.

11 Tiffany Fulton?

12 MS. FULTON: Hi. How are you? I can
13 be more prepared. I was asked to come to this
14 meeting. I'm representing Silent Voices United, Inc.
15 as well as C3, which is the citywide clergy collective
16 initiative to end gun violence.

17 How can -- how can city government --
18 how city government can work more efficiently and
19 better respond to youth needs, improving efficiency
20 and response of the city government to meet the needs
21 of youth involves several targeted strategies.

22 Youth advisory boards: establishing
23 advisory boards or councils composed of youth
24 representatives to provide direct input on policy
25 programs and initiatives that affect them.

1 Accessibility, services, and
2 information: ensuring that information about youth
3 program services and resources is easily accessible
4 through digital platforms, social media, and community
5 centers.

6 Three, youth-friendly spaces: creating
7 safe and welcoming spaces such as youth centers,
8 libraries, recreational facilities where young people
9 can gather, learn, and participate in activities.

10 Four, youth employment programs:
11 expanding job training, internships, opportunities,
12 and youth employment initiative that provide valuable
13 skills and experiences for future careers.

14 Five, education and career guidance:
15 enhancing support for educational attainment and
16 career development through mentoring programs, college
17 readiness initiatives, and vocational training.

18 Six, health and wellness services:
19 increasing access to health services, mental health
20 support, and recreation activities that promote
21 physical and emotional well-being among youth.

22 Seven, civic engagement and leadership
23 development: encouraging youth participation in
24 community decision-making process, leadership
25 training, and volunteer opportunities to foster civic

1 responsibilities and activism.

2 Eight, technology and innovation:
3 leveraging technology to engage youth in digital
4 literacy programs, holding workshops and initiatives
5 that harness their creativity and innovation.

6 Nine, community outreach and
7 engagement: conducting outreach efforts to actively
8 involve youth from diverse backgrounds and community
9 and city planning, cultural events, and social
10 initiative.

11 Ten, feedback mechanism: establishing
12 mechanisms for ongoing feedback from youth to evaluate
13 the effectiveness of city programs and policies and to
14 make adjustments based on their input.

15 By implementing these strategies, city
16 government can better understand and address the
17 diverse needs and aspirations of youth, ensuring they
18 have the support and opportunities necessary to thrive
19 and -- and contribute positively in their communities.

20 And what I wanted to say as far as
21 that -- as far as City Council is concerned, and I'm a
22 not-for-profit, so I do understand the struggles of
23 not-for-profits to be able to survive and provide in
24 their communities, and the wait as far as waiting for
25 funds to be able to do what we need to do, it's a

1 problem, and I think we need to give our City Council
2 more control to be able to do what they need to do as
3 far as the community needs. We don't have enough of
4 that, because I feel like a lot -- I feel like the
5 budget is a problem. I think funds to be able to do
6 what we need to do. They need to be more funding as
7 far as City Council.

8 MR. SCISSURA: Great. Thank you very
9 much.

10 Any questions, comments? Yes, sir?

11 MR. BRAGG: Have any of those -- what
12 was it, ten points that you had?

13 MS. FULTON: Ten points, yes.

14 MR. BRAGG: Ten points --

15 MS. FULTON: I wish -- I would've loved
16 to have provide you with some -- with --

17 MR. SCISSURA: That's okay. Maybe you
18 can email them to us.

19 MR. BRAGG: Have any of those ten
20 points been taken up with DOYCD?

21 MS. FULTON: That's a probable -- so I
22 talked to various other organizations that are
23 not-for-profit, and the process to be able to fill out
24 the necessary applications to be able to get funding
25 or get support from DOYCD is very difficult. They

1 said it's a easy process, but the process has become
2 more difficult in order to get the funding from DOYCD
3 to become a vendor.

4 MR. BRAGG: I think what I'm suggesting
5 is that is contact be made with DOYCD and try to meet
6 with the commissioner or some of his staff to discuss
7 some of these points. I think he'd be very interested
8 in hearing from you.

9 MS. FULTON: Thank you.

10 MR. SCISSURA: Great. Thank you very
11 much.

12 Yes?

13 DR. DUKES: Thank you, Tiffany, for
14 that detail. Very detailed presentation. How
15 could -- and I heard everything, and you know, I know
16 what you're saying, I hear what you're saying, but the
17 Charter Commission, how could we or what would you
18 like for us to do to put this into action and motion
19 or?

20 MS. FULTON: I think we need to be able
21 to have more conversation, so we can be guided through
22 the process to be able to get the assistance and the
23 help we need. That's why City Council's concerned. I
24 think City Council's arms are tied in a lot of things
25 that they able to do for the community.

1 DR. DUKES: Okay. So that's why we're
2 having these hearings. So the community can have a
3 voice, and we hear you. So we, the Charter
4 Commission, could make sure that your voices are
5 heard, and everybody know what's going on. So that's
6 why I ask what could this City Charter Commission do.
7 I'm not, you know, talking about the City Council, but
8 I'm talking about our Charter Commission, what would
9 you like to see us do, and how would you word this for
10 us to make it happen?

11 MS. FULTON: I think I need to go back
12 to the table. Like I said, this was last minute.
13 Somebody asked me to come to the meeting, and I put
14 something together, 'cause you are very important to
15 me, what's happening, getting them more engaged and
16 involved in their community. We need more of that.
17 And I was looking through the city -- the charter,
18 while I was sitting here, so there's things that I
19 need to basically take the time to review to get a
20 better understanding as far as how you can help me.

21 MR. SCISSURA: Well, you can certainly
22 email us. Take your time, we still have a month.

23 MS. FULTON: Thank you. I just wanted
24 to say something about youth.

25 MR. SCISSURA: We appreciate it.

1 DR. DUKES: Thank you.

2 MS. FULTON: Thank you.

3 DR. DUKES: Yes, yes.

4 MR. SCISSURA: Okay. Thank you very
5 much, everyone.

6 In person, we have Harald Wacker and
7 Andrea Gordillo, and Frank Morano on Zoom.

8 So Frank, you're up. You're on mute,
9 Frank.

10 MR. MORANO: Thank you. Can you hear
11 me?

12 MR. SCISSURA: Yes.

13 MR. MORANO: I appreciate it. I'm
14 going to be uncharacteristically brief, because you
15 were kind enough to let me go a few extra minutes at
16 the Staten Island hearing, and I'm going to be
17 submitting lengthier testimony in writing, which I do
18 hope you'll review and -- and consider as you make
19 your decisions about what to put on the ballot.

20 I first wanted to take issue with what
21 I've heard from some of the government groups. I'm
22 not going to mention them, and some of the activists,
23 and even some of the press, who I think are coming
24 from a very good place, but instead of attacking the
25 commission and pointing out all the flaws with the

1 process, I really do think their efforts would be
2 better spent offering ideas and suggestions like
3 everybody here has done tonight for how city
4 government can be improved, whether it's in terms of
5 public safety, fiscal responsibility, or something
6 else, but rather than get the public riled up, I would
7 hope that those government groups that are trying to
8 foment populist outrage would instead encourage people
9 to show up and testify like we're all doing.

10 So that's a bit disappointing, and I
11 hope that folks realize that whether the process is
12 going on or not, the charter revision question that
13 you guys put on the ballot this year are going to
14 count just as much as the charter revision process
15 whose process they were very happy with. So I just
16 want to get that out there.

17 It seems to me like the battle that you
18 guys are facing with the Charter Commission is the
19 same battle that New York City is facing in terms of
20 voter apathy and in terms of lack of participation.
21 And I'm here, once again, to advocate that the charter
22 consider putting on the ballot nonpartisan elections,
23 changing the way that city elections are structured so
24 that every general election is structured the way a
25 nonpartisan special election would be.

1 In my view, this would be very helpful
2 for fiscal responsibility. The city spends about
3 \$13.5 million to administer citywide primary
4 elections. If we had just one round of elections, as
5 is the case if we were to implement just special
6 elections for everything in a nonpartisan manner with
7 rank-choice voting, we could save \$13.5 million to pay
8 for cops, pay for firefighters, pay for universal
9 pre-K, and a lot of other things that are currently on
10 the chopping block because of the fiscal situation
11 that the city is in.

12 And the other thing that I wanted to
13 speak to -- and this is the last thing I'll mention,
14 and I do appreciate you reviewing the written
15 testimony that I'm going to submit -- is the issue
16 that Commissioner Rose and Commissioner Scissura
17 raised in the last hearing, which is whether or not a
18 partisan label should be on the ballot. In my view,
19 the answer is clear that it should not be. Chairman
20 Scissura, you made the case that everyone's going to
21 know what everyone is, and that's exactly right. And
22 they should know what everyone is. That is the job of
23 the candidates to communicate their beliefs to the
24 voters.

25 However, what I think we're doing by

1 making a political party identification the only thing
2 that the voters hear about a candidate is we're saying
3 to the voters that that's the most important thing
4 that they need to know, and it's not. Voters should
5 want to learn, and candidates should want to
6 communicate their beliefs to them, their education,
7 their professional experience, their family
8 experience, their passion, their interests, a whole
9 host of issues.

10 So the way elections have been
11 administered in New York City, except for nonpartisan
12 specials, where we decide that that's the only piece
13 of information that should be on the ballot, I think
14 is so foolish and so shortsighted, and unfortunately,
15 I think it leads to Republicans and independents in
16 most of the city when that Republican or independent
17 label is on the ballot, it looks like a scarlet
18 letter. It's the same thing for democrats running in
19 Republican districts.

20 So I appreciate the opportunity to
21 testify. I know with times, I might be trying your
22 patience. I recognize that you guys have put in a lot
23 of work already, and your reward for this is to get
24 criticized by everybody that doesn't agree with the
25 process or that doesn't agree with what we come up

1 with. So I appreciate the opportunity, and I hope
2 you'll consider putting nonpartisan elections on the
3 ballot this November.

4 MR. SCISSURA: Thank you, Frank. Thank
5 you very much, Frank.

6 MR. MORANO: Thank you.

7 MR. SCISSURA: Okay. I just want to
8 confirm, is Harald Wacker here? No? Okay.

9 Andrea Gordillo, you are our last
10 speaker tonight.

11 MS. GORDILLO: Hi, everyone.

12 MR. SCISSURA: You still have three
13 minutes.

14 MS. GORDILLO: Okay. I'll keep it very
15 short.

16 So I'm here representing Manhattan
17 Community Board Three this evening. We represent
18 Manhattan's East Village, Lower East Side and
19 Chinatown. I just have three short proposals.

20 We advocate for signing and formalizing
21 comprehensive support services for community boards
22 that will cover staffing, technical assistance, and
23 meeting locations. Board president offices handle
24 payroll, yet lack other administrative and technical
25 support, leaving community board managerial staff

1 lacking personnel services, uniquely among New York
2 City employees.

3 We also need to employ full-time urban
4 planners, as currently mandated by city charter, but
5 is not funded, in order to independently cater to our
6 responsibilities. And the role should not be
7 fulfilled by DCP, Department of City Planning. With
8 unpaid board members lacking urban planning experience
9 and city mandates requiring adherence to legal and
10 procedural requirements, it's vital that community
11 boards have dedicated urban planner support, even
12 though it's currently unfunded by the city charter.

13 And lastly, we condemn the 60-day
14 limitation on shelter stays for families of
15 public-school students as educational abuse and
16 believe that the city must waive the 60-day rule for
17 asylum-seeker families of children in New York City
18 public schools. Prioritizing principles of education
19 access, stability, and success for all students
20 irrespective of their housing circumstances, and we
21 propose that the right to shelter be mandated into the
22 city shelter in line with our resolved position.
23 Thank you for your time and consideration.

24 MR. SCISSURA: Thank you very much. So
25 I can tell you at the last charter commission, the

1 request for planners to be at community boards was
2 brought up several times.

3 MS. GORDILLO: Yes.

4 MR. SCISSURA: So we've heard it. I
5 can say at least I've heard it in the past.

6 MS. GORDILLO: Yes. I remember it in
7 2019, and we still maintain that position, so.

8 MR. SCISSURA: Great. Thank you. You
9 don't remember that?

10 MR. BRAGG: I remember it, but it
11 wasn't -- it wasn't --

12 MR. SCISSURA: So it's -- it was -- it
13 was implemented --

14 MS. GORDILLO: But not funded.

15 MR. SCISSURA: Correct. There's not
16 funding to it.

17 MS. GORDILLO: Yeah. Okay. Thank you
18 all. Have a good night.

19 MR. SCISSURA: All right. Thank you
20 very much. Any questions?

21 So any -- turn it over to you all for
22 any final comments before we adjourn for the evening?
23 Okay.

24 Well, this was a great, great evening,
25 a great hearing, and we've got a lot of work to do

1 after tonight. So I thank everybody. I have a call
2 for a motion to adjourn.

3 MS. ROWE-ADAMS: Motion to -- accepted.

4 MR. SCISSURA: All in favor?

5 MULTIPLE SPEAKERS: Aye.

6 (Whereupon, the meeting concluded at
7 7:40 p.m.)

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CERTIFICATE

I, RICHELLE MODESTIL, the officer before whom the foregoing proceedings were taken, do hereby certify that any witness(es) in the foregoing proceedings, prior to testifying, were duly sworn; that the proceedings were recorded by me and thereafter reduced to typewriting by a qualified transcriptionist; that said digital audio recording of said proceedings are a true and accurate record to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

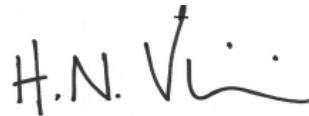


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HEATHER VISSIA

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			a
			abbreviated 15:12 17:9

ability 12:1 15:22 29:3 47:12 93:21 95:7 111:8 127:10 128:7 able 21:23 50:24 74:3 86:1 92:9 115:23,25 116:2,5,23,24 117:20,22,25 absolutely 24:12,16 97:12 99:12 abuse 95:2 124:15 accelerated 46:1 accepted 126:3 access 88:1,1 112:12,16,22 113:7 114:19 124:19 accessibility 28:14 114:1 accessible 114:3 accommodate 8:8 accompanied 55:15 account 82:19 accountability 49:25 51:25 98:23,24 99:1	accountable 72:17,18 97:14 109:14 accounting 81:7 99:19 102:11 accreditor 110:11 accumulate 47:6 66:19 accuracy 47:15 48:22 accurate 37:16 52:20 127:9 128:5 achieve 69:25 achieving 12:5 acknowledge 6:1 58:9 acl 39:20 acoustics 26:7 acres 62:2 act 67:15 69:9 103:10 acted 48:15 action 53:10 72:23 95:15 110:15 117:18 127:12,16 128:8,12 actionable 72:23 actions 12:3 18:20 95:17 96:17 99:20	active 89:15 actively 115:7 activism 115:1 activists 119:22 activities 94:25 111:9 114:9,20 actors 111:10 acts 11:6 actual 37:8 56:18 actually 15:3 41:7 42:10 45:1,8 46:17 48:6 66:2 69:3 69:20 70:21 71:14 83:21 adams 2:10 6:4 40:22,24 78:10 103:8 108:9 126:3 add 11:21 30:2 64:1,20,21 101:3,24 added 28:4 47:24 57:21 addition 7:8 25:11 67:6 87:7 93:14 94:12 additional 7:25 53:24 54:7 95:11 96:5,7 additionally 37:18	address 10:19 70:14 94:1 96:18 115:16 adherence 19:4 124:9 adhering 87:7 adjourn 125:22 126:2 adjust 71:13 adjustments 69:9 115:14 administer 20:22 30:9 121:3 administered 122:11 administering 20:5 administration 10:22 16:15 25:23 administrative 94:15 123:24 admired 112:7 adopt 68:7 71:20 adoption 11:2 29:15 67:25 adopts 27:3 advance 101:17 adverse 101:21 advertised 106:12,16 advisory 113:22,23
--	---	--	--

advocacy 25:20 109:5 advocate 91:17 106:7 120:21 123:20 affect 113:25 affected 73:12 affecting 5:14 104:15 affects 77:22,23 affordability 9:4,16,22 10:4 16:14 48:5 66:23 70:15 100:21,24 101:11 affordable 10:15 12:5 16:17,20 17:1 49:18 80:15 101:6,12 afforded 113:8 affords 29:14 afternoon 14:25 19:22 51:23 agencies 12:19 18:3 19:6 25:10 27:21 29:6 30:9,15 30:18 34:2 61:5 66:21 69:17 70:3,5 72:13,14,15 73:19 74:8,9	77:15 82:24 83:5,6,19 93:9 93:14 98:12 100:11 agency 17:23 25:5 26:16 27:15 28:2,11 33:24 61:5 70:9 71:16 75:19 78:22 79:4 82:24 83:21,25 88:14 93:7 96:3 100:6,7 agency's 98:24 aging 66:25 ago 25:1 94:5 109:16 agree 31:17,18 32:17 51:23 61:1 65:10 106:10 122:24 122:25 agreed 32:25 55:8 agreement 31:21 aid 56:21 57:18 111:10 aimed 53:10 54:18 aims 71:10 akin 63:10 albany 60:2,3 60:10	alcantara 92:24 aldrin 92:23 align 91:19 alliance 3:13 86:18 87:20 allocated 76:2 76:5 allocates 27:8 allow 27:16 60:19 61:21 69:18 86:23 allowed 37:19 59:3 61:11 81:5,6 allowing 23:12 30:24 45:2 92:20 107:20 allows 61:7 amazed 112:10 amending 102:5 amendment 12:17 93:5 113:2 amends 88:5 america 9:14 43:16 american 38:23 amount 13:20 21:22 64:12 95:5,25 101:12 104:12,21 amounted 57:3	amounts 30:4 analyses 29:2 93:23 analysis 10:25 11:23 12:13,14 13:15 26:19 30:12 62:14 87:18 analytics 3:3 19:24 analyzing 30:3 anarchy 38:7 anchoring 95:4 andrea 4:2 119:7 123:9 andrew 3:6 44:19 45:18 50:21 51:24 54:19 65:13 anniversary 51:10 67:9 93:2 announced 106:21 announcements 69:14 annoying 52:14 annual 11:4 47:9 68:2,4 70:18 71:6,9 annually 20:11 74:9 answer 10:19 50:18 89:21 121:19
--	---	---	--

answering 58:1 anthony 4:3 6:11,12 45:7 58:9 anti 38:9 anticipated 57:14 anybody 14:17 32:1 77:11 apartment 10:11 20:16 101:25 apathy 120:20 apologize 97:4 105:21 apparent 56:16 appear 7:15 85:7 appeared 15:17 appears 17:4 25:9 applaud 6:3 103:8 applause 45:6 applicants 93:12 applications 88:20 116:24 applied 22:9 96:8 apply 20:20 appointed 90:18 107:14 appointment 107:25	appreciate 14:15 15:13 16:7,13 34:9 34:10 44:18 45:2 50:21 65:20 84:8,14 85:5,20 86:2 118:25 119:13 121:14 122:20 123:1 appreciated 107:3 approach 19:13 28:6 49:5 71:3 approaches 48:7 approaching 51:9 appropriate 31:2 48:19,25 95:14 appropriation 13:4 27:5 53:15,18 54:1 54:6 appropriations 94:20 approval 27:11 56:14 87:22 approved 110:11 approximately 28:2	april 25:7 aptly 84:20 area 25:4 30:2 30:12 49:21 50:6 53:21 55:22 88:23 areas 46:6 52:6 94:2 95:23 arena 29:23 argue 92:3 argued 53:16 arguments 96:3 armed 42:22 arms 117:24 arrest 36:14 arrested 39:6,8 arrests 35:17 37:14 arrival 32:22 arrive 72:1 ascribing 100:5 aside 53:3,4,19 57:2,4 asked 78:11 89:25 113:13 118:13 asking 42:18 83:3,4 94:17 98:5 112:7 asks 37:4 asleep 32:10 aspirations 115:17	assembled 27:6 assembly 89:15 assemblyme... 2:23 8:22 14:19,20 106:10 assemblywo... 25:13 asserts 53:12 assessed 94:9 assessment 71:9,14 102:7 assets 87:1 assign 73:22 95:17 assigned 72:19 assist 21:6 assistance 27:19 55:5 117:22 123:22 assistant 3:2 17:15,19 19:23 associated 53:4 association 3:19 71:18,19 102:20 associations 25:20 assumed 49:12 assuming 23:24 asylum 30:13 32:22 124:17 atlantic 112:15 attached 97:11
--	--	--	---

attachment 98:8 attack 40:4 56:16,17 57:1 57:3 attacked 41:20 41:21 attacking 119:24 attainment 114:15 attempt 17:4 attempted 57:13 attended 58:17 attendees 2:2 attending 66:12 85:23 attention 59:14 86:3 101:1 attorney 127:14 128:10 attract 12:2 attributable 10:11 audience 101:15 audio 127:8 128:3 audit 71:10 87:13 93:7 94:24 111:4 audits 93:13,22 august 89:23	aunt 89:17 authorities 22:10 authority 22:8 22:12 48:19 56:13,14 57:13 95:12,21 96:2 96:6 111:4 authorized 81:9 authorizes 27:3 automate 68:16 automatic 82:16 automatically 68:18 82:4 autonomous 94:1 available 31:6 47:6,10 58:11 average 10:15 68:12 71:25 81:16 83:1 112:6 avoiding 66:22 award 30:18 76:7 awarded 30:16 aware 107:6 aye 126:5 b babies 38:25 back 19:1,1 35:18 38:25 39:25 54:24	65:18,18 76:14 104:20 105:2 105:14,15 112:5 118:11 backed 55:19 background 35:9 backgrounds 115:8 bad 72:4 86:23 111:10 balance 46:9 48:20 balanced 56:11 balances 110:24 balancing 18:2 ball 76:7 balling 55:6 ballot 7:14,15 15:19 41:8,13 43:17 119:19 120:13,22 121:18 122:13 122:17 123:3 ban 36:9 bank's 78:1 banking 22:16 22:17 bankruptcy 51:11 banks 84:21 banning 113:2 113:4,6	bans 36:8 barbara 3:13 73:1 85:15 86:15,17 base 60:4 64:4 based 18:20 22:15,18 62:25 81:17 115:14 bases 7:21 basic 54:2 55:23 87:9 basically 57:2 63:12 70:16 71:11 78:3 81:20 118:19 basis 85:1 battle 120:17 120:19 bear 35:24 beautiful 5:3 40:15 41:5 began 53:21 beginning 16:8 21:18 32:21,22 56:23 begins 31:17 behalf 20:4,7 88:9 92:20 102:20 107:12 belief 23:7 beliefs 121:23 122:6 believe 9:5 10:23 35:6 41:11 61:17
--	---	--	---

65:25 70:12 71:20 90:7 91:13,23 96:14 96:17,21 97:21 124:16 ben 3:22 108:14,15,17 108:24 109:3 benefit 58:24 benefits 47:2,8 62:23,24 63:3 63:4,5,8 64:3 benefitted 59:2 best 8:8 10:22 19:8 21:16 38:6 71:19 89:17 127:10 128:6 better 7:7 14:9 48:6 51:25,25 66:24 69:7 73:5 85:25 91:14 113:19 115:16 118:20 120:2 bias 108:4 bid 78:19,24 bidders 78:19 bidding 32:15 big 13:12,16 41:6 48:13 54:5 63:15 76:21 81:11 83:12	biggest 16:21 41:10 bill 11:15,23 63:13 64:1 101:2 bill's 11:14 billion 20:11 26:22 28:1,3 52:17,18 55:3 56:12,23 57:14 58:25 59:10,12 59:16,17 102:23,25 103:1 billions 61:24 104:4 105:9 bills 29:16 63:11,14 100:5 bit 5:10 35:24 35:25 105:11 120:10 black 83:10 blair 3:13 73:1 85:15 86:16,17 blasio 57:12 63:20 blast 16:2 blithely 55:18 block 121:10 blocks 27:7 bloomberg 56:24 63:20 bo 3:5 34:16 40:15 44:5 45:14	board 4:2 50:10 72:12 74:6 77:13 83:16 84:1,3,4 90:2,8 92:23 94:5 97:13 123:17,23,25 124:8 boards 15:10 25:15,17 107:15 108:2 113:22,23 123:21 124:11 125:1 bodega 104:14 bodies 107:22 body 90:16 bolstered 49:1 bond 19:7 56:22 bonds 57:11,14 57:22 bonilla 92:23 bookkeepers 64:15 books 70:8 boom 59:4 border 38:13 40:6 borders 112:13 borne 9:19 borough 5:21 27:23 85:17 boroughs 10:1 106:19	borrow 65:5 borrowed 55:25 borrowing 56:14 brad 3:10 5:18 66:1,10 87:14 bragg 2:16 6:3 23:18 24:13 78:8 84:7 97:3 98:6 99:2 116:11,14,19 117:4 125:10 brains 61:9 branch 43:5,6 43:11,12 48:20 brazen 37:20 breaks 21:18 brewer 3:11 85:17,18,21 86:13 brick 104:23 bridges 62:3 brief 53:12 58:20 94:2 107:8 119:14 briefly 45:24 bring 46:12 70:10 bringing 14:12 brings 33:9 bristow 2:24 17:13,17,19 24:1,16,19,25 25:16 26:2
--	---	--	---

<p>broader 67:10 67:10 broadly 106:12 broadway 1:11 bronx 5:20 brooklyn 5:21 brought 125:2 brown 83:10 budget 2:25 3:4 3:6 9:8 10:9 11:3,4,12,13 12:21 13:4,22 13:24 17:14,21 18:2 21:5,6,11 21:13 23:5,9 24:5,5,12,15,17 25:2,7,8,18 26:4,14,18,21 26:22 27:1,3,6 28:2,5 29:10 29:23 30:5,9 34:19 44:20 45:19 48:16,17 49:2,19 51:12 51:14,18 52:23 53:6 55:13 56:2,5,7,11,25 57:1 59:12 60:15,25 61:15 61:16 62:15 63:16 67:22 68:4 69:8 70:18 71:15,15 72:17 79:23 82:7 90:3,5,6,8</p>	<p>90:8 94:1,7,19 94:21 95:5 97:8,22 98:2,8 98:9,16,20 101:13 102:13 103:11 116:5 budgetary 5:16 29:17 94:13 95:22 104:3 budgeted 28:1 budgeting 21:2 54:23 69:25 budgets 18:1,3 27:15,21 70:3 83:11 build 18:21 64:2 68:19 79:22 81:4 82:5 building 10:11 27:7 101:3 buildings 101:25 builds 67:21 built 25:17 69:24 75:17 110:23 business 8:16 9:12 13:8 17:7 20:8,17 33:11 78:4 81:23 100:7 businesses 11:24 77:23</p>	<p>buys 32:14 c c 2:1 3:1 4:1 5:1 56:3 64:17,22 95:20 c3 3:24 113:15 calendar 29:14 29:20 call 36:10 42:13 85:13 93:4 126:1 called 11:5 33:3 78:20 79:6 83:15 89:17 97:5 112:17 calling 91:7 calls 62:1 candid 99:19 candidate 92:8 122:2 candidates 121:23 122:5 cannabis 88:21 103:18 cap 49:16 capacity 88:2 100:7,11 capital 18:1 56:4,5,5 66:24 71:3 capitalized 77:24 captain 36:22 car 20:16</p>	<p>card 22:24 52:9 100:25 care 43:19 career 35:10 114:14,16 careers 114:13 careful 13:11 21:25 carefully 14:11 carlo 1:5 2:3 5:23 carol 13:23 carolina 105:4 carry 41:21 carton 105:5 cartons 104:17 104:18 case 10:9 53:12 53:18 57:23 92:10 94:22 121:5,20 cash 55:5 catalog 110:13 catch 97:6 categorical 59:17 categories 27:4 27:15 cater 124:5 cause 12:19 40:2,8 41:17 47:12 63:17,21 70:18 91:20 97:6 103:14 118:14</p>
---	--	--	---

caused 67:9 70:4,5 94:10 causes 101:9 cautious 19:13 cbc 48:7 54:20 cbc's 49:4 55:12 ccrb 97:7,21 ccrb's 98:7,16 center 3:7 34:19 44:23 56:16,17 centers 20:14 114:5,7 centralized 87:24 century 67:18 ceo 8:20 certain 11:10 21:21 25:4 32:15 63:14 88:7 90:21 105:22 certainly 24:2 118:21 certificate 127:1 128:1 certification 49:14 certified 54:6 certify 127:4 128:2 chafee 3:4 26:5 26:7,10,13 31:14,23 32:9	32:12 33:6 34:9,12 chair 2:3,4 5:23 6:2 26:11 66:6 71:1 85:22 86:17 92:17,18 92:23,23 99:9 chairman 8:24 26:11 34:25 35:2 58:6 75:4 105:21 106:1 121:19 challenge 10:13 10:19 28:6 challenged 87:6 challenges 19:2 96:1 100:21 challenging 84:16 86:24 chance 25:10 change 18:19 39:10 53:5 94:3,17 changes 7:6 11:25 12:1 22:1 49:10 53:23 67:10 94:3 96:13,22 101:23 changing 120:23 chaos 91:20 92:10	chapter 93:6 96:11 charge 91:22 91:25 100:25 charged 28:17 66:11 93:15 95:1 charging 78:1 charter 1:1 2:3 2:4,6,8,10,12 2:14,16,18,20 5:6,24 6:15 7:4 7:5,8,24 8:13 8:25 10:18,18 10:24 11:4,9 11:17 12:17 15:23 16:12,19 17:18 18:16 19:11 26:17 28:15,24 41:2 44:11 46:10,12 46:18 47:3,5,8 47:24 48:1,23 49:25 50:2,7 51:14,16 53:9 53:13,17 56:2 57:21 60:13 63:19 66:7 67:24 68:5,10 70:24 71:12,13 71:14 72:4,11 72:23 73:16 75:19 77:2 81:9 83:4,23 86:19 87:11,12	87:23 88:6 92:19 93:5,6 94:11,18 95:16 96:4,11,13,22 102:6 104:8,10 106:1 109:1 111:2 113:2 117:17 118:3,6 118:8,17 120:12,14,18 120:21 124:4 124:12,25 charter's 28:8 charterinfo 8:15 charters 86:6 99:23 check 8:12 checks 110:23 chief 13:25 17:22 child 111:13 children 109:6 111:14 124:17 chinatown 123:19 choice 121:7 choices 10:22 choke 42:11 chokehold 36:11 42:15,16 chopping 121:10 christopher 2:8 6:3
---	--	--	--

cigarette 104:11,21 105:1	18:25 20:4,7 20:12,22 21:17 21:22 22:5,14	70:13 71:20,24 75:7,8 78:4,18 79:4,9 81:3,6	124:16,17,22 city's 11:19 12:1 17:25
cigarettes 102:23,24 103:2,3,20,20 104:3,22 105:3 105:14	23:7,10,21,23 25:14 26:4,13 26:16,18 27:3 27:7,10,13,20 28:24 29:18,19 29:21 30:8,10	81:16 84:12,13 86:8,19 87:8 87:11,11,12,14 87:15,16,23,24 88:5,6,8,8,10 89:13 90:4,9	18:1,14,17,22 21:9 22:6,13 22:16 23:5,9 26:22 27:1 30:5,13 46:6 46:14 47:7
circumstances 32:16 124:20	30:14 32:14 33:16 34:6	91:6,18,21 92:19,21 93:5 93:7,9,12,14	48:15 51:10 52:10 56:11 58:23 61:19,20
citations 35:17	35:5,9,15,15,21 35:23 36:6,12	94:16,23,25 95:1,2,6,8,10 95:16 96:4,11	64:4 66:12,16 66:23 67:11 73:2 80:11
citing 19:7	36:17,18,21,23 37:22 38:8,14	96:15,20,23 97:18,20 98:5 99:25 100:22	93:17 96:20 99:16 101:13 111:1
citizen 14:8 40:12 112:1	38:15 39:12,23 39:24 40:1,15 40:18,18 41:1	102:13,24 103:15 104:22 104:24 105:13	citycharter.n... 8:15 citywide 18:5
citizen's 34:19	41:10,15,16 42:7,9 43:1,3,3 43:10,13 44:3	106:4,5 107:12 107:15 110:1 111:3,7,14	87:1 88:3 94:14 113:15 121:3
citizenry 15:4	44:20 45:19 46:22 47:15 48:6,12,18	112:20,21 113:1,2,17,18 113:20 115:9	civic 106:5 114:22,25 civilian 90:2,7
citizens 3:6,18 11:19 23:23 24:22 25:19	49:5,6 50:8,14 50:16 51:16 52:11 53:8,9	115:13,15,21 116:1,7 117:23 117:24 118:6,7	97:13 claims 70:3 90:17,23
city 2:22,24 3:4 3:10,11,21 5:14 7:5,6,10	53:13,24 54:8 54:10,16,23 55:2 56:4,8,19	118:17 120:3 120:19,23 121:2,11	clarification 43:23 96:5 106:20
7:24,25 8:18 8:21 9:3,12,14 9:14,23 10:6 10:14,17,24 11:5,20 12:5 12:16 14:2,9 15:11 16:10,20 16:23 17:1,14 17:16,22 18:2 18:3,6,11,12,23	57:18 58:15,25 59:11,21 60:2 60:5,6,9 61:2,3 61:5,5,9,11,21 61:22 62:9,25 63:3,5 66:1,10 66:21 68:6 69:7 70:4,6,9	122:11,16 124:2,4,7,9,12	clarified 53:19

clarity 21:14 29:4 69:4 96:2 class 53:9 classes 22:6 clean 18:23 clear 6:21 11:10 27:6 65:2 68:1 70:20 73:15,22 87:24 102:3 121:19 clearer 96:5 clearly 12:11 28:10 51:19 53:7 56:25 clergy 113:15 clever 112:24 cliff 49:11 climate 67:1 clinics 87:4 close 8:16 67:22 71:2 103:24 105:13 111:20 closed 64:19 103:22 closely 21:4 club 3:21 89:16 106:4,5 107:12 clustering 87:3 codified 87:21 codify 86:21 cofounder 89:12 90:13	collapsed 56:9 colleague 8:19 75:6 colleagues 12:9 90:22,23 107:10 collect 21:22 59:12 collected 59:9 collecting 20:6 collection 21:11,21 collections 21:7 21:9,15,18 22:2,24 collective 113:15 collects 20:11 college 114:16 colloquy 112:17 color 93:11,16 combined 27:22 come 7:18 8:10 20:19 31:8 34:14,17 40:6 47:18 63:11 69:16,20 79:16 90:21 107:5 108:23 113:13 118:13 122:25 comes 36:23 38:1 54:4 80:19	comfortable 10:1 coming 8:1 24:24 38:13,13 38:14 67:13,14 75:10 85:16 103:2,4,25 105:4,12 119:23 commend 84:24 comment 11:8 16:7 25:11 comments 7:9 7:19 8:13 14:5 15:22 16:13 17:12 23:15 74:19 97:1 106:9 108:12 116:10 125:22 commercial 20:10 commission 2:3 2:5,9,11,13,15 2:17,19,21 3:6 3:17 5:6,13,24 6:15 7:4,13 9:1 9:6 10:18,23 11:21 15:10 16:22 17:6,18 18:16 19:12,17 20:3 22:17,17 26:12 28:8,15 28:16 30:2 34:19,24 41:3	44:20 45:19 46:11,12 60:15 63:19 66:7 67:22 81:9 83:4,23 89:25 92:19,21 93:4 102:5 104:10 104:20 106:2 106:12,13 107:5 109:1 111:3 117:17 118:4,6,8 119:25 120:18 124:25 commission's 30:22 commissioner 3:2 14:14 17:15 19:23 52:23 62:11 92:24,25,25 117:6 121:16 121:16 commissioner's 109:11,20 commissioners 14:4 23:16 69:18 89:7 110:5 commissions 2:6 commitments 59:8 committed 8:5 15:24 18:13
--	--	---	---

109:5 committee 1:1 29:1,15,21 42:23 86:17 87:21,23 88:25 89:14 committing 112:25 common 14:13 19:3 112:8 communicate 21:10 121:23 122:6 communication 14:11 106:11 communicati... 89:11 communities 83:12 86:22 87:6 115:19,24 community 4:2 15:10 25:14,17 50:10 74:25 75:20 76:9 87:2,3 88:7,12 88:17,21 107:18 114:4 114:24 115:6,8 116:3 117:25 118:2,16 123:17,21,25 124:10 125:1 company 22:24 35:13	comparative 94:20 compared 33:8 94:22 comparing 22:21 comparison 29:9 comparisons 21:7 compels 72:20 competing 33:11 competition 30:19 32:19 33:1,7,8,9 competitive 32:15 complacency 110:22 complaining 104:14,16 complaint 90:2 90:7 97:13 complement 50:1 73:9 complete 14:2 completed 93:18 complexity 20:20 compliance 20:24 87:25 95:15 110:8,14 111:5	complicated 68:16 comply 79:1 comport 50:1 composed 113:23 comprehensive 50:4 123:21 comptroller 3:10 5:17 30:25 31:18 32:17,24 49:14 55:2,6,9 66:1,2 66:10 68:6 74:13,16 79:15 83:17 84:7 85:5 87:14 94:23 95:1,6 111:3 comptroller's 55:7 111:8 comptrollers 49:7 compulsory 109:15 concentrated 88:12 concentration 87:10,17 88:3 88:18 concept 63:3 86:22 concepts 87:8 conceptual 63:9	concern 16:18 83:12 94:2 concerned 9:4 24:2 110:19 115:21 117:23 concerning 15:13,17 concerns 23:20 30:14 107:17 conclude 57:25 concluded 126:6 conclusion 23:6 concrete 72:22 72:24 condemn 124:13 conditions 18:11 46:22 conduct 50:8 110:12 conducting 93:15 115:7 confidence 20:24 confine 22:11 confirm 123:8 conflict 107:17 conflicts 91:2 confused 42:5 congress 42:22 59:15 congressional 29:10,12,14
---	---	---	---

connection 98:7 consequences 95:18,22 100:16 101:19 consider 48:4 49:13 88:22 102:4,5 111:15 119:18 120:22 123:2 considerable 90:10 95:25 considerably 29:13 consideration 11:8,18 12:23 13:8 22:1 29:21 108:7 124:23 considered 32:6 48:1,6 55:20 62:6 91:15 considering 9:7 23:8 consistent 95:9 96:7 98:17 consistently 19:6 constituency 17:2 25:14 constituents 16:4 constitution 16:23	constraint 61:12 construction 101:9,14,23 102:9 consultants 61:8 consulted 13:23 consumer 101:18 105:1 consumers 9:20 11:25 cont'd 3:1 4:1 contact 117:5 contain 99:23 contingent 54:9 continue 35:14 49:12 59:6 107:1 110:1 continued 30:15 93:21 continues 31:2 continuing 109:22 continuity 92:9 contract 31:17 31:24 32:6 33:2,4,19 52:3 72:1,6,16 75:3 75:15,21,24,25 75:25 76:10,13 76:20 77:25 79:12 83:21	contracted 88:8,11 contracting 30:11 72:14 74:7 75:13 contractor 33:17 contractors 61:8 contracts 30:16 30:17,18,24 31:12,15 32:5 33:16,16,23 72:6 75:18 76:21 84:25 contribute 9:11 12:4 101:4 115:19 contributing 37:9 contribution 88:10 contributions 68:2 control 43:21 54:17 116:2 controlled 48:11 convenient 16:6,6 conversation 117:21 cooperation 37:17	cop 40:12 cops 41:14 121:8 core 60:12,13 corporation 20:8 96:8 correct 88:25 95:23 108:17 125:15 corrected 84:19 corrections 62:11 corrective 95:14,17 corridor 103:2 104:1 cost 9:11,13,24 12:5 13:3,9 18:6 29:16 30:4,7 52:15 56:17 60:23 71:5 100:10 101:3,24 105:8 costs 9:19 10:1 10:6 11:25 13:8 29:25 30:15,21 55:2 56:19 63:24 99:19 101:1,8 101:9,12 102:9 102:11 council 3:18 10:21 11:6,11 12:9 17:5 22:5 22:8 23:21
---	--	--	---

27:3,10,13 28:25 29:8,19 29:21 36:12,18 36:19,21,23 39:12,24 42:7 42:9 43:1,3,10 43:14 48:3,7 52:16,22,22,24 61:2,3,11 68:6 68:20 74:13,14 76:2,4 77:16 77:17 82:6,8 86:8 90:4 91:6 94:16 99:15 115:21 116:1,7 118:7 council's 22:11 29:20 36:6 52:11,17 117:23,24 councilmember 3:11 85:16,18 86:13 councilmemb... 11:16 councils 113:23 counsel 6:16 96:8 127:11,14 128:7,10 count 79:25 94:5,10 120:14 countries 112:7 112:8 country 26:23 39:9 43:8	112:11 couple 5:8 6:19 42:6 77:18 103:22 course 6:10 25:5,18 46:3 48:17 94:9 101:16 courses 58:15 cover 6:9 56:1 56:3 57:14 80:9 101:8 123:22 covered 7:21 57:4 covering 100:9 covid 30:13 32:21 38:10 57:15 cpo 29:16 crash 70:5 crc's 46:1 create 12:13 46:8 69:1 91:1 91:14 92:9 created 12:16 46:10,11 47:2 63:19 88:17 93:5 creates 12:14 95:18 creating 10:4 52:25 114:6 creation 11:24 93:3 99:21	creativity 115:5 credibility 55:20 credible 55:9 credit 19:7 22:24 100:25 crime 36:3 37:9 37:15 40:14 41:10,12 crimes 37:10 39:6 criminal 39:3 103:19 criminals 37:19 crises 19:3 100:24 101:11 crisis 9:4,16,22 10:4 16:14 30:17,19 51:10 51:15 55:24 57:5,15 67:1,8 84:11 102:14 criteria 86:25 88:1 96:8 critical 17:24 87:16 107:16 criticized 122:24 crowell 4:3 6:11 44:25 45:7 58:9 crucial 21:23 crystal 65:2	cultural 115:9 culture 59:7 cuomo 57:17 current 18:21 52:10 63:7,25 110:4,6 currently 11:17 28:24 46:13,21 93:13 95:13 112:25 121:9 124:4,12 curse 74:25 cursor 11:7 customer 20:25 cut 78:9 80:20 82:2,15 94:6 cuts 66:22 81:2 cutting 70:1 d d 5:1 dangerous 44:6 darrell 4:4 dashboard 77:9 data 21:7 29:6 49:24 87:16 date 21:12 72:3 74:7 84:1,2 98:15 dates 8:12 106:15 daughter 40:11 daughters 36:4 41:20
---	---	--	---

david 3:19 99:6 99:8 102:17,18 day 22:12 38:19,20,20 41:20 46:8,10 46:11 47:5,12 61:25 63:18,21 63:23 67:25 69:2 72:5,8 73:17 74:11 75:2 79:15,16 79:18,21 80:17 80:18 81:10,25 82:4,10,14 89:10 103:3,13 104:16 124:13 124:16 days 54:25 56:15 73:19 75:2 77:7,8 82:25 83:2,25 dc 13:25 dcp 124:7 de 47:4 57:12 63:20 deadline 72:5 72:19,20 76:19 76:24 deadlines 74:6 deal 20:20 55:11 84:11 dealing 54:19 deals 55:23 dean 4:3 6:11 44:25 45:7	58:10 debate 49:3 100:3 102:12 debated 36:12 deborah 2:23 8:22 14:20 debt 23:2 49:16 49:17 56:4 57:9 66:23 70:14,16,18,23 decade 10:8 109:9 decades 67:7 december 52:24 decide 60:14,22 69:13 122:12 decision 69:13 102:3 107:19 114:24 decisions 21:13 23:7 36:6 100:2 102:1,8 102:12 107:23 119:19 declared 32:17 decoy 44:4,4 decoys 35:18 decrease 55:15 55:17 decreases 101:12 dedicated 99:16 124:11	deduction 82:17 deems 95:15 deep 5:13 16:18 deeper 102:14 deeply 9:4 93:22 deferred 101:5 deficit 54:16 define 46:24 definition 96:3 deliberate 64:24 65:1 delicate 48:20 delineation 96:5 deliver 25:21 50:16 delivered 61:25 delivering 49:22 demand 100:6 110:23 demands 109:16 democracy 42:19 43:16,20 democratic 89:14,16 democrats 122:18 demographic 50:12 demonstrated 110:8	demonstrates 110:14 demonstrating 88:15 demonstration 110:10 111:5 denominator 19:4 dense 112:20 denser 112:21 department 3:3 17:16 19:25 20:4,4,10,15,17 20:21 21:1 27:17 35:16 72:17 74:4 75:20 76:9,17 83:22 94:14 109:11 111:7 124:7 depend 61:23 dependent 60:3 62:4 depends 7:15 29:4 deposit 46:9 68:15 deposits 46:13 46:15,19,23,24 47:9 depth 32:10 deputy 52:24 62:12 91:24 92:1,5
--	---	---	--

derail 17:5 described 21:3 76:24 82:14 description 28:9 deserve 13:11 deserves 49:12 design 101:20 designed 48:18 56:3,7 desks 11:16 despite 59:14 destabilizing 47:23 destroying 40:14 destruction 40:9 detail 37:3 67:20,23 68:24 70:15 71:17 89:20,21 117:14 detailed 45:25 55:16 117:14 details 46:2 49:6 55:19 65:15 detective 27:24 35:9 determination 31:1 determine 7:13 61:3,18	determining 28:17 59:20 developed 51:15 developing 17:25 46:21 48:7 83:21 development 68:11 75:20 76:9 114:16,23 dialogue 30:1 diane 2:20 diaphragm 36:12 dietl 3:5 34:16 34:20,23 39:17 40:20,23 41:4 41:7,25 42:4,8 43:4 44:1,12 45:14 difference 78:14 different 12:14 19:2 32:13,13 50:12 61:14 73:11 78:14,16 78:17 82:24 83:20 98:4 112:7 difficult 29:25 36:16 116:25 117:2 digital 114:4 115:3 127:8 128:3	dime 105:8 dinkins 13:24 direct 113:24 direction 109:21 directions 37:4 directive 36:19 directives 36:7 36:24 42:15 directly 9:5 director 2:20 6:16 13:24 17:19 26:5,12 26:13 52:2 92:22 99:14 directs 29:2 disappointed 17:3 disappointing 120:10 disbursements 111:9 disciplined 11:3 disclosed 102:2 discrimination 90:11,17 91:10 discuss 28:21 28:22 86:9 98:15 117:6 discussed 47:21 discussion 11:1 disputed 36:11 distinct 54:1,6	distorting 49:2 distressed 16:1 distributes 87:15 distribution 87:1 distributors 3:20 102:21 district 3:13 86:18 87:20 88:12 89:15 110:12,13 districts 88:4,7 109:13 122:19 dive 5:13 diverse 115:8 115:17 dividends 51:17 division 11:12 19:25 divisions 27:24 doe 72:14 doing 8:4 9:12 15:24 44:21 52:4,4 56:8 60:24 74:9 76:12 103:12 120:9 121:25 dollar 101:11 dollars 13:3 33:10 49:10 55:3 104:4 105:10
---	--	---	---

door 57:20 downward 37:16 doycd 116:20 116:25 117:2,5 dozens 35:22 44:9 dr 2:4 6:2 14:6 24:14,18,21 25:12 26:11 74:20,23 78:5 78:7 117:13 118:1 119:1,3 draft 76:10 105:21 drafted 29:24 draw 62:9 96:20 dream 38:23 dress 35:20 drive 20:16 driven 57:6 driver 101:10 dual 28:6 due 30:15 37:13 57:15 63:11 94:23 102:23 103:1 dukes 2:4 6:2 14:6,15 24:14 24:18,21 25:12 26:11 34:25 74:20,22,23 78:5,7 92:18 117:13 118:1	119:1,3 duly 127:5 duty 94:24 dynamic 90:20 dysfunction 91:20 e e 2:1,1 3:1,1 4:1 4:1 5:1,1 16:2 e.j. 3:7 44:22 eager 107:4 earlier 45:1 48:3 54:4 55:13 99:22 106:10 early 35:18 54:24 ears 100:10 easier 37:24 easiest 84:11 easily 114:3 east 89:16 123:18,18 easy 57:20 80:13 117:1 economic 10:20 11:1,21 18:10 46:22 61:20 66:20 79:22 economies 18:10 economist 13:25 97:24 economy 11:19 26:19 49:18	58:23 61:22,23 62:5,8 67:11 educate 61:25 education 20:12 109:8,10 109:15,17 110:18 111:7 111:13 114:14 122:6 124:18 educational 109:6,14 110:2 110:8,22 111:1 111:15 114:15 124:15 edward 2:14 eeo 93:13 95:9 95:23 eepe 93:4,4,13 93:20 94:5,13 94:17 95:1,7 95:15 eepe's 94:7 95:5,12,20,25 96:6 effect 38:10 54:9 99:24 effected 54:8 effective 27:8 30:7 36:7 37:12 72:3 93:10 effectively 18:13 30:9 100:9	effectiveness 18:6 115:13 effects 101:21 efficiencies 69:12 efficiency 18:5 49:21 113:19 efficiently 7:7 18:13 20:23 30:10 66:21 113:18 efforts 93:9 115:7 120:1 eight 35:14 76:7 115:2 either 93:11 105:16 elaborate 32:8 97:9 elaine 92:24 elect 59:18 elected 8:22 25:22 90:17 91:19 92:4 110:1 election 5:19 7:16 15:19 120:24,25 elections 120:22,23 121:4,4,6 122:10 123:2 element 39:3 elements 47:16 88:22
--	--	--	--

eligible 63:6 eliminate 47:11 64:18 69:14 elimination 11:24 email 14:25 15:1,2 116:18 118:22 embark 32:18 33:2 emergencies 84:12 emergency 27:19 30:11,17 30:18 31:1,12 31:15,17,19,24 32:5,6,16,18 33:2 43:7 46:20,25 54:15 62:1 67:15 69:9 88:11 emotional 114:21 emphasis 37:18 empire 3:7 34:19 44:23 employ 124:3 employed 127:11,14 128:8,11 employee 127:13 128:10 employees 20:21 35:13 84:12 93:11	124:2 employers 9:19 9:21 employment 3:16 92:21 93:3,8,10,12 95:3 114:10,12 empowered 93:7 empty 69:4 enable 102:12 enacted 29:19 52:16 53:6 101:22 109:11 enactments 29:12 encourage 8:2 20:24 120:8 encouraging 114:23 endeavors 21:1 ended 57:8 endorse 73:4 enemy 37:18 energy 17:8 61:10 enforcement 35:11 41:10 93:24 95:11,12 95:21 105:6,11 109:12 110:6 110:20 engage 115:3 engaged 118:15	engagement 114:22 115:7 enhance 26:17 enhancing 18:4 27:1 28:13 31:5 114:15 enjoined 97:8 ensure 18:22 21:2,12 47:6 66:19 87:21 93:9 95:15 96:15 98:16 108:1 ensures 10:24 18:12 ensuring 28:6 30:7,10 111:10 114:2 115:17 enter 75:23 enterprises 103:19 enters 75:21 entire 6:12,16 7:5 entities 12:12 13:17 14:12 18:4 31:16,22 32:24 87:5 95:10,19 96:6 96:12,16 entitlement 52:15 entity 12:14 83:15 94:25	entity's 95:22 envy 19:9 equal 3:16 92:21 93:3,10 equation 22:3 equipped 21:12 85:25 equitable 10:17 87:1,13 96:16 equity 59:4 equivalent 29:10 109:18 era 67:1 erica 3:14 85:14 89:5,10 es 127:4 especially 52:2 66:13 90:20 95:19 essence 97:19 essential 10:17 66:22 70:1 essentially 56:24 69:13 94:8 establish 30:23 47:5 86:25 87:23 94:18 96:16 established 47:3,4 78:13 96:4 establishes 49:25
---	---	--	---

establishing 113:22 115:11 establishment 68:25 estate 10:12 34:4 esteemed 5:25 estimate 52:18 52:19 55:10 estimates 29:16 47:17 48:23,24 49:6,7,8 52:4 52:15 55:2,4,9 estimating 18:11 29:25 99:24 ethnicity 50:12 evaluate 18:16 28:17 42:15 93:8 115:12 evaluating 18:5 evening 5:2,4 7:11 26:10,25 31:7 33:25 45:15 51:9,22 66:5 73:6 86:16 92:17 96:24 99:9,13 106:1 108:25 123:17 125:22 125:24 event 15:1 51:11 events 85:23 115:9	eventually 76:22 everybody 5:2 5:3 14:22 40:15 78:25 85:1 89:6 118:5 120:3 122:24 126:1 everybody's 86:7 everyday 16:20 everyone's 121:20 eviction 52:12 exact 104:12 exactly 31:23 81:2 121:21 examination 30:23 examine 28:8 examined 96:10 example 10:9 22:5,24 32:20 106:14 examples 55:1 excellent 84:24 86:4 except 16:24 88:17 122:11 exception 94:8 exceptional 20:25 excess 36:9 57:7 63:1	excessive 36:7 36:9 exchanges 87:5 exciting 5:25 7:3 excruciating 67:23 executive 2:20 6:15 26:11 43:5,6,7,11 47:16 48:21 49:9 92:22 99:14 existence 29:5 existing 11:22 88:18 expand 60:14 62:23 expanded 10:4 expanding 52:25 114:11 expansion 52:11,16 53:5 expansions 54:5 expected 55:17 expenditure 12:25 48:24 55:15 expenditures 24:7 25:4 53:18,25 54:11 57:6 99:25 expense 18:1 56:1,6,7	expenses 11:20 56:1 57:24 62:7 expensive 9:14 52:21 experience 42:21 122:7,8 124:8 experiences 114:13 expert 13:22 expertise 62:13 111:7 experts 5:17 7:11 9:8 61:8 explain 32:5 49:9 explaining 55:16 explanation 49:12 explicit 12:16 exponentially 64:5 expressed 112:9 extend 96:11 extended 30:20 extent 96:10 external 108:4 extra 119:15 extreme 54:25 extremely 29:22
---	---	--	--

eyes 100:9	families 38:24	female 36:15	53:1 54:15,21
f	41:22 124:14	fewer 37:14	55:10,14 67:14
face 66:25	124:17	fheps 52:13,13	70:9 71:18
101:8	family 18:24	52:14 53:5	72:4 88:10
faces 53:9	35:5 36:4	fifth 49:15,15	101:19 102:7
100:22	40:11 52:11	67:1 73:18	financially
facial 38:11	122:7	fight 13:14	127:15 128:11
facially 38:16	fantastic	40:14	find 22:2 50:13
facilitate 27:8	106:24 107:2	fighting 36:15	76:3,4 78:2
facilities 20:14	far 25:5 27:21	44:2 68:20	fine 80:2
86:24 87:13,16	55:9 86:3	82:8 91:5	fire 20:13
88:6,8,11,13,19	103:13 115:20	109:7	firefighters
114:8	115:21,24	figure 52:20	70:19 79:24
facility 88:2,8	116:3,7 118:20	54:3,15 83:24	121:8
88:15	fast 46:4 50:23	file 79:9,10	first 5:7,12
facing 9:4	faster 61:22	fill 47:9 63:9,25	11:14 17:13
10:14 35:6	62:7	69:3 116:23	27:1 30:16
120:18,19	father 35:4	final 11:16 50:6	34:23 35:3
fact 16:21	favor 107:23	125:22	38:19 46:6
facto 47:5	126:4	finalize 76:13	48:2 49:5 52:8
factors 22:18	feasible 30:20	finally 19:11	52:9 53:21
failed 87:8	feature 54:22	91:13	56:24 64:6
failing 87:18	federal 18:7	finance 3:3	67:21 73:9
109:8	29:10,22 56:21	11:11 12:9	75:12 89:24
failure 95:17	57:4,18 59:13	17:16 20:1,5	91:24 92:1,5
95:22	59:23 92:5	20:10,15,18,21	103:9 109:15
fair 27:19 73:2	feedback 45:21	21:1 56:4,13	119:20
73:5 86:22,24	50:7,9,15	62:10 71:18	fis 11:5,13,19
87:8,21,24,25	115:11,12	finances 19:9	11:22
93:9 96:16	feel 13:16 16:10	financial 11:18	fiscal 5:15 6:20
fairly 20:23	16:10 38:25	14:12 17:23	6:24 9:6 10:20
faith 86:23	116:4,4	22:20 24:8	11:1,5,10
fall 32:10 49:11	feeling 39:22	28:14,18,19	12:23 16:13
falsely 37:15	felony 35:17	31:5 48:22	17:25 18:7,18
	39:8 43:8	51:25 52:10	18:20,22 19:1

19:4,8,13 21:2 21:25 23:22 24:4,7,9 25:18 26:20 28:25 29:4 33:21 34:1,1 46:7 47:16,20,24,25 48:8 49:3,11 49:15,16 51:10 54:7 55:1,24 56:10,12,18 57:3,5 59:8 60:4,11,17 66:12,13,16 67:8,12,15,19 69:9 72:24 73:3 84:11 90:1 94:4,20 95:7 96:22 99:23 100:5 107:8 120:5 121:2,10 fit 92:11 five 10:1 46:6 50:9 52:14 66:15 67:7 73:15 74:5 84:9,15 114:14 flat 94:8 flawed 77:4 flaws 119:25 fleeting 104:7 flexibility 18:21 28:7	floor 8:23 florida 40:16 40:17 43:25 fluctuate 21:15 focus 26:25 86:7 103:17 focused 46:5 90:15 108:2 focuses 11:19 focusing 5:15 folks 91:11 120:11 follow 65:13,15 85:10 89:22 92:4 followed 8:21 following 34:18 45:23 97:16 follows 55:13 57:22 94:3 foment 120:8 food 27:19 foolish 122:14 force 36:9,9 38:1 59:20 80:5 93:17 forced 84:21 forces 107:14 108:1 forcing 53:10 forecasting 18:10 forecasts 24:15 24:22,24 25:1 55:14	foregoing 127:3,4 128:4 forensic 27:25 forest 58:18 forever 59:6 form 7:14 11:16 33:10 formal 107:12 formalizing 123:20 former 13:25 36:22 62:11,12 85:17 forms 79:8 formula 68:2 68:15,25 69:6 82:14 forth 42:24 50:2 forum 6:20,23 6:25 8:18 forums 5:12,19 7:11 forward 19:16 58:1 72:24 86:11 90:21 foster 86:25 114:25 found 15:2 59:1 87:15 93:19 105:19 founded 106:6 four 18:25 22:6 53:6 66:23 69:9 89:15	93:18 114:10 fourth 5:5 26:22 71:1 fragile 60:5 framework 50:2 110:7 frank 3:25 119:7,8,9 123:4,5 frankly 47:4 fraud 95:2 free 89:12 109:24 freedoms 89:15 frequently 25:24 100:4 friend 5:18 13:25 34:24 58:9 friendly 114:6 friends 8:2 66:8 front 20:2 fruit 38:25 fudged 100:5 fuel 100:23 fulfill 94:11 fulfilled 124:7 full 29:21 57:24 124:3 fully 54:8 fulton 3:24 4:4 108:14,15,22 113:11,12 116:13,15,21 117:9,20
--	--	--	--

118:11,23 119:2 function 12:18 27:20 28:11 functions 93:21 94:22 fund 46:9,10,11 47:5,10,12 63:10,18,21,23 63:25 64:2 67:25 69:2 70:7 74:12 79:21 81:10,10 81:25 82:4,11 111:9 fundamental 23:6 funded 27:17 28:12,19 53:14 124:5 125:14 funding 24:4 97:22 98:25 116:6,24 117:2 125:16 funds 46:18 53:25 54:8,11 59:9 96:20 115:25 116:5 further 5:10 29:15 101:13 102:13 106:17 127:13 128:9 furthermore 46:17	future 22:23 46:16 59:18,21 66:25 114:13 g g 5:1 gale 3:11 85:17 gallons 61:24 gangs 39:4 gap 56:25 69:15 garden 57:2,5 garment 3:13 86:18 87:20 gather 51:9 114:9 gee 16:3 general 6:16 7:16 15:19 68:23 70:7 102:10 110:18 120:24 generally 6:7 29:22 generates 62:5 generous 56:20 gentlemen 45:12 geographic 88:17 germane 103:7 getting 21:3,4 63:8 72:19 103:12 112:21 118:15	gisiko 3:21 99:7 105:25 106:3 106:23 107:2 give 34:10 39:25 41:8 45:6 53:23 59:15 69:17 74:16 75:12 84:2 97:23 105:9 116:1 given 33:16 45:25 66:17,25 gives 59:16 giving 58:25 112:11 glad 74:16 glick 2:23 8:22 14:20,24 106:10 global 67:10 go 15:22 32:7 32:10 33:17,18 35:20 39:11,12 44:5 49:20 51:1 52:13 59:18 60:9 63:14 67:23 68:18 70:15 72:10 74:25 75:19 77:25 79:12 80:5 81:23 84:21 89:19 102:13 103:23 105:14 106:8 118:11	119:15 goal 27:13 28:9 goals 28:23 101:1,17 112:24 goes 37:3 54:24 76:17,19,20 80:9 82:4 going 6:1,20 13:9,13 23:3 33:23,25 34:13 34:21 36:3,16 38:6,7,17 39:15,18 40:2 40:8 44:1,6,14 45:9 46:14 48:13 50:25 52:6 55:22 58:20,20 59:6 59:25 60:9,21 62:19 63:14,16 70:15 74:2 77:18 78:24 80:1,19 82:9 82:11 85:13,18 89:19 90:20 99:10 103:5,7 104:22 105:8,9 105:9,10,11 118:5 119:14 119:16,22 120:12,13 121:15,20 good 5:2 9:10 15:14 19:22
--	---	--	---

26:10 43:4 45:15 46:15 47:13 48:25 49:23 51:21 66:5 71:5 72:22 76:2 77:9 82:3 84:23 86:16 92:15,17 96:22 99:9 106:1,7 107:24 108:25 119:24 125:18 goran 3:23 108:14,15,19 111:19,22,23 gordillo 4:2 119:7 123:9,11 123:14 125:3,6 125:14,17 gotten 5:8 govern 22:12 governance 19:8 government 5:19 7:6,10 9:17 10:3,14 15:6 18:8 21:24 22:4 23:11 26:16 30:15 50:16 57:5 59:13 60:7 61:21 71:17 92:5 99:20 106:7 109:24 113:17	113:18,20 115:16 119:21 120:4,7 governmental 96:11 governor 57:16 grade 64:7 graduate 58:16 grandchildren 36:5 grandfather 35:4 grandson 40:10 41:19 granted 58:23 113:8 grateful 23:10 66:8,14 grave 32:23 great 5:3 8:7 13:19 14:3,12 20:19 25:25 31:9,25 33:14 33:20 34:7 45:10 50:24 73:7 74:18,21 78:12 82:21 84:5 85:11 89:3,19 91:7 103:12 105:23 106:24 116:8 117:10 125:8 125:24,24,25 greater 51:25	greatest 100:21 green 112:22 grocery 104:15 group 3:15 5:25 89:13 90:14 97:10 grouped 27:20 groups 25:20 50:12 74:24 107:15,24 108:2 119:21 120:7 grow 61:22 growing 62:6 guarantee 70:22 guess 42:17,25 guidance 46:23 114:14 guide 18:20 guided 117:21 guiliani 54:24 56:23 guiliani's 57:1 gun 41:21 113:16 guys 44:13 66:17 120:13 120:18 122:22 h half 68:17 69:4 81:25 82:1,3 hampered 93:23	hand 92:8 handcuff 36:14 handle 123:23 hands 37:13 39:23 59:18 happen 5:10 36:25 38:17 55:18 57:12 106:18 118:10 happened 42:12 happening 118:15 happens 77:10 happy 32:9 50:18 72:21 85:11 89:21 120:15 harald 4:5 119:6 123:8 harassment 3:14 89:13 90:11,13,17 91:10 hard 81:2 harlem 44:5,5 harm 84:23 harming 97:17 harms 70:4 harness 115:5 hazel 2:4 6:2 34:25 78:11 head 47:18 79:25 94:5,10
---	--	---	--

headlock 36:10 42:10,13,16,16 health 23:23 47:1 62:23 63:2,4,5 66:12 114:18,19,19 healthcare 20:13 hear 5:16 7:2 7:19,23 9:7 24:14 65:12 78:11 98:6,15 107:10 117:16 118:3 119:10 122:2 heard 23:19,20 47:21 51:21 52:7 60:16 61:17 66:20 100:19 117:15 118:5 119:21 125:4,5 hearing 1:1 5:5 6:24 7:19,22 8:17 11:14 33:25 58:11 99:22 100:15 102:7 103:8 105:20 108:11 117:8 119:16 121:17 125:25 hearings 5:7 24:23 25:8 89:8 100:3 106:11,18	118:2 heart 41:11 71:2 heather 128:2 128:15 height 30:16 held 5:7 85:1 hello 89:6 102:18 help 7:6 10:21 34:2,3 40:1 45:20 57:14 65:15,19 69:25 70:24 108:3 117:23 118:20 helped 59:23 helpful 15:8 106:17 121:1 helping 8:5 12:4 96:15 97:20 100:23 hereto 127:15 128:11 hi 32:4 74:20 113:12 123:11 high 9:11 10:2 12:5 33:7 37:12 46:4 58:18 85:2 higher 9:23 91:11 101:8 highest 9:13 107:19 highlight 21:8	highly 88:12 hills 58:18 hire 78:23 hiring 61:7 historical 51:7 history 110:21 hit 39:14,18 63:16 72:20 80:4 hitting 64:4 74:10 hold 72:13 107:21 109:13 holding 97:14 115:4 holds 28:7 holistically 23:8 home 5:21 20:16 22:25 34:4 38:3 46:12 homelessness 52:12 homework 62:20 homicide 35:9 honestly 71:4 honor 35:1 85:7 honorable 5:18 honored 5:24 hope 5:9 16:8 86:9 88:25 99:7 111:15	119:18 120:7 120:11 123:1 hopeful 110:16 hopefully 86:6 112:1,21 horizon 69:15 hospitalized 35:22 44:9 hospitals 20:13 host 5:13,19 122:9 hosting 6:12 7:24 89:7 hours 15:2 households 10:5 housing 3:18 16:17,17,21 41:11 80:15 99:15,17,21 100:20,20,23 100:24 101:4,7 101:7,10,12,14 101:22 102:6 102:10,12,14 124:20 howard 3:18 99:6,8,14 huge 13:7 human 56:17 67:3 hundred 64:13 103:22 109:16 hundreds 13:3 42:14
--	--	---	--

hurried 15:17	ignore 109:22	impacted 22:23	122:3
i	ignored 100:9	impacts 9:16	impose 102:9
i.e. 39:4	ignoring 101:19	11:1 12:23	imposed 99:20
ibo 12:9 26:15	illegal 39:5,18	16:24 23:8	imposes 9:18
28:7 29:2,11	43:9 102:24	29:24 47:24	imposing 22:20
30:1,2,22 31:3	103:2,16,19,20	impartiality	improperly
31:11,14 52:1	103:21 104:2	107:20	77:6
52:3 54:4	104:13,17	impeccable	improve 7:10
60:25 64:11	105:14	66:3	7:24 8:6 46:6
ibo's 26:17,24	illegally 39:8	impeding 36:7	47:15 48:22
28:21,22 29:3	imagine 65:12	implement	50:7 87:25
29:13 30:12	immediate 16:2	48:15 53:11	88:1
ice 39:7,9 40:7	42:21 88:16,22	95:17 121:5	improved
43:9	immensely	implementati...	51:18 100:14
idea 12:16 16:3	59:24 106:16	53:15 110:4	100:16 120:4
27:5 40:5 63:9	immigration	implemented	improvement
71:4 79:20	38:22	13:5 75:4	49:4,21 50:6
81:4 92:16	immunity	125:13	improvements
112:10	37:25	implementing	109:8
ideas 7:23	impact 10:21	100:10 115:15	improving
19:15 31:4	11:3,5,18,22,23	implications	113:19
51:22 74:17	13:7 18:7,17	48:16	inadequate
100:18 105:18	21:9 22:13,23	implicitly	100:17
105:22 120:2	23:4,22 24:4	53:17	incalculable
identification	24:10,11 28:14	importance	56:18
122:1	28:18,19,25	12:21 60:16	incentive 70:10
identify 28:10	29:4,17 47:21	112:11,16	incentives
38:16 48:9	48:2,9 49:15	important 5:14	69:19
49:7	52:1 54:7	10:13 12:24	incident 42:11
identifying	56:18 60:18,20	22:19,21 35:6	70:6
60:17	87:19 96:15	36:1 37:1 51:6	includable 56:6
identity 40:5	99:24 100:5,13	53:24 59:19	include 11:23
ideologies	102:7 110:17	78:15 100:7	17:25 27:15,18
91:18		101:17,25	46:22 55:1
		112:23 118:14	56:6 69:11

74:15 included 37:23 includes 21:25 including 5:17 8:1 18:1 20:8 58:14 66:7 67:2 88:7,11 110:11 income 9:17 50:12 60:4 81:23 incorporated 48:17 increase 47:25 48:4 98:22 101:11 increased 10:7 10:8 28:9 49:1 increases 9:18 30:4 increasing 31:6 37:7 114:19 increasingly 112:23 incurred 30:14 independence 93:25 94:4,19 94:24 independent 3:4 10:25 11:12 12:21,22 26:4,14,15,19 61:5 90:3,5,16 90:24 93:6 94:21 98:2,17	122:16 independently 95:8 124:5 independents 122:15 indicate 29:17 individual 25:19 79:12 individually 16:25 individuals 6:1 113:3 industries 12:1 inequities 96:18 infinite 15:14 inflicted 91:11 influence 51:13 108:4 influx 21:17 inform 102:12 information 10:20 15:6 18:8 21:13 28:14,20 88:2 114:2,2 122:13 informed 10:22 15:5 infrastructure 66:25 71:3,5 inhibiting 111:12 initiative 52:21 113:16 114:12 115:10	initiatives 113:25 114:17 115:4 injury 39:19 innovation 19:14 115:2,5 input 7:25 14:10 15:21 24:22 25:6,21 113:24 115:14 insights 12:20 insolvency 65:6 instance 36:10 52:2 55:1 101:22 instill 20:23 institute 3:8 44:24 62:10 institution 19:12 institutions 22:20 integrity 17:25 46:7 75:15 79:7 107:20 intended 86:25 interact 20:17 interaction 33:24 interest 22:9,14 22:19,21,25 23:1,2 36:5 59:3 78:2 84:22 91:2 107:18,24	108:3 interested 107:9 117:7 127:15 128:12 interests 122:8 intergovernm... 17:20 interim 59:25 internships 114:11 interrupt 104:7 interviews 112:6 introduce 5:22 14:21 113:1 introduced 47:22 invaluable 111:10 invest 70:12 105:2,5 investigate 90:22 investigation 27:25 investigations 35:12 investigatory 90:16 investing 81:4 investment 12:2 inviting 58:8 involve 11:11 115:8
--	--	---	--

involved 12:17 35:16,17 61:2 61:6 118:16 involves 11:7 113:21 iphone 37:6 irrespective 124:20 island 42:12 119:16 issue 5:12 6:19 19:18 37:1 41:11 47:17 54:19 55:11 56:4 57:14 103:7 110:21 119:20 121:15 issued 56:12 issues 9:6 13:18 15:11 34:5 35:6 36:1,17 38:21 43:2 45:22 53:2,3 56:22 122:9 it'll 82:20 item 54:1 items 12:25 13:12,16 56:6	jeanne 3:16 85:14 92:22 job 1:18 9:24 38:2,2 61:15 84:24 103:12 114:11 121:22 jobs 8:4 11:24 13:9 73:11 join 45:10,11 joined 6:14 66:1 joining 6:5 joint 30:25 judge 60:20 judgments 96:19 july 8:16 21:19 26:20 76:5,15 77:17 jump 6:8 85:19 jumping 85:20 june 1:6 5:20 5:21 15:18 76:4,4 77:17 106:21 jurisdiction 93:25 95:24 96:2 111:6 jurisdictional 96:3 jurisdictions 9:24 justice 111:15	k k 121:9 kathryn 2:22 kathy 8:19 12:7 14:10,18 23:20 54:14 keep 10:6 64:22 70:11 81:4 97:15,20 123:14 keeping 87:16 ken 2:6 6:5 key 28:11 101:10 kids 64:5 82:11 kiernan 2:14 kind 13:15 15:20 53:7 68:20 69:3,13 71:16 75:9 76:6 80:1 102:1 119:15 knee 39:20 knife 44:8 know 5:23 6:18 8:3 13:14 15:8 16:3,4,18 24:2 24:3,5,6,9,11 24:17,17,19,25 25:2,2,3,6,6,23 34:15 35:4,8 38:12 39:10,11 42:10 43:5 44:4 50:11 53:9 63:13	64:5,6,14,14 67:6,9,12 69:22 71:1,23 71:25 73:8 74:3,8,14 75:11,22 76:1 76:4 77:4,15 77:16 78:15 79:3,8,9,22,23 80:1,1,25 81:7 81:20 82:9 83:24 84:10,20 85:16,19 86:2 86:7 90:9 91:5 91:23 92:7 98:1,12,15 100:17 103:14 103:14 106:17 107:9 117:15 117:15 118:5,7 121:21,22 122:4,21 knowledge 127:10 128:6 known 17:21 34:25 52:13 109:15 knows 14:22 36:23 39:25 43:15 78:22 kyle 2:16 6:2 23:17
j jackie 2:10 6:4 jacobson 62:11 james 2:24 17:13,18 january 25:7 62:14 76:13			

l	launch 28:15 60:14	layoffs 81:1	length 68:12 81:16
label 121:18 122:17	launched 52:22	leader 8:18	lengthier 119:17
lack 93:24,25 100:1,22 120:20 123:24	laundry 71:17	leadership 39:23 114:22 114:24	lens 18:17
lacking 124:1,8	law 1:10 3:21 4:3 6:11 18:2 29:1 35:10 36:13 38:9 39:25 41:9 43:12 45:3,4 47:4 51:16 53:14,24 54:15 58:10 72:17 74:3 76:17 83:22 88:5 93:17,18,22 94:12 97:25 99:7 105:6,25 106:3,23 107:2 109:14,15,15 109:23 110:4,8	leads 122:15	letter 52:24 53:8 76:8 122:18
ladies 38:24		leaning 23:25	letting 111:25
lady 44:13		learn 114:9 122:5	level 50:10,13 87:9 91:5 98:23 99:1
laid 11:16		leave 82:6,16	levels 9:17 49:2 54:22
land 73:3,5 112:16,18		leaving 68:3 91:9,25 123:25	leveraging 115:3
lander 3:10 5:18 66:1,2,5 66:11 71:8 73:22 74:2,21 75:11 78:6,16 79:20 80:22,24 83:1,14 85:3,5 85:7,11 87:15		left 16:11	liability 47:8 63:15
language 10:24 29:5 46:22 65:15 73:17,18 95:20 96:7	laws 11:18 18:19 20:6,22 29:20,23 52:25 53:6 100:10 101:3,16	legal 27:18 53:2,11 78:17 103:18 104:23 104:23 124:9	libraries 114:8
large 23:10 27:9 30:4		legally 29:11	licenses 88:21 104:11,21 105:1
larger 12:25 29:13	lawsuit 53:10 53:19	legislate 42:20 43:2	life 10:1 50:15 58:13
largest 25:9 26:22 52:9	lawsuits 98:21	legislated 24:10	light 18:15 28:9
lastly 95:24 124:13	lawyer 102:19	legislation 10:21 11:2,2,6 13:2,7 18:8 23:21 24:3,9 28:18 37:23 47:22 48:1,13 99:25 100:4,15	likelihood 47:25 48:5
late 22:9,15	lay 84:12	legislative 9:10 29:5 47:16,20 48:20 94:13 102:8	likely 57:7 79:3
latitude 22:11	laying 80:10	legislature 42:19 56:15 81:8	limit 47:11 48:15 52:3 58:21 101:20 108:4
	layla 3:21 99:7 106:3		limitation 30:23 124:14

limitations 33:15 limited 46:20 95:13 103:13 limits 64:15 101:13 line 55:13 91:14 92:2 124:22 linked 9:5 33:10 54:9 liquor 88:20 list 2:2 38:15 40:8 71:17 listened 14:10 listening 25:12 literacy 115:4 litigation 96:19 little 5:10 8:6 30:19 32:8 35:24,25 59:13 61:14 64:1 68:16,17 77:18 82:3 83:20 98:3 104:15 105:11 livable 10:17 live 14:9 18:24 58:20 59:9 73:11 lives 35:5 112:1 living 9:11 58:23 60:10 loan 23:1 78:1	loans 84:21,22 84:23 lobbyists 107:13,16,21 107:25 local 9:17 10:11 18:7,9 29:1,19 52:25 53:6,14,24 62:10 88:5 93:17,18,22 94:12 109:12 109:18 110:12 locally 48:10 locate 87:12 locations 5:9 106:15 123:23 lock 48:11 long 13:14,24 15:9 30:20 47:7,17 48:5 54:22 55:25 57:22 69:18,21 74:3 80:2 84:17 103:23 111:14 longer 83:22 91:16 92:11 look 12:19 13:11 19:16 38:22 43:24 58:1 60:8 67:18,19 81:20 82:6 86:11 89:25 93:22	looked 84:19 looking 12:22 12:23 13:17 69:7 98:13 118:17 looks 122:17 loopholes 86:23 lose 83:6 91:8 losing 38:2,5 loss 94:10 lost 102:23,25 lot 6:9 14:13 16:25 40:7,16 44:3 51:18,21 62:18,18 63:24 71:7,9 86:5 90:12 103:6 116:4 117:24 121:9 122:22 125:25 louisa 3:4 26:4 26:13 love 35:23 98:14 loved 112:10 116:15 loves 72:19 low 52:16 55:6 83:11 lower 9:24 30:21 52:20 123:18 lunch 39:19 luxury 16:17 101:15 113:7	lynch 2:8 6:4 33:13 62:22 64:8 m made 19:9,17 21:13 22:16 23:25 68:8 102:2 106:9 117:5 121:20 maintain 66:22 96:16 107:19 125:7 maintaining 10:16 70:21 97:17 maintenance 101:5 major 15:9 22:4,13 27:14 36:2 48:16 52:4 majority 16:1 make 9:25 10:22 12:10 14:9,13 16:19 17:1 18:18 23:7 31:10 37:24 40:18 41:15 46:14 61:10,13 64:7 65:2 67:25 70:24 73:15 77:9 91:8 94:13 96:22 97:15 106:25
--	--	---	---

115:14 118:4 118:10 119:18 makers 102:3 makes 20:11 22:17 29:24 30:17 62:25 makeup 35:20 making 6:17 10:14 15:6 28:19 37:14 43:12 46:14 58:10 59:8 61:6 84:25 102:8 107:19 114:24 122:1 mama 74:21 manage 18:22 19:3 managed 18:14 management 2:24 11:13 17:14,21 18:4 18:20 19:5 21:5,11 49:21 49:22,23,24 50:3,5 59:11 60:25 61:15 66:16 67:12,15 67:19 70:16 72:16,25 90:1 manager 50:1 managerial 28:7 123:25 managing 21:6	mandate 68:10 68:25 71:21 72:11 73:24 77:13 83:18,25 84:3 87:12 94:11 104:20 mandated 26:16 29:11 37:2 46:14 72:10 87:18 124:4,21 mandates 9:18 93:23 124:9 mandatory 46:19,24 manhattan 2:23 3:8 4:2 5:8,11 8:2 14:20 15:8 44:23 123:16 manhattan's 123:18 manner 29:24 102:3 121:6 marginalized 83:11 marijuana 103:18 mark 31:16 40:3 62:12 market 59:4 marketed 101:15 marks 93:2	mask 38:9,16 massive 47:23 material 30:5 materialize 55:17 matt 17:15 19:23 matter 6:22 53:10 matters 5:16 11:10 matthew 3:2 max 2:18 6:4 31:13,21 maximum 54:16 mayor 13:24 15:14 17:5 30:25 31:18 32:17,23 36:18 36:20,25 39:11 39:25 41:15 43:9,14 53:11 54:12,24 55:3 55:6 56:23,24 57:1,12 59:1 59:20 62:12,14 63:20,20 68:6 68:20 74:12,14 82:6,8 89:24 90:4 91:16,16 91:17,24 92:1 92:5,6,8,10 94:15 95:14 103:8,9	mayor's 17:20 26:21 28:16 36:22 43:6 50:1 52:18 54:21 55:10,14 72:15 76:19 mayoral 83:16 93:7 95:19 mayorality 91:14 mayors 69:12 91:24 mcgraw 2:12 6:4 32:2,3,4 33:5,12 79:14 82:22 83:3 92:15 108:10 mcmahon 3:7 44:22 51:4 63:2 64:9,17 64:20,23 65:1 65:5,8,22 mean 24:23 51:19 60:11 78:17 80:25 meaningful 10:25 86:1 means 98:22 100:15 measure 108:3 measures 37:23 95:12 mechanism 109:12 110:20 115:11
---	---	--	--

mechanisms 115:12 media 114:4 medical 62:1 meet 10:8 113:20 117:5 meeting 5:6 6:8 8:11 85:25 86:12 106:16 106:22 113:14 118:13 123:23 126:6 meetings 7:23 106:14,18 member 2:8,10 2:12,14,16,18 84:2 89:14 members 7:10 7:17 8:25 17:17 26:12 58:7 59:15 66:6 91:6 92:18 106:1 124:8 memo 45:25 105:21 menaska 92:24 mental 114:19 mention 119:22 121:13 mentioned 6:19 8:1 12:9 54:4 54:14 82:23 83:8	mentoring 114:16 message 58:19 met 72:7 methadone 87:4 method 31:1 methods 60:17 75:23 78:18 79:3 michael 62:11 mid 27:9 middle 97:5 midrise 101:25 migration 38:22 military 42:24 million 14:1 33:18,19 54:7 54:13,14 55:7 57:10,11 62:1 64:13 78:22 82:10 98:20 121:3,7 millions 13:3 103:3,3,3,25 mind 19:16 minimal 95:18 minimized 56:20 minimum 46:18 minor 96:14,22 minorities 35:14	minority 77:23 minute 58:21 69:16 105:20 118:12 minutes 34:22 99:11,18 112:2 119:15 123:13 miranda 103:11 misconduct 70:6 missing 98:9 mission 26:17 41:3 106:6 mittell 3:9 45:9 58:4,12 model 94:20 moderated 1:5 modestil 1:17 127:2,19 moment 25:1 80:11 moments 59:5 monday 5:20 money 21:22 34:3 40:16 47:10 56:1 59:12,17 63:1 63:4,24 69:21 70:13 71:7,9 76:2,5 77:16 79:16,16,18 80:14,17 81:11 81:24,25 105:11	money's 64:3 monopoly 19:15 month 118:22 months 72:2 77:18,19,20,25 83:8,8 moot 57:17 morale 37:1 morano 3:25 119:7,10,13 123:6 moratorium 104:25 mortar 104:24 moss 3:9 45:9 58:4,6,12 64:11,14 65:23 motion 117:18 126:2,3 move 40:16 70:7 moving 40:16 mugged 35:21 multiple 78:19 126:5 municipal 10:14 71:18 municipality 19:10 mute 119:8 mwbe 71:25 78:3,21,22 mwbes 67:2 84:15
--	---	--	--

n		neighborhoods	
n 2:1 3:1 4:1 5:1 name 17:18 19:22 34:15 36:8 58:12 89:10 97:6 106:3 109:2 name's 86:17 nancy 58:24 narcotics 27:25 narrower 60:4 national 18:9 112:10 natural 112:18 nature 97:4 112:12,12 113:7 navigated 19:1 nearly 18:3 19:9 necessarily 84:16 necessary 18:22 81:15 95:15 97:10 115:18 116:24 need 14:21 39:23 49:22,22 59:7 60:22 64:3 70:18 80:15,16,17 81:3 82:11,12 82:20 83:22 88:17 91:15	99:19 100:12 104:24 105:2,5 115:25 116:1,2 116:6,6 117:20 117:23 118:11 118:16,19 122:4 124:3 needed 70:12 84:13 needle 87:4 needs 10:9 18:22 23:7 47:25 50:16 53:19 55:19 80:15 82:1 84:18 88:3,16 91:21 92:10 98:22 113:19 113:20 115:17 116:3 negative 24:11 negligible 29:17 negotiate 75:25 negotiated 76:1 negotiation 68:4 negotiations 28:5 90:4 98:18 neighborhood 13:10 87:19 neighborhood's 50:11	82:12 87:17 neighbors 8:3 neither 27:12 127:11 128:7 never 36:11,11 42:23 65:10 new 1:10,12 2:22,24 3:4,10 3:11,14,16,19 3:21 4:3 6:11 7:2,7 8:6,20 9:3,5,13,18,22 10:4,15 11:18 12:25 13:12 14:23 16:7,23 17:14,15,22 21:8,19 22:16 22:22 23:2,9 24:23 26:4,13 26:16,18 27:7 28:4 29:18 30:7,8 34:2 35:5,9,13,15,21 37:13 38:9,14 38:14,18 40:12 40:15 41:10,13 43:3,16,17,19 44:2,3,15 45:3 45:4,17 46:15 50:13,16,17 53:13 58:10,13 58:15,17,25 59:7,11 60:6,7 60:15,18 61:7	62:9 66:10 75:9 78:12,12 79:8,10 81:24 81:25 82:1 86:19 87:11,14 88:5 89:12,13 90:9 92:19,20 94:16,22,25 95:6,8 96:8 97:15,18,20 99:24 101:24 102:19,20,22 102:24 103:11 103:15 104:22 104:24 105:13 106:4,5 107:3 107:15 109:6 109:10 110:2,7 111:1,3,6,14 112:3 120:19 122:11 124:1 124:17 127:21 newly 48:15 news 76:2 newspapers 38:12 newsstands 104:14 ngai 2:6 6:5 ngozi 92:25 nice 9:1 42:3 nicole 92:25 night 125:18 nine 83:7,8 115:6

ninety 35:14 non 93:7 95:19 noncompetiti... 78:20,20 noncompliance 95:18,23 nonpartisan 26:15 120:22 120:25 121:6 122:11 123:2 nonprofit 71:25 72:1 74:24 78:3 89:11 99:15 109:5 nonprofits 74:25 77:22 83:7 nonpublic 109:7,13,17 110:3,7,18 111:1,6 normal 74:15 104:21 north 5:10 105:4 notable 20:7 notary 127:20 noted 99:21 100:1 notes 56:12 57:23 notice 16:5 noting 67:7	notion 15:6 16:12 53:14 november 7:16 41:8,13 43:18 76:10 86:20 123:3 number 5:17 22:22 46:8 67:2,24 73:14 74:5 84:15 95:11 96:9 104:10 numbers 21:11 37:16 98:1 numerical 13:20 64:12 numerous 51:17 101:18 nurses 79:25 ny 1:12 nypd 90:8 97:14,16 98:21 nypd's 27:23 37:2 97:22 nyu 58:14	obligations 67:13 observe 100:20 observers 17:4 obviously 12:24 75:12 77:15 ocaró 93:1 occur 33:1 occurred 110:15 occurs 24:4 october 76:10 offer 109:17 offered 109:18 offering 120:2 office 2:24 3:4 11:12,13 12:21 17:14,20 21:4 21:10 26:4,14 29:10 39:19 59:11 60:25 61:14 72:2,15 72:16 75:2 76:19,23 77:1 90:5 92:11,22 94:15,21 98:2 111:8 office's 84:24 officer 37:4,25 38:5 127:2 officer's 37:11 officers 37:13 37:20,24 38:7 39:4,22,23	40:1 71:18,19 79:24 offices 27:23 123:23 official 8:22 15:2 32:16 107:14 officials 18:9 25:22 29:3 31:24 90:18 110:1 offsetting 48:10 oh 45:8 76:2 106:23 okay 26:7,8,10 34:8 39:17,20 41:4,7 62:18 64:9 65:11,25 84:5 85:13 86:15,16 98:6 104:9 108:12 108:24 116:17 118:1 119:4 123:7,8,14 125:17,23 old 36:15 79:8 omb 12:10,20 17:21,22 19:12 25:9 62:13 64:11 74:4 76:20,21 98:2 omb's 90:6 omission 86:21 once 50:9 53:20 77:1,2 103:24
	o		
	o 5:1 o'cleireacain 13:23 obfuscating 111:11 obligated 80:6 obligation 48:15		

120:21 ones 43:20 49:20 77:6 78:13 79:10 81:17 83:9 ongoing 30:24 115:12 online 11:14 opaque 27:21 open 39:1 87:2 opened 104:13 operate 62:2 95:8 operated 39:20 operating 49:18 56:1 57:24 63:16 101:4 operation 99:21 102:10 operational 53:1 operations 18:4 18:13 opine 25:17 opinion 79:21 96:9 opinions 96:9 opportunities 93:10 107:6 114:11,25 115:18 opportunity 6:22 7:2 9:1 16:9 19:12,19	23:13 31:3,8 45:13,16 50:19 51:5 58:1 66:8 73:6 86:2 89:1 89:8 91:8 99:13 106:3 111:16 122:20 123:1 opposed 97:17 options 45:24 order 40:1 43:7 51:19 84:21 94:18 102:10 110:25 117:2 124:5 orders 97:17 organization 99:16 106:6 109:5 organizations 61:1 73:12 77:22 83:10 116:22 original 27:13 35:18 55:24 ornery 112:14 outcome 127:16 128:12 outline 69:24 outlines 109:12 outlining 66:15 105:22 outpouring 56:20	outrage 120:8 outreach 15:21 87:10 115:6,7 outside 13:3 24:5,10 52:22 53:6,7 61:7 112:13 outstanding 8:21 57:11 overall 23:5 30:5 overcome 88:15 overconcentr... 88:6 overhaul 66:23 71:2 overlooked 16:11 override 43:14 overrides 36:21 39:13 oversaturated 88:4 overseeing 18:3 oversight 27:9 33:24 72:15 74:7 77:14 87:24 98:24 109:25 overtime 55:2 own 20:15 36:4 39:14,18 49:8 67:11 69:12 112:24	owned 77:23 owners 104:14 ownership 112:19
p			
p 2:1,1 3:1,1 4:1,1 5:1 p.m. 1:7 126:7 paid 51:17 63:9 70:7 75:5 84:18 pair 47:15 pandemic 59:23 panel 2:8,10,12 2:14,16,18 16:25 17:13 26:3 45:10 58:8 66:21 panelists 51:1 paper 56:25 parameters 22:11 park 62:2 112:16 parks 20:14 87:2 112:10,25 113:2,5 part 21:23 22:3 25:13 28:5 43:12 56:11 67:10,11 70:2 76:3,11 79:19 109:11,20 110:5,22			

participate 45:16 86:1 107:4 114:9 participation 114:23 120:20 particular 99:20 101:6 particularly 12:24 13:12 15:5 30:3 51:24 65:13 84:9 parties 11:11 127:12,14 128:8,11 partisan 121:18 partners 22:3 23:10 partnership 2:22 8:20 9:3,9 14:7 16:14 23:20 partnership's 12:12 parts 16:9 party 122:1 passed 13:2,7 24:6 37:22 47:23 86:20 103:11 109:16 passing 13:16 48:1 passion 122:8	past 18:25 30:20 58:14 125:5 pathway 25:24 pathways 110:11 patience 122:22 pay 47:7 48:9 48:13 57:9,23 60:9 61:23,24 63:4,13,25 64:5 75:1 121:7,8,8 paying 9:22 38:3 67:1 86:3 payment 62:25 75:18 payments 22:10,15 23:3 70:8 payroll 61:10 82:17 123:24 pays 70:4 101:2 pd 97:8 98:8 pd's 98:8 peaks 21:17 peg 69:14 pegs 94:9 pelosi 58:24 penfold 3:2 17:15 19:22,23 pension 63:10 people 8:3 9:16 15:8 16:9,10	16:20,24 17:9 25:14 34:5 35:3,8 38:13 40:6,8 41:1,13 41:16 42:19,22 43:8,19 44:3,3 44:7,15 45:17 49:23 52:14 60:6,19 63:7 64:13 71:23,23 75:7,9 81:3 92:3 93:10,16 99:17 101:21 104:14 112:9 112:13 114:8 120:8 percent 9:23 10:7,10 22:25 23:1,2 35:14 49:17 59:3 68:14 70:17,23 77:4 percentage 90:6 95:5 97:23 perform 88:9 performance 49:23 50:4 performed 110:10 performing 12:18 performs 93:20 period 41:1 54:17 80:7	periodicity 50:3 periods 21:20 68:23 81:1 permanent 13:13 permitting 95:21 person 7:18,19 39:7 92:2 119:6 personal 73:13 personnel 124:1 persons 75:5 pertaining 96:1 phase 69:23,23 phenomenal 61:15 philosophical 42:18 physical 114:21 picked 15:14 picture 49:2 piece 48:13 122:12 piggyback 75:6 pivotal 59:20 place 17:6 18:23,24 25:3 32:25 53:25 67:16 119:24 placement 86:24
---	--	---	--

plaintiffs 53:11 plan 24:8 48:23 52:10 54:21 55:1,10,14 planner 124:11 planners 124:4 125:1 planning 3:18 17:6 19:13 50:3 66:24 69:18 71:3 87:22 99:15 115:9 124:7,8 platforms 114:4 play 22:4 please 34:17 35:24 40:13,13 40:18 45:6,11 82:18 pleased 28:21 45:23 pleasure 58:5 73:8 86:14 pockets 75:1 point 20:18 28:13 29:9 30:6 42:7,8,9 43:13 61:13 63:14 73:19 76:24 104:3 pointed 33:20 84:19 pointing 119:25	points 26:25 116:12,13,14 116:20 117:7 police 20:12 27:22 35:16 36:22 37:3,11 37:17,20,23,24 37:25 38:5,6 40:1,2 41:17 61:24 70:6 79:23 policies 37:13 73:3 106:7 115:13 policing 36:7 36:23 37:8,12 37:19 41:9 43:18 policy 3:7 19:25 21:8 26:19 41:9 44:23 48:16 53:5 67:25 68:7,9,10,11 70:16,21 72:12 73:5,17,23 74:1,6,12,13 77:13 81:6 83:5,16,18 84:1,3,4 101:1 101:20 107:9 113:24 political 90:3 98:17 122:1	politicization 110:21 politicize 110:2 politics 82:16 90:24 population 88:16 populist 120:8 portrayed 37:18 poses 101:6 107:17 position 12:11 12:11,12 107:12 109:25 124:22 125:7 positions 107:21 positive 87:2 positively 115:19 possible 15:18 20:12 21:14 23:8 48:7 possibly 23:21 post 44:11 potential 11:25 18:16,17 29:8 30:4 potentially 47:23 107:23 power 39:24 90:20 93:24 practice 27:12 72:4	practices 3:17 9:11 19:8 67:16 71:19 92:21 93:3,8 95:3 pre 121:9 precedent 57:19 precincts 27:22 predict 24:6 predictable 69:15 preface 112:4 preferred 48:9 preliminary 46:2,5 107:7 prepare 28:25 29:2 prepared 113:13 128:3 preparing 24:15 presence 107:16 present 34:17 56:25 107:11 presentation 40:22 117:14 presenting 61:15 presents 62:15 preserve 94:18 preserving 112:12
---	--	---	--

<p>president 3:13 6:10 8:20 44:20 45:18 58:9 59:14 85:17 86:18 92:6,7 106:4 123:23 press 28:16 119:23 pressures 108:5 pretty 67:22 69:10 prevent 37:11 56:8 102:13 prevented 111:11 preventing 36:9 87:3 prevention 52:12 prevents 101:20 previous 21:7 59:1 81:9,24 price 29:11 prices 11:25 29:16 pricing 33:7,9 34:5 primary 121:3 principles 18:19 124:18 print 37:5</p>	<p>prior 11:2,14 12:13 29:1 100:15 102:7 127:5 priorities 49:19 71:16 96:21 prioritize 23:3 prioritizing 124:18 priority 91:3 private 15:1 101:14 112:1 112:25 113:2,5 probable 116:21 probably 85:19 98:22 problem 43:2 76:3 84:18 103:10,23 105:17,19 116:1,5 procedural 124:10 procedures 93:8 proceeding 128:4 proceedings 127:3,5,6,9 128:6 proceeds 57:22 process 7:12 11:4,10 15:5,9 15:13 17:9</p>	<p>22:2,4 24:5,10 25:17 45:20 49:25 50:5 51:12,15,18 52:23 53:7 55:13 69:8,25 71:22 72:9,13 74:15 76:23 77:12 79:5,13 79:17 82:7 83:10,20 84:17 87:22 91:2 111:11 114:24 116:23 117:1,1 117:22 120:1 120:11,14,15 122:25 processes 28:17 107:19 proclaiming 109:24 procured 77:6 procurement 31:1 33:3 71:22,24 72:12 74:6 75:23 77:13 78:18,21 79:2,5 83:16 83:17,20 84:1 84:3,3 procures 32:14 procuring 77:14 produce 87:18 100:3</p>	<p>product 61:20 101:14 products 103:21 professional 61:8 73:13 89:11 122:7 professor 45:9 58:4 64:11 profit 115:22 116:23 profits 115:23 profound 51:13 60:21 program 13:16 25:4 49:11 52:13 53:1,11 54:5 60:15 82:17 95:9 111:9 112:22 114:3 programmatic 111:4 programs 10:5 10:16 12:25 13:12,13 27:17 27:18 69:7,14 70:12 93:14 94:24 110:18 113:25 114:10 114:16 115:4 115:13 progressive 39:24</p>
--	---	---	--

prohibit 88:4 prohibition 88:15 projected 81:21 projecting 61:16 projects 56:5 promise 112:2 promote 27:2 114:20 promoted 48:6 promulgate 74:6 promulgating 73:23 properly 56:6 94:18 property 3:2 19:24 20:7,9 22:6,9,15 23:2 23:4 81:22 proposal 57:16 68:11,24 70:14 70:22 72:11 74:5 81:13,19 90:1 111:16 113:1 proposals 7:13 18:6,16 21:8 30:3 52:5 66:15,18 72:23 84:9 89:18 92:13 98:14 123:19	propose 60:19 62:9 68:15,24 69:6 74:12 90:14,15 124:21 proposed 26:21 28:18 29:1,5 51:24 94:2 95:4,19 96:7 proposing 22:1 67:23 68:5 73:4 77:12 88:14 94:3 protect 35:15 44:7 46:15 protecting 17:24 37:19 90:10 109:6 protection 20:13 101:18 105:1 proved 57:17 provide 9:9 15:23 26:5 29:3 37:2 45:23 49:6 62:1,12,13 65:14 80:6 85:24 87:9 96:2 98:3 102:10 113:24 114:12 115:23 116:16 provided 28:11 45:25 54:11	76:15 providers 67:3 88:23 provides 75:19 providing 10:20 18:8 20:25 21:6 45:21 46:2 76:14 84:13 95:8 112:22 provision 53:13 53:23 56:2 57:21 provisions 51:14 95:16 96:10 prudence 59:8 60:11 prudent 30:21 61:6 public 1:1 3:7 5:5,7,20 6:25 6:25 7:11,18 7:23 10:25 11:8 15:21,21 20:12,24 21:2 25:5,10,21 26:17,18 27:16 28:8,10,20 36:3 37:17 40:25 43:2,18 44:16,23 48:3 58:16,17,17 62:2 70:20 80:16 87:10,22	88:1 89:8,25 90:15 91:8,9 91:16 98:12 100:3 101:1,18 102:7 107:22 107:24 108:3 109:2,19 112:16 120:5,6 124:15,18 127:20 publication 100:14 publish 50:8 106:14 published 11:14 48:3 publishing 95:13 purpose 63:24 102:11 purposes 101:19 pursuant 93:17 purview 98:4 push 107:1 put 18:12 25:7 25:8 33:14 36:18,24 38:9 41:8,12 43:7 43:17 48:12 59:7 60:12 62:4 67:16,24 68:9 70:24 71:5 73:16 78:18 79:17
--	---	--	--

80:16,18 81:19 81:25 82:10,18 91:24 117:18 118:13 119:19 120:13 122:22 puts 36:19 55:18 63:4 putting 17:6 33:14 53:3 57:2 81:11 120:22 123:2	58:2 62:20 65:11 72:22 74:19 79:15 89:22 93:23,25 97:1 108:11 116:10 125:20 quick 49:20 97:7 quickly 56:16 59:1 quite 54:25 97:9	66:24 rank 52:21 121:7 rate 22:5,25 59:3 rates 22:9,14 22:19,21 84:22 rather 16:17 33:1 44:2 61:3 68:3 80:14 107:24 120:6 ratings 19:5,7 rationale 97:9 reached 54:21 read 38:12 67:4 112:5 readiness 114:17 reads 57:22 ready 26:6 66:4 real 7:3 9:8 10:11 30:10 34:4 39:20 40:2 41:23 63:18 72:24 74:9,25 reality 33:8 109:22 realize 120:11 realized 27:14 realizing 112:11 really 5:4 7:1 12:17 15:23 27:14 35:6	36:5 37:1 38:23 39:1 57:3 63:16 67:15,19 72:3 73:3 77:23 80:16,19 83:9 85:20 106:13 107:3 120:1 reason 110:25 reasonable 48:24 84:1 reasons 12:4 66:24 96:21 received 77:8 receiving 88:10 recent 13:1 29:18 54:25 86:19 87:13 94:8 recently 57:10 101:22 recession 46:20 46:24 57:6 66:20 68:13,13 68:23 79:22 80:4,7,10,12,19 81:17 recognition 38:11 recognize 59:22 112:15 122:22 recognized 86:21
q	r		
qualifications 111:25 qualified 37:25 78:22,23 127:7 quality 46:4 49:21,22 50:14 50:15 109:8 110:17 quarterly 74:8 queens 39:4 question 7:15 12:8 15:18 41:5,6 42:18 43:5 62:22 64:10 73:14 78:12 82:23 97:7 120:12 question's 60:1 questions 5:8 7:14 14:5 17:12 23:15 31:7 42:6 50:19 51:2	r 2:1 3:1 4:1 5:1 race 50:12 radical 109:23 rain 80:21,23 rainy 46:8,10 46:11 47:5,12 63:18,21,23 67:25 69:2 73:17 74:11 79:15,16,18,21 80:17,18 81:10 81:25 82:4,10 82:14 raise 18:24 45:22 52:8 101:7 raised 30:14 53:1 54:19 121:17 ramble 35:25 range 15:11 17:23 52:16		

recognizing 59:5	reduce 88:6 96:18 100:6	regulation 109:11,20 110:4,17	125:10
recommend 10:18,24 31:14 95:21 111:2	reduced 101:5 127:7	regulations 101:16	remind 51:8
recommendat... 47:19 48:22 49:16 54:18	reductions 54:10	regulators 110:23	removal 37:24
recommendat... 7:9 19:18 22:16,18 23:24 45:21,24 46:5 53:22 68:8 89:23 94:14	redundancy 64:24 65:1	regulatory 94:13	remove 48:19 86:23
recommended 100:18	reese 92:24	rein 3:6 44:19 44:21 45:13,18 50:23 65:14,19 65:24	removed 76:22
recommending 7:6 24:12 49:4 83:14 95:14 107:13	referred 27:4	related 18:4 127:11 128:7	renew 30:25
reconstruction 56:19	referring 25:1	relations 17:20	renewed 75:16
record 48:12 75:14 127:9 128:5	reform 5:19 30:12 37:23 88:3 111:12	relative 29:7 127:13 128:10	renewing 75:14
recorded 127:6	regard 112:24	relatively 96:14	rent 10:10 20:10,16
recording 127:8 128:4	regarding 23:21 93:24 107:17	relay 25:22	rents 10:10 101:5,8
recovery 56:12 56:19 57:11	regardless 112:18	release 28:16	repair 22:25 71:6
recreation 114:20	regards 28:13	released 66:18	repeat 57:13 59:25 65:10
recreational 20:14 114:8	register 77:3	relevance 47:15 98:10 100:2	repeating 54:3
	registered 72:1 75:18 77:5 107:13,16,21 107:25	relevant 29:6	repercussion 95:16
	registering 72:5	reliance 30:15	replace 80:8
	registration 72:2 76:23	remain 108:2	report 37:6 55:8 66:17 67:6 71:10 74:8 87:14 95:13 110:14
	regularly 21:11 52:4 74:8 87:25	remainder 55:4	reported 1:17 37:15
	regulated 10:10	remains 18:23 98:16	reporting 50:4
		remarks 99:22 107:7	reporting's 37:8
		remember 38:20 125:6,9	reports 37:3 93:19
			represent 123:17

representatives 113:24 representing 109:4 113:14 123:16 represents 54:16 reps 83:16,17 republican 122:16,19 republicans 122:15 request 29:7 125:1 requested 29:2 requests 87:20 require 11:17 27:10 33:6 46:19,23 47:9 48:2,8,12 49:5 49:9 50:7 67:24 70:2 71:14 74:5,12 102:6 112:23 required 18:2 47:24 62:14 71:12,13 87:11 requirement 11:21 48:18,23 53:19 54:12 77:2 requirements 47:20 69:2 76:25 99:23 101:23 124:10	requires 11:4 24:3 28:24 49:24 53:17 94:12 requiring 53:24 100:14 124:9 research 3:3 19:24 reserves 66:19 68:12,18,19 81:5 resident 50:7,9 58:13 101:5 residents 97:18 97:21 101:21 resign 92:10 resigns 91:16 resisting 36:13 resolved 124:22 resonated 112:13 resources 18:14 27:8 47:7 67:13 100:6 103:13 105:3,6,6 114:3 respond 113:19 responded 9:21 10:3 75:22 responding 96:1	response 27:24 28:1 30:14 37:10 53:16 113:20 responses 16:2 responsibilities 17:24 18:15 115:1 124:6 responsibility 5:16 6:21,24 9:6 16:13 18:18 21:2,25 23:11 31:5 32:25 33:22 34:1 66:11,13 70:8 73:23 120:5 121:2 responsible 20:5 21:5 responsibly 18:14 rest 70:18 restraints 36:8 restricted 107:13 restricting 107:25 result 10:6 16:16 67:14 70:4 100:8 resulting 96:19 results 50:10 retired 35:10 38:5,19	retiree 47:1,8 62:23 63:2,4,5 retirees 47:11 64:3 return 77:3 returned 77:5 returning 72:5 revenue 20:6 20:11,22 21:10 22:13 23:5 49:17 57:15 62:5 68:17 80:9 105:10 revenues 10:8 11:20 18:11 48:11,24 57:7 59:3 61:17 68:14 80:2,5 81:20,21 99:25 review 1:1 5:6 5:24 6:15 7:4 11:7 14:2 15:23 27:14 49:24 77:3 83:22 88:24 90:2,7 97:13 110:12 118:19 119:18 reviewed 45:25 76:21 reviewing 7:5,8 19:16 61:2,16 121:14 reviews 75:15 79:7 88:22
---	---	--	---

90:16 111:5 revision 2:3,4,6 2:9,11,13,15,16 2:18,20 8:25 10:18 15:9 17:18 19:11 28:15 41:3 46:10,12 63:19 66:7 81:9 83:23 87:23 92:19 106:2 109:1 111:2 120:12,14 reward 122:23 rfp 75:22 78:18 78:25 rhbt 47:6 richard 3:5 34:15,16,16,16 richelle 1:17 127:2,19 rid 104:25 right 6:8 14:17 23:23 24:18 35:7,12 36:2 38:11 39:17 42:6,19 43:16 44:12,12,19 45:5,14 47:3 66:5 69:1 70:5 71:4 80:3 90:21 91:15,19 92:4 98:19 99:3,8 105:1 106:15 109:21	111:13,19 112:17,17 113:8 121:21 124:21 125:19 rights 63:8 109:6 110:2 111:1 rigorous 110:20 riled 120:6 ripe 30:11 rise 98:21 rising 10:6,9 37:9 101:4,9 risk 37:11,12 52:14 65:8 101:6 risks 107:22 roam 112:17 robberies 35:19 robust 15:9,23 49:24 role 18:15 21:3 22:4 52:3 124:6 roles 107:17 108:1 room 71:24 97:4,6 rose 2:18 6:4 42:1,2,5,17 43:22 121:16 roughly 55:8 102:25	round 45:6 121:4 rowe 2:10 6:4 40:22,24 78:10 108:9 126:3 rule 102:8 124:16 rules 46:9,13 47:3 60:8 68:2 68:25 69:10 79:1 81:8,11 81:14,14 101:3 run 8:9 54:16 60:5 62:10 66:21 91:18 92:5 95:9 running 57:7 122:18 rushed 15:17 s s 2:1 3:1 4:1 5:1 sadly 109:25 safe 18:23,23 40:18 41:1,18 97:15,21 114:7 safeguard 108:3 110:25 safeguarding 95:2 safer 41:15 safety 5:20 6:25 36:3 40:25 43:2,18 44:16 70:20 80:16 89:25	97:17 98:12 101:17,23 120:5 safety's 37:11 salaries 9:22 sales 81:22 sandy 32:20 save 34:3 69:21 70:13 77:21 121:7 saved 80:8 savings 48:10 69:7,11,17,25 70:11 80:8 82:17,19 savino 2:20 26:12 saying 25:1 32:7 48:12 56:4 63:22 73:20,25 112:5 117:16,16 122:2 says 25:13 40:15 55:6 scared 41:21,22 scarlet 122:17 schedule 106:22 schedules 8:4 school 1:10 4:3 6:11 45:3,4 58:10,16,17,17 58:18 97:25 109:13,17
---	--	--	---

110:3,9,12,13 110:13,19 111:2,12 124:15 schools 109:7 109:13,19 110:7 111:6 124:18 schwartz 3:19 99:7,8 102:18 102:19 104:9 105:24 scissura 1:5 2:3 5:2,23 8:25 12:7 13:19 14:3,16 17:11 19:21 23:14 25:25 26:3,9 26:11 31:9,20 31:25 32:3,11 34:7,13,21 39:15 40:19,21 41:6,24 42:1 44:10,17,22 45:8 50:21,25 58:3,7 62:17 64:10,17,22,25 65:4,7,9,17,20 65:25 66:6 71:7 73:7,25 74:18 80:21,23 82:21 84:5 85:4,9,13 86:13 89:3 92:14,18 96:25	99:3,6,10 102:16 104:6 105:23 106:20 106:25 108:8 108:11,19,21 108:23 111:18 111:21,23 112:3 113:4,10 116:8,17 117:10 118:21 118:25 119:4 119:12 121:16 121:20 123:4,7 123:12 124:24 125:4,8,12,15 125:19 126:4 scooter 39:18 scope 50:3 scrutiny 75:9 75:12 searched 15:1 second 28:13 47:1 49:8,20 61:13 69:6 90:9 106:9 secretary 2:6 section 56:3 95:20 96:4 109:14 110:9 sector 110:19 secure 62:25 94:1 security 35:12 see 5:3 9:1 27:16 31:11,12	33:15 37:20 38:23,24 41:2 42:3,7,21 44:8 44:10 45:10 58:5 59:25 68:23 73:8 74:21 82:18 86:14 89:3 90:5 91:24 98:11 118:9 seeing 98:21 seek 30:21 110:3 seeker 30:13 32:22 124:17 seeking 101:22 seems 15:12,19 120:17 seen 13:1,6 47:14 80:21,23 sees 21:17 select 113:8 selling 38:25 103:19,21 104:17,18 send 37:6 sends 76:9 senior 17:19 sense 14:13,13 30:17 64:7 96:22 sent 15:3 sentiments 112:9	separate 54:1,6 97:7 separately 91:20 september 76:8 series 7:23 25:8 27:4 112:5 serious 11:8 12:19 17:7 37:10 57:3 67:18 86:20 seriously 86:10 servants 90:15 91:9 serve 7:7 87:6 served 30:8 42:23 56:24 67:16 serves 99:17 service 14:23 20:12,25 27:18 45:17,20 49:16 50:20 67:3 70:18,23 76:12 76:12 78:23 87:5 88:23 services 10:5 10:16 18:6 27:18 30:7,13 32:14,14,18 42:23 49:23 50:14 52:23 66:22 70:1,20 72:16 76:20 80:6 81:3
--	--	---	---

84:13 87:3,10 87:12,17 88:9 88:16 94:15 101:6 114:1,3 114:18,19 123:21 124:1 serving 108:2 sessions 7:25 set 19:2 25:2 50:2 67:15 71:19 72:12 74:13 77:13 81:14 83:18 84:4 90:6 95:5 sets 22:15 71:15 83:17 setting 21:5 settlements 96:19 seven 46:5 114:22 several 51:22 100:19 113:21 125:2 severe 39:19 46:20,25 sexual 3:14 89:13 90:13 shaped 51:11 51:16 share 61:19,19 73:2,5 86:22 86:24 87:8,21 87:24 88:1 89:19	shares 27:19 shelter 124:14 124:21,22 shelters 87:5 sheriff 103:11 shifts 27:9 shop 59:10 shops 104:13 105:14 short 16:5 29:22 123:15 123:19 shortage 101:10 shortfall 57:6 shortfalls 57:15 shortsighted 122:14 shot 35:22 39:5 shoulder 47:5 show 16:4 27:7 41:16 120:9 shown 104:5 shut 57:20 siblings 112:15 side 24:2 48:21 73:5 79:17 89:16 98:8 123:18 sidetracked 57:16 sign 74:4 signature 127:18 128:13	significant 29:14,23 37:22 49:10 54:5 77:5 96:15 100:6 102:9 107:17 110:17 significantly 49:8 signing 123:20 silent 3:24 113:14 similar 22:8 29:22 55:12 88:18 92:6 94:20,25 98:1 98:23 100:22 102:6 similarity 94:23 similarly 74:11 simple 58:19 113:1 simpler 60:19 simply 18:12 59:7 61:9 62:4 sin 55:24 singapore 9:15 single 27:22 28:1 72:8 103:12 104:16 sir 51:3 84:6 97:2 116:10 site 101:23 siting 88:7,14	sittings 88:2,4 sitting 38:24 40:11 42:22 118:18 situation 12:20 57:3 89:1 121:10 situations 13:2 13:6 32:22 37:12 90:21 six 104:17 110:10 114:18 size 11:10 26:23 46:21 81:15 101:2 skew 107:23 skills 114:13 127:10 128:6 skip 79:11 slatkin 3:18 99:6,8,9,12,14 slow 37:10 57:16 small 13:8 74:23 78:20,20 94:6 smoke 103:10 social 27:18 52:23 70:19 79:24 87:5 88:23 114:4 115:9 sold 104:22,23 105:15
--	--	--	---

solely 11:20 solicited 25:22 soliciting 7:9 solutions 112:24 somebody 118:13 somebody's 12:22 someone's 60:21 something's 63:16 son 39:14,18 sons 36:4 soon 40:4 sorry 64:25 78:9 sort 17:5 24:4 101:14 sought 57:13 souls 15:14 sound 18:20 67:15 102:1 106:7 sounds 81:7 source 105:12 sources 21:10 62:7 southern 38:13 40:6 space 58:10 87:2 spaces 90:12 112:22 114:6,7	spans 35:11 speak 8:9 19:19 20:3 41:2,2 45:14 50:23 51:5 89:2 92:20 111:17 111:25 121:13 speaker 14:19 34:14 52:25 123:10 speakers 52:7 85:14 100:20 126:5 speaking 24:1 special 33:4 59:5 107:23 120:25 121:5 specials 122:12 specific 29:3 46:21 53:22 65:16 83:18 specifically 22:14 53:14 78:21 89:24 93:6 spend 21:23 45:2 59:1 61:4 70:17 71:8 80:14 82:3,19 99:18 105:10 spending 9:10 9:18 10:7 14:2 21:3 27:4,9,14 30:11 33:9,19 59:8,23 60:18	60:20 61:6,19 61:21 70:23 spends 121:2 spent 43:25 96:1 120:2 spirit 53:8 spit 37:21 spoke 64:18 square 37:5 squeeze 49:19 stabbed 35:21 stability 13:10 18:18 46:7 91:21 124:19 stabilize 95:6 staff 6:15 15:10 15:22 18:12 29:13 31:4 77:8 117:6 123:25 staffer 90:20 staffing 123:22 stage 71:22 stand 51:14 109:23 standard 85:2 107:20 standpoint 51:7 start 20:16 21:19 31:24 47:9 64:2 67:1 83:6 86:15 108:24	starting 55:12 76:14 starts 20:15 26:20 76:5 77:17 state 3:14,16 18:7 49:6 51:16 55:7 57:13 59:16 60:7,8 62:10 71:5 81:8 89:12,14 91:5 102:22 103:1 103:11 109:10 109:14 110:1,7 110:11,14 127:21 state's 52:10 110:22 stated 28:16 55:18 statement 11:5 11:22 29:4 48:9 55:16 88:3 100:14 statements 11:22 28:25 47:21 48:2 52:1 99:24 100:1,8,13,17 staten 42:12 119:16 statistically 50:8
--	--	---	--

statistics 37:15 stay 34:22 70:22 81:6 stayed 38:20 staying 40:17 stays 124:14 stems 52:9 step 72:13 97:4 109:21 stephanie 2:12 6:4 steps 16:15 72:24 79:10 103:9 steward 66:12 sticking 64:12 stipulate 11:9 stock 99:17 100:25 stop 37:5 43:15 57:24 103:9,24 105:17,19 stopping 105:3 105:3,6,12 store's 104:17 stores 103:16 103:18,23,24 104:15,23,24 straight 50:13 50:15 straightforward 69:11 strategic 27:25 strategies 113:21 115:15	strategy 95:4 streams 21:21 street 37:4 38:24 streets 62:2 103:15 strength 52:3 58:22 strengthen 47:20 66:16 strengthened 51:17 strengthens 95:20 strides 90:10 strip 39:24 strong 19:4,6,7 stronger 60:17 72:24 strongly 77:24 structure 27:2 94:19,21 95:7 structured 63:17 120:23 120:24 struggle 94:10 struggles 115:22 struggling 98:7 students 61:25 110:3 111:2 124:15,19 study 59:10 93:15	stumbling 102:14 subject 11:3,7 31:21 51:6 55:23 88:21 96:6 100:18 subjected 88:23 subjects 51:22 submit 7:20 8:11 89:23 109:2 121:15 submitted 8:14 77:2 submitting 89:20 119:17 subsequent 96:9 106:18 subsidize 10:5 substance 53:4 substantial 19:1 53:1 substantially 109:18 success 93:21 124:19 succession 91:14 92:2 sudden 32:23 36:19 38:1 42:12 sue 37:24 sued 38:2,3 suffer 83:9	sufficient 15:20 46:15 66:19 68:12 sufficiently 110:20 suggest 11:9 55:11 60:24 suggested 13:25 14:1 52:1 suggesting 73:16 117:4 suggestion 55:12 60:18 suggestions 19:16 86:7 120:2 summarized 21:16 summary 94:2 summer 5:3 sunshine 47:24 superstorm 32:20 supplement 52:12 support 9:25 28:22,22 40:17 41:14,14,17 88:10 101:13 114:15,20 115:18 116:25 123:21,25 124:11
---	---	---	---

supported 19:5 53:25 109:25 supporting 55:16 97:20 supportive 101:7 supports 30:22 53:13 92:23 supposed 68:1 81:12 sure 12:10 15:4 16:21 18:19 31:10 61:6,10 62:12 67:25 70:24 73:15 77:9 84:25 89:6 91:8 97:16 106:25 112:14 118:4 surged 35:19 survey 50:9 survive 84:22 115:23 sustainability 101:17 svorcan 3:23 108:15,16,20 111:20,22,24 112:4 113:6 sworn 127:5 syndrome 54:23 synergies 23:19 system 22:1 75:17 79:11	110:23 systematic 28:6 t table 118:12 take 5:13 7:13 21:21 23:11 36:14 38:4 42:14 53:25 54:8 58:22 62:18 67:18 74:3 76:18 77:18 81:24 82:18 83:7 84:21 86:7,10 103:9 118:19 118:22 119:20 taken 90:10 109:23 116:20 127:3,12 128:9 takes 75:24 82:24 83:8 84:17 talent 61:10 talk 6:23 7:1 30:6 55:23 72:21 78:2 85:12 100:19 103:5,6,7 talked 34:5 39:10 60:16 112:6 116:22 talking 6:20 33:21 41:9,12 51:13 60:10 62:24 99:18	118:7,8 tan 43:24 target 46:21 68:1 81:15 targeted 113:21 task 107:14 108:1 tasked 7:5 97:13,19 98:13 98:25 tax 3:3 10:8 19:24,25 20:5 20:6,8,9,9,9,10 20:22 21:8,9 21:19 22:1,5,6 22:10,15 23:2 49:17 60:4 64:4 68:17 81:21,22,23,23 105:4 taxes 10:12 20:8,19 23:4 81:22 taxpayers 9:20 20:20 teacher 64:6 teachers 70:19 79:23 80:11 teaching 58:14 team 6:12,12 6:16 technical 62:13 123:22,24	technology 115:2,3 teeth 100:2 tell 8:2 39:7 40:3 44:1 71:9 104:7 124:25 tempted 82:19 ten 33:18 72:2 75:2 77:19,25 93:15 115:11 116:12,13,14 116:19 term 13:14 47:7 48:5 55:25 57:22 69:18,21 72:7 terms 13:9,10 14:1 16:22 32:8 56:18 86:8 120:4,19 120:20 terrorist 38:15 40:4 terrorists 38:17 testify 6:22 9:2 20:2 23:13 31:8 66:9,14 89:9 99:13 107:5 120:9 122:21 testifying 127:5 testimony 7:20 8:11,13 15:11 23:19 25:21 26:5,24 31:5
--	---	--	--

31:11 34:10,17 42:2 54:4,14 67:5 73:2 78:11 84:8 85:24 86:3 89:20 106:8 109:2 119:17 121:15 thank 5:4 6:5 6:10,13,17 8:24 12:6,7 14:9,14,16,18 14:22,24 15:24 17:10,11,17 19:19,21 23:12 23:14,18 24:13 25:25 31:8,9 31:25 32:11 33:5,12 34:7 34:12,20,24 40:19,20,23 41:4,24,25 42:4 43:22 44:13,16,17 45:1,15,16 50:19,20 51:4 51:5 57:25 58:3,6,7 62:16 62:17 63:6 64:9 65:21,22 65:23,24 66:6 73:6 75:4 78:8 78:10,10 79:15 82:22 84:7 85:2,3,4,8,21	86:11,14 89:1 89:3,7 92:12 92:14,15,19 96:24,25 97:3 99:2,3,5,12 102:15,16 105:23,24,25 106:2 108:6,8 108:9,10,13,25 109:1 111:16 111:18,24 113:9,10 116:8 117:9,10,13 118:23 119:1,2 119:4,10 123:4 123:4,6 124:23 124:24 125:8 125:17,19 126:1 thanked 44:25 thanks 26:2 42:2 45:13 that'd 78:14 theatrical 35:20 theirs 74:10 theme 66:14 thing 16:21 33:20 36:20 42:6,11 63:21 104:2 121:12 121:13 122:1,3 122:18 things 6:19 8:7 13:11 37:7	42:20 53:12 61:1 69:4,5,20 74:14 81:22 85:19 86:8 90:24 97:14 117:24 118:18 121:9 think 7:2 8:7 9:9 12:3,15,18 13:10,20 14:11 14:21 15:7,15 15:16 16:16 33:19 35:25 43:1 44:14 47:2 51:16 55:8 59:4,19 60:12 62:20,24 65:9 67:6 68:9 68:10 69:19,21 72:22 73:9,10 81:14 83:23 85:24 86:6,10 97:10 98:1 103:22 105:18 107:3 116:1,5 117:4,7,20,24 118:11 119:23 120:1 121:25 122:13,15 thinking 22:22 50:11 84:8,14 thinks 60:2 third 5:5 7:22 9:14 30:6 49:13 68:22	70:14 103:1 thirds 60:3 thought 73:10 thoughtful 14:8 99:22 100:18 101:20 thoughts 44:18 thousands 75:7 103:14,16 threat 36:2 three 4:2 5:12 11:11 12:12,19 13:17 14:12 29:7 34:22 46:6 49:4 52:6 53:22 58:21 66:22 67:21 72:7 77:19 83:16 85:14,16 89:18 92:13 94:3,5 99:11 99:18 112:2 114:6 123:12 123:17,19 threshold 13:20 thrive 115:18 thursday 5:21 ticket 92:6 tied 37:13 39:23 90:3,8 97:22 98:2 117:24 tiffany 3:24 108:14,15,21
---	--	---	--

113:11 117:13 time 6:17 8:10 11:15 13:24 15:20 17:8 29:14 30:23 36:24 37:10,21 39:9,11 42:20 43:25 45:3 46:3 48:4 54:22 58:21 60:14 64:1 67:3,18 69:15 70:25 74:9,24 75:3,13 76:7,8 76:12,18 78:5 80:7,20 82:5 83:24 85:6,14 89:12 91:21 95:25 96:24 104:7 112:5 118:19,22 124:3,23 timed 51:8 timeframe 46:1 timeframes 71:22 72:18 73:18 timeline 72:8 72:10 timelines 72:12 77:11,14 83:19 84:4 timeliness 29:6 timely 85:1 102:3	times 33:15 35:22 37:5 42:14 44:9 46:15 58:24 60:2 66:20 79:22 81:2 82:3 122:21 125:2 timing 29:7 66:2 tocker 3:22 108:14,15,18 108:25 109:3 today 5:11,15 6:14 9:2,7,13 10:14 15:18 16:5 19:20 20:3 23:13 35:24 40:3 44:8 47:21 60:16 99:23 100:22 103:5,7 103:8 107:11 111:17 together 5:11 14:13 34:2 40:13 68:7 118:14 told 44:5 45:9 ton 78:1 tonight 6:9,19 6:24 51:5 66:9 66:14 85:20 106:10 120:3 123:10 126:1	tonight's 8:17 took 57:8,8 tools 18:21 19:2 topic 86:9 topics 5:14 103:6 total 28:2 55:3 56:22 61:20 totally 54:10 71:11 totals 26:21 touch 6:18 36:16 52:6,8 tougher 60:2 towards 17:24 96:15 track 75:14 111:8 trade 25:20 56:15,17 tradeoffs 102:2 traditional 33:1 traffic 70:5 training 114:11 114:17,25 transcriber 128:1 transcript 128:3,5 transcriptionist 127:8 transfer 20:9	transitional 56:13 transitioning 91:22 transparency 19:14 26:23 27:2,13 28:7 28:10 31:6 33:22 87:9 100:16,23 transparent 15:7 28:20 transparently 20:23 traverse 112:18 treasured 8:19 treatment 78:14,17 trending 80:2,3 tries 36:25 39:11,12 trigger 30:4 64:11 triggering 54:17 trip 91:25 troopers 15:15 trouble 40:3 80:7 true 8:18 60:8 100:10 127:9 128:5 trunks 105:15 trust 47:2 62:23 63:3,3
--	--	---	--

63:10 92:9 107:22 truth 40:24 try 32:10 69:20 99:11 117:5 trying 16:25 35:15 36:14 38:1 42:25 120:7 122:21 tuesday 15:3 tune 55:6 57:9 turn 8:10 12:8 39:6,9 40:7 43:8 62:19 125:21 turning 84:25 tweet 8:3 twice 76:21 two 5:7 19:1 29:5 30:23 31:12,15,16,16 31:18,20,21,24 32:7,24 33:14 39:4 47:14 48:7 49:20 51:1 52:2,6 56:22 60:3,25 61:5 66:21 69:17 79:14 83:17 85:24 95:11 97:11 105:18 type 33:4 91:10 types 20:6 90:23	typewriting 127:7 typically 21:17 u ua 27:10,15,22 28:1,8 uas 27:5,17,20 28:4 uk 112:15 ultimately 9:19 57:17 96:20 101:2 unavailable 87:17 uncharacteris... 119:14 unconsciona... 72:3 under 13:24 19:25 46:22 52:17 56:23,23 69:8 110:6 111:6 112:2 underbudgeti... 49:1 54:20 underlying 55:24 60:14 undermine 110:3 undermining 107:22 understand 12:4,10 31:10 90:19 97:9 106:17 115:16	115:22 understandable 27:6,16 understanding 9:10 21:21 26:18 118:20 underutilizati... 93:16 undesirable 87:4 undue 108:4 unevenly 87:15 unfair 88:4,18 unfortunate 109:21 unfortunately 16:16 75:17 122:14 unfunded 124:12 unique 12:20 90:19 uniquely 124:1 unit 101:24 united 3:24 113:14 units 27:5,24 universal 121:8 university 62:9 unpaid 23:1 124:8 unprecedented 49:2 54:21 unprepared 43:1	unsupported 39:22 untaxed 102:23 102:24 103:1 103:20,21 104:3 unusual 58:24 upcoming 24:7 24:8 106:14 update 87:25 updated 11:15 updates 51:19 upheld 19:6 upper 89:16 ups 65:15 urban 106:7 124:3,8,11 urge 106:13 usable 71:15 use 30:24 46:17 47:12 55:25 63:12,13,23,23 73:3,5 79:2 82:1 105:18 used 19:2 25:24 35:19 42:13,13 44:4 47:4 54:17 57:23 63:20 76:20 79:4,6,18 useful 29:3 uses 87:4 using 61:9 94:19 100:24 110:11
--	--	--	---

usually 83:1	veto 36:20	volunteer	78:8 80:16
utility 20:9	43:14	114:25	81:3 86:9
v	vetted 79:2	vote 29:1,8,15	89:18 90:25
valid 50:8	vice 2:4 6:2	29:21 41:14,17	91:18 97:23
53:15	26:11 92:7,18	43:20 44:15	100:4,19 104:6
valleys 21:17	92:23	voter 120:20	104:6,7 105:15
valuable	vicissitudes	voters 7:14	105:17 107:11
114:12	68:4	69:1 121:24	120:16 122:5,5
value 19:14	victor 3:16	122:2,3,4	123:7
30:2,10 60:12	85:14 92:17,22	votes 22:5	wanted 112:4
60:13	videoconfere...	voting 121:7	115:20 118:23
values 19:13	2:7 3:12,25	w	119:20 121:12
vapor 103:21	view 19:5,11	wacker 4:5	wants 61:2
variety 22:18	104:4 121:1,18	119:6 123:8	warranted
57:5 86:8	village 123:18	wait 77:25	31:19 60:23
various 20:6	violated 53:8	115:24	warrants 26:23
27:24 75:22	violence 113:16	waited 111:14	96:4
112:8 116:22	virtual 51:11	waiting 115:24	washington
varying 49:7	virtually 6:5	waive 124:16	59:19
vehicle 33:2	7:20 9:17	waived 54:12	waste 95:2
70:6	29:11	wake 51:15	wasting 17:8
vendex 79:6,8	visit 45:2 59:10	56:13	watch 38:15
vendor 75:12	vissia 128:2,15	walk 41:19	40:8 77:9
79:4 117:3	vital 18:8	103:15	water 61:24
vendors 30:21	107:18 124:10	walked 57:16	wave 40:14
33:10 67:2	vladimir 3:14	want 5:4 6:8,18	way 8:6 24:6,11
75:7 78:13	85:15 89:6,10	6:21 7:1 12:10	33:14 34:16
venezuela 39:5	97:12 98:11	14:6 31:10	43:24 48:9
versus 74:4	99:5	32:7 34:23	53:5 54:13
vessel 69:4	vocational	35:3 41:14,18	57:20 59:1
vested 36:5	114:17	44:8 45:22	63:17,23 65:5
111:4	voice 118:3	55:22 58:7,8	69:7,8,24 73:1
veto 36:21	voices 3:24	58:15 61:13	73:8,19 74:24
39:13	113:14 118:4	62:8 65:10	84:11 86:1
		73:15 75:5,23	87:13 90:25

91:18 92:7 98:2 100:25 103:23 120:23 120:24 122:10 ways 32:13,13 we've 5:8 7:20 8:7 13:1,1,1,6 45:25 58:23 60:16 66:17 72:6,7 73:12 77:7,7 80:24 80:25,25 81:17 93:18 94:22 100:24 103:22 106:21,21 109:7 125:4,25 weaknesses 67:11 wear 38:16 website 8:12 93:19 week 5:18 66:18 weekend 34:11 62:21 weeks 8:1 31:7 69:17 weighed 55:21 weird 81:7,7 welcome 5:5 7:17 8:18 44:19 welcomes 30:1 31:3	welcoming 109:2 114:7 welfare 55:5 wellness 114:18 went 15:10 38:18,19 97:24 98:20 west 1:11 wheelhouse 97:24 whim 69:13 wholeheartedly 73:4 wholesalers 3:19 102:20 wide 15:11 17:23 27:23 widely 100:8 wild 52:9 willingly 23:11 win 43:19 wisdom 15:15 19:15 wish 116:15 wishes 8:9 withdrawal 46:9 withdrawals 46:19 68:3,22 withstand 84:17 witness 127:4 woman 97:5 women 77:23 93:11,16	wonderful 17:9 word 12:22 118:9 wording 53:22 64:19 words 6:8 40:4 61:20 work 5:11 7:7 16:25 18:24 20:3 21:4 27:25 28:21,22 31:3 34:2,11 35:15 43:13 46:4 59:9 61:11 63:5 68:7 76:14 80:5 90:12 93:17 97:25 100:11 107:4 113:18 122:23 125:25 workers 63:7 79:24 90:10 workforce 91:9 working 3:15 9:16 35:11 41:3 60:7 62:13 63:7 89:13 90:13 91:5 107:14 108:2 workplace 96:17,18 works 69:8 70:25	workshops 115:4 world 9:15 18:9 19:10 33:3 56:15,17 worlds 73:13 73:14 worried 39:2,3 40:10 worst 80:20 81:2 worth 67:7 105:12 worthiness 19:7 worthless 71:11 would've 116:15 wounds 44:8 wrap 39:16,21 write 74:1 writing 8:11,14 119:17 written 26:24 34:10 67:5 89:20 121:14 wrong 43:15 76:11 www.nyc.gov 8:13 wylde 2:22 8:19,23,24 12:15 13:22 14:5,14,18
---	---	--	---

23:20 wylde's 54:14	33:17,17,17,18 35:1,10,11 50:10 51:20 54:25 56:8,10 57:9 58:14 67:17,17 69:20 72:7 74:23 75:8,16 81:18 81:24 93:18 94:5,7 95:25 102:22,25 109:16	58:10,13,15,17 58:25 59:11 60:6,7 66:10 86:19 87:11,14 88:5 89:12,13 90:9 92:19,20 94:16,23 95:1 95:6,9 96:8 97:18,20 102:19,20,22 102:24 103:11 103:15 104:22 104:24 105:13 106:4,5 107:15 109:10 110:7 111:1,3,7,14 120:19 122:11 124:1,17 127:21	youth 75:20 76:9 113:19,21 113:22,23 114:2,6,7,10,12 114:21,23 115:3,8,12,17 118:24
y			z
yaffed 3:22 109:4 yeah 23:17 32:2 64:8 75:16 79:20 97:12 105:10 111:20,24 125:17 year 21:16,19 21:20 22:7 24:7 25:3,5,19 26:20 27:2,9 28:4 29:12,20 30:23 31:16 32:7 36:15 47:18 49:10,10 52:2,14 54:9 55:4,7,15,15 56:24 57:10 59:16 62:14 63:6,14,25 67:8 68:17 69:9 76:5,16 80:14 90:7 93:2,15 109:10 110:10 120:13 year's 63:13 64:4 years 13:1 14:7 18:25 21:7 29:18 31:12,15 31:18,21 33:14	yearwood 92:25 yeshivas 109:9 109:22 yesterday 14:25 16:2 york 1:10,12 2:22,24 3:4,10 3:11,14,16,19 3:21 4:3 6:11 8:6,20 9:3,13 9:22 14:23 16:23 17:14,16 22:16 24:23 26:4,13,16,18 29:18 35:5,9 35:13,15,21 38:14,14,18 40:12,15 41:10 41:13 43:3,16 43:17,19 44:2 44:3,15 45:3 45:17 53:13	58:10,13,15,17 58:25 59:11 60:6,7 66:10 86:19 87:11,14 88:5 89:12,13 90:9 92:19,20 94:16,23 95:1 95:6,9 96:8 97:18,20 102:19,20,22 102:24 103:11 103:15 104:22 104:24 105:13 106:4,5 107:15 109:10 110:7 111:1,3,7,14 120:19 122:11 124:1,17 127:21 york's 17:22 38:9 45:4 62:10 109:7 110:2 yorker 10:15 112:3 yorkers 7:2,8 9:5 16:7 22:22 23:3,9 27:7 30:7,8 34:3 46:16 50:14,16 50:17 97:15 107:3 young 97:5 114:8	zero 59:2 100:5 zoom 7:18 85:18 119:7 zurich 9:15