

COUNCIL OF THE CITY OF PHILADELPHIA  
COMMITTEE OF THE WHOLE

Room 400, City Hall  
Philadelphia, Pennsylvania  
Tuesday, April 16, 2013  
10:35 a.m.

PRESENT:

COUNCIL PRESIDENT DARRELL L. CLARKE  
COUNCILWOMAN CINDY BASS  
COUNCILWOMAN JANNIE BLACKWELL  
COUNCILMAN W. WILSON GOODE, JR.  
COUNCILMAN WILLIAM K. GREENLEE  
COUNCILMAN BOBBY HENON  
COUNCILMAN KENYATTA JOHNSON  
COUNCILMAN CURTIS JONES, JR.  
COUNCILMAN JAMES KENNEY  
COUNCILMAN DAVID OH  
COUNCILWOMAN BLONDELL REYNOLDS BROWN  
COUNCILMAN MARK SQUILLA

BILLS 130178, 130179, and 130180  
RESOLUTION 130190

- - -

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COUNCIL PRESIDENT CLARKE: Good morning. We're going to start now.

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This is a public hearing of the Committee of the Whole regarding Bills

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No. 130178, 130179, 130180, and

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Resolution No. 130190.

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Ms. Lewis, please read the titles of the bills and resolution.

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MS. LEWIS: Bill No. 130178, an ordinance to adopt a Capital Program for the six Fiscal Years 2014 through 2019 inclusive.

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Bill No. 130179, an ordinance to adopt a Fiscal 2014 Capital Budget.

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Bill No. 130180, an ordinance adopting the Operating Budget for Fiscal Year 2014.

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And Resolution No. 130190, providing for the approval by the Council of the City of Philadelphia of a Revised Five Year Financial Plan for the City of Philadelphia covering Fiscal Years 2014 through 2018, and incorporating proposed changes with respect to Fiscal Year 2013,

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1           4/16/13 - WHOLE - BILL 130178, etc.  
2           which is to be submitted by the Mayor to  
3           the Pennsylvania Intergovernmental  
4           Cooperation Authority (the "Authority")  
5           pursuant to the Intergovernmental  
6           Cooperation Agreement, authorized by an  
7           ordinance of this Council approved by the  
8           Mayor on January 3rd, 1992 (Bill No.  
9           1563-A), by and between the City and the  
10          Authority.

11                   COUNCIL PRESIDENT CLARKE:

12          Thank you very much.

13                   First up we'll have the City  
14          Controller.

15                   (Witnesses approached witness  
16          table. )

17                   CONTROLLER BUTKOVITZ:   Good  
18          morning --

19                   COUNCIL PRESIDENT CLARKE:   Good  
20          morning, sir.

21                   CONTROLLER BUTKOVITZ:   --  
22          Mr. President and members of City  
23          Council. I'm City Controller Alan  
24          Butkovitz. I'm here today to testify on  
25          our requested 2014 Operating Budget.

1           4/16/13 - WHOLE - BILL 130178, etc.

2           I'm joined today by Deputy City  
3           Controllers Harvey Rice, Jerry Micciulla,  
4           and John Thomas, as well as our  
5           Administrative Services Director, Andrea  
6           Rose, and Jeff Hornstein, who is our new  
7           Director of Policy and Fiscal Analysis.

8           Some of the more pleasant  
9           aspects of my job as City Controller are  
10          opportunities like these, to work with  
11          members of City Council, under the  
12          dedicated leadership of Council President  
13          Clarke.

14          The Mayor's proposed Fiscal  
15          Year 2014 Operating Budget for the City  
16          Controller's Office includes a General  
17          Fund appropriation of \$7,696,397. While  
18          this is a very slight increase of \$31,000  
19          over last year, my office staff is still  
20          experiencing a decrease in personnel from  
21          140 employees in 2008 to 123 employees  
22          today.

23          Again, I would like to publicly  
24          thank all my employees who continue to  
25          provide quality needed service to the

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           citizens of Philadelphia. I cannot say  
3           enough about the hard work,  
4           professionalism, and dedication they  
5           provide to the citizens of Philadelphia  
6           every day. They continue to sacrifice  
7           and do their part to help our city meet  
8           our current financial challenges. They  
9           are to be commended and congratulated.

10                       In spite of the decrease of 17  
11           staff positions, my office continues to  
12           issue reports that not only help the City  
13           save money, but also improve the quality  
14           of life in Philadelphia.

15                       Our Post Audit Unit audited all  
16           43 City departments through our Annual  
17           Auditor's Report, six performance special  
18           audits, four entity-wide opinion audits,  
19           and three related reports on internal  
20           controls, a grant audit, and opinion on  
21           the City's Five Year Forecasted  
22           Statements. In those reports, we made  
23           345 new recommendations to safeguard  
24           assets, enhance financial management,  
25           strengthen internal accounting controls,

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           and improve operating economies and  
3           efficiencies.

4                     In all, these audit reports  
5           identified financial reporting errors,  
6           compliance deficiencies, cost reductions,  
7           and increased revenues totaling more than  
8           \$1,728,666,587.

9                     Our Pre-Audit Unit provided  
10          oversight for more than 234 capital  
11          projects, an increase of 14 projects over  
12          last year, totalling more than \$845  
13          million. This past year, the Pre-Audit  
14          staff began working with other  
15          departments such as Finance, Law,  
16          Procurement, Revenue, Public Property,  
17          and the Office of Economic Opportunity to  
18          improve the vendor tax hold process and  
19          the public works process and to make them  
20          more efficient.

21                    The Fraud Unit investigated 102  
22          cases this year that included contract  
23          fraud, workers compensation, residency,  
24          and other cases involving misuse of City  
25          equipment, timekeeping, and tax

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           avoidance.

3                       This past year, our office not  
4           only has concentrated on identifying  
5           waste and inefficiencies, but we have  
6           continued to find measures to bring  
7           uncollected revenue into the City's  
8           treasury with our "Review of City Tax  
9           Evasion at Construction Sites" and a  
10          follow-up report on the collection of  
11          monies owed for police services.

12                      In addition, we released  
13          performance audits of the police video  
14          surveillance cameras, the cultural  
15          corridor program, the City's cash  
16          management process, the City's  
17          procurement function, the workers  
18          compensation program, and follow-up  
19          reports on the Fire Department's EMS  
20          billing and collection process, and  
21          recreation facilities. In addition, our  
22          office released special reports on a  
23          review of City tax evasion at  
24          construction sites, review of  
25          construction activity in North Central

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           Philadelphia, an assessment of the second  
3           City casino ownership structure, and our  
4           report on the School District's closure  
5           plan.

6                       Further, we partnered with the  
7           Mayor's Office in securing a grant for  
8           the financial empowerment centers from  
9           Bloomberg Philanthropies. This is an  
10          extension of our Bank on Philadelphia  
11          Project. The six empowerment centers  
12          throughout the City are providing free  
13          one-on-one financial counseling service  
14          to all Philadelphians.

15                     Although I am proud of all the  
16          accomplishments which I have mentioned,  
17          the loss of these positions has impacted  
18          our ability to conduct more performance  
19          and special audits and has limited our  
20          ability to conduct ad hoc requests for  
21          contract and other audits from City  
22          departments that could result in cost  
23          recoveries for the City.

24                     My goal for the current year is  
25          to continue identifying as much waste,



1           4/16/13 - WHOLE - BILL 130178, etc.  
2           fraud, and inefficiency in City  
3           government as possible in order to save  
4           taxpayers' money. Yesterday I issued a  
5           Guide to Generating Revenues and Savings  
6           that outlines recommendations to collect  
7           millions of dollars owed. I submitted  
8           this report to Tom Knudsen, the new Chief  
9           Revenue Collections Officer, to assist  
10          him in his mission to improve revenue  
11          collections for the City.

12                   I will continue working on  
13          issues and solutions to make Philadelphia  
14          a better place for those who live and  
15          work here. And, most importantly, I will  
16          continue to find more revenues that are  
17          owed the City and identify performance  
18          and management efficiencies throughout  
19          City government so we can have the added  
20          resources needed to fund the programs  
21          that provide necessary City services.

22                   I appreciate the opportunity to  
23          present testimony, and I thank Council  
24          President Clarke and the members of  
25          Council for your cooperation and help. I

1 4/16/13 - WHOLE - BILL 130178, etc.

2 look forward to working with you in the  
3 coming year.

4 My staff and I will be happy to  
5 answer any questions you may have.

6 COUNCIL PRESIDENT CLARKE:

7 Thank you, sir. I just have a couple  
8 quick questions.

9 I just actually got a copy of  
10 the Revenue and Savings Guide. I just  
11 want to ask a question with respect to  
12 the first of the recent recommendations,  
13 the 132 million, talks about improving  
14 collection procedures and aggressively  
15 collect unpaid water and sewer. In that  
16 number, does that include real estate  
17 taxes?

18 CONTROLLER BUTKOVITZ: No; just  
19 water and sewer.

20 COUNCIL PRESIDENT CLARKE: Just  
21 water and sewer? Did you have a  
22 recommendation prior to now about real  
23 estate taxes, since that seems to be the  
24 theme of today? Because you said that  
25 there were some prior recommendations.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 CONTROLLER BUTKOVITZ: That was  
3 in the tax discovery audit. It wasn't in  
4 this. And we're doing a targeted audit  
5 of delinquent real estate taxes, which we  
6 expect to be released within about two  
7 months.

8 COUNCIL PRESIDENT CLARKE:  
9 Okay. Does that include --

10 CONTROLLER BUTKOVITZ: Real  
11 estate taxes, yes.

12 COUNCIL PRESIDENT CLARKE:  
13 Because the issue is, I mean, we've been  
14 discussing for some time now,  
15 particularly since AVI has become front  
16 and center, of our inability and our  
17 extremely low rank as it relates to  
18 largest municipalities, 24th out of 25.  
19 A lot of it is centered around real  
20 estate taxes, and I was wondering if  
21 you -- it sounds like you started an  
22 analysis of that particular department.

23 CONTROLLER BUTKOVITZ: Yes.

24 COUNCIL PRESIDENT CLARKE: And  
25 shortly we'll have some recommendations?

1 4/16/13 - WHOLE - BILL 130178, etc.

2 CONTROLLER BUTKOVITZ: Yes,  
3 before June.

4 COUNCIL PRESIDENT CLARKE:  
5 Before June? To Mr. Knudsen. And it  
6 will be helpful if you could forward that  
7 to the Council also.

8 CONTROLLER BUTKOVITZ: Yes, for  
9 sure.

10 COUNCIL PRESIDENT CLARKE:  
11 Thank you.

12 You also referenced the  
13 analysis of the City's video surveillance  
14 camera program. We had the Police  
15 Commissioner and the public safety team  
16 here recently, and they indicated that  
17 there were approximately, I think it was,  
18 like 204 cameras and close to 90 percent  
19 operable. What did you get in terms of  
20 your analysis?

21 CONTROLLER BUTKOVITZ: Our  
22 updated audit will be out within two to  
23 three weeks. The information coming in  
24 indicates that Philadelphia is really in  
25 an embarrassing position in terms of the

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           primitiveness of our system compared to  
3           cities like Baltimore and other cities  
4           that the Council has investigated. But I  
5           really -- I don't want to get into -- I  
6           don't want to step in on our lines.  
7           We'll have that report in full in about  
8           three weeks.

9                       COUNCIL PRESIDENT CLARKE:  
10          Okay. I understand. We all have our  
11          lanes, but every now and then, they  
12          actually cross. That's an unfortunate  
13          incident yesterday in Boston, and it's  
14          clear that in some conversation today,  
15          they talked about what's currently in  
16          place in London and how if it were  
17          London -- and nobody knows. Everybody is  
18          speculating, but if an incident like that  
19          would have happened in London, they would  
20          have been able to immediately identify  
21          those individuals, the perpetrators, or  
22          have a much enhanced opportunity to maybe  
23          proactively see some suspicious  
24          activities, because the cameras in London  
25          are realtime. I understand in Boston

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           what they're doing now is going around  
3           and pulling feed off of private cameras  
4           that may have recorded some incidents or  
5           the individuals.

6                       So I've always thought that the  
7           best ability to adequately monitor  
8           neighborhoods and areas throughout the  
9           City is having realtime operations. So  
10          hopefully -- I understand the  
11          Administration is working on something,  
12          but I'd just be interested to see your  
13          perspective on where we are.

14                      CONTROLLER BUTKOVITZ: Council  
15          has done an outstanding job about looking  
16          for best practices in this area and  
17          identifying cities where it really works  
18          well. There's often a gap here between  
19          high hopes in Philadelphia and the  
20          execution of it, and unfortunately, as  
21          will be clear in about two or three  
22          weeks, we're still seeing a problem with  
23          performance in that area.

24                      COUNCIL PRESIDENT CLARKE:  
25          Okay. Thank you.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 The Chair recognizes Councilman  
3 Goode.

4 COUNCILMAN GOODE: Thank you,  
5 Mr. President.

6 Good morning, Mr. Controller.

7 CONTROLLER BUTKOVITZ: Good  
8 morning.

9 COUNCILMAN GOODE: Let's  
10 fast-forward a few years and let's say  
11 you are Mayor of the City of  
12 Philadelphia. What would you do about  
13 making property assessments more fair?  
14 I'm not asking for a critique of the past  
15 or present, but what's your vision for  
16 making property assessments fair?

17 CONTROLLER BUTKOVITZ: I think  
18 there's no question that the law says  
19 that they have to be reflective of actual  
20 values. The question is, first of all,  
21 how do you get there. Do you get there  
22 with accurate numbers, and what other  
23 measures do you put in place to deal with  
24 some of the shocks and the dislocations.

25 COUNCILMAN GOODE: I'm just

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           talking about actual assessments. What  
3           would you do as Mayor to make assessments  
4           fair?

5                     CONTROLLER BUTKOVITZ: I think  
6           that we would have certified assessors  
7           take the time that is required to get the  
8           information accurately. We would run the  
9           stress tests to make sure that the  
10          assessed values were within the  
11          acceptable legal range of what real  
12          market value is in the City. I don't  
13          think those things have happened.

14                    COUNCILMAN GOODE: Okay. I  
15          think OPA would disagree, but we'll leave  
16          it up for disagreement.

17                    As Controller right now, what  
18          is your role with regard to property  
19          assessments?

20                    CONTROLLER BUTKOVITZ: My goal  
21          is to vet --

22                    COUNCILMAN GOODE: What is your  
23          role?

24                    CONTROLLER BUTKOVITZ: Oh,  
25          what's my role? My role is, with



1           4/16/13 - WHOLE - BILL 130178, etc.  
2           everything else, is to be an independent  
3           analyst of the data that is produced by  
4           the Administration and to check the  
5           numbers. We sent a letter March 4th, a  
6           simple request, we want the methodology  
7           by which the assessments were performed.  
8           To this date, no response. We've had to  
9           obtain the disc and run the data and do  
10          our only analyses, and we are finding  
11          very disturbing patterns of coefficients  
12          of dispersion and other measurements of  
13          inaccuracy, and it's very frustrating to  
14          not have the people who performed this  
15          take a position, that really we don't  
16          have to tell you anything, trust us.

17                   COUNCILMAN GOODE: Let's get to  
18                   your analysis. Your analysis is based on  
19                   there being no homestead exemption; is  
20                   that correct?

21                   CONTROLLER BUTKOVITZ: Our  
22                   analysis -- Jeff.

23                   I'd like to bring Jeff  
24                   Hornstein in on this, because he did the  
25                   analyses. So he may be able to better

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           answer.

3                   MR. HORNSTEIN: Good morning,  
4           members of Council. Thank you for the  
5           question, Councilman Goode.

6                   There's a big difference  
7           between the fairness piece and the  
8           accuracy piece.

9                   COUNCILMAN GOODE: That's not  
10          my question. My question is whether your  
11          analysis included a homestead exemption.

12                  MR. HORNSTEIN: So an analysis  
13          of accuracy would not include any  
14          particular tax rate. It would be a  
15          comparison of the assessed values versus  
16          the sales price using their sample size.

17                  COUNCILMAN GOODE:  
18          Dr. Hornstein, did you apply a \$30,000  
19          homestead exemption?

20                  MR. HORNSTEIN: Not when  
21          evaluating the accuracy of the  
22          assessments, because that's not relevant.

23                  COUNCILMAN GOODE: That's not  
24          the question.

25                  CONTROLLER BUTKOVITZ: Jeff,

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           there were earlier analyses that were  
3           performed other than the accuracy.

4                   MR. HORNSTEIN: So when we were  
5           working on the actual impact of AVI in  
6           neighborhoods, we ran a variety of  
7           different tests, including \$15,000  
8           homestead, \$30,000 homestead, and no  
9           exemptions at all.

10                   COUNCILMAN GOODE: So you did  
11           run a \$30,000 homestead?

12                   MR. HORNSTEIN: We did.

13                   COUNCILMAN GOODE: Are those  
14           the numbers you're using when you go  
15           around the City?

16                   MR. HORNSTEIN: Yes. Some of  
17           those -- when we talk to -- when the  
18           Controller talks to various groups, we're  
19           using, depending --

20                   COUNCILMAN GOODE: Do the  
21           numbers you released publicly in terms of  
22           the impact of AVI, was that an analysis  
23           utilizing a \$30,000 homestead?

24                   CONTROLLER BUTKOVITZ: Yes.  
25           Yes.

1           4/16/13 - WHOLE - BILL 130178, etc.

2                   MR. HORNSTEIN: Yes. The  
3 charts that are on the Controller's  
4 website include zero exemption, 15K  
5 exemption, and 30K.

6                   COUNCILMAN GOODE: That's not  
7 the question I asked. The question I  
8 asked was, when you paint a picture of  
9 AVI and talk about winners and losers,  
10 are you using an analysis that abides by  
11 the law? The law right now says there's  
12 a \$30,000 homestead exemption.

13                  CONTROLLER BUTKOVITZ:  
14 Councilman Goode, I'm the one that's  
15 attending these meetings, and many of  
16 them are on tape. We go through a  
17 painstaking process.

18                  COUNCILMAN GOODE: My question  
19 is whether you are utilizing a \$30,000  
20 homestead analysis.

21                  CONTROLLER BUTKOVITZ: Yes.

22                  COUNCILMAN GOODE: So let's --

23                  CONTROLLER BUTKOVITZ: Can I  
24 expand upon that? Because it becomes  
25 virtually a seminar, and it starts with

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           an understanding of the bill and it goes  
3           through an analysis. As you know, this  
4           is complicated stuff.

5                   COUNCILMAN GOODE:

6           Mr. Controller, my question was whether  
7           you were utilizing a \$30,000 homestead  
8           exemption in your analysis. That's a  
9           simple question. If the answer is yes,  
10          the answer is yes.

11                   CONTROLLER BUTKOVITZ: Okay.

12                   COUNCILMAN GOODE: Does your  
13          analysis conflict with Council's  
14          analysis?

15                   CONTROLLER BUTKOVITZ: The  
16          analysis that is just released to Council  
17          this week? I don't think we know. I  
18          think we just obtained a copy of it, and  
19          we are painstakingly going through it.

20                   COUNCILMAN GOODE: Will you go  
21          through Council's analysis and forward  
22          your response through the Chair?

23                   CONTROLLER BUTKOVITZ: Sure.

24                   COUNCILMAN GOODE: Thank you.

25                   Thank you, Mr. President.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 COUNCIL PRESIDENT CLARKE:

3 Thank you, Councilman.

4 The Chair recognizes Councilman  
5 Oh.

6 COUNCILMAN OH: Thank you very  
7 much, Mr. President.

8 As you look at the role of the  
9 City Controller's to that of, for  
10 example, the Mayor, the Mayor's Office,  
11 the School District and others, even in  
12 the example of requesting information of  
13 methodology of assessments from OPA, not  
14 being able to receive that information,  
15 are there powers that you believe the  
16 Controller of Philadelphia should have  
17 that your office does not have?

18 CONTROLLER BUTKOVITZ: I think  
19 that we probably have sufficient powers  
20 to the task. I think that it's a  
21 question of judgment in going through a  
22 series of steps. I mean, we've retained  
23 very credentialed consultants to review  
24 the data. The appropriate -- I mean, we  
25 will not sit passively forever and

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           receive no response. I mean, whether the  
3           appropriate action is to conduct an audit  
4           of the process or whether it involves  
5           some kind of court action, we are not  
6           trigger happy and we don't rush to these  
7           things. I think we have put the  
8           questions out there, because Council is  
9           engaged in this deliberative process  
10          right now, and we think that they're  
11          important questions that Council may have  
12          the ability to secure, but we're also  
13          double- and triple-checking the numbers  
14          in the data, and if we continue to be  
15          stonewalled, we'll take appropriate  
16          action to get real answers.

17                   COUNCILMAN OH: What kind of  
18                   action can the Controller's Office take  
19                   to get this information?

20                   CONTROLLER BUTKOVITZ: First of  
21                   all, we have the power to audit OPA, just  
22                   as we do other City agencies. And I  
23                   don't anticipate, but it's possible, that  
24                   they'll take the position that this  
25                   information is proprietary or

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           confidential or somehow too confusing for  
3           us to understand what it's all about. I  
4           think that if there's an obstruction of  
5           an audit that we're performing under the  
6           Charter, that we have the ability to go  
7           to court and seek adjudication of those  
8           issues, and I think that we will be  
9           supported in that.

10                   COUNCILMAN OH: To go through  
11           this process; for example, you don't get  
12           the information, how long do you think or  
13           do you estimate that would take before  
14           you would be at a place where you would  
15           receive information?

16                   CONTROLLER BUTKOVITZ: Frankly,  
17           I don't understand. A letter was  
18           submitted March 4th. This is April 15th.  
19           It's about six weeks. Really the OPA  
20           should have had this information before  
21           they undertook the assessment. It's not  
22           something that they should have to be  
23           developing. What we'd like to know is  
24           what are the precepts, what are the  
25           standards, what were the instructions



1           4/16/13 - WHOLE - BILL 130178, etc.  
2           that the assessors had when they went out  
3           and they looked at the properties, and  
4           how did you add it up. And don't just  
5           tell us it's a complicated algebra  
6           formula that you can't begin to  
7           understand. Tell us what you did.

8                     They've taken the position -- I  
9           don't know what position they've taken.  
10          They just haven't answered. So what we  
11          are doing is the best that we can to get  
12          our hands on original data, do our own  
13          analyses. We will put forth our analysis  
14          in comparison to the sanitized analyses  
15          that have been provided by OPA. I think  
16          that this will be a matter of robust  
17          debate. I believe that we will be  
18          conducting an audit of the OPA process if  
19          somebody does not sit down with us and  
20          answer these very easy -- well, they  
21          should be easy-to-answer questions, and  
22          this will be developed.

23                    COUNCILMAN OH: All right. My  
24          interest, as I think many of us on  
25          Council, is that we cannot audit and we

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           do want that information, but we have to  
3           set a millage rate in a short period of  
4           time.

5                     Thank you very much,  
6           Mr. President.

7                     COUNCIL PRESIDENT CLARKE:  
8           Thank you, Councilman.

9                     The Chair recognizes Councilman  
10          Squilla.

11                    COUNCILMAN SQUILLA: Thank you,  
12          Mr. President.

13                    On the process of revenue, what  
14          do you think as an overseer that would be  
15          the best way for the City to generate  
16          revenue, whether it's in collecting  
17          permit fees and taxes or other avenues  
18          that we as a city could look at to  
19          enhance our revenue stream?

20                    CONTROLLER BUTKOVITZ: I think  
21          if collecting revenues are your priority,  
22          you need to staff up, you need to have  
23          the appropriate technology, and you have  
24          to make it -- you make it a top priority.  
25          If you want to make money -- look, I

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           think I testified less than a month ago  
3           that there are processes -- there are  
4           properties that are removed from Sheriff  
5           Sale routinely by the Law Department  
6           without explanation. I think this was at  
7           Bobby Henon's hearing. One simple thing  
8           that Council could do would be to require  
9           that before things get removed from the  
10          Sheriff Sales list by the Law Department,  
11          that they file a statement indicating the  
12          reason for it, because there are  
13          properties that are listed and relisted  
14          and relisted.

15                 The Inquirer did a tremendous  
16          job documenting the very poor track  
17          record that the City has had on bringing  
18          high commercial value properties that are  
19          owned by investor non-residents and yet  
20          for some reason, they sit on the rolls  
21          forever. One problem is the slowness of  
22          getting them to Sheriff Sales. You got  
23          properties that will command a high price  
24          that could be auctioned at Sheriff Sale.  
25          So that's a major question. Why are they

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           not getting to Sheriff Sale? Well, right  
3           now, the Law Department can remove them  
4           without explanation. I think that's a  
5           problem.

6                       I think -- one thing that I  
7           have to say -- and I credit the  
8           Administration a lot with it -- is that  
9           this move towards transparency has helped  
10          in a lot of areas. It's helped in  
11          campaign finance. It's helped in City  
12          contracting. I think the more  
13          information provided -- and I think the  
14          Mayor has done a great job on this -- it  
15          has improved the process. So why not  
16          apply the same principle to collections  
17          and enforcement on properties that should  
18          be up for Sheriff Sale.

19                      COUNCILMAN SQUILLA: The  
20          Administration has proposed an investment  
21          of \$40 million over a five-year period to  
22          redo the infrastructure of collections  
23          for delinquent taxes, to hire some more  
24          staffing, but yet we don't really realize  
25          that that will increase our collections.

1           4/16/13 - WHOLE - BILL 130178, etc.

2           Other cities seem to come up with outside  
3           agencies that actually do the collections  
4           and charge a fee on top of that that is  
5           no expense to the city.

6                     Do you believe that there's one  
7           way or the other would be the best  
8           approach for the City of Philadelphia?

9                     CONTROLLER BUTKOVITZ: That's  
10          actually one of the questions under  
11          investigation in the audit. I don't have  
12          any kind of ideological preference. I  
13          just want to get it done. I think I also  
14          commented a month ago, during the Rendell  
15          Administration, there was a lot of  
16          success on that. They did it with a  
17          contractor. They did it with contingent  
18          fees. That contractor ran into other  
19          kinds of legal problems at some point and  
20          that undermined the process, but they  
21          were making money. They were collecting  
22          on taxes.

23                    So all of the sudden this is a  
24          priority right now and there's some kind  
25          of backloading of the process in terms of

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           making investment over a five-year period  
3           and a lot of it won't be in place until  
4           the end of the five years. It needs to  
5           be front-loaded.

6                     The old adage is that it takes  
7           money to -- you got to spend money to  
8           make money. I think that it's an  
9           important enough project that it's worth  
10          borrowing money to get this moving right  
11          away. It's the highest priority  
12          financial issue in the City, is to get  
13          the \$500 million plus in taxes collected.

14                    COUNCILMAN SQUILLA: I agree  
15          with you, and I guess you could look at  
16          it two different ways. Either invest in  
17          money up front or don't invest in money  
18          and have people who do this  
19          professionally and know what they're  
20          doing go out there and do that and would  
21          save us from investment and hopefully  
22          collect that money and, therefore,  
23          increase our collections that would  
24          increase the money into our General Fund,  
25          which can also increase the way we go

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           about taxing our residents.

3                       So, I mean, right now we're in  
4           the position where do we complain about  
5           the investment? Looks like a small  
6           investment over a long period of time  
7           with no return or no at least budgeted  
8           return for that investment. Or do we  
9           look to try to say, All right, instead of  
10          doing that, let's go to an outside source  
11          and let them collect our revenues with  
12          their additional fees on top of it.  
13          That's the dilemma that we're approached  
14          with right now, and we're just looking  
15          for some guidance.

16                      CONTROLLER BUTKOVITZ:  
17          Hopefully when our audit is out, that  
18          will add some light to this. We're  
19          looking at practices in other cities.  
20          We're looking at experience with private  
21          vendors. We're doing comparisons. I  
22          hope that we will add some light to it  
23          when the audit is out. Again, I think  
24          that's by June or July. I don't know if  
25          we'll make it by the end of your budget

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           season, but it's a priority project of  
3           ours.

4                   COUNCILMAN SQUILLA: Well, I'm  
5           looking forward to that, because that  
6           will really shed light on the direction  
7           we need to go. And obviously we have to  
8           make the decision before that, but I  
9           think it's just good conversation to have  
10          ongoing. And any information that you  
11          guys have, if you give to the Chair or  
12          our offices, we would greatly appreciate  
13          it.

14                   CONTROLLER BUTKOVITZ: Sure.

15                   COUNCILMAN SQUILLA: Thank you.

16                   COUNCIL PRESIDENT CLARKE:

17          Thank you, Councilman.

18                   The Chair recognizes Councilman  
19          Jones.

20                   COUNCILMAN JONES: Thank you,  
21          Mr. President.

22                   I'd like to go back a bit to  
23          your comment on cameras. It's my  
24          understanding that you did a report in  
25          2009 -- no. You did a report on cameras.



1 4/16/13 - WHOLE - BILL 130178, etc.

2 Did that report include the School  
3 District use of cameras?

4 CONTROLLER BUTKOVITZ: No. No.

5 COUNCILMAN JONES: Yesterday I  
6 had an opportunity -- or it wasn't an  
7 opportunity. It was my duty to go out to  
8 Overbrook High School as a result of  
9 Bernard Scott's murder out there, and one  
10 of the disturbing things that we  
11 discovered, there were 90 installed  
12 cameras at Overbrook High School at the  
13 time of the young man's murder. Not that  
14 it would have necessarily prevented it,  
15 but 23 were working, 23 out of 90.

16 So, similarly, with the state  
17 of condition of cameras in the public  
18 inventory on our streets and on our  
19 corridors, we should be looking at in  
20 context of some of these mergers that we  
21 are about to go into. Particularly in my  
22 district, Lamberton is being folded into  
23 Overbrook and Beeber is being folded, 7th  
24 and 8th graders mind you, into Overbrook  
25 in a condition where 23 out of 90 cameras

1 4/16/13 - WHOLE - BILL 130178, etc.

2 are working. So I was wondering if your  
3 report included public schools, and your  
4 answer is no.

5 CONTROLLER BUTKOVITZ: Correct.

6 COUNCILMAN JONES: All right.

7 Second report that I'd like to go to,  
8 which is akin to my colleague Councilman  
9 Johnson, is the state of infrastructure  
10 in the City of Philadelphia. In 2009, I  
11 believe you did do a report on bridges in  
12 the City of Philadelphia, and I was  
13 wondering if you could recap for the  
14 record that report and also an update as  
15 the difference between 2009 and today, if  
16 you could, where we are with that,  
17 because we've had some occurrences,  
18 particularly in my district, but I'm sure  
19 citywide.

20 CONTROLLER BUTKOVITZ: We're  
21 currently doing a followup, and Deputy  
22 Controller Thomas is in charge of that,  
23 so I'd ask if he could address that.

24 DEPUTY CONTROLLER THOMAS: As  
25 the Controller indicated, we are doing --

1           4/16/13 - WHOLE - BILL 130178, etc.

2                   COUNCILMAN JONES: Can you say  
3 your name for the record.

4                   COUNCIL PRESIDENT CLARKE:  
5 State your name for the record, sir.

6                   DEPUTY CONTROLLER THOMAS: Good  
7 morning, Mr. President. My name is John  
8 Thomas. I'm Pre-Audit Deputy City  
9 Controller.

10                   We're currently doing a  
11 followup to our report, and we hope to  
12 have that out in the next couple months.  
13 We find that many of the conditions are  
14 similar to -- the bridges that we've  
15 reviewed so far are similar to conditions  
16 that we found in --

17                   COUNCILMAN JONES: For the  
18 record, could you recap what the  
19 conditions were generally.

20                   DEPUTY CONTROLLER THOMAS: We  
21 found that there was some maintenance  
22 issues. Some of the bridges were not  
23 being adequately maintained on an ongoing  
24 basis. Currently, the Streets Department  
25 inspects bridges every two years, and we

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           found some problem with some of their  
3           maintenance records, the status of their  
4           records, and we found some conditions  
5           where definitely there needs to be some  
6           improvement and some investment into our  
7           bridges.

8                   COUNCILMAN JONES: Is it true  
9           from my recollection -- and I know it's  
10          2009 for you, but there are 300-plus  
11          bridges in the City of Philadelphia.

12                   DEPUTY CONTROLLER THOMAS: Yes.

13                   COUNCILMAN JONES: The vast  
14          majority of them have been deemed  
15          dangerous.

16                   DEPUTY CONTROLLER THOMAS: Yes.

17                   COUNCILMAN JONES: So that  
18          condition has not improved.

19                   DEPUTY CONTROLLER THOMAS: Not  
20          substantially, no.

21                   COUNCILMAN JONES: So the  
22          likely logical condition is that it's  
23          gotten worse?

24                   DEPUTY CONTROLLER THOMAS: Yes.

25                   COUNCILMAN JONES: You're going

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           to have a report that kind of updates it?  
3           And maybe we may be pleasantly surprised,  
4           but I doubt it.

5                       We had a recent incident at  
6           52nd and Jefferson where a plate weighing  
7           25 pounds fell from a bridge and dented a  
8           car that had a woman and child in it. At  
9           some point after we do analysis  
10          paralysis, is there an action we can take  
11          against Amtrak, a class action suit or  
12          something, to have them deal with these  
13          bridges that millions of commuters travel  
14          across every year? And if they are,  
15          under their own admission by their own  
16          inspectors, deeming them dangerous,  
17          doesn't that make it kind of like a  
18          damning situation?

19                     CONTROLLER BUTKOVITZ: I think  
20          Governor Rendell has really been in the  
21          forefront of this issue. I mean, the  
22          fact is, the infrastructure is crumbling  
23          all around us. We deal with it at the  
24          Gas Works all the time. The question is  
25          apportioning the money in some kind of

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           affordable basis to catch up with  
3           deferred maintenance which has been  
4           neglected by prior generations and prior  
5           Administrations for a very, very long  
6           time. The maintenance people have taken  
7           a cautious approach. I mean, as you  
8           know, there's been some well-known bridge  
9           closings in Philadelphia, the South  
10          Street Bridge. One of the things that  
11          came out of our prior report was a bridge  
12          that said nobody over a ton could cross  
13          the bridge, and yet there were school  
14          buses that were crossing the bridge.

15                 So those were the kinds of  
16          remedies we were able to get, but the  
17          solution to this really involves a  
18          significant infrastructure bank,  
19          borrowing, investment, and rebuilding.

20                 We had a gas main explode a few  
21          years ago. Somebody was killed, and  
22          unfortunately people can't say that was  
23          unforeseeable.

24                 COUNCILMAN JONES: I mean, I'm  
25          going to adhere to the bell. I want

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           to -- I look forward to the update on  
3           that, because I'm at a point,  
4           Mr. President, where I'm going to urge  
5           the Chair of Transportation to look into  
6           a class action suit, because Councilwoman  
7           Blackwell's bridge has been out for how  
8           many years now? Ten?

9                   COUNCILWOMAN BLACKWELL: Been  
10          out a long time, but I'm hoping that --

11                  COUNCILMAN JONES: Hope springs  
12          eternal, but a lawsuit gets people  
13          moving. So, I mean, I'm at -- I've been  
14          here now -- this is our sixth budget.  
15          I'm looking at we haven't moved on  
16          bridges since then, and what does it  
17          take.

18                  So thank you, Mr. President.

19                  COUNCIL PRESIDENT CLARKE:

20          Thank you, sir.

21                  The Chair recognizes Councilman  
22          Johnson.

23                  COUNCILMAN JOHNSON: Thank you,  
24          Mr. President.

25                  Thank you, Alan, for being here

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           today. Just a couple things I wanted to  
3           go over.

4                     Have we done an analysis of our  
5           casino in terms of revenues brought into  
6           the City, and can you give me an idea of  
7           what particular category that the revenue  
8           is or supposed to be dedicated to since  
9           we received our first casino license.

10                    CONTROLLER BUTKOVITZ: The only  
11           analysis we did along those lines was the  
12           one proposed for the Navy Yard where the  
13           City was going to be beneficiary with  
14           that non-profit.

15                    COUNCILMAN JOHNSON: But we  
16           haven't done SugarHouse since we received  
17           it?

18                    CONTROLLER BUTKOVITZ: We have  
19           not, no.

20                    COUNCILMAN JOHNSON: Is there  
21           any dedicated category that revenue is  
22           supposed to go to from SugarHouse casinos  
23           or the casino license agreement with the  
24           City of Philadelphia?

25                    CONTROLLER BUTKOVITZ: I think



1           4/16/13 - WHOLE - BILL 130178, etc.

2           we make reference to it in the Navy Yard  
3           report, but I don't --

4                   COUNCILMAN JOHNSON: But not  
5           the current?

6                   CONTROLLER BUTKOVITZ: No. I  
7           think we've talked about the revenues  
8           coming from the other casinos in the  
9           comparisons in that report. I just don't  
10          have it memorized.

11                  COUNCILMAN JOHNSON: All right.  
12          And just another question. Last year I  
13          introduced a resolution and actually  
14          followed up with a meeting and -- well, a  
15          conversation rather with Auditor General  
16          Jack Wagner regarding a forensic audit  
17          for the School District of Philadelphia.  
18          So now my former suite mate, State  
19          Representative Eugene DePasquale, he will  
20          be the new Auditor General, and so it's  
21          probably a timing opportunity for me to  
22          follow up with that conversation as it  
23          relates to the transition that we're  
24          having with the School District, and I  
25          just want to get an idea from you and

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           your position in terms of us just making  
3           sure that in these particular times, that  
4           the School District are being good  
5           stewards of taxpayers' monies and making  
6           sure that the investments are going where  
7           they're supposed to be going as it  
8           relates to making sure our young people  
9           are supported, and just want to get some  
10          feedback from you on that, because it's  
11          something I will be following up with  
12          Eugene as time goes along.

13                   CONTROLLER BUTKOVITZ: Well, it  
14          would be very useful for us to have  
15          pre-audit powers at the School District  
16          as we do with the City. One of the  
17          frustrations we've had when we've done  
18          our School District-wide audit is that  
19          they can't tell you, even at the end of  
20          the school year, they can't close their  
21          budget, because different departments  
22          operate independently and they're still  
23          spending money and they're still making  
24          commitments. So that they can't tell you  
25          this is the deficit for the year or this

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           is the closing figure. That's kind of  
3           unheard of. They are used to not  
4           reporting to anyone, just reporting to  
5           themselves.

6                     Another recommendation that we  
7           made was for another oversight body; for  
8           example, PICA, to be a second agency to  
9           which they would submit the Five-Year  
10          Plan. So they don't just submit the  
11          Five-Year Plan to themselves and then  
12          excuse themselves when they don't feel  
13          like doing it, but that there is some  
14          kind of rigorous independent examination  
15          of the assumptions that they follow.

16                    One of the tragic things about  
17          the School District is that this was a  
18          freight train coming down the tracks that  
19          was completely foreseeable for years.  
20          Actually, it was kind of foreseeable for  
21          ten years, because the School District  
22          went bankrupt functionally in 2002. They  
23          were granted about a half billion dollars  
24          in borrowing power, which was squandered,  
25          was not used for the two purposes it was

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           supposed to be used, which was to  
3           structurally change the cost structure of  
4           the schools to make it affordable within  
5           the money available or to use that time  
6           to find other dedicated revenue sources  
7           that would adequately support the  
8           schools. That time was just lost.

9                       We benefited by the good  
10          fortune of having Governor Rendell in  
11          office in the governorship, and for years  
12          he did what he could, but without that  
13          happy circumstance, kind of the rubber  
14          band has snapped back. And the idea that  
15          the School District just comes into City  
16          Council or they show up in Harrisburg and  
17          say, Please write us a check for  
18          such-and-such and trust us to do the  
19          right thing, and then when they go over  
20          the edge and real people and children are  
21          sacrificed to their errors, they say,  
22          Oops, what do you expect us to do now.  
23          It's not good enough. There should be a  
24          structural change. They should be  
25          subjected to some external financial

1           4/16/13 - WHOLE - BILL 130178, etc.  
2       discipline. It should be an outside --  
3       SRC is, for all intents and purposes, is  
4       the school board. They're not an outside  
5       agency. It's their budget. So they  
6       should be having it reviewed by PICA.  
7       The City Controller should have pre-audit  
8       authority there.

9                       It's great to have the Auditor  
10      General interested in it, but the Auditor  
11      General is responsible for 503 school  
12      districts and you might catch his  
13      attention one year or two years, but  
14      you're not going to have the constant  
15      focus of the State Auditor General on the  
16      Philadelphia School District unless there  
17      is -- the only time you'll get it is when  
18      it's sinking, when there's a very  
19      dramatic problem. And really you need  
20      this when there is not an obvious  
21      dramatic problem. That's the best chance  
22      you have to fix things.

23                    COUNCILMAN JOHNSON: Where is  
24      your recommendations report?

25                    CONTROLLER BUTKOVITZ: What is

1           4/16/13 - WHOLE - BILL 130178, etc.

2           my --

3                   COUNCILMAN JOHNSON: Do you  
4           have a report concerning your  
5           recommendations in terms of the overseer  
6           component as well as the pre-audit power?

7                   CONTROLLER BUTKOVITZ: We've  
8           made these requests repeatedly. They're  
9           not contained in one report. They've  
10          been -- we've issued statements over  
11          time. I think when I was in the  
12          Legislature, I even put in a pre-audit  
13          bill.

14                   COUNCILMAN JOHNSON: All right.  
15          Thank you.

16                   COUNCILMAN JONES: Thank you,  
17          Councilman.

18                   The Chair recognizes Councilman  
19          Goode.

20                   COUNCILMAN GOODE: Thank you,  
21          Mr. Chair.

22                   Mr. Controller, I look forward  
23          to your formal response to Council's AVI  
24          analysis, but I'd like to run through  
25          some quick numbers just for the record.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 In terms of your analysis, how  
3 many properties were valued, total  
4 properties?

5 CONTROLLER BUTKOVITZ: We did  
6 about six different kinds of analysis.  
7 One of them involved a random sample of  
8 500 properties and one of them involved a  
9 review of, I think, 289,000 --

10 COUNCILMAN GOODE: My question  
11 is, what are the total number of  
12 properties that should be valued?

13 CONTROLLER BUTKOVITZ: We took  
14 the OPA's word on their data. We didn't  
15 have an independent number on that.

16 COUNCILMAN GOODE: So that  
17 number is?

18 CONTROLLER BUTKOVITZ: 579,000  
19 parcels.

20 COUNCILMAN GOODE: 579,662.

21 CONTROLLER BUTKOVITZ: Okay.

22 COUNCILMAN GOODE: What's the  
23 total market value?

24 CONTROLLER BUTKOVITZ: \$99.9  
25 billion.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 COUNCILMAN GOODE: No. That's  
3 the total taxable. What's the total  
4 market value?

5 CONTROLLER BUTKOVITZ: \$137  
6 billion.

7 COUNCILMAN GOODE: Total  
8 taxable?

9 CONTROLLER BUTKOVITZ: \$99.9  
10 billion.

11 COUNCILMAN GOODE: Total  
12 abated? About 7 billion.

13 MR. HORNSTEIN: It breaks down  
14 into different buckets. But, yes,  
15 something like that.

16 COUNCILMAN GOODE: And about 30  
17 billion in terms of tax-exempted?

18 CONTROLLER BUTKOVITZ: About 30  
19 billion tax-exempted, yeah.

20 COUNCILMAN GOODE: So what is  
21 your position on the fact that we're  
22 dealing with a base of about slightly  
23 below a hundred billion and tax-abated  
24 and tax-exempted properties account for  
25 about 37 billion?



1           4/16/13 - WHOLE - BILL 130178, etc.

2                   CONTROLLER BUTKOVITZ: It's a  
3 major problem.

4                   COUNCILMAN GOODE: It's over 25  
5 percent.

6                   CONTROLLER BUTKOVITZ: It's a  
7 major problem. I think that we should  
8 have been and should be pushing for  
9 amendment to the State Constitution to do  
10 something about the non-profits, the  
11 exempt property. You have entities that  
12 are very, very profitable, very  
13 significant entities in Philadelphia, and  
14 they are not paying their fair share and,  
15 therefore, that burden is being put on  
16 homeowners, many of whom do not have many  
17 resources. I think that's a major issue.

18                   COUNCILMAN GOODE: That deals  
19 with the 30 billion in exemptions or part  
20 of it. What about the close to 7 billion  
21 in tax abatements?

22                   CONTROLLER BUTKOVITZ: Tax  
23 abatements are -- there's a serious  
24 problem with the way the abatements  
25 provide a benefit for the person who

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           builds it but provides no benefit for the  
3           other people impacted, and I think that  
4           needs to be addressed.

5                   COUNCILMAN GOODE: I guess the  
6           larger question is, in 2000 there was  
7           about a hundred million dollars in  
8           tax-abated property. In 2012, it's about  
9           a billion dollars in tax-abated property.  
10          The number is, after reassessment and  
11          actual value, at about 7 billion. The  
12          question is, is that fair?

13                   CONTROLLER BUTKOVITZ: No, it's  
14          not fair.

15                   COUNCILMAN GOODE: So what  
16          should we do about it?

17                   CONTROLLER BUTKOVITZ: I think  
18          that we have to balance the stimulus  
19          impact that it's had with the fact that  
20          it is not fair. I know that you've been  
21          doing working in trying to find a middle  
22          ground on these issues, and I think, as I  
23          was beginning to say, the thing that  
24          strikes me the most unfair is that you  
25          have a big construction project right

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           next to your house and they get ten years  
3           tax forgiveness and you get the brunt of  
4           the bigger tax bill and somehow you don't  
5           share in the tax forgiveness. I'm not  
6           even sure that legally there isn't  
7           something we can't do about that under  
8           the current Constitution. That's one of  
9           the issues that I've raised with tax  
10          lawyers. I think it's an outrageous  
11          unfairness.

12                   COUNCILMAN GOODE: Okay. Thank  
13          you.

14                   Thank you, Mr. Chair.

15                   COUNCILMAN JONES: Thank you,  
16          Councilman, for those questions, because  
17          those are some of the ones that we've  
18          received from the hearings that we've  
19          attended about abatements versus  
20          prosperity of a neighborhood. All boats  
21          don't rise when taxes do.

22                   The Chair recognizes Councilman  
23          Kenney.

24                   COUNCILMAN KENNEY: Thank you,  
25          Mr. Chairman.

1           4/16/13 - WHOLE - BILL 130178, etc.

2                   Understanding the conversation  
3       between you and Councilman Goode, the  
4       other side of the coin -- and maybe the  
5       other side of the coin is back again --  
6       that without the abatements, what would  
7       have happened relative to development in  
8       the City?

9                   CONTROLLER BUTKOVITZ: That's  
10       exactly the point. Sure. The impact,  
11       the practical impact, is that there was  
12       no building going on in Philadelphia.  
13       The abatement stimulated the building,  
14       but in terms of the design of the relief,  
15       it is unfair.

16                  COUNCILMAN KENNEY: I've been  
17       to as many community meetings as you've  
18       been to, and I say right up front, I  
19       understand the unfairness. If you're  
20       sitting in an unabated property, it is  
21       extremely unfair. But I do recognize and  
22       I think we all recognize that over the  
23       course of the years, there's been a  
24       benefit in bringing new construction, new  
25       residents, new wage tax, new spending

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           power, and all the other new things that  
3           came as a result of it that we wouldn't  
4           have had.

5                         CONTROLLER BUTKOVITZ: Sure,  
6           but one alternative is to look at the  
7           language of that constitutional  
8           provision, which says that tax  
9           forgiveness can be provided to people who  
10          do things in certain areas that improve  
11          the area, and we might take a more  
12          liberal interpretation that extends the  
13          benefit of abatements to people whose  
14          values have been impacted by the  
15          abatements even though the construction  
16          wasn't physically done to their property.

17                        COUNCILMAN KENNEY: And that's  
18          part of the conversation relative to  
19          gentrification protection, because that  
20          then becomes their abatement over ten  
21          years. And I don't disagree with  
22          Councilman Goode's approach in trying to  
23          find some place where it makes sense to  
24          reduce or to even increase in other  
25          areas. So I assume we'll be having that

1           4/16/13 - WHOLE - BILL 130178, etc.  
2       discussion.

3                   The Mayor's 1.32 proposed tax  
4       rate is based on accumulation of the  
5       amount of relief that's going into  
6       gentrification and into homestead and the  
7       Administration's desire to continue to  
8       collect as much revenue as they collected  
9       last year. Is that a fair --

10                   CONTROLLER BUTKOVITZ: Well,  
11       that's what they say, yes.

12                   COUNCILMAN KENNEY: So they  
13       say, right.

14                   In your analysis relative to  
15       tax collections, both real estate and  
16       non-real estate tax collections and other  
17       types of revenue enhancements that may be  
18       employed, are you looking at it in  
19       regards to a potential of reducing the  
20       1.32 downward towards a 1?

21                   CONTROLLER BUTKOVITZ: I mean,  
22       we --

23                   COUNCILMAN KENNEY: Can you do  
24       that?

25                   CONTROLLER BUTKOVITZ: --

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           really regard that as a policy decision  
3           for Council. I mean, we're going to  
4           analyze ways to maximize the revenue, and  
5           really it's up to the Council to decide  
6           how they want to spend that or how they  
7           want to take advantage of any of this.

8                       COUNCILMAN KENNEY: But I'm  
9           saying I think that your work and your  
10          employees' work and your professionals  
11          could be helpful in that policy  
12          discussion, because there are elements of  
13          Council and myself and other folks  
14          outside of Council that are doing their  
15          analysis also relative to reducing the  
16          1.32 down to a manageable number. So I  
17          would ask that -- I don't know whether or  
18          not you have enough time yet, but if you  
19          could keep an eye as you're making  
20          recommendations for revenue enhancements  
21          and better collections, that you keep an  
22          eye towards lowering the millage rate,  
23          because I think we can -- as you know,  
24          gentrification protection, homestead is  
25          helpful to people who were in bad

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           circumstances and are facing very high  
3           tax bills. However, someone else pays  
4           for it. Similar to the tax abatement,  
5           someone else paid for it. So if you  
6           would make a fairness argument on the  
7           abatement, which is a reasonable  
8           argument, you should also make a fairness  
9           argument on both homestead and  
10          gentrification and try to get around that  
11          unfairness argument by getting the rate  
12          as low as possible, which the  
13          Administration doesn't seem to even want  
14          to consider. Does that --

15                   CONTROLLER BUTKOVITZ: Okay.  
16          We will try to give you the tools. I'm  
17          sure in your able hands, you will make  
18          good use of it. But I really think these  
19          are matters that Council -- the ball is  
20          in your court.

21                   COUNCILMAN KENNEY: I don't  
22          disagree, but I do know you have the  
23          capacity and the folks to help provide  
24          those tools to make that analysis.

25                   CONTROLLER BUTKOVITZ: Sure.



1 4/16/13 - WHOLE - BILL 130178, etc.

2 Sure.

3 COUNCILMAN KENNEY: Thank you.

4 Thank you, Mr. Chairman.

5 COUNCILMAN JONES: Thank you,  
6 Councilman.

7 The Chair recognizes Councilman  
8 Goode.

9 COUNCILMAN GOODE: Thank you,  
10 Mr. Chairman.

11 Just briefly for clarity of the  
12 record. To what extent do you believe  
13 gentrification relief is needed because  
14 of the ten-year tax abatement?

15 CONTROLLER BUTKOVITZ: Oh,  
16 gentrification relief is absolutely  
17 needed. You know, I've long talked about  
18 the Grays Ferry problem. I think the  
19 biggest injustice happening to anybody in  
20 the City is happening right there where  
21 people who have done nothing other than  
22 stay in the house that they grew up in  
23 are facing tenfold increases in their  
24 taxes, \$500 to \$5,000. They're literally  
25 in danger of being run out of the

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           neighborhood, and it's extraordinarily  
3           unfair.

4                   COUNCILMAN GOODE: So we have  
5           \$7 billion in abated properties, which  
6           causes the tax rate to go up, which  
7           causes us to have to offer gentrification  
8           relief, which causes the tax rate to go  
9           up further.

10                   Does it make any sense that we  
11           would keep looking in the future towards  
12           gentrification relief without addressing  
13           the tax abatement? We're calling for the  
14           need for gentrification relief by  
15           continuing the tax abatement.

16                   CONTROLLER BUTKOVITZ: In a  
17           perfect world, it would be nice to be  
18           able to make that choice, but I think the  
19           practicalities of Philadelphia is that  
20           abatements can help somewhat stimulate  
21           construction. So I wouldn't want to give  
22           a blanket response to that.

23                   COUNCILMAN GOODE: Let me ask a  
24           simpler question, then. Is the tax  
25           abatement based upon need?

1 4/16/13 - WHOLE - BILL 130178, etc.

2 CONTROLLER BUTKOVITZ: I don't  
3 think that there's been a real good cause  
4 and effect study of the impact.

5 COUNCILMAN GOODE: But even  
6 beyond that, as a practical matter, when  
7 someone applies for a tax abatement, they  
8 don't need to prove --

9 CONTROLLER BUTKOVITZ: It's not  
10 means tested.

11 COUNCILMAN GOODE: They don't  
12 need to prove that they need it.

13 CONTROLLER BUTKOVITZ: No.

14 COUNCILMAN GOODE: So are you  
15 aware of any analysis that shows that the  
16 majority of tax abatements were based  
17 upon need?

18 CONTROLLER BUTKOVITZ: No. I  
19 don't even think that was the argument  
20 for the abatements. The argument for the  
21 abatements was that people wouldn't be  
22 building.

23 COUNCILMAN GOODE: The argument  
24 for the abatement will be we need it,  
25 that it's based upon need. There's no

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           way to prove it's based upon need,  
3           because it's given as a matter of right  
4           and there's been no analysis that shows  
5           that the majority of abatements were  
6           actually needed.

7                         CONTROLLER BUTKOVITZ: My  
8           understanding was, it wasn't based on  
9           need. It was based on impact. It was  
10          based on the idea that builders and  
11          investors would not make the investment  
12          if they didn't get that break.

13                        COUNCILMAN GOODE: It was a  
14          good thing when a hundred billion  
15          dollars -- a hundred million dollars of  
16          property was tax-abated. I'm not sure it  
17          was as good of a thing when a billion  
18          dollars of property was tax-abated. It's  
19          damn sure not a good thing when \$7  
20          billion, almost \$7 billion, of property  
21          is tax-abated on top of \$30 billion being  
22          exempted. You can't say that we're going  
23          to tax this hundred billion dollars worth  
24          of property, but not tax this \$37 billion  
25          worth of property. It's simply not fair,

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           particularly when it's not based upon  
3           need, it doesn't have to be based upon  
4           need, no one ever said it was based upon  
5           need, and no one has to prove that they  
6           need it.

7                         CONTROLLER BUTKOVITZ: There's  
8           an awful lot of special deals in  
9           Philadelphia taxes, KOZs, special deals,  
10          the fact that Comcast almost got a free  
11          ride for 30 years. There's a lot of --

12                        COUNCILMAN GOODE: I voted  
13          against it.

14                        CONTROLLER BUTKOVITZ: And so  
15          did I. There are a lot of anomalies out  
16          there, and I agree with your take on the  
17          unfairness of it. The only hesitation I  
18          have is that fairness isn't the only  
19          frame of analysis, because some of these  
20          things have to be done to maintain  
21          viability.

22                        COUNCILMAN GOODE: But there's  
23          actually been no analysis. So if we  
24          could actually determine what the need  
25          is, then that's how you actually develop

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           a subsidy, and that's what makes it make  
3           sense. But if there's been no analysis,  
4           there's been no means test, no one has  
5           determined what the need is, then you  
6           don't know if you're offering the right  
7           subsidy and the right vehicle. You're  
8           just giving it away.

9                   CONTROLLER BUTKOVITZ: I agree  
10          there's been a tremendous --

11                  COUNCILMAN GOODE: At this  
12          point, you're giving away \$7 billion.

13                  CONTROLLER BUTKOVITZ: There's  
14          been a tremendous lack of data about how  
15          it works.

16                  COUNCILMAN GOODE: Maybe we  
17          should be giving away \$3 billion, \$4  
18          billion, who knows, but to say we're  
19          giving away \$7 billion with no analysis  
20          whatsoever, that it's based upon need, is  
21          ridiculous.

22                  CONTROLLER BUTKOVITZ: Okay.

23                  COUNCILMAN GOODE: Thank you,  
24          Mr. Chair.

25                  COUNCILMAN JONES: Thank you,

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           Councilman. I think we found a theme for  
3           a new study that shows that whether or  
4           not arguably, and many -- depending on  
5           what chamber of commerce view or  
6           neighborhood view, that these abatements  
7           have had an impact on the skyline of  
8           Philadelphia. However, everything  
9           that -- that was a decade or so or more  
10          ago, and is there a need to shift that.

11                     One of the schools of thought  
12          that Council President has had is that in  
13          areas of decline or in areas that need  
14          stimulation, that those abatements should  
15          be shifted to locations of greater need  
16          as opposed to just a general right, which  
17          I think the Councilman is alluding to.

18                     So the Chair recognizes  
19          Councilman Kenney.

20                     COUNCILMAN KENNEY: I'll give  
21          you some historical context as to the  
22          gentrification amendment that in another  
23          life I worked on I think in 1987, I guess  
24          it was. We were in the midst of the  
25          Queen Village gentrification issue way

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           back then, and it was -- actually what  
3           was going on in that neighborhood was the  
4           impetus to begin that discussion, and  
5           they never really got a benefit of it,  
6           and neighborhood after neighborhood  
7           became gentrified and no one ever got a  
8           benefit of it. And I think, Alan, you're  
9           right, that Grays Ferry is kind of the  
10          poster child now for gentrification  
11          impact in the City. And I agree with  
12          Councilman Goode also, that conversation  
13          about need -- and correct me if I'm  
14          wrong. I think what he says about need  
15          is not the need of the individual  
16          homeowner, but the need of the actual  
17          area we're talking about, whether it  
18          needs it or not, whether that particular  
19          census tract needs the abatement to  
20          develop, and it's not necessarily the  
21          annual income need of someone. Because,  
22          again, I go back -- I mean, hindsight is  
23          20/20 and the argument may be dated, but  
24          you go back to when those tax abatements  
25          first came online, they were -- I mean,



1           4/16/13 - WHOLE - BILL 130178, etc.  
2           no one wanted -- Rendell didn't want it  
3           either when he was Mayor, and Frank  
4           DiCicco convinced him, I think, to do the  
5           commercial first and then the residential  
6           second, and it took off, and much to our  
7           overall benefit. And I do agree, I guess  
8           it's the entire real estate tax  
9           conversation that every part needs to be  
10          discussed now relative to gentrification,  
11          homestead, abatement, non-profit. All  
12          that stuff needs to, I guess, be  
13          reanalyzed and rediscussed from a policy  
14          perspective.

15                   But I appreciate your help in  
16          coming up with whatever tools you can get  
17          for us. Thank you.

18                   COUNCILMAN JONES: It seems  
19          like a new study is afoot.

20                   CONTROLLER BUTKOVITZ: Perhaps  
21          a new appropriation.

22                   COUNCILMAN JONES: I don't know  
23          about that.

24                   CONTROLLER BUTKOVITZ: Isn't  
25          that always the way.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 COUNCILMAN JONES: Are there  
3 any other questions for the Controller?

4 (No response.)

5 COUNCILMAN JONES: Seeing none,  
6 thank you for your testimony.

7 Next will be the Sheriff's  
8 Department. Will the witnesses and  
9 people offering testimony please approach  
10 the table.

11 (Witness approached witness  
12 table.)

13 COUNCILMAN JONES: Mr. Sheriff,  
14 good morning.

15 SHERIFF WILLIAMS: Good  
16 morning.

17 COUNCILMAN JONES: Please state  
18 your name for the record and begin your  
19 testimony.

20 SHERIFF WILLIAMS: Good morning  
21 to Mr. Chairman and the Committee of the  
22 Whole. I'm Jewell Williams, Sheriff of  
23 the City of Philadelphia and County of  
24 Philadelphia.

25 Let me just first open with

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           saying that the Philadelphia Sheriff's  
3           Office and myself, we certainly give the  
4           sympathy out to the folks in Boston as  
5           well as the citizens and the people who  
6           participated in the race. They have our  
7           deepest sympathy and our support.

8                       COUNCILMAN JONES: Thank you,  
9           Sheriff.

10                      SHERIFF WILLIAMS: The budget  
11           presented to you by the Administration  
12           has been prepared by the City Budget  
13           Office. Though we've made significant  
14           progress working with Chief of Staff  
15           Everett Gillison and the Finance  
16           Director, Robert Dubow, this particular  
17           budget is the budget of the former  
18           Sheriff of 2009 Operating Budget, with  
19           added mandatory increases and was  
20           submitted without any input of our  
21           office.

22                      It does not take into  
23           consideration the expansion of the  
24           responsibilities of the Sheriff's Office,  
25           including opening of the new courthouse,

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           the Widener building, last June that even  
3           stretched our resources even further by  
4           increasing manpower in that building.

5                   The principal responsibility of  
6           my office is to transport approximately  
7           500 or more prisoners each day from  
8           prisons to the courts.

9                   This is the duty of the Deputy  
10          Sheriffs who provide security to the  
11          courts as well as protect six courthouses  
12          and multiple courtroom facilities.

13                  The Deputy Sheriffs officers  
14          must be certified and trained by Penn  
15          State certification classes, which  
16          includes physical and classroom studies.  
17          We had 230 deputies in 2008. Today we  
18          only have 194 deputies, which causes us  
19          to spend over \$3 million in overtime to  
20          make up the shortage. This also means  
21          that we are in need of -- which also  
22          means that we spend a lot of time  
23          escorting prisoners from holding cells to  
24          courtrooms, which creates delays when we  
25          don't have the manpower, which also

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           creates a problem with overcrowding  
3           because people stay in jail longer if we  
4           cannot get those prisoners to the  
5           courtrooms.

6                       Despite our depleted strength,  
7           we have been able to improve our  
8           operations by including a K-9 unit, which  
9           means that we now have dogs that have --  
10          who are in training who have  
11          bomb-sniffing capabilities. And we're  
12          instituting a bike patrol, which will  
13          move more deputies between courthouses  
14          and the perimeters around each building.

15                     In June 2014, the multi-family  
16          court building will open at 1501 Arch  
17          Street. To properly staff that building,  
18          we need 127 deputies. More deputies are  
19          also demanded and requested by Civil  
20          Court judges right here in City Hall.

21                     We understand and we recognize  
22          the issue that happened in Wilmington,  
23          Delaware, so we can understand what the  
24          needs are.

25                     To meet those needs, we're

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           seeking 100 new deputies for FY14. This  
3           would increase the budget presented to  
4           you by almost \$4 million in Class 100  
5           funds.

6                     Though the General Fund will be  
7           required to help fulfill those needs, we  
8           will continue to work with Chief of Staff  
9           Gillison and the Finance Director as to  
10          how we can fund this area.

11                    Our 2014 budget request by --  
12          our 2014 requests are a budget director,  
13          a computer support person, and one  
14          additional clerical position, which will  
15          increase our Class 100 expenses by  
16          \$140,000. We propose to replace 23  
17          people who was in the past Administration  
18          with six.

19                    In the past year or so, we have  
20          returned almost \$2 million of excess  
21          money which was owed to citizens of the  
22          City of Philadelphia.

23                    We have also held dozens of  
24          seminars on how to buy properties at the  
25          Sheriff Sale, and we've sponsored

1           4/16/13 - WHOLE - BILL 130178, etc.

2           approximately ten major community  
3           workshops on how to stay out of  
4           foreclosure and stay in your home.

5                       We have introduced the  
6           electronic deed filing service to reduce  
7           the time that a purchaser has to wait for  
8           a deed. In the past it took 12 weeks or  
9           more. We've narrowed it down to about  
10          three or four weeks.

11                     At the City's request  
12          yesterday, we started an additional tax  
13          sale, which creates more revenue for the  
14          City of Philadelphia. Each year we sell  
15          over 7,500 properties on behalf of the  
16          City and lenders. Sheriff Sales are a  
17          major source of revenue for the City of  
18          Philadelphia.

19                     In addition to \$2 million of  
20          writ fees paid to the City through the  
21          sales, we've turned over \$2.5 million on  
22          a monthly basis to delinquent taxes,  
23          water, and gas bills for a total of \$30  
24          million that will be provided to the City  
25          and its agencies each year.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 We must obtain budget  
3 authorization for that 100 deputies, 100  
4 additional deputies and three civilian  
5 personnel.

6 As you know, the Office of the  
7 Sheriff in the City of Philadelphia and  
8 the County is as complex and vital as any  
9 agency in the City. For it to  
10 successfully continue to -- we will  
11 continue successfully to protect judges,  
12 witnesses, jurors. We must and always  
13 support -- we must always support the  
14 Sheriff's Office and its ways of trying  
15 to keep funding to maintain the adequate  
16 security for all the courthouses as well  
17 as witnesses, jurors, judges, and the  
18 public.

19 Thank you very much. Submitted  
20 by Sheriff Jewell Williams, City and  
21 County of Philadelphia.

22 COUNCILMAN JONES: Thank you,  
23 Mr. Sheriff. I have a couple of quick  
24 questions.

25 With the new courthouse, when



1           4/16/13 - WHOLE - BILL 130178, etc.

2           is that due to come online?

3                   SHERIFF WILLIAMS:   June -- May  
4           of 2014.   It looks like May of 2014.

5                   COUNCILMAN JONES:   Does your  
6           budget project within that 100 new  
7           officers dealing with the added capacity  
8           of keeping that courthouse safe or is  
9           that just a simple transfer of the  
10          existing workforce from one location to  
11          the other?   Is there an impact or an  
12          increase in need?

13                   SHERIFF WILLIAMS:   Well,  
14          there's several things.   1801 Vine, the  
15          34 South 11th, most of those deputies  
16          will be condensed into the new building  
17          at 1501 Arch Street.   Our need for the  
18          127 will have us secure each floor as  
19          well as the courtrooms and the  
20          underground parking facility.   We were  
21          totally against the underground parking  
22          facility because that creates more  
23          manpower in order to -- and thankful to  
24          some of our donators that we were able to  
25          get bomb-sniffing dogs, because now we

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           have a new courthouse with public parking  
3           and courtrooms over top of that public  
4           parking.

5                       So to answer your question, we  
6           will collapse some of those locations to  
7           bring more deputies into that building.

8                       COUNCILMAN JONES: So we have  
9           fewer locations, but we are intensifying  
10          our security for that location because of  
11          the combination of public parking and  
12          other factors?

13                      SHERIFF WILLIAMS: Correct.

14                      COUNCILMAN JONES: Okay. By  
15          way of lessons learned from Wilmington,  
16          were there any that we drew from that  
17          unfortunate instance that we can learn  
18          from, and what are they?

19                      SHERIFF WILLIAMS: Well, we've  
20          learned a lot. Again, the donation of  
21          the two bomb dogs and the one narcotics  
22          sniffing dog and patrol dogs, these dogs  
23          are cross-trained. That helps us with  
24          detecting bombs or explosive devices.

25                      We have now also instituted

1           4/16/13 - WHOLE - BILL 130178, etc.  
2       working with our deputies and we're  
3       stretching it as much as we can to  
4       patrol, because we've been getting so  
5       many problems of witnesses being  
6       intimidated in and around the  
7       courthouses, where we're actually using  
8       now our bike patrol to ride between 1801  
9       Vine, the Widener building, Traffic Court  
10      also and the Criminal Justice Center,  
11      those alleyways and those areas around  
12      the perimeter of the building.

13                   COUNCILMAN JONES: Do you find  
14      witness intimidation on an increase,  
15      decrease or stabilized?

16                   SHERIFF WILLIAMS: It's on an  
17      increase. It's on an increase, because  
18      we get complaints. As you can see,  
19      people do not show up at court. The  
20      District Attorney's Office has a lot of  
21      no-shows who are witnesses, and people  
22      are intimidated coming to and from court.

23                   COUNCILMAN JONES: I mean, if  
24      you could provide statistics to the  
25      Chair, particularly to be disseminated to

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           the Public Safety Committee. We've had  
3           an interest in making sure that witness  
4           intimidation does not occur. Without  
5           witnesses, there is no justice. I mean,  
6           simply put. So keeping them secure, both  
7           in the courtroom, I mean, at least, but  
8           also in the respective neighborhoods they  
9           come from is a priority of this body as  
10          well. So any statistics that show that  
11          there's an increase from last year to  
12          this year is important for us as we start  
13          to make budget decisions.

14                   SHERIFF WILLIAMS: Okay. We'll  
15          check with the District Attorney's  
16          Office.

17                   COUNCILMAN JONES: Quickly, are  
18          Sheriff Sales up or down from last year  
19          to this year?

20                   MR. VIGNOLA: My name is Joseph  
21          C. Vignola. I'm the Undersheriff for the  
22          City of Philadelphia.

23                   The number of properties going  
24          to Sheriff Sale for the current fiscal  
25          year has increased slightly. For the

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           upcoming fiscal year, there will be a  
3           more dramatic increase. As Sheriff  
4           Williams pointed out, at the request of  
5           the City of Philadelphia, we added an  
6           additional Sheriff Sale just yesterday.  
7           Yesterday there were only 87 properties  
8           listed for sale at that sale. It is the  
9           stated goal of the Administration to  
10          increase the number of sales for that  
11          particular third Monday of the month to  
12          200.

13                   COUNCILMAN JONES: As you heard  
14          much debate about revenue collections in  
15          the City of Philadelphia, you are an  
16          integral part of that. Counterbalancing  
17          that, which is often a difficult juggling  
18          act, we don't want to make citizens  
19          homeless unnecessarily. How have you  
20          been working with the City's diversion  
21          program? Have you been interacting with  
22          them at all? You mentioned how to keep  
23          people in homes. Are you working with  
24          them in that regard?

25                   SHERIFF WILLIAMS: Yes. We

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           have one of our staffers who work in the  
3           Real Estate Division. He goes to those  
4           meetings with the diversion program with,  
5           I think, Judge Annette Rizzo, that group.  
6           But the Sheriff's Office in his own,  
7           we've created a relationship with  
8           community organizations around the City.  
9           We have been having these seminars to  
10          give people information, working with the  
11          African American veterans organization.  
12          We've been working with the African  
13          American realtors, Latino organizations,  
14          the Asian and cultural communities.  
15          We've actually been out doing seminars at  
16          their facilities. And now we're starting  
17          a program called Sunday Office. We've  
18          been working with churches in the  
19          community where we will go to their  
20          church after their service and put up  
21          tables and get this information on how  
22          not to lose your home.

23                       We believe in the Philadelphia  
24          Sheriff's Office if we can arm people  
25          with information, we can prevent people

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           from being homeless. The biggest problem  
3           we have is that not only are adults  
4           homeless, but the children are homeless.  
5           We don't want to put children in the  
6           street. As you know, as we look at the  
7           City of Philadelphia, when we see  
8           children in the street, we see problems,  
9           and we want to be a part of the solution  
10          and not the problem.

11                   COUNCILMAN JONES: Thank you,  
12           Sheriff.

13                   The Chair now recognizes  
14           Councilman Johnson.

15                   COUNCILMAN JOHNSON: Thank you,  
16           Mr. Chair.

17                   Thank you, Mr. Sheriff. I want  
18           to say it's always a pleasure to see you.  
19           I want to thank you for your service to  
20           the City of Philadelphia.

21                   I just want to get an idea of,  
22           just based upon you taking helm at the  
23           Sheriff Department, the transition of the  
24           Sheriff's Department from then until now.  
25           Just give me an idea of some of what your

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           new initiatives have been to make the  
3           Sheriff's Department more efficient. I  
4           like the Sunday Office program in terms  
5           of making sure -- I believe it's  
6           important that we increase the Sheriff  
7           Sales, and I get that in terms of  
8           providing tax revenue for our city, but  
9           I'm also just as equally concerned about  
10          what you just talked about, making sure  
11          we don't aggressively move forward and  
12          not pay attention to those who may become  
13          homeless.

14                   But just give me an overview of  
15          where you have taken the Sheriff  
16          Department thus far, initiatives, best  
17          practices, to make sure it continues to  
18          operate efficiently.

19                   SHERIFF WILLIAMS: Well, thank  
20          you, Councilman. As we started when we  
21          first campaigned, we campaigned on trying  
22          to make the office as efficient as  
23          possible. We now have a new computer  
24          system. It should go online sometime in  
25          June, which will make more of the process



1           4/16/13 - WHOLE - BILL 130178, etc.  
2           of persons getting their deeds, making  
3           sure that the process can move faster and  
4           more efficient.

5                       We have the community outreach  
6           programs, which helps folks over in the  
7           Sheriff's Office. The previous  
8           Administration had 23 people working  
9           upstairs like in the Biblical Court to  
10          the previous Administration, and they  
11          were able to do a lot of Sheriff Sales  
12          and a lot of business. We now have it  
13          down to -- that's why we need the  
14          additional six people, so that we can  
15          compete with at least those folks who are  
16          working there so we can generate revenue  
17          for the City of Philadelphia.

18                      We now have what we call  
19          electronic deed filing, which we didn't  
20          have in the past, which helps you get  
21          your deeds faster. Normally it takes you  
22          about 12 weeks. Now we have it narrowed  
23          down to about four weeks. And then we  
24          have what we call Defendant Recovery --  
25          Asset Recovery Team program, and that is,

1           4/16/13 - WHOLE - BILL 130178, etc.

2           we're actually looking for people who is  
3           owed money. There are people who have  
4           had transactions with the Sheriff's  
5           Office in the past and they're owed  
6           money. We've given back almost \$2  
7           million to this day. In the previous  
8           Administration, we haven't seen those  
9           numbers. But moving forward, we have an  
10          aggressive approach to make sure that  
11          people who are owed money, that they get  
12          their money back. It does us no good  
13          having other people's money, and that  
14          money may be used to purchase another  
15          house or get an apartment. That's  
16          another way to keep people from being  
17          homeless.

18                       And the update of our website.  
19          There was a very difficult problem with  
20          the website in the past Administration.  
21          We now have a website, and we're moving  
22          very quickly. Some of the problems we  
23          have is by being tied to the system with  
24          the City. It gets kind of slow every now  
25          and then, but we're beginning to input a

1 4/16/13 - WHOLE - BILL 130178, etc.

2 lot of information on our website.

3 COUNCILMAN JOHNSON: Just one  
4 last component. And I think as we often  
5 talk about the real estate component, but  
6 you're actually the law enforcement  
7 official in the City of Philadelphia, and  
8 so can you just give us a brief overview  
9 of your fugitive response team, because I  
10 think that's a critical component as we  
11 address the issue of gun violence in the  
12 City of Philadelphia, as we focus on  
13 making sure our neighborhoods are safe.  
14 There are a significant amount of people  
15 who jump bail, who hang out in the  
16 neighborhood, in the shadows, and still  
17 commit additional crimes of violence in  
18 our neighborhoods.

19 So speak on the law enforcement  
20 component that your office plays in terms  
21 of making sure our city is safe and going  
22 after those who do not follow the law.

23 SHERIFF WILLIAMS: Again, thank  
24 you for your question. The Philadelphia  
25 Sheriff's Office is sometimes the last

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           person that an inmate see before they go  
3           to the county jail or before they go to  
4           the county court or a state facility.  
5           The Sheriff's Office, we do extradition  
6           where we actually go look for people. We  
7           get people from other jurisdictions and  
8           we bring them to Philadelphia for court,  
9           as well as the courthouses.

10                   To this date, we have almost  
11           zero incidents on escapes. I'd like to  
12           commend the men and women of the  
13           Sheriff's Office, because with the  
14           shortage of manpower, we still maintain a  
15           secure environment at the Criminal  
16           Justice Center, 1801 Vine, and the other  
17           courthouses that we secure. You never  
18           hear about this in the local papers, how  
19           we have been protecting the public from  
20           going to the courthouses as well as  
21           witness protection and those things.

22                   Our volunteer donation of the  
23           dogs and the bikes help us maintain the  
24           public safety. And to this day, we are  
25           in need of those additional deputies so

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           that we can do more on the fugitive  
3           warrants. We do a couple stings twice a  
4           year or more where we join agencies,  
5           because when other folks from other --  
6           when other sheriffs from other counties  
7           come into the City of Philadelphia, they  
8           don't know the City of Philadelphia. So  
9           I have to send our guys to assist them in  
10          picking up folks. Most times if you're  
11          wanted in another county, you're wanted  
12          in Philadelphia also. So sometimes the  
13          Philadelphia Sheriff's Office is left out  
14          of the mix.

15                   Just recently, at 15th and  
16          Chestnut, there was a melee of young kids  
17          with the flash mobs. We monitor the  
18          radios, and we saw that the Philadelphia  
19          Police were in need of assistance. So we  
20          had to dispatch about four of our vans to  
21          go to 15th and Chestnut to assist  
22          Philadelphia Police.

23                   So we are an integral part of  
24          law enforcement, but a lot of times we  
25          get downplayed because we don't really

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           have the manpower that we deserve. Let  
3           me just say this again. We deserve to  
4           have more deputies to protect the public.  
5           Thank God, we haven't had any major  
6           incidents at our courthouses, but we are  
7           stretched very thin.

8                   COUNCILMAN JOHNSON: Thank you  
9           very much, Sheriff.

10                  COUNCILMAN JONES: Thank you,  
11          Councilman.

12                  The Chair recognizes  
13          Councilwoman Sanchez.

14                  COUNCILWOMAN SANCHEZ: Thank  
15          you.

16                  Good morning.

17                  SHERIFF WILLIAMS: Good  
18          morning.

19                  COUNCILWOMAN SANCHEZ: Let me  
20          first thank you for the type of outreach  
21          that you've begun to do within the  
22          different minority communities. I  
23          greatly appreciate your office's willing  
24          to be proactive and provide both on the  
25          foreclosure prevention and, more

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           importantly, the ability of folks to  
3           purchase properties through Sheriff Sale.  
4           It is unlike anything we've done in the  
5           past, so I greatly appreciate that.

6                       I also want to thank you  
7           because other than the Rec Department,  
8           you're the only department that created a  
9           bilingual position. So I want to thank  
10          you and acknowledge your commitment to  
11          the diversity within your workforce.  
12          Those are not easy hills to climb, as  
13          most of my colleagues know, because I  
14          have to ask the questions every year, and  
15          every year I get a similar response. In  
16          your case, you quickly got to it and you  
17          did it, so I appreciate it.

18                      One of the things that I want  
19          to kind of get an idea of is this whole  
20          Sheriff Sale process. We've heard the  
21          Administration talk about they want to  
22          ramp up Sheriff Sale. I want to get a  
23          sense of the cost structure related to  
24          the Sheriff Sale.

25                      One of the things that we've

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           experienced is, as we push and we work  
3           with either the Administration or our  
4           co-counsels around some of this vacant  
5           lot, one of the issues that has come up  
6           is the minimum bid, and in some of these  
7           cases, what we've seen is for the City  
8           the cost is about \$1,500 rounded off, but  
9           then there's a \$3,000 advertising and  
10          commission fee from the Sheriff's Office.  
11          What does that entail? What does that  
12          amount entail?

13                   MR. VIGNOLA: Councilwoman, my  
14          name is Joseph Vignola. I'm the  
15          Undersheriff.

16                   There is no 3,000 -- if you're  
17          talking about tax properties that are put  
18          up for sale?

19                   COUNCILWOMAN SANCHEZ: Yes.

20                   MR. VIGNOLA: The Sheriff's  
21          Office does not charge the City any  
22          filing fees to process the sale. Again,  
23          what we have to do is to obey the court  
24          order. The Sheriff's Office does not  
25          initiate any properties for sale. We



1           4/16/13 - WHOLE - BILL 130178, etc.

2           just sell them.

3                   At the request of the City a  
4           year ago, Sheriff Williams agreed that in  
5           regard to tax sales, the City and its  
6           co-counsel will not pay to file. There's  
7           no filing fee to file the properties.

8                   COUNCILWOMAN SANCHEZ: So then  
9           how do we get to the minimum bid? And I  
10          have a few examples of cases where,  
11          again, I know -- my understanding is that  
12          that fee is not waived for co-counsels.  
13          Are you telling me that it is?

14                  MR. VIGNOLA: It is waived for  
15          co-counsel.

16                  COUNCILWOMAN SANCHEZ: For  
17          Linebarger and other folks?

18                  MR. VIGNOLA: Yes.

19                  COUNCILWOMAN SANCHEZ: So where  
20          do we get the minimum bid? And I have  
21          examples where it's normally that 1,500,  
22          but the minimum bid is 4,500 because  
23          there's a \$3,000 price tag.

24                  MR. VIGNOLA: Minimum bids,  
25          Councilwoman, are generated by the

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           liability owed by that property to the  
3           City. The Revenue Department, the Water  
4           Revenue Department, the Gas Works, and  
5           L&I supply us with the total amount owed  
6           on that property. That becomes the  
7           additional minimum bid. If the property  
8           is sold at the first listing, then it's  
9           sold for a price at or above the minimum  
10          bid. If there are no bids on that  
11          property at the first listing, it is  
12          normally postponed either 30 or 60 days  
13          to give in this case the plaintiff, which  
14          is the City, through its co-counsel or  
15          its own counsel, to reset the bid.

16                   COUNCILWOMAN SANCHEZ: So who  
17          makes the decision about resetting the  
18          bid? Because what I have is a situation  
19          where you have potential side lots and  
20          stuff where the value is not there, that  
21          \$4,500.

22                   MR. VIGNOLA: It's the Law  
23          Department. It's the plaintiff, the  
24          City.

25                   COUNCILWOMAN SANCHEZ: Or

1 4/16/13 - WHOLE - BILL 130178, etc.

2 Linebarger?

3 MR. VIGNOLA: Well, it's the  
4 City.

5 COUNCILWOMAN SANCHEZ: Or  
6 anybody else, any other co-counsels.

7 MR. VIGNOLA: At the hearing  
8 conducted several weeks ago, the  
9 attorneys for GRB and Linebarger all said  
10 if the property is not sold once the  
11 first bid is posted, they then recommend  
12 to the City what it should be on the  
13 subsequent listing, and the City has to  
14 agree. The City is the client, so the  
15 City sets the minimum bid.

16 COUNCILWOMAN SANCHEZ: Okay.

17 MR. VIGNOLA: We do not.

18 COUNCILWOMAN SANCHEZ: Okay.  
19 I'm not getting the correct information  
20 from the other folks. Because that's  
21 what I'm trying to figure out, this  
22 \$3,000 commission supposedly to get to  
23 the minimum bid.

24 So when someone makes a deposit  
25 for 10 percent, they don't buy the house,

1 4/16/13 - WHOLE - BILL 130178, etc.

2 what happens to that deposit?

3 MR. VIGNOLA: In that case, the  
4 property is marked "terms of sale."

5 Under Sheriff Williams' tenure, that  
6 money is -- again, we're talking about  
7 tax sales -- returned to the City. The  
8 City then should apply those monies to  
9 that property to reduce the outstanding  
10 liabilities, starting with current real  
11 estate taxes, delinquent real estate  
12 taxes, water rents, gas bills, and  
13 nuisance, and then the property would  
14 again be relisted for sale at a future  
15 date.

16 COUNCILWOMAN SANCHEZ: Okay.  
17 Do you guys keep an account of how much  
18 money you turn into the City?

19 MR. VIGNOLA: Yes, we do.

20 COUNCILWOMAN SANCHEZ: Okay.  
21 Can you supply that to the Chair?

22 MR. VIGNOLA: Yes, we can.

23 COUNCILWOMAN SANCHEZ: I'm  
24 particularly, again, interested in the  
25 properties in our district that we're

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           trying to move out. And so I want to  
3           track this, because when I check with the  
4           Law Department, they give me one story,  
5           because we're trying to get it. In fact,  
6           one of the bills that President Clarke  
7           has forward is around how do we reduce  
8           that number, and so I'm trying to get a  
9           gauge, because --

10                   MR. VIGNOLA: One caveat,  
11           Councilwoman, that Sheriff Williams just  
12           testified to, we're in the process of  
13           updating our information technology  
14           system. The current system that we have  
15           is not capable of doing such a sort, but  
16           to the best of my ability on behalf of  
17           Sheriff, I'll get you that information.

18                   COUNCILWOMAN SANCHEZ: Okay.  
19                   I'll wait for the next round.  
20           Thank you.

21                   COUNCILMAN JONES: Thank you,  
22           Councilwoman.

23                   Very quickly, and Councilwoman  
24           Bass is next. How many sheriffs are  
25           eligible for DROP or in the DROP program

1 4/16/13 - WHOLE - BILL 130178, etc.

2 right now?

3 SHERIFF WILLIAMS: 23.

4 COUNCILMAN JONES: And what is  
5 your succession plan for them and how  
6 long does it take to train the 100  
7 officers that you're requesting?

8 SHERIFF WILLIAMS: It takes us  
9 about 19 weeks.

10 COUNCILMAN JONES: Is that  
11 through the --

12 SHERIFF WILLIAMS: That's  
13 through the Pennsylvania training program  
14 for the sheriffs. But we put out --

15 COUNCILMAN JONES: Are you in  
16 the Academy, the Police Academy?

17 SHERIFF WILLIAMS: No, we're  
18 not. We're actually trying to seek to  
19 get our guys and girls over at the  
20 Philadelphia Police Academy, because it  
21 would cut down some of the time that they  
22 have to drive two and three hours.

23 COUNCILMAN JONES: Is there a  
24 reason why that has not happened thus  
25 far?

1 4/16/13 - WHOLE - BILL 130178, etc.

2 MR. VIGNOLA: Mr. Chairman,  
3 Joseph Vignola again.

4 Under the Deputy Sheriffs  
5 Training Act, the only authorized school  
6 is the school run by Pennsylvania State  
7 University. When we send our deputies to  
8 that school, eventually for the 19 weeks  
9 they're in training, the Deputy Sheriffs  
10 Training Act, which gets its funding from  
11 court filings, the overwhelming majority  
12 statewide comes from Philadelphia. We  
13 are reimbursed their salary. The  
14 deputies who attend school attend school  
15 with the per diem at a housing allowance.  
16 But right now that is the only authorized  
17 training program in the Commonwealth.

18 COUNCILMAN JONES: Is it a  
19 state authorization?

20 MR. VIGNOLA: Yes, sir.

21 COUNCILMAN JONES: Okay. But  
22 if you had your druthers, you would like  
23 to merge it into -- do you know the cost  
24 differential?

25 MR. VIGNOLA: Well, the cost

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           differential would be minimal. One of  
3           the bigger problems we have is, when the  
4           Sheriff invites someone to join the  
5           Sheriff's Office and the Sheriff informs  
6           them that they have to go 20 weeks to  
7           Penn State, a lot of our recruits  
8           decline, because that means 20 weeks away  
9           from their families. So it becomes -- we  
10          would much rather have it at the  
11          Philadelphia Police Academy.

12                   COUNCILMAN JONES: Okay.

13                   SHERIFF WILLIAMS: And,  
14          Councilman, let me also say that we are  
15          lobbying Harrisburg now to see if we can  
16          change that legislation. It's been very  
17          difficult because of the republican power  
18          structure in Harrisburg, but we're  
19          working very hard to see if we can have  
20          that legislation amended.

21                   COUNCILMAN JONES: Okay.

22                   The Chair recognizes  
23          Councilwoman Bass.

24                   COUNCILWOMAN BASS: Thank you,  
25          Mr. Chairman.



1 4/16/13 - WHOLE - BILL 130178, etc.

2 Good afternoon.

3 SHERIFF WILLIAMS: Good

4 afternoon.

5 COUNCILWOMAN BASS: How are

6 you?

7 SHERIFF WILLIAMS: Great.

8 COUNCILWOMAN BASS: Good. I

9 just have a couple of questions here.

10 I thank you for bringing to  
11 light the concerns and issues regarding  
12 your staffing, because it's very  
13 important to know, particularly in light  
14 of what just happened yesterday. These  
15 are things that we certainly do need to  
16 be made aware of, and we need our sheriff  
17 deputies. We need your help. And so I  
18 just wanted to thank you for bringing  
19 that to the attention, particularly in  
20 light of what happened yesterday.

21 And the other piece to that  
22 that I had a question on was in reference  
23 to the Sheriff Sale process. As you  
24 know, we've got this huge inventory of  
25 properties that need to move forward, and

1 4/16/13 - WHOLE - BILL 130178, etc.

2 I was wondering if you could talk a  
3 little bit about how we would be able to  
4 benefit from hiring additional folks who  
5 could actually work specifically on the  
6 Sheriff Sale process and the additional  
7 income that that would incur for the City  
8 of Philadelphia.

9 MR. VIGNOLA: Councilwoman,  
10 again, my name is Joseph Vignola, and I  
11 seem to get all the finance questions.

12 Again, the Sheriff -- the  
13 judicial sale, which is the proper name  
14 for a Sheriff Sale, because we do it  
15 pursuant to a court order, we're the end  
16 of the process.

17 COUNCILWOMAN BASS: Yes.

18 MR. VIGNOLA: It is a  
19 combination of work among the various  
20 agencies, among the various City  
21 agencies, the Law Department, the Revenue  
22 Department, the Department of License and  
23 Inspection, as well as the First Judicial  
24 District. Because every sale that occurs  
25 at a Sheriff Sale is pursuant to judicial

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           order. That means there has to be a  
3           lawsuit, and the City brings a lawsuit.  
4           And the City at the hearing that was held  
5           a couple weeks ago testified to the  
6           process that they go through and they  
7           have to go through to bring it to a  
8           lawsuit, bring it to a successful lawsuit  
9           and bring it to a Sheriff Sale.

10                       Yes, it would be advantageous  
11           if you could bring all delinquent  
12           properties up for sale, but, again, law  
13           of supply and demand. Sometimes the more  
14           you bring drives the price down. There's  
15           available stock. It's a delicate  
16           balance.

17                       I could say on behalf of  
18           Sheriff Williams that whatever number of  
19           properties the City agrees to bring  
20           forward, the Sheriff's Office is capable  
21           of selling them without a backlog.  
22           Obviously properties get listed for sale  
23           and get postponed, but we deal with that  
24           on a regular basis. And, yes, there is a  
25           positive flow. I think the Sheriff

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           testified in his budget statement just  
3           now that last year alone, we turned over  
4           to the City \$30 million in delinquent  
5           taxes and fees from all the sales. Can  
6           that be increased? The answer to that is  
7           yes. And as I was explaining to  
8           Councilwoman Sanchez, even tax  
9           properties, there are properties that may  
10          be \$25,000 in tax delinquent. It doesn't  
11          sell the first time. The City  
12          compromises it for 12,000. Sometimes  
13          it's not even sold then. They sell --  
14          they then put a minimum bid to get it  
15          back on the tax rolls for a thousand  
16          dollars. Well, basically the City had to  
17          write off \$24,000 in tax liability, but  
18          now that property is back on the tax  
19          rolls because it's purchased by an owner  
20          who has to maintain the current taxes.

21                   COUNCILWOMAN BASS: Okay.

22                   MR. VIGNOLA: So it's a  
23                   delicate balance, Councilwoman.

24                   COUNCILWOMAN BASS: I see. So  
25                   you don't want to flood the market with

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           too many properties. That could drive  
3           the price down, but at the same time, in  
4           a district like mine where I'm really  
5           trying to push development, we need a lot  
6           of work. I have a lot of property that  
7           is tax delinquent, abandoned properties,  
8           blighted properties. And so in trying to  
9           really get some movement on that, I'd  
10          really like to work closer with your  
11          office to figure out if we can target a  
12          particular area and figure out what we  
13          can do maybe in a specific neighborhood  
14          to do something that would be innovative.  
15          But go ahead.

16                   MR. VIGNOLA: But, again, we're  
17          the end of the process.

18                   COUNCILWOMAN BASS: Right. I  
19          get it.

20                   MR. VIGNOLA: If you bring  
21          them, we'll sell them, but you got to get  
22          the Law Department to bring them.

23                   COUNCILWOMAN BASS: Okay.

24                   SHERIFF WILLIAMS: Also,  
25          Councilwoman, I want to also just thank

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           you for saying about the job that the  
3           Philadelphia Sheriff's Office does, but I  
4           cannot say this enough. The Sheriff's  
5           Office is in desperate need of those  
6           deputies. God forbid if we had a major  
7           incident, we could not help all the  
8           people we would want to help, and unless  
9           we get those additional bodies -- and I  
10          have to put this on public notice -- it  
11          would be a very disastrous incident if we  
12          don't have the bodies and the trained  
13          personnel. I mean, you cannot hire  
14          security people who doesn't have that  
15          training, and that even makes it worse  
16          because they wouldn't know how to  
17          respond. And that's why we put out an  
18          application for our police officers who  
19          are MPO trained and sheriffs who are Act  
20          II trained on an emergency basis to see  
21          if we can get as many people as possible  
22          funded through the agreement that the  
23          City made to hire some additional  
24          deputies for us. We're at that critical  
25          point. And I've said this from the day I

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           got elected in memos, the e-mails that  
3           we've sent to this Administration. We  
4           are in dire need of additional deputies.  
5           And God forbid if we have a major  
6           incident and we don't have the trained  
7           personnel.

8                     Our guys and girls in our  
9           department is stretching their self very  
10          thin, but you can tell we're doing the  
11          job because the place is safe and secure  
12          right now.

13                    COUNCILWOMAN BASS: Okay.

14                    SHERIFF WILLIAMS: Thank you.

15                    COUNCILWOMAN BASS: I'm glad  
16          that you're saying it loud and clear, and  
17          you're certainly on the record for it.

18                    SHERIFF WILLIAMS: Thank you.

19                    COUNCILWOMAN BASS: I want to  
20          thank you. But I'll come back around  
21          with my other questions.

22                    Thank you.

23                    COUNCILMAN JONES: Thank you,  
24          Councilwoman.

25                    The Chair recognizes Councilman

1 4/16/13 - WHOLE - BILL 130178, etc.

2 Oh.

3 COUNCILMAN OH: Thank you very  
4 much, Chairman.

5 Good afternoon, Sheriff.

6 SHERIFF WILLIAMS: Good  
7 afternoon.

8 COUNCILMAN OH: The Sheriff's  
9 Department is so essential to the  
10 operation of the court system, in  
11 addition to being important to our city.  
12 The City cannot increase fees, but the  
13 courts can. Is there any opportunity,  
14 have you been in discussions with the  
15 court to increase fees so that fees will  
16 generate funds for the Sheriff's  
17 Department?

18 SHERIFF WILLIAMS: Well, I  
19 haven't been in that discussion, but I  
20 can tell you as a political maverick, you  
21 don't talk fees to City Council. So if  
22 the court wants to do it, I'll be  
23 supportive, but I won't be the person  
24 making the recommendation to increasing  
25 any fees. That's like political suicide.



1 4/16/13 - WHOLE - BILL 130178, etc.

2 COUNCILMAN OH: I understand.

3 Well, our problem, just to put  
4 it in the context for those listening, is  
5 that we have to increase taxes if we  
6 don't increase fees. So my next question  
7 is, in terms of items confiscated, are  
8 there a lot of items that are confiscated  
9 when people enter the courtroom or is  
10 that not a large amount?

11 SHERIFF WILLIAMS: Yes. We  
12 have numerous amount of knives, guns that  
13 are confiscated at our checkpoints, but  
14 some of the problems that we have is,  
15 some of the courthouses, the front line  
16 is security personnel, not trained  
17 sheriff's deputies who go to school to  
18 look for a certain kind of weapons,  
19 certain kind of weapons that disperse  
20 projectiles. We're trained for that.

21 COUNCILMAN OH: Right.

22 SHERIFF WILLIAMS: And some of  
23 those courthouses, like 34 South 11th  
24 Street, there's a security company there.  
25 I don't know if those folks go and get

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           certification training and updates.

3                   For instance, we have a law on  
4           the books called the Castle Doctrine. If  
5           one of those security persons -- now this  
6           law says that you got to protect the  
7           space or if we're inside a parking lot  
8           and a person is a victim inside the car  
9           and the security personnel come from  
10          somewhere and shoot, the person inside  
11          the car who is the victim, because he  
12          just got robbed by a perp, if you don't  
13          know the law on Castle Doctrine, that  
14          person in that car has a right to shoot  
15          the person who put them in immediate  
16          danger or death, the threat of death.

17                   So you got to have these  
18          updates. That's why the training is  
19          important. As a former law enforcement  
20          person, I can tell you that training is  
21          important. The certification is  
22          important, because legislation -- and as  
23          a former legislator -- legislation and  
24          laws change.

25                   COUNCILMAN OH: Sheriff, I will

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           say that I do believe that you should  
3           have your funding. I don't see how we  
4           would not fund deputy sheriffs for  
5           courtrooms. We couldn't have courtrooms  
6           operating. But I do want to explore a  
7           little bit just in terms of at the  
8           Airport, they confiscate items and then  
9           there was some legislation to basically  
10          sell those items and donate the money to  
11          veterans, homeless veterans. What  
12          happens to the confiscated items that are  
13          collected by the Sheriff's Office?

14                 SHERIFF WILLIAMS: Well, one of  
15          the things that we do as the Sheriff's  
16          Office is, we get -- when people have  
17          protection from abuse orders, policemen,  
18          firemen, security personnel, they have to  
19          turn their weapons into us. If those  
20          folks don't come back and get those  
21          weapons, we actually destroy those  
22          weapons, and there's a program we were  
23          working with prior to my Administration  
24          where they were melting down those guns  
25          and using the precious metal for a

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           non-profit, and it was helping a  
3           community group. I don't remember the  
4           group right now, but that used to happen  
5           in the past.

6                       I don't have a problem with  
7           meltdowns and whatever revenue goes to a  
8           non-profit, maybe for women protection,  
9           the women's abuse program or something  
10          like that. I don't have a problem with  
11          it going there.

12                     COUNCILMAN OH: Right.

13                     SHERIFF WILLIAMS: But the  
14          revenue issue is a real issue for you  
15          guys as well as it is for us. If you  
16          guys can find a way to attach some fees  
17          or whatever, I don't have a problem with  
18          it, but, again, it's political suicide  
19          for me to decide I want to increase. But  
20          I will tell you on the record, if we do  
21          not get additional deputies, you will be  
22          opening up a courthouse next June, May or  
23          June, with untrained professionals.

24                     COUNCILMAN OH: Right.

25                     SHERIFF WILLIAMS: And mind

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           you, in Delaware, where that incident  
3           happened was a domestic courthouse. Most  
4           of the incidents around the country has  
5           been in the domestic courthouses. It has  
6           not been the criminal courthouses. It  
7           has been the domestic courthouses for  
8           support or children visitations.

9                   COUNCILMAN OH: Understood, and  
10          point well taken. Let me move on to  
11          another topic. The issue of witness  
12          intimidation and the fact that there have  
13          been concerns in other jurisdictions as  
14          well where someone is testifying, someone  
15          snaps a picture, records them on a video  
16          camera on their cell phone, and that  
17          seems to be a big kind of a logistical  
18          problem. Have you any thoughts on how to  
19          handle that?

20                 SHERIFF WILLIAMS: Yes. Again,  
21          if I had the manpower, I would collect  
22          every camera and every phone that come  
23          inside the courthouse. But I have to  
24          choose the difference between protection  
25          for the immediate threat or the threat

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           that may happen later on, and I have to  
3           use manpower in that courtroom protecting  
4           that judge or that witness while they're  
5           there.

6                       But on the onset, when there's  
7           a camera, that picture is going somewhere  
8           else. That's why we are in need of  
9           additional deputies. It is a problem,  
10          and I think the DA's Office should be  
11          able to support us in this issue also.  
12          When those cell phones go out with this  
13          day of YouTube and all the rest of those  
14          gimmicks, people's faces are all over,  
15          and once you get tagged in the community  
16          as a snitch or an informant, it's dead  
17          meat for you.

18                       I live in the hood. I can tell  
19          you, I've witnessed people get shot and  
20          families get disrupted because of a  
21          person who was a witness doing their  
22          public service.

23                       So, again, we are in need of  
24          additional deputies so that we can  
25          reenact the camera security, and we would

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           put those cameras up and those phones  
3           until people come out of that courthouse  
4           and we'll give it back to them. But I  
5           think it's a threat. I think it's a  
6           major threat against a witness.

7                   COUNCILMAN OH: All right.  
8           Thank you very much.

9                   Thank you, Mr. Chairman.

10                  COUNCILMAN JONES: Thank you,  
11           Councilman.

12                  The Chair recognizes Councilman  
13           Kenney.

14                  COUNCILMAN KENNEY: Thank you,  
15           Mr. Chairman.

16                  Sheriff, the Controller  
17           testified earlier that on numbers of  
18           occasions, the Law Department will pull a  
19           commercial property from a Sheriff Sale  
20           list and do it more than one time. Is  
21           there a reason they need to give you or  
22           do you have any speculation as to what  
23           the reasons are?

24                  It would seem when we have this  
25           discussion about our Sheriff Sales for

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           residential properties or people who are  
3           living in them as opposed to commercial  
4           properties that are also heavily in debt,  
5           why would the Law Department do multiple  
6           pullbacks of commercial property?

7                       MR. VIGNOLA: Councilman  
8           Kenney, my name is Joseph Vignola. I'm  
9           the Undersheriff.

10                      COUNCILMAN KENNEY: I know you.

11                      MR. VIGNOLA: Yeah, somewhere.

12                      Most continuances in regard to  
13           properties by the Law Department when  
14           there's no bid on the property -- when  
15           the property could be up to bid is  
16           because from the time the Sheriff Sale  
17           has advertised to when we actually -- the  
18           Sheriff actually goes around for the  
19           first listing, goes to the house and  
20           repost it, sometimes the taxpayer does  
21           come in and begin settlement negotiations  
22           to resolve the tax. So that is the  
23           overwhelming reason why properties are  
24           continued. It happens more frequently in  
25           regard to commercial properties. But,



1           4/16/13 - WHOLE - BILL 130178, etc.  
2           again, there's only so much rope that the  
3           Law Department gives them to finalize the  
4           settlement and then it will go up for  
5           sale.

6                   COUNCILMAN KENNEY: Can the Law  
7           Department legally shorten the rope? I  
8           mean, is there any impediments to having  
9           a shorter rope?

10                   MR. VIGNOLA: There would be  
11           the forced issue quicker. It's the old  
12           adage, fish or cut bait. But, again,  
13           we're at the end of it, and the  
14           plaintiff, which is the City, makes the  
15           request. And, again, the philosophy may  
16           be isn't it better to have the current  
17           owner get tax current than to force a  
18           sale. It's a value judgment, Councilman.

19                   COUNCILMAN KENNEY: And really  
20           I'm speaking more about commercial  
21           property, not about residential property,  
22           because you're not putting someone out of  
23           their house.

24                   So do they have to give you a  
25           reason or they just pull it?

1 4/16/13 - WHOLE - BILL 130178, etc.

2 MR. VIGNOLA: No, there's no  
3 reason, but normally I'm telling you when  
4 we ask, the reason is, Oh, they came in  
5 to begin settlement negotiations.

6 COUNCILMAN KENNEY: So they can  
7 do that multiple times?

8 MR. VIGNOLA: Up to three  
9 times. So it's the first listing, second  
10 listing. Third listing it's either sold  
11 or withdrawn.

12 COUNCILMAN KENNEY: All right.  
13 But can you make -- do you think that if  
14 that practice wasn't employed as much as  
15 it is, that people would be more serious  
16 about the fact that we're actually going  
17 to take them to Sheriff Sale?

18 MR. VIGNOLA: Personally, yes.  
19 If the Law Department said, Look, you  
20 have until -- the property was listed for  
21 sale yesterday, you got a continuance.  
22 You have until May 31st, otherwise  
23 there's no more continuances, we're going  
24 to sell it. Yes, sir. I agree with you.  
25 It would bring the parties to the head.

1           4/16/13 - WHOLE - BILL 130178, etc.

2           COUNCILMAN KENNEY: And the  
3 other thing the Sheriff testified to when  
4 he started his testimony -- and correct  
5 me if misunderstood -- the Administration  
6 had no conversations with you about your  
7 budget?

8           SHERIFF WILLIAMS: No.

9           COUNCILMAN KENNEY: So they  
10 basically sent you your budget, or what  
11 did they do?

12          SHERIFF WILLIAMS: Well, how  
13 about if I have the Undersheriff answer  
14 that?

15          MR. VIGNOLA: During the  
16 regular budget process, we submitted a  
17 proposed budget, which included the  
18 number of deputies that the Sheriff has  
19 requested in his statement. We had no --  
20 although there were requests, we had no  
21 formal discussions about what was  
22 submitted as part of the Mayor's budget  
23 address in your budget books from the  
24 Administration to City Council. That's  
25 why we're here asking for more money.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 But I will have to say, since  
3 the last budget hearing that Sheriff  
4 Williams testified to last year, we've  
5 had ongoing discussions with the  
6 Administration, both with the Chief of  
7 Staff and the Finance Director, to try to  
8 break this loggerhead.

9 COUNCILMAN KENNEY: So is your  
10 testimony that this happened last year?

11 MR. VIGNOLA: It happened last  
12 year and again happened this year.

13 COUNCILMAN KENNEY: So I  
14 understand, you requested to meet with  
15 them, they wouldn't meet with you?

16 MR. VIGNOLA: We have requested  
17 meetings with the Budget Office to go  
18 over our budget line by line and help and  
19 assistance in doing that, and we never  
20 had a formal meeting.

21 COUNCILMAN KENNEY: Okay. I  
22 mean, Mr. President, that would be an  
23 interesting callback as to why that -- I  
24 mean, if someone is asking to meet and  
25 there's a refusal to meet, I think it's a

1 4/16/13 - WHOLE - BILL 130178, etc.

2 legitimate question as to why.

3 COUNCIL PRESIDENT CLARKE: It

4 shall be done, sir, Councilman.

5 COUNCILMAN KENNEY: Thank you.

6 Thank you.

7 COUNCIL PRESIDENT CLARKE: The

8 Chair recognizes Councilwoman Sanchez.

9 COUNCILWOMAN SANCHEZ: Thank

10 you.

11 I just have a couple more  
12 questions as it relates to the Sheriff  
13 Sale process. When the City turns over  
14 these properties for you to sell, if  
15 there's any -- and after what Kenney just  
16 asked, I may be answering my own  
17 question. What's the level of  
18 coordination between a house that's for  
19 sale and like the property maintenance;  
20 do you know? One of the issues that's  
21 come up -- and I know you guys have tried  
22 to be as helpful as you possibly can.  
23 Sometimes there's squatters in the house.  
24 We've had situations where the City has  
25 put properties up for sale that's also on

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           our demolition list, and it's sort of  
3           like who gets there first, do you sell  
4           the property or the property gets  
5           demolished.

6                       What's the kind of conversation  
7           that happens within departments around  
8           the maintenance of the property and the  
9           conditions?

10                      SHERIFF WILLIAMS: One of the  
11           major problems that we have is that when  
12           a person put a bid down on a property,  
13           we've had incidents that we are  
14           investigating now where the person who  
15           puts down the deposit is actually going  
16           to the property trying to evict people  
17           from the property, as well as trying to  
18           go in and repair the property before they  
19           complete the term of sale. That has  
20           turned into several incidents where our  
21           investigation unit is looking into people  
22           who have been illegally locked out  
23           because the sale is not completed.

24                      As far as -- it's always been  
25           the process of you call, we haul. We

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           only do what the court order us to do,  
3           and most times we don't know what's  
4           behind the door. We serve the paperwork,  
5           and then when the eviction is there,  
6           we're there with our men and women while  
7           we're trying to execute a legal eviction.  
8           Although we do go a step beyond, because  
9           if there's a person who has a medical  
10          condition, we always ask at that property  
11          if a person has a medical issue. If  
12          there's some children there, they should  
13          seek some professional help for that,  
14          either medical person or one of those  
15          department of children services if  
16          there's children inside the property. We  
17          have a heart in the Sheriff's Office as  
18          far as that's concerned, because we want  
19          to make sure that people are not just  
20          being foreclosed out and don't have an  
21          alternative to get some at least City  
22          services.

23                   COUNCILWOMAN SANCHEZ: I'm  
24           concerned about the property maintenance  
25           piece. And, again, I know that for L&I,

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           it's always difficult, but I'm concerned  
3           that when these properties go up for  
4           Sheriff Sale, there's no one checking  
5           them before, and so you're faced with  
6           these kind of situations. In an ideal  
7           world, who should have that  
8           responsibility? Because ultimately it's  
9           impacting neighbors, and I've had  
10          situations where houses are damaging  
11          other people's properties. It should  
12          really be demolished, but somehow it's  
13          still going up for sale and the neighbors  
14          are like, you know...

15                   SHERIFF WILLIAMS: I would  
16          think that License and Inspection should  
17          do an inspection prior to any sale or any  
18          confiscation of any property when the  
19          City is involved, because it's  
20          essentially the City is going after that  
21          property for that debt.

22                   COUNCILWOMAN SANCHEZ: Okay.  
23          All right. Going back to the issue of  
24          the court system. One of the things that  
25          we're always faced with here is how do we



1           4/16/13 - WHOLE - BILL 130178, etc.  
2           connect the dots. Do you feel that the  
3           court system is efficiently utilizing  
4           your workforce? And I say that to say,  
5           do you find that you are staffing  
6           courtrooms where judges are not sitting?  
7           Are you transporting prisoners who then  
8           don't actually come before a judge? Is  
9           there anything in that process that you  
10          see that can be improved for you in light  
11          of your staffing challenges?

12                   SHERIFF WILLIAMS: Well, again,  
13          we act on the document we get to bring a  
14          person down, and there has been instances  
15          where we had to be postponed because  
16          there was a jury trial or the lawyer  
17          wasn't available or the lawyer was over  
18          in federal court. I mean, you get that  
19          with the job when there's a disconnect,  
20          but, again, if you had the right  
21          manpower, I could shift people and bodies  
22          to areas where they could stay in the  
23          holding cell until the court is finished  
24          on the back end where I can send those  
25          folks back up to the prison. Again, my

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           problem with the lack of manpower, I have  
3           to actually hold people in the cells.  
4           Like the Graterford run, I would have to  
5           hold all the Graterford guys or the  
6           county jail. Instead of sending them up  
7           on a van, I would have to wait for a  
8           busload, which will delay. Likewise, the  
9           delay bringing people down in the morning  
10          on 95, if we had a dedicated highway  
11          lane, we could bring people faster down  
12          to the Criminal Justice Center, likewise  
13          get them back to the prison in the  
14          evening.

15                        So there's a lot of things that  
16          we can do to cut that time out, but the  
17          problem is, the courts are overwhelmed  
18          and we're getting more inmates every day.  
19          The juvenile courts is off the hook.  
20          It's increasing more. Young people are  
21          getting arrested. And when you deal with  
22          the adult side, we have a lot of multi  
23          co-defendant cases, which requires more  
24          deputies in the courtroom.

25                        So there's a litany of things

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           that has been happening, but it starts  
3           right there with the lack of deputies.

4                   And let me just tell you this  
5           while I have the floor. We have deputies  
6           who have bulletproof vests, and the clock  
7           is ticking. It is expiring. When you  
8           wear the vest over a certain period of  
9           time, the Kevlar -- and Councilman Oh  
10          knows about this -- the Kevlar or the  
11          material of the bulletproof vest, it gets  
12          weakened because of your body sweat. We  
13          haven't had that change in -- they  
14          haven't renewed those vests in over five  
15          years. So that's another incident  
16          waiting to happen.

17                   COUNCILWOMAN SANCHEZ: Right.  
18          And for me it would be interesting as you  
19          move forward to really begin to track --  
20          one of the biggest complaints I get from  
21          people who have to come to court, even  
22          some of the police officers, is, are we  
23          tracking the judges. I think that that's  
24          a silo around judges working five hours  
25          when they can work nine, and you get

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           different stories. We're in the middle  
3           of a judicial campaign and it's one of  
4           the questions I ask folks, and I'm just  
5           wondering how many efficiencies are there  
6           that we're not -- because we don't track  
7           it. For instance, if you have a  
8           sheriff's deputy in a courtroom where a  
9           judge waits until 10:30 to come in, are  
10          there efficiencies or are there -- you  
11          have to staff them no matter what.

12                   SHERIFF WILLIAMS: We don't  
13          have the manpower to do that. What we  
14          have to do is hold that person in the  
15          cell room. We have to feed the courtroom  
16          where there's a sitting judge. Where  
17          there's not a sitting judge, I don't have  
18          the manpower to put that inmate in that  
19          courtroom. Have I had the manpower, I  
20          can give you this information and tell  
21          you what time the judges come in or out.  
22          But you have so many different process.  
23          You got the hearing, you got the  
24          preliminary hearing, you got the status.  
25          You have so many different procedures and

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           process that you have when you're going  
3           through the court, the judicial process  
4           or the Municipal Court process. It takes  
5           the average person who is in the system  
6           to be brought down about five times  
7           before they actually see a judge for a  
8           trial.

9                       COUNCILWOMAN SANCHEZ: Thank  
10          you.

11                      Thank you, Mr. Chair.

12                      COUNCIL PRESIDENT CLARKE:  
13          Thank you, Councilwoman.

14                      The Chair recognizes  
15          Councilwoman Bass.

16                      COUNCILWOMAN BASS: Thank you,  
17          Mr. President.

18                      COUNCIL PRESIDENT CLARKE:  
19          You're welcome.

20                      COUNCILWOMAN BASS: That's  
21          really troubling, that they would have  
22          five visits down before they actually get  
23          in front of a judge, and it speaks to  
24          inefficiencies, as you mentioned earlier,  
25          and just how we have to stay on top of

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           these things.

3                   I actually had a different line  
4           of questions. Going back to the Sheriff  
5           Sale process, and one particular item  
6           that I just wanted to bring to your  
7           attention -- I'm not sure if you're aware  
8           of it -- is a property in my district  
9           which was at 22 East Mount Airy Avenue,  
10          which was a victim of a fire, and  
11          actually it engulfed 22 and also 24 East  
12          Mount Airy Avenue. And so 22, I believe,  
13          just recently went up for Sheriff Sale,  
14          and 24 went through a different process  
15          through, I think, a law firm or something  
16          of that sort. And my thought is that  
17          you're not going to be interested in  
18          purchasing just one of those buildings if  
19          you're a developer, if you have some  
20          interest, if you want to do something,  
21          because they're both basically burnt-out  
22          shells.

23                   And so just in terms of  
24          continuity and just making sure that when  
25          we think about ways to better handle

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           these sorts of processes, that we might  
3           want to think about if there are two  
4           properties that are identical that are  
5           connected -- because, again, I believe  
6           that these two properties were really  
7           just one property, even though it was 22  
8           and 24. It was a restaurant and they had  
9           both properties together. And so you're  
10          really not going to be able to  
11          effectively do anything with the property  
12          that you're interested in, which will be  
13          22, unless you're able to also acquire or  
14          know that you can acquire 24 at the same  
15          time. So just being able to manage the  
16          process, I think, a little bit better  
17          will be helpful again in cases where  
18          we're trying to spur some development and  
19          get some economic activity on this  
20          commercial corridor.

21                   MR. VIGNOLA: Again,  
22           Councilwoman Bass, my name is Joseph  
23           Vignola.

24                   The problem with that is, I  
25           would have to ask you, who are the

1           4/16/13 - WHOLE - BILL 130178, etc.  
2       plaintiffs that brought it. In many  
3       instances, there are two separate  
4       plaintiffs, especially if one could be a  
5       mortgage sale. What is very frustrating  
6       is something that the office experienced  
7       a month ago where the plaintiff on two  
8       adjoining properties were the City of  
9       Philadelphia. One was brought to Sheriff  
10      Sale by the Law Department; the other one  
11      was brought to -- was being brought to  
12      Sheriff Sale by co-counsel. And it was  
13      brought to our attention, and we alerted  
14      the Law Department to try to get the two  
15      together for your very reason, and we got  
16      nowhere with it. But we had a court  
17      order. We had to sell the one property,  
18      and now we're waiting for the co-counsel  
19      to bring the other property up for  
20      Sheriff Sale.

21                   But, again, unfortunately, it  
22      goes to the plaintiff and not to the  
23      Sheriff, because we could only put up for  
24      sale what we're ordered to do by the  
25      court system.



1           4/16/13 - WHOLE - BILL 130178, etc.

2                   COUNCILWOMAN BASS: Okay. I'm  
3 not being rude. I'm actually checking  
4 with my staff about some back and forth  
5 in conversation that we had had about  
6 this.

7                   But let me just see here real  
8 quick. We do know that the buildings are  
9 attached on the interior. So it really  
10 is one space. So we believe that it  
11 was -- it should have been brought  
12 together, but we will check and find out  
13 the plaintiffs.

14                   The other question that we have  
15 on this particular property and actually  
16 some others in my district is about bid  
17 assessments, where you have a special  
18 services district. When there's a bid  
19 assessment, you pay an additional real  
20 estate assessment over top of your real  
21 estate taxes, which is, as I understand  
22 it, collected and held by the Sheriff's  
23 Department. In a situation where a  
24 property may go to Sheriff Sale when the  
25 monies are collected, you all hold those

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           funds, and trying to get them back to the  
3           original bid, the special services  
4           district, seems to have been problematic.  
5           So we've had some difficulty where  
6           there's a property, let's say it's gone  
7           to Sheriff Sale, there's been a bid  
8           assessment on it for, let's say, \$10,000,  
9           the property sells, the money is then  
10          held within the Sheriff's Office, and  
11          then getting that money somehow from the  
12          Sheriff's Office back to the business  
13          improvement district has been a bit of an  
14          issue. So I don't know if there's a  
15          process for that or how we make the  
16          process smoother.

17                   MR. VIGNOLA: There is a  
18          process for that. Again, unfortunately  
19          because of the priority of lien payment,  
20          which goes current taxes, delinquent  
21          taxes, water, sewer rents, gas bills,  
22          nuisance claims, and then condo fees and  
23          special -- so they're the bottom of this  
24          long list. There may not be enough money  
25          to get that far, but if there is, if, as

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           some other Councilpeople said, the  
3           property is valuable and it has a bid, if  
4           the special service district knows of  
5           that, the Sheriff referred to the  
6           Defendant Asset Recovery Team. We call  
7           it our DART Unit. They make a request of  
8           that DART Unit for payment, and the funds  
9           will be researched.

10                   We find, especially in  
11           properties that are mortgage sale in  
12           Center City, that condo fees and special  
13           services district, if there are not  
14           enough funds, it doesn't go that far.

15                   COUNCILWOMAN BASS: And it's  
16           okay if there's not enough funds. I just  
17           think communicating that back is what we  
18           want to know. We just need to -- so that  
19           they can get their books in order or do  
20           whatever it is that they need to do and  
21           not expect that they've got a large  
22           payment coming from the Sheriff's Office.

23                   MR. VIGNOLA: If they call our  
24           DART Unit or call the Sheriff's main  
25           number, 215-686-3530, we'll get them the

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           form. They file the form, and the office  
3           will process the claim.

4                   COUNCILWOMAN BASS: Is there  
5           another -- I know I'm over time. One  
6           really quick question.

7                   Is there another number where  
8           you can --

9                   MR. VIGNOLA: I'll get it to  
10          you offline, yes, ma'am.

11                   COUNCILWOMAN BASS: And not  
12          just for me, but as if we are trying to  
13          help our constituents, if there's a  
14          government liaison, I don't know, for  
15          members of Council or whoever that we can  
16          get --

17                   MR. VIGNOLA: We will  
18          provide -- I don't know it off the top of  
19          my head. Luckily I remembered that  
20          number.

21                   COUNCILWOMAN BASS: Thank you.  
22                   Thank you, Mr. President.

23                   COUNCIL PRESIDENT CLARKE:  
24          Thank you, Councilwoman.

25                   The Chair recognizes

1           4/16/13 - WHOLE - BILL 130178, etc.

2           Councilwoman Brown.

3                   COUNCILWOMAN BROWN: Thank you.

4                   Good morning, gentlemen.

5                   (Good morning.)

6                   COUNCILWOMAN BROWN: Afternoon.

7           Thank you for putting some, I guess, legs  
8           on this potential reality that you're  
9           facing with the opening of this new  
10          building. So let's look at the  
11          worst-case scenario, knowing ultimately  
12          leadership has the plan for that.

13                   Have you had conversations with  
14          the leadership at Family Court and the  
15          Criminal Justice Center to walk through,  
16          talk through or prescribe a Plan B should  
17          you end up with such a severe shortage of  
18          personnel?

19                   SHERIFF WILLIAMS: Yeah. We've  
20          been in several meetings with courts  
21          administration over here, Judge  
22          Dougherty, meeting with Judge Murphy, as  
23          well as Chief of Staff Everett Gillison.  
24          But there is no Plan 2 to do security in  
25          the building. I would not recommend

1           4/16/13 - WHOLE - BILL 130178, etc.

2           people who don't have the training on how  
3           to recognize a bomb. I would not want to  
4           put people in a courthouse and people who  
5           don't have the training, because if you  
6           don't have the training, you can actually  
7           cause someone's life. Likewise, if you  
8           have an untrained sheriff, sheriffs are  
9           trained to do more things than you could  
10          ever imagine dealing with crowd control  
11          as well as dealing with folks who have  
12          mental issues and dealing with folks who  
13          approach the bench. So our guys are  
14          specially trained in so many different  
15          areas, you could not even imagine just  
16          having a person who makes 8 bucks an hour  
17          for some security company. You pay for  
18          what you get.

19                 If you put those folks in the  
20          new courthouse, it is a risk that we're  
21          going to take, and I hope that it's not a  
22          risk that's going to hurt my sheriffs  
23          first and then not going to hurt the  
24          public as well as judges and witnesses.  
25          We got to have trained personnel.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 COUNCILWOMAN BROWN: And so  
3 given the professionals you are in this  
4 area, has that formally been submitted to  
5 the Mayor's Office?

6 SHERIFF WILLIAMS: Yes.

7 COUNCILWOMAN BROWN: Because  
8 the City then opens itself up for --

9 SHERIFF WILLIAMS: I will say  
10 we've been in several conversations with  
11 Everett Gillison. We've been in  
12 conversations with him. He knows our  
13 needs and he knows our concerns.  
14 Likewise, equipment-wise, even for our  
15 deputies who may get into an altercation  
16 and someone having a knife in their  
17 Kevlar or the vest that they use,  
18 hopefully it could stop the penetration  
19 of a knife or a bullet. But if it's not  
20 renewed and if you don't get new  
21 equipment, you can put them at risk.

22 See, there's a lot of security  
23 issues that people just don't understand.  
24 Likewise, this building here, you need to  
25 have more security. When you look at the

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           front desk, I mean, the average Joe  
3           person coming in with the right kind of  
4           gun and they don't have the right  
5           training, they wouldn't know what to do.  
6           And it's no disrespect to the security  
7           company, but our guys are trained  
8           professionals. They actually do  
9           case-by-case security training dealing  
10          with a person who is trying to storm a  
11          security area.

12                   My concern is the welfare of  
13          the public, the security of the public,  
14          and if you don't put trained personnel  
15          there, it is a risk. And right now we  
16          are at a severe risk. You are at a  
17          severe risk here in this building because  
18          you don't have sheriffs who could walk  
19          around the building, because a person  
20          lost their property or they lost a  
21          lawsuit and now they angry. Any of these  
22          doors are open that you can go through,  
23          but you need to have sheriff deputies who  
24          could walk through the building. We have  
25          a couple who walk through the building.



1 4/16/13 - WHOLE - BILL 130178, etc.

2 You need more. This is per conversation  
3 we're getting from judges who are saying  
4 or their security assessment is saying  
5 that you need to have more security in  
6 this building. In light of what's  
7 happening in Boston, in light of what's  
8 happening in Delaware, it is telling  
9 you --

10 COUNCILWOMAN BROWN: To get  
11 ready.

12 SHERIFF WILLIAMS: -- to get  
13 ready for the unknown, and it's best to  
14 be prepared, or be a victim in the  
15 future.

16 We need additional deputies to  
17 safeguard not only even you who are  
18 Councilpeople in Council hearings. No  
19 one should be coming in here with a sign,  
20 because a sign is a weapon when it's  
21 turned around, from my security  
22 background. My people are trained. They  
23 go 19 weeks for that. They do in-service  
24 training on that, how to spot a person  
25 who is an irate person. We have a list

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           and information on people who are  
3           professional demonstrators and people who  
4           are part of organizations that have  
5           nothing to do but create havoc.

6                     The Sheriff's Office just don't  
7           sit over there and just do the court  
8           stuff. We have trained investigators who  
9           do the work. I mean, you don't -- you  
10          have more than one Police Department.  
11          You have the Sheriff's Office, who has  
12          been here before police. We have the  
13          training, and all we want to do is  
14          provide the service. And unless we have  
15          the man and women power, it is going to  
16          be to the detriment of the public.

17                    COUNCILWOMAN BROWN: On the  
18          issue of training, I've learned that you  
19          also allow for opportunity for members of  
20          the Sheriff Department to grow  
21          professionally in their careers. So is  
22          that a written policy where you give  
23          members of your team the opportunity to  
24          go back to school and pursue subsequent  
25          degrees?

1           4/16/13 - WHOLE - BILL 130178, etc.

2                   SHERIFF WILLIAMS: We have  
3 opened the Sheriff's Office up to people  
4 who want to go homeland security  
5 training, specialty units; that is, law  
6 enforcement. We have our folks who go to  
7 those trainings likewise. We have the  
8 new bomb detection sniffing dogs,  
9 narcotic dogs, which help join in with  
10 other agencies where we'll get our fair  
11 share if there's a major drug bust and  
12 there's monies involved, and then we use  
13 those monies to buy equipment and we  
14 recycle it through our office.

15                   So we do give those  
16 opportunities as far as when -- we're  
17 getting ready to lose 23 people, so I'm  
18 going to have to open up the sergeants  
19 test, I'm going to have to open up the  
20 lieutenants test, and we have now an  
21 additional -- our makeup now is 51  
22 percent African American, 38 percent  
23 white, 10 percent Hispanic.

24                   COUNCILWOMAN BROWN: How many  
25 women?

1           4/16/13 - WHOLE - BILL 130178, etc.

2           SHERIFF WILLIAMS: Women, we  
3           have 54 females and 176 males. So we're  
4           trying to keep the numbers, we're trying  
5           to make sure that we're fair, and we're  
6           trying to make sure that we're opening  
7           the Sheriff's Office up to make it more  
8           efficient and as fair as we can.

9           COUNCILWOMAN BROWN: Okay,  
10          then. The bell has rung. Very well.  
11          Thank you, Mr. President.

12          COUNCIL PRESIDENT CLARKE: Did  
13          you have another question?

14          COUNCILWOMAN BROWN: I have a  
15          followup. I did have a followup.  
16          So you say that you registered  
17          formally, but at some hour becomes the  
18          11th hour. The building is scheduled to  
19          open when?

20          SHERIFF WILLIAMS: May '14,  
21          June '14.

22          COUNCILWOMAN BROWN: And so I  
23          would imagine in those discussions and  
24          proceedings with the Mayor's Office, you  
25          have benchmarks where you begin to lose

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           time because you won't have enough time  
3           to make up for the readiness and the  
4           deployment of those men and women.

5                       SHERIFF WILLIAMS: If we have  
6           to deploy about 40 people over in that  
7           building, it will not be enough to secure  
8           that building the way it's supposed to  
9           be. But we will stretch and do whatever  
10          we got to do to make it safe, but it will  
11          be at a risk. I just hope that it's not  
12          a risk of some citizen who just want to  
13          do their civil duty by being a witness or  
14          some mother who is bringing their  
15          grand-kid to be visited by a father who  
16          has some issues in the courts. I mean,  
17          we do those visitations. We get these  
18          guys who nobody wants to bring their  
19          children to visit when you got to order  
20          the sheriffs to watch that visitation.

21                      As I said before, people don't  
22          know -- they really don't know what the  
23          Sheriff Office does. We do a lot of work  
24          in safeguarding the public and the  
25          children and our judges. We're the guys

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           who safeguard the judge who give the  
3           sentence. We safeguard the prisoner so  
4           he don't get out. And knock on wood, we  
5           haven't had -- we had zero incidents of  
6           escapes.

7                        So this is our plea. We're  
8           asking for having adequate manpower and,  
9           again, the bulletproof vests are in  
10          danger.

11                      COUNCILWOMAN BROWN: Number  
12          one. Thank you for your testimony,  
13          gentlemen.

14                      Thank you, Mr. President.

15                      COUNCIL PRESIDENT CLARKE:

16          Thank you, Councilwoman.

17                      I have a couple of questions  
18          and then we're going to take a break.

19                      Good afternoon, Sheriff.

20                      SHERIFF WILLIAMS: Good  
21          afternoon, Council President.

22                      COUNCIL PRESIDENT CLARKE: Who  
23          would have thought two guys from North  
24          Philadelphia end up -- right? I had to  
25          say that. Proud of our --

1 4/16/13 - WHOLE - BILL 130178, etc.

2 SHERIFF WILLIAMS: You see who  
3 I got with me, right?

4 COUNCIL PRESIDENT CLARKE:  
5 Proud of our heritage.

6 A couple of questions quickly.  
7 With respect to following up on this  
8 particular issue, safety. The Chair of  
9 Public Safety and the Council today, this  
10 morning, had a conversation, Councilman  
11 Jones, we had a conversation about the  
12 security with respect to City Hall and  
13 with respect to City Council, and I agree  
14 with you, I do think that this is  
15 probably one of the least protected  
16 buildings in the City of Philadelphia.

17 SHERIFF WILLIAMS: It is.

18 COUNCIL PRESIDENT CLARKE: Not  
19 saying that because we work here, but  
20 it's just the simple reality. There are  
21 no metal detectors, with the exception of  
22 when we have public hearings. Obviously  
23 since the incident in Boston happened,  
24 there is a heightened sense of urgency  
25 with respect to safety. So we will be

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           talking to you and the Sheriff's  
3           Department and the Administration about a  
4           public safety plan, because the reality  
5           is, when there's not a public hearing,  
6           basically it's an open process. Anybody  
7           can bring anything in here. Although you  
8           may get a name at the front desk, the  
9           reality is that there are no searches on  
10          the individuals and they can bring pretty  
11          much anything in here.

12                        So I just want to say we're  
13          going to be reaching out. I believe  
14          Councilman Jones was going to be reaching  
15          out to you and the Administration and  
16          getting a sense of where our security  
17          plan is for the building with respect to  
18          incidents or just the day-to-day  
19          operations relating to some activities in  
20          this building.

21                        I just had one quick question.  
22          I had a brief conversation with you on  
23          this, relating to Sheriff Sales. I'm not  
24          sure if it came up during the course of  
25          the time when I was not here. We briefly



1           4/16/13 - WHOLE - BILL 130178, etc.  
2           talked about an issue with respect to  
3           delinquent properties, and we actually  
4           proposed a number of measures to deal  
5           with delinquent properties in the City of  
6           Philadelphia and the one issue with  
7           respect to privately owned properties  
8           that have significant tax delinquencies,  
9           and there was a proposal to essentially  
10          place properties on Sheriff Sale.

11                       If the individual who purchased  
12          the property or the company, they would  
13          actually get a, I guess for lack of a  
14          better term, a rebate on the purchase of  
15          the property. So as an example, a  
16          delinquent property went on Sheriff Sale.  
17          The person ended up bidding \$5,000 on the  
18          Sheriff Sale. They were successful. We  
19          say that if that person brings the  
20          property back on the tax rolls; i.e.,  
21          gets a certificate of occupancy within a  
22          timeframe -- we said 18 months, it could  
23          be a year -- then we would rebate the  
24          purchase of the property back to the  
25          purchaser. So the percentage of the

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           Sheriff Sale administrative cost would  
3           obviously go to you, because you have to  
4           conduct the sale, but any additional  
5           dollars with respect to the purchase  
6           would be rebated back to the purchaser if  
7           in fact they brought that property back  
8           online. And the thought was the  
9           long-term benefits of having a structure,  
10          be it residential, commercial, have a  
11          much long-term benefit to the City,  
12          because in the end, they're now back on  
13          the tax rolls, you have a functioning  
14          business or residence.

15                        So we were putting that out  
16                        there. Can you give me your thoughts on  
17                        administratively the possibility of doing  
18                        that?

19                        SHERIFF WILLIAMS: Well, I'll  
20                        say a couple things and then I'll turn it  
21                        over to Joe, who is our Undersheriff.

22                        I think it's a great idea,  
23                        because what it does is, it gets the  
24                        opportunity to move those vacant lots in  
25                        those neighborhoods, especially by big

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           numbers. But we are prepared in the  
3           Sheriff's Office, like we started the  
4           Monday additional sale day, we will be  
5           prepared in the Sheriff's side to either  
6           do evening Sheriff Sales or maybe  
7           Saturday Sheriff Sales once a month or  
8           something like that in order make it so  
9           that the general public, the Joe Q public  
10          who really wants to look for some of  
11          those properties or bid on some of those  
12          properties who work 9:00 to 5:00 don't  
13          get the opportunity. But we are willing  
14          to play our part and do the evening sale  
15          or maybe a Saturday sale once or twice a  
16          month.

17                   COUNCIL PRESIDENT CLARKE:  
18          Okay. So say, for instance, if there was  
19          a program established and we wanted to  
20          ensure that the individuals coming for  
21          this particular program, we say from  
22          Saturday morning 9:00 to 12:00, if you're  
23          interested in this particular program,  
24          you come to that particular Sheriff Sale  
25          at that time. So administratively the

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           only people that you're dealing with in  
3           properties are properties that are in  
4           this particular program. That was  
5           something you can do?

6                       SHERIFF WILLIAMS: Yeah.

7                       MR. VIGNOLA: Good afternoon,  
8           Mr. President. My name is Joseph  
9           Vignola. I'm the Undersheriff.  
10                      In order to clear a Sheriff  
11           Sale, in order to clear a property free  
12           of all liens that's conducted at a  
13           Sheriff Sale pursuant to judicial order,  
14           the sale must be open to the general  
15           public, anybody could come. So you can't  
16           like have a sheltered market type of  
17           bidding arrangement for that.

18                      COUNCIL PRESIDENT CLARKE: Can  
19           you have a situation where you offer an  
20           opportunity, say if you want to be in  
21           this program, come to this particular  
22           Sheriff Sale?

23                      MR. VIGNOLA: Yes, sir. You  
24           could list whatever properties you want  
25           at that sale, but once the sale is

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           advertised, in order to give the free and  
3           clear title that a Sheriff's deed does,  
4           it has to be open to the general public.

5                   COUNCIL PRESIDENT CLARKE:  
6           That's fine. Right. And I understand  
7           that once it's listed. So you can  
8           actually come at that time.

9                   MR. VIGNOLA: Yes.

10                   COUNCIL PRESIDENT CLARKE: You  
11           can bid it, and you might opt not to be  
12           in the program.

13                   MR. VIGNOLA: Yes, sir.

14                   COUNCIL PRESIDENT CLARKE: But  
15           you can say if you want to be in the  
16           program, this is when you come.

17                   MR. VIGNOLA: Yes, sir.

18                   COUNCIL PRESIDENT CLARKE: I'm  
19           okay with that.

20                   MR. VIGNOLA: And the only  
21           other thing -- one of the points when I  
22           was answering a question of both  
23           Councilwoman Bass and Councilwoman  
24           Quinones-Sanchez, in many instances  
25           properties are brought for tax -- they're

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           up for tax sale in which the City is a  
3           plaintiff, the original tax liability is  
4           \$25,000, and if there are no bidders, it  
5           gets discounted to a thousand dollars  
6           opening bid and sometimes they bid 1,200  
7           and the City writes off the other  
8           \$24,000. So there is no --

9                   COUNCIL PRESIDENT CLARKE: Is  
10          that policy or is that --

11                  MR. VIGNOLA: Yes, sir. I  
12          mean --

13                  COUNCIL PRESIDENT CLARKE: You  
14          do that without some certainty? Because  
15          the reason why I ask that is that -- and  
16          I actually floated this particular  
17          proposal to a number of developers, and  
18          everybody loves it. So the question is  
19          the certainty, because if people  
20          understand exactly what the proposal is,  
21          that I'm either in or I'm out. So the  
22          question is if you're going to discount  
23          it the second time around, is there  
24          leeway in terms of how much you could  
25          discount it or is there a set policy?

1 4/16/13 - WHOLE - BILL 130178, etc.

2 MR. VIGNOLA: It's really set  
3 by the plaintiff, and the City is the  
4 plaintiff.

5 COUNCIL PRESIDENT CLARKE:  
6 Okay.

7 MR. VIGNOLA: So the City could  
8 set whatever number they want, and  
9 Council can --

10 COUNCIL PRESIDENT CLARKE: So  
11 it's kind of ad hoc?

12 MR. VIGNOLA: That is. But  
13 Council could also make it formal by way  
14 of an ordinance to say that properties  
15 that are put on this special program just  
16 to get them back on the tax rolls, that  
17 the owner can earn a tax credit back.

18 COUNCIL PRESIDENT CLARKE:  
19 Right.

20 MR. VIGNOLA: Yeah.

21 COUNCIL PRESIDENT CLARKE: We  
22 have such an ordinance. I just want to  
23 make sure administratively that's  
24 something that -- because you actually  
25 have to conduct the sale --

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           administratively that's something that  
3           you can support us on. Okay. Thank you.

4                       There are no other questions.

5                       COUNCILWOMAN BROWN:

6           Mr. President, I have a followup.

7                       COUNCIL PRESIDENT CLARKE:

8           Councilwoman Brown.

9                       COUNCILWOMAN BROWN: So having  
10          observed situations from afar of  
11          instances where homes go to Sheriff Sale  
12          because the owner is either deceased or  
13          have been to three or four bankruptcies  
14          and the like, what assurances or  
15          protections do you exercise to be  
16          absolutely positively certain 300 times  
17          over that the circumstance of that family  
18          or that individual is one where -- is  
19          not -- the delinquency is due to an  
20          illness or to a circumstance beyond their  
21          control?

22                      MR. VIGNOLA: Councilwoman,  
23          again Joseph Vignola, the Undersheriff.

24                      COUNCILWOMAN BROWN: What we're  
25          trying to do is avoid homelessness here.



1 4/16/13 - WHOLE - BILL 130178, etc.

2 MR. VIGNOLA: The Sheriff  
3 testified previously about the community  
4 outreach and the seminars he conducts.  
5 But, again, we're the end of the line.  
6 That has to deal more with the plaintiff,  
7 and in regard to tax sales, the plaintiff  
8 is the City of Philadelphia. When it  
9 comes to us, sometimes the deed is done.  
10 There's a court order that there's been a  
11 lawsuit filed by the City against the  
12 property owner, who is the defendant.  
13 That lawsuit was not appealed. It's a  
14 final judgment, and they're filing what  
15 they call the writ of execution, which  
16 starts the Sheriff Sale.

17 So what you're looking at is at  
18 the plaintiff level, at the City's level.  
19 And in answer to a question earlier, they  
20 said, Well, how come properties are  
21 continued from a Sheriff's tax sale to  
22 another Sheriff's tax sale, in many  
23 instances it's because the taxpayer, even  
24 after the lawsuit, finally because they  
25 see it advertised in the paper or one of

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           our deputies have gone up and reposted  
3           the property for that first listing,  
4           realize, say, Oh, my goodness, I'd better  
5           do something about it, and they walk into  
6           the Law Department and say, I want to pay  
7           the taxes, and the Law Department then  
8           begins the negotiation process of working  
9           out a payment agreement and they'll come  
10          in.

11                        So it's a balancing test. We  
12          all talked about at these hearings we  
13          want to get more money from the real  
14          estate tax deadbeats, but in the same  
15          token, there are people who can't pay the  
16          taxes because they can't afford to pay  
17          and they need a payment agreement. And  
18          the City has done a good job in trying to  
19          do that balancing act.

20                       COUNCILWOMAN BROWN: Okay.

21                       MR. VIGNOLA: But unfortunately  
22          it's on a case-by-case basis.

23                       COUNCILWOMAN BROWN: Sure.

24                       MR. VIGNOLA: There's no cookie  
25          stamp cutter way of addressing all the

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           problems.

3                   COUNCILWOMAN BROWN: Surely.  
4           Okay, then. Thank you.

5                   Thank you, Mr. President.

6                   COUNCIL PRESIDENT CLARKE:  
7           Thank you, Councilwoman.

8                   One quick question, followup on  
9           that question I asked you earlier. I  
10          just want to make sure I'm clear. So  
11          you're saying currently the City in  
12          different cases discounts property sales  
13          at Sheriff Sale without any requirement  
14          on the purchaser. So basically they get  
15          a discount and they can just sit on it  
16          forever and speculate. Is there any  
17          requirement to do anything in the  
18          timeframe?

19                   MR. VIGNOLA: No, sir. That  
20          happens. There's no -- what happens is,  
21          at a first listing, let's say a property  
22          is listed for \$24,000 for sale. There  
23          are no bidders.

24                   COUNCIL PRESIDENT CLARKE:  
25          Right.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 MR. VIGNOLA: The City will  
3 then continue that sale 30 to 60 days.  
4 They will then meet and discuss in their  
5 confines and say, Well, let's see if it  
6 will sell for \$12,000.

7 COUNCIL PRESIDENT CLARKE:  
8 Right.

9 MR. VIGNOLA: Sometimes even at  
10 \$12,000 it won't sell. They'll come back  
11 30 days later and put it up for sale for  
12 a thousand dollars, and somebody will bid  
13 \$1,500 on it. It's the City's philosophy  
14 that I'd rather get the \$1,500 now, wipe  
15 off the books the other \$23,000 to put it  
16 back on the tax rolls again. You're  
17 taking it a step further.

18 COUNCIL PRESIDENT CLARKE: But  
19 the issue is that we're giving people  
20 discounts without a requirement to do  
21 anything.

22 MR. VIGNOLA: Yes.

23 COUNCIL PRESIDENT CLARKE: And  
24 that's my point. So if I'm going to  
25 discount it, then I want you to do

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           something within this timeframe.

3                   SHERIFF WILLIAMS: Right.

4                   MR. VIGNOLA: Yes, sir. And  
5           you can do it, but I was just trying to  
6           explain to the Chair that this is what's  
7           happening.

8                   COUNCIL PRESIDENT CLARKE: I  
9           understand.

10                  MR. VIGNOLA: You just have to  
11          work out a procedure so that you get your  
12          result that you want for our  
13          neighborhoods.

14                  COUNCIL PRESIDENT CLARKE:  
15          We're going to formalize it. If you want  
16          to get a discount, then you got to do  
17          something with this property. I got you.  
18          Thank you.

19                  Thank you so much for your  
20          testimony, gentlemen.

21                  We'll stand in recess until 2  
22          o'clock.

23                  SHERIFF WILLIAMS: Thank you,  
24          Mr. President.

25                  COUNCIL PRESIDENT CLARKE:

1 4/16/13 - WHOLE - BILL 130178, etc.

2 Thank you.

3 License and Inspection will be  
4 next up.

5 (Recess.)

6 COUNCIL PRESIDENT CLARKE: Good  
7 afternoon. This is the Committee of the  
8 Whole reconvening. Next up will be  
9 License and Inspection.

10 COMMISSIONER WILLIAMS: Good  
11 afternoon, Council President Clarke and  
12 honorable members of City Council. I am  
13 Carlton Williams, Commissioner of the  
14 Department of Licenses and Inspections.  
15 With me today to my right is Deputy  
16 Commissioner Michael Fink and to my left  
17 Deputy Commissioner Mike Maenner. We're  
18 here pleased for the opportunity to  
19 present the Fiscal Year 2014 Operating  
20 Budget request to City Council.

21 The Department of License and  
22 Inspection is requesting a total FY  
23 budget of \$27,605,721, of which 22.5  
24 million is the City's General Fund, 4.5  
25 million is the Grants Revenue Fund, and

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           517,000 is the Community Development  
3           Fund. Our General Fund request of 22.5  
4           million is comprised of 15.1 million in  
5           Class 100, 7.1 million in Class 200,  
6           228,000 in Class 300, and 75,000 in Class  
7           400. The FY14 request will fund 320  
8           General Fund positions, including  
9           \$780,978 to hire 20 new code enforcement  
10          building inspectors, who are anticipated  
11          to generate revenue for the City. The  
12          FY14 budget request also includes a total  
13          of \$6.3 million for demolition in the  
14          General Fund.

15                   In FY13, we have continued our  
16          efforts towards improving our basic  
17          service delivery and executing strategic  
18          programs. Highlighted includes, the  
19          Department implemented the new Zoning  
20          Code, which went into effect August 22nd,  
21          2012. To date, the number of permit  
22          refusals has decreased by approximately  
23          25 percent.

24                   The Department launched a new  
25          L&I website. Citizens are now able to

1           4/16/13 - WHOLE - BILL 130178, etc.  
2       quickly view permits, variances,  
3       businesses and rental licenses, code  
4       violations, enforcement actions, and much  
5       more. We also wrapped up a year-long  
6       delinquent licensing program effort that  
7       resulted in revenues totaling \$3.6  
8       million to the General Fund. The  
9       contract for the Department's project to  
10      replace our current Hansen database  
11      system, Project eCLIPSE, was recently  
12      awarded, and implementation will take  
13      place over the next two years.

14               Minority participation in L&I  
15      contracts has remained a priority. In  
16      FY12, our participation rate was 45.23  
17      percent. In FY13 year to date, our  
18      participation rate is 43.22 percent. Our  
19      goal for FY14 is 35 percent.

20               The vacant property strategy  
21      continues to cultivate positive outcomes  
22      for the City. We have inspected 12,072  
23      properties to date and generated over  
24      663,000 in permit and license revenues.

25               The Department has continued to



1           4/16/13 - WHOLE - BILL 130178, etc.  
2           work on outcome-based measurements. In  
3           FY12, we issued 41,647 permits, performed  
4           101,000 construction inspections and over  
5           85,000 operational inspections, and  
6           completed 1,632 Clean and Seals.

7                   L&I continues to employ a  
8           diverse staff. Of the 302 full-time  
9           staff members in L&I, 63 percent are  
10          male, 37 percent are female, 47 percent  
11          are African American, 44 percent are  
12          white, 5 percent are Hispanic, 3 percent  
13          Asian, and 1 percent of other  
14          ethnicities. Of the 24 employees hired  
15          in the last 12 months, 87 percent are  
16          male, 12.5 percent are female, 42 percent  
17          African American, and 58 percent white.  
18          Of the ten L&I executive staff, 70  
19          percent are male, 30 percent are female,  
20          30 percent are African American, and 70  
21          percent are white.

22                   We will continue to make  
23          significant progress in FY14 towards  
24          improving services focused on the  
25          customer. A major effort to achieve this

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           was our decision to pursue accreditation  
3           from the International Accreditation  
4           Service, which is currently in progress.  
5           The hard work of the employees of the  
6           Department will continue to make  
7           Philadelphia a better place to live,  
8           work, and play.

9                       Thank you for the opportunity  
10          to present our FY14 budget, and I am  
11          happy to answer any questions that you  
12          may have at this time.

13                     COUNCIL PRESIDENT CLARKE:  
14          Thank you, Commissioner.

15                     First, let me say,  
16          Commissioner, I want to give you kudos.  
17          You continue to do a great job, very  
18          responsive. I appreciate the fact that  
19          you're willing to come out in  
20          neighborhoods and talk to real people.  
21          That's always been something that as a  
22          Councilperson and a former staffer always  
23          meant a lot to me. A phone call, you and  
24          your team are there. I want to thank you  
25          and commend you for your willingness to

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           do that.

3                   COMMISSIONER WILLIAMS: Thank  
4           you, Council President.

5                   COUNCIL PRESIDENT CLARKE: Now  
6           that it's getting warm, please prepare to  
7           go out again, because we're going to be  
8           ramping up.

9                   COMMISSIONER WILLIAMS:  
10          Absolutely.

11                  COUNCIL PRESIDENT CLARKE:  
12          Thank you.

13                  I want to ask you on the budget  
14          detail, Page 51 -- I'm sorry; Section 51,  
15          Page 3, you talk about approximately a  
16          1.47 million decrease in Grants Revenue  
17          funds. Can you talk to me about that  
18          briefly?

19                  COMMISSIONER WILLIAMS: Sure.  
20          The Grants Revenue -- our Class 200 funds  
21          primarily focuses on demolitions. This  
22          includes NSP2 funding and NTI funds. And  
23          this year was the last of our NSP2  
24          funding, which was approximately \$1.2  
25          million that will not be available in

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           next year's budget because the grant had  
3           expired and there was no renewal. In  
4           addition, the remaining was the last of  
5           the NTI funds, which will ultimately  
6           result in slightly less demolitions that  
7           we performed last year.

8                       COUNCIL PRESIDENT CLARKE:

9           Really?

10                      COMMISSIONER WILLIAMS: Yes.

11                      COUNCIL PRESIDENT CLARKE: So  
12           there's no request for additional General  
13           Fund dollars to replace those  
14           demolitions?

15                      COMMISSIONER WILLIAMS: Not at  
16           this time, but currently, again, the  
17           demolition request is -- I mean, the  
18           number of demolitions decreased slightly,  
19           about 25, than we performed last year.

20                      COUNCIL PRESIDENT CLARKE: Is  
21           that because of funding or because of the  
22           number of properties that need to be  
23           demolished are diminishing?

24                      COMMISSIONER WILLIAMS: Well, I  
25           think that's because of funding. Again,

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           NTI funding and NSP2 funding made up a  
3           significant amount of the demo projects  
4           that we did last year. That funding is  
5           no longer available.

6                   COUNCIL PRESIDENT CLARKE: All  
7           right. So when they did a significant  
8           number of demolitions back in the early  
9           phases of NTI, you did them in blocks, so  
10          the thought was you demolish a  
11          significant number of properties and  
12          based on the buying proceeds and then you  
13          freed up money to actually pay debt  
14          service, because you no longer had to  
15          continue to do the level of demolitions  
16          that were done in prior years. That was  
17          my understanding of the process and the  
18          proceeds.

19                   So you're telling me that is  
20          the need -- does the need continue in  
21          spite of the significant demolitions that  
22          we've done during the NTI period? I  
23          would think that the numbers of  
24          demolitions required would diminish  
25          unless we were having more properties

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           coming online that are continuing to be  
3           vacant and blighted.

4                   COMMISSIONER WILLIAMS: That's  
5           an accurate statement, Councilman. With  
6           the age and the infrastructure of our  
7           current inventory, the buildings in the  
8           City, it's always a constant battle to  
9           deter the amount of blight that we have  
10          to deal with in all of our neighborhoods  
11          throughout the City.

12                   COUNCIL PRESIDENT CLARKE: Can  
13          you tell me -- and not right now, because  
14          you may not have this information  
15          available -- out of the demolitions that  
16          are done, the number that are publicly  
17          owned, be it City of Philadelphia,  
18          Redevelopment Authority, Philadelphia  
19          Housing Authority or PHDC?

20                   COMMISSIONER WILLIAMS: Sure.  
21          We absolutely can provide that for you.

22                   COUNCIL PRESIDENT CLARKE: And  
23          prior to your demolitions, do you  
24          determine what the liens are, the  
25          municipal liens, like tax delinquencies,

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           any other code violations prior to the  
3           demolitions?

4                   COMMISSIONER WILLIAMS: Yes.  
5           We do keep track of that information as  
6           well, and that information is then  
7           processed by the Law Department when the  
8           time -- when that property in question is  
9           either sold or moved over. But, yes, we  
10          do keep track of those things.

11                   COUNCIL PRESIDENT CLARKE: I  
12          mean before you do the demolition.

13                   COMMISSIONER WILLIAMS: Yes.  
14          Yes. The information is provided.

15                   COUNCIL PRESIDENT CLARKE: And  
16          I understand that's a long time. If you  
17          can just give me a snapshot, say, over  
18          the last year the number of properties  
19          that you demolished that are municipally  
20          owned and then the number of properties  
21          that have high rates of delinquency prior  
22          to the demolition. There's a reason I'm  
23          asking you this question. I'll get to  
24          that later on with the appropriate  
25          department.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 COMMISSIONER WILLIAMS: Will  
3 do.

4 COUNCIL PRESIDENT CLARKE:  
5 Thank you.

6 Where are we at with clean and  
7 seals? Is that pretty much --

8 COMMISSIONER WILLIAMS: We're  
9 actually ahead of where we were last  
10 year. Last year I believe we were at  
11 1,547 for the entire year. This year  
12 we're about 1,600, 1,632, and we still  
13 have a number of months left to complete.  
14 So we're exceeding last year's numbers  
15 considerably.

16 COUNCIL PRESIDENT CLARKE:  
17 Okay. Thank you.

18 The Chair recognizes Councilman  
19 Greenlee.

20 COUNCILMAN GREENLEE: Thank  
21 you, Mr. President.

22 Good afternoon, everyone.  
23 (Good afternoon.)

24 COUNCILMAN GREENLEE: If I  
25 could second the Council President's



1           4/16/13 - WHOLE - BILL 130178, etc.  
2           praise of what you do and your department  
3           does in responsiveness. It's great,  
4           because it makes us look better too. So  
5           we all work together. That's great.

6                       COMMISSIONER WILLIAMS: Thank  
7           you much.

8                       COUNCILMAN GREENLEE: Speaking  
9           about working together, we've talked with  
10          other departments about interaction  
11          between departments. Does L&I check when  
12          permits are applied for or licenses? Is  
13          there a check that the taxes are paid on  
14          that by that person or on that address,  
15          whatever?

16                      COMMISSIONER WILLIAMS:  
17          Currently, Councilman, it's a manual  
18          process that we are working to improve.  
19          If there's outstanding taxes on the  
20          property before someone provides a  
21          permit, we do work with Revenue to get  
22          that information, but we hope in the  
23          future with our new Project eCLIPSE  
24          database system that it would  
25          automatically red flag a tax-delinquent

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           individual so that prior to coming to the  
3           counter, we would have that information  
4           readily available at our fingertips.

5                     It's a little time consuming  
6           right now when you do a manual process  
7           when you're dealing with thousands of  
8           patrons each day at the counter and then  
9           having to try to research that  
10          information if it's not ready and  
11          available, but we are working to improve  
12          that and hope to have that resolved.

13                    COUNCILMAN GREENLEE: And when  
14          will that Project eCLIPSE start?

15                    COMMISSIONER WILLIAMS: Project  
16          eCLIPSE starts hopefully in another 30  
17          days, and it's a phased-in project.  
18          There's five different phases that we're  
19          looking on focusing on. One is to make  
20          it easier for people to get their permits  
21          and licenses online. The other is mobile  
22          solutions that will allow our inspectors  
23          to have on-site realtime information at  
24          the time of inspection. We're also  
25          looking at things like electronic plan

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           review where a developer won't have to  
3           visit multiple departments, that they  
4           would be able to submit their information  
5           and it be viewed by various departments  
6           without necessarily having to physically  
7           go to those locations.

8                       COUNCILMAN GREENLEE:   Okay.  
9           Great.  And on that same vein, as far  
10          as -- you and I talked just yesterday  
11          about someone not being able to be served  
12          on a violation.  What interaction is  
13          there with Revenue as far as other  
14          addresses?  I'm trying to find somebody  
15          that might be in violation in order to  
16          have them served.

17                      COMMISSIONER WILLIAMS:  Could  
18          you repeat the question?  I'm sorry.

19                      COUNCILMAN GREENLEE:  I know  
20          oftentimes a property is served for a  
21          violation and it comes back that it's bad  
22          service.  Does L&I and Revenue interact  
23          to find other addresses?  Like Revenue  
24          might have other addresses for a  
25          particular person.

1           4/16/13 - WHOLE - BILL 130178, etc.

2           COMMISSIONER WILLIAMS: Yes.

3           We cross-reference our database systems  
4           to try to reconcile which address is the  
5           accurate one, yes.

6           COUNCILMAN GREENLEE: Because I  
7           know there was one point Revenue said  
8           there was only certain information they  
9           could give you or something, but you  
10          think it's working out pretty well?

11          COMMISSIONER WILLIAMS: Well,  
12          with our new system, we think it will be  
13          improved. Again, we currently use an old  
14          technology, which manual information has  
15          to be derived and then forwarded. We  
16          hope with our new system through an API,  
17          we'll be able to have that information  
18          immediately.

19          COUNCILMAN GREENLEE: Great.  
20          And then, lastly, you talk about -- and,  
21          again, we talked about this yesterday,  
22          the code violation notices. So you see  
23          that because you're able to give like a  
24          fine right away that the person will  
25          react quicker and take care of the

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           problem quicker and also you get a little  
3           money out of them?

4                   COMMISSIONER WILLIAMS: Yeah.  
5           I think it has multiple benefits.  
6           Absolutely. We're looking for revenue,  
7           Councilman.

8                   COUNCILMAN GREENLEE: We're not  
9           against that.

10                  COMMISSIONER WILLIAMS: I  
11           appreciate it.

12                  The main focus is to be able to  
13           provide immediate action on site. And if  
14           you don't mind, I would use your example  
15           yesterday where we had an issue with a  
16           sign that wasn't properly permitted. We  
17           sent the -- actually, we did an  
18           inspection, performed a second  
19           inspection, processed it for court, sent  
20           it to court, all within over a year and a  
21           half timeframe, and unfortunately due to  
22           the fact that the person in question was  
23           not able to be served, the case was  
24           dismissed.

25                  COUNCILMAN GREENLEE: Right.

1           4/16/13 - WHOLE - BILL 130178, etc.

2                   COMMISSIONER WILLIAMS: So if  
3 you look at all of the resources that  
4 went into inspecting, processing,  
5 administrative work, the Law Department  
6 preparation, and court fees, we think  
7 that a CVN on site for issues that are  
8 not life threatening would have more of  
9 an impact and be more cost efficient than  
10 putting it through a process where no one  
11 got any result and the ultimate outcome  
12 is that we would have to start the  
13 process all over again.

14                   COUNCILMAN GREENLEE: And the  
15 violation remains, right.

16                   COMMISSIONER WILLIAMS:  
17 Absolutely. So with a fine, we can  
18 continuously fine until we get  
19 compliance, and each time there is  
20 revenue gained for the service that we  
21 provide.

22                   COUNCILMAN GREENLEE: Okay.  
23 All right. Sounds good. Thank you.

24                   Thank you, Mr. President.

25                   COUNCIL PRESIDENT CLARKE:

1 4/16/13 - WHOLE - BILL 130178, etc.

2 Thank you, Councilman.

3 The Chair recognizes

4 Councilwoman Sanchez.

5 COUNCILWOMAN SANCHEZ: Thank  
6 you.

7 Good afternoon, gentlemen.

8 (Good afternoon.)

9 COUNCILWOMAN SANCHEZ: I also  
10 want to pay kudos to the team and  
11 acknowledge, and hopefully, that our  
12 infrastructure investments on technology  
13 are going to generate a lot of benefits.  
14 Most of my colleagues don't know. The  
15 Department of L&I is up for national  
16 accreditation, and last week we had many  
17 people from different cities in with our  
18 team, and I met with them and got some  
19 really good feedback about what we were  
20 doing to become a really  
21 customer-oriented department. So kudos  
22 to you. I know sometimes we beat up on  
23 ourselves, but it's nice when others come  
24 in and say you guys are on track. So  
25 kudos to you on that.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 Going back to the clean and  
3 seal situation, the bill that I passed  
4 last year around clean and seals, will  
5 this budget allow you to begin to put in  
6 place a process for us to do the more  
7 enhanced sealing of the large vacant  
8 properties?

9 COMMISSIONER WILLIAMS:

10 Absolutely. And I want to turn to Deputy  
11 Commissioner Mike Maenner, who is going  
12 to talk about our masonry seal process.

13 COUNCILWOMAN SANCHEZ: Cool.

14 DEPUTY COMMISSIONER MAENNER:

15 Good afternoon, Councilwoman.

16 COUNCILWOMAN SANCHEZ: Good  
17 afternoon.

18 DEPUTY COMMISSIONER MAENNER:

19 Over the winter, we prepared for masonry  
20 seals for this year. We actually started  
21 on April 1st. We started on buildings  
22 that were resealed more than once. So  
23 we're starting on those and then we're  
24 going to, over the course of this year  
25 probably from April to November,



1           4/16/13 - WHOLE - BILL 130178, etc.  
2           designate certain areas because of crime  
3           statistics and things like that.

4                   COUNCILWOMAN SANCHEZ: Okay.  
5           So when you're talking about masonry,  
6           you're talking about the brick stuff or  
7           the steel?

8                   DEPUTY COMMISSIONER MAENNER:  
9           It will be a plywood steel with wire mesh  
10          and stucco.

11                  COUNCILWOMAN SANCHEZ: So it  
12          doesn't cost a whole lot to remove, but  
13          it's harder to break into?

14                  DEPUTY COMMISSIONER MAENNER:  
15          It's very difficult to break into.

16                  COUNCILWOMAN SANCHEZ: What's  
17          the cost of that?

18                  DEPUTY COMMISSIONER MAENNER:  
19          It's around \$462, I believe.

20                  COUNCILWOMAN SANCHEZ: Have you  
21          begun to identify what buildings fall  
22          into those categories? Do we know?

23                  DEPUTY COMMISSIONER MAENNER:  
24          Yes, we have. We have a list.

25                  COUNCILWOMAN SANCHEZ: How

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           much?

3                   DEPUTY COMMISSIONER MAENNER:  
4           There is approximately a thousand eight  
5           on the list that have been resealed more  
6           than once.

7                   COUNCILWOMAN SANCHEZ:   Okay.  
8           So are we going to focus in on some of  
9           those big warehouses where we've had some  
10          of the fires and some of the --

11                   DEPUTY COMMISSIONER MAENNER:  
12          If the building is vacant and open, yes,  
13          we will.

14                   COUNCILWOMAN SANCHEZ:   Okay.  
15          Good.   Good.

16                   Going back on the education and  
17          on the prevention side, what things do  
18          you, in the interfacing with the  
19          different departments -- and Council  
20          President alluded to this.   Earlier today  
21          we were talking to the Sheriff's  
22          Department about the properties that they  
23          list for Sheriff Sale.   Is there any  
24          interface with you and the Law Department  
25          before they foreclose on properties?

1           4/16/13 - WHOLE - BILL 130178, etc.

2                   COMMISSIONER WILLIAMS: Yes,  
3           namely with our vacant property strategy.  
4           We've worked very cooperatively with  
5           Revenue and the Law Department to  
6           identify properties that we potentially  
7           can put through Sheriff Sale.

8                   COUNCILWOMAN SANCHEZ: And so  
9           somebody from the property maintenance  
10          team goes out before they get on Sheriff  
11          Sale? I mean, do we have an idea what  
12          they look like before we list them on  
13          Sheriff Sale?

14                   COMMISSIONER WILLIAMS: Sure.  
15          Our vacant property strategy uses  
16          inspectors to go out and look at areas  
17          and properties that we believe that are  
18          marketable, and also we work very closely  
19          within our division with Law Department  
20          to get background information and Revenue  
21          to get information on outstanding taxes  
22          and so forth, and we provide those  
23          recommendations to, again, through the  
24          team.

25                   COUNCILWOMAN SANCHEZ: Through

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           our eCLIPSE program, will people be able  
3           to quickly see zoning and appropriate  
4           utilizations in certain areas? One of  
5           the issues that has arisen outside of the  
6           bandit signs -- thank you very much. I  
7           know that Commissioner Tolson and you are  
8           talking a little bit about this, but one  
9           of the issues that's popping up is the  
10          towing signs on -- the towing signs going  
11          up on illegal curb cuts. Is there a  
12          mechanism by which people could quickly  
13          verify if I have a tow sign that I have  
14          an authorization to have a curb cut?

15                   COMMISSIONER WILLIAMS: I do  
16          not believe so, but I'm going to ask  
17          Deputy Commissioner Mike Fink to comment  
18          on that, please.

19                   DEPUTY COMMISSIONER FINK: Good  
20          afternoon, members of Council. This is  
21          Michael Fink, Deputy Commissioner of the  
22          Development Division of License and  
23          Inspections.

24                   Councilwoman Sanchez, as part  
25          of any parking lot, before you're

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           authorized to use any kind of parking  
3           lot, whether it's private or public, a  
4           use registration permit is required. And  
5           as part of that, the signoff from the  
6           Streets Department approving the curb cut  
7           must occur. So there's a check and  
8           balance all the way through the system  
9           that if there's a legal parking lot, that  
10          it's approved through the Streets  
11          Department.

12                   COUNCILWOMAN SANCHEZ: Is there  
13           a way where people can easily see that  
14           online?

15                   DEPUTY COMMISSIONER FINK: Yes.  
16           All of our permit information is  
17           accessible online. It's a little bit  
18           difficult for some of the older  
19           properties, because our zoning files are  
20           archived and imaged. So there's a  
21           different way of searching for the older  
22           information.

23                   COUNCILWOMAN SANCHEZ: Okay.  
24           Let me request -- and you can forward it  
25           to me sometime -- I'd like to see that --

1           4/16/13 - WHOLE - BILL 130178, etc.  
2       we're getting a lot of complaints around  
3       some of the towers putting up signs, and  
4       I know it's part of our education  
5       campaign that we're going to be doing in  
6       some targeted areas. I'd like to see  
7       what those numbers are so I can meet with  
8       the towing association before I take  
9       action.

10                   DEPUTY COMMISSIONER FINK: Very  
11       good.

12                   COUNCILWOMAN SANCHEZ: Okay.  
13       Thank you.

14                   Thank you, Mr. Chair.

15                   COUNCILMAN GREENLEE: Thank  
16       you, Councilwoman.

17                   Councilman Jones.

18                   COUNCILMAN JONES: Thank you,  
19       Mr. Chairman.

20                   Officially, congratulations.  
21       It could not have happened to a better  
22       public servant than you.

23                   COMMISSIONER WILLIAMS: Thank  
24       you, sir.

25                   COUNCILMAN JONES: Throughout

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           my time here and even before, you've  
3           always been responsive. Your yes's were  
4           welcomed, but your no's were honest no's,  
5           and that's all you can ask for from a  
6           department head.

7                       COMMISSIONER WILLIAMS: Thank  
8           you, Councilman.

9                       COUNCILMAN JONES: You and your  
10          staff have always been true blue about  
11          performing for the citizens of  
12          Philadelphia. So I look forward to your  
13          career at L&I.

14                      COMMISSIONER WILLIAMS: Thank  
15          you again.

16                      COUNCILMAN JONES: I'm going to  
17          ask you what I asked most department  
18          heads. How many of your staff under your  
19          charge are in the DROP program?

20                      COMMISSIONER WILLIAMS: Give me  
21          one second, Councilman, and I'll make  
22          sure I get that information for you.

23                      COUNCILMAN JONES: And then I  
24          would want to know what's your succession  
25          plan, are they in critical positions, and

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           if so, how do you plan on filling that  
3           void.

4                   COMMISSIONER WILLIAMS: While  
5           we get those numbers for you, I can say  
6           that L&I has an extensive training  
7           program that allows our inspectors to  
8           graduate up the chain. And it's not an  
9           internal departmental program, but it's  
10          done by external training usually through  
11          the International Code Council,  
12          especially for building inspectors, so  
13          they're well versed. Two years ago, the  
14          Department underwent Dale Carnegie  
15          training, which is a leadership  
16          development program that identify  
17          potential people in the department who  
18          can take over these type of positions in  
19          government. So I think L&I is very well  
20          prepared to move into succession planning  
21          and fill positions once our members go on  
22          to their well-deserved retirements.

23                   And the total number for DROP  
24          numbers is 33.

25                   COUNCILMAN JONES: 33. And



1           4/16/13 - WHOLE - BILL 130178, etc.  
2           could you provide for the Chair in what  
3           positions they are. Obviously a building  
4           inspector is different than other  
5           critical factors like -- directors are  
6           important and commissioners are  
7           important, but at the ground level of  
8           L&I, that counts.

9                       COMMISSIONER WILLIAMS:  
10          Absolutely.

11                      COUNCILMAN JONES: Let me  
12          transition and ask -- and I asked this  
13          question to the City Controller -- is it  
14          L&I's responsibility to inspect bridges  
15          within the City of Philadelphia's  
16          boundaries even if they're owned by other  
17          entities?

18                      COMMISSIONER WILLIAMS: I  
19          believe that's the Streets Department,  
20          but I'll defer to Deputy Commissioner  
21          Fink to confirm.

22                      DEPUTY COMMISSIONER FINK:  
23          That's correct, Councilman. The Streets  
24          Department does handle bridges, most  
25          bridges in the City. Some of them are

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           state and federal.

3                   COUNCILMAN JONES: So it's not  
4           within your purview to inspect?

5                   DEPUTY COMMISSIONER FINK: It  
6           is not. There are no provisions in the  
7           building code specifically for bridges.  
8           If there was a bridge located on private  
9           property, which I really can't think of  
10          one, it would fall under the Department's  
11          jurisdiction.

12                   COUNCILMAN JONES: That was  
13          strategic, Commissioner. You got right  
14          out of that from Streets Department.  
15          Okay. We would have to rethink you going  
16          back over there.

17                   Under the new provisions that  
18          the Taylor bill provides for, how do you  
19          view that helping you to invoke the  
20          broken window law and getting more of  
21          these violations of absentee landlords?  
22          I know Councilman Henon has been a  
23          champion of this issue. How do you see  
24          that complementing what you guys do?

25                   COMMISSIONER WILLIAMS: I think

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           the greatest example of how this has  
3           affected our service is through our  
4           efforts with the vacant property  
5           strategy. Since we've implemented the  
6           strategy, we've performed over 12,000  
7           inspections. Over 4,000 of them has  
8           resulted in some type of action.  
9           Fifty-two percent has had a positive  
10          response rate where either the property  
11          was either rehabbed completely, complied  
12          with the legislation or sold. And so  
13          we've seen yield results in revenues and  
14          new permit fees and fines and judgments  
15          that are applied to the property owner  
16          for complying, and I think it has been a  
17          very positive success story for the City  
18          of Philadelphia, which we're happy to say  
19          that it's expanding citywide as well.

20                   COUNCILMAN JONES: What would  
21          be interesting over the next year is to  
22          track how it's impacted, shortened maybe,  
23          the time from violation to actual  
24          transfer of ownership or demolition.

25                   COMMISSIONER WILLIAMS:

1           4/16/13 - WHOLE - BILL 130178, etc.

2           Absolutely.

3                   COUNCILMAN JONES: So that  
4           would be helpful if you could provide  
5           that to the Chair. And then at the end  
6           of the day, how are we doing with demos?  
7           What are the costs on average of demos  
8           and are we -- and I'll use one of  
9           Councilwoman -- or Councilman Goode's --  
10          not to call you Councilwoman; I meant  
11          Blondell Reynolds Brown -- but Councilman  
12          Goode's questions, how are we doing in  
13          the area of diversity within the  
14          demolition business?

15                   COMMISSIONER WILLIAMS: I'm  
16          pleased to say that we're very good in  
17          terms of our OEO numbers, where 43  
18          percent of all demos go to a  
19          minority-based on a woman-based  
20          enterprise. And so we are very pleased  
21          that our numbers continue to be solid in  
22          those areas. We've increased our  
23          expectation rate to 35 percent next year,  
24          hoping that we will continue to exceed  
25          those numbers from 25 percent. So we're

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           extremely pleased about our demolition  
3           and the cost that we're providing to  
4           minority contractors.

5                   COUNCILMAN JONES: Thank you,  
6           Mr. Chairman.

7                   COUNCILMAN GREENLEE: Thank  
8           you, Councilman.

9                   Councilwoman Blackwell.

10                  COUNCILWOMAN BLACKWELL: Thank  
11          you very much.

12                  I want to thank our  
13          Commissioner and his department for all  
14          that they do. We know we prevail upon  
15          them an awful lot, but we do appreciate  
16          all that we're able to get done.

17                  COMMISSIONER WILLIAMS: Thank  
18          you, Councilwoman.

19                  COUNCILWOMAN BLACKWELL: With  
20          your leadership in your department.

21                  COMMISSIONER WILLIAMS: Thank  
22          you, Councilwoman. We certainly  
23          appreciate it.

24                  COUNCILWOMAN BLACKWELL: Thank  
25          you.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 COUNCILMAN GREENLEE: If we  
3 didn't know you better, Commissioner,  
4 we'd think you'd get a big head out of  
5 all this praise you're getting.

6 Councilman Henon.

7 COUNCILMAN HENON:

8 Commissioner, Deputy Commissioners, thank  
9 you. I guess to echo a lot of  
10 congratulatory remarks here on a lot of  
11 the things that you're doing as a  
12 Commissioner and what your staff has been  
13 doing to try to change or I guess bring  
14 up the Department into 2013 technical  
15 advancements that they have to better  
16 service the City.

17 The online -- I'm intrigued by  
18 the eCLIPSE and the online and the  
19 website services that you have,  
20 specifically when it comes to the  
21 permitting process and giving people the  
22 ability to -- they can pay online; is  
23 that correct?

24 COMMISSIONER WILLIAMS: Yes.

25 COUNCILMAN HENON: Would they

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           receive a printout of a permit or a  
3           license?

4                       COMMISSIONER WILLIAMS: Yes.

5                       COUNCILMAN HENON: As though  
6           somebody could -- I don't live around  
7           Center City, so if I'm in Roxborough, I  
8           live next to Mike Maenner and I'm going  
9           to rent my house and I apply for the  
10          proper licenses and permits, would I be  
11          able to apply for an HIL license online  
12          and then have that printed right now?

13                      COMMISSIONER WILLIAMS: Yes.  
14          That's correct.

15                      COUNCILMAN HENON: That's  
16          great. Because I've heard some folks  
17          that I've spoken to who really -- I mean,  
18          everybody is busy and the inconvenience  
19          of coming in town just to pick up a piece  
20          of paper, they can pay online, but they  
21          can't print out the license. So that's a  
22          great benefit.

23                      Can you talk about moving  
24          towards handheld devices and how that's  
25          going to better service and help the

1           4/16/13 - WHOLE - BILL 130178, etc.

2           inspectors and the folks that you have  
3           out on the street?

4                       COMMISSIONER WILLIAMS:   Sure.  
5           Absolutely.  One of the benefits of the  
6           new database system that we're focusing  
7           on is to provide our inspectors with  
8           handheld personal digital assistants, or  
9           PDAs, which will allow us to do on-site  
10          field inspections, both on the building  
11          and property maintenance side.  This  
12          saves a tremendous amount of time and  
13          makes the program in our departments more  
14          efficient, as inspectors are able to do  
15          research in the field and issue  
16          violations or code violation notices in  
17          the field as opposed to going back to the  
18          office, putting it into the system, and  
19          then spending precious time  
20          administrating violations when they could  
21          be out in the field doing it.  So instead  
22          of physically typing the information and  
23          a lot of the data will be pre-planned or  
24          pre-programmed into the system such as  
25          violations, they'll have mobile printers



1           4/16/13 - WHOLE - BILL 130178, etc.  
2       where they can actually issue a violation  
3       onsite as opposed to having it mailed and  
4       delivered, which takes a considerable  
5       amount of time. And so all of these  
6       benefits and advantages will lead to  
7       better inspections, timely inspections,  
8       and more efficient service for the  
9       Department.

10                   COUNCILMAN HENON: I think the  
11       timely aspect of it, and who needs to get  
12       bogged down. In Oklahoma they have  
13       handheld devices for the Police  
14       Department, and they were able to save  
15       the amount of personnel time a tremendous  
16       amount of money and hired 200 more police  
17       officers on the street. Not saying that  
18       you are looking to hire 200 more people,  
19       but it does free up a lot of capital or  
20       operating costs for the core services.

21                   COMMISSIONER WILLIAMS:  
22       Absolutely. That's correct.

23                   COUNCILMAN HENON: So when is  
24       the hand devices, when are they -- are  
25       they going to be online? Are they a part

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           of one of the five phases?

3                   COMMISSIONER WILLIAMS: That's  
4           correct.

5                   COUNCILMAN HENON: Phase 1, 2,  
6           3? When does that come in?

7                   COMMISSIONER WILLIAMS: I'm  
8           going to ask Linda Halcom to come  
9           forward. She's our IT Director. She has  
10          a definitive timeline as to when all the  
11          phases are going to go into effect.

12                   Linda.

13                   (Witness approached witness  
14          table.)

15                   MS. HALCOM: Thank you. Good  
16          afternoon. Linda Halcom, IT Director for  
17          the Department of --

18                   COUNCILMAN GREENLEE: You're  
19          going to have to speak -- okay.

20                   MS. HALCOM: Closer?

21                   COUNCILMAN GREENLEE: Yeah, a  
22          little closer.

23                   MS. HALCOM: One of the  
24          Commissioner's key objectives and goals  
25          for the eCLIPSE project was to have

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           mobile devices implemented as soon as  
3           possible, and they will go live with  
4           Phase 1.

5                   COUNCILMAN HENON:   Awesome.

6                   MS. HALCOM:   Which is  
7           approximately 12 months after we kick  
8           off.

9                   COUNCILMAN HENON:   That's  
10          great.   That's awesome.   I mean, I would  
11          love to see a demonstration.

12                   COMMISSIONER WILLIAMS:  
13          Absolutely.

14                   COUNCILMAN HENON:   I'll even  
15          bring sandwiches.

16                   COMMISSIONER WILLIAMS:   We'll  
17          make sure we bring you over.   Absolutely.

18                   COUNCILMAN HENON:   As  
19          Councilwoman Sanchez had said, it's all  
20          too often you hear, let's just say in the  
21          past, sometimes departments or folks get  
22          a misperception or a bad rap over some of  
23          their programs and how things operate,  
24          but you have transformed I think and put  
25          together a great team, and you can see.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 You're seeing positive results.

3 So I would love to see a  
4 demonstration on how that works when  
5 you're ready to launch. I think you  
6 should make a big press out of it, big  
7 press hit out of it and invite all City  
8 Council so they know exactly what you've  
9 been working on and how the pieces are  
10 finally coming together. It didn't  
11 happen overnight. It was properly  
12 planned and your finances were properly  
13 put into place for this service, because  
14 I think technology is the key to better  
15 services.

16 COMMISSIONER WILLIAMS: We  
17 certainly appreciate that, and we  
18 certainly will follow up with you.

19 COUNCILMAN HENON: One more  
20 quick thing, Mr. Chairman?

21 COUNCILMAN GREENLEE: Yes.

22 COUNCILMAN HENON: The Center  
23 of Excellence. I think the  
24 Administration has put together a Center  
25 of Excellence. It's the fast track, the

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           HR department, and I know the Majority  
3           Leader has asked every department that's  
4           come in about the DROP program and the  
5           vacancies in its budget and line items.  
6           Are you working with the Centers of  
7           Excellence and are you aware of any  
8           timeline on how quick they're looking to  
9           fulfill any requests from departments?

10                   COMMISSIONER WILLIAMS: Sure.  
11           Well, we've assigned two of our top level  
12           staff, Indira Scott and Kirk McClarren,  
13           which is our HR Director and our Chief of  
14           Staff, to the committee to review all  
15           City policies. So we've started that  
16           process. I don't have any definitive  
17           details at this point in time, but we'll  
18           provide it to you as soon as they become  
19           available. But our staff members are  
20           well versed and will provide a wealth of  
21           experience and knowledge to the process.

22                   COUNCILMAN HENON: Great.  
23                   I have no further questions.  
24           Thank you, Chair.

25                   COUNCILMAN GREENLEE: Thank

1 4/16/13 - WHOLE - BILL 130178, etc.

2 you, Councilman.

3 Councilman Johnson.

4 COUNCILMAN JOHNSON: Thank you,  
5 Commissioner Williams, for being here  
6 with us today.

7 COMMISSIONER WILLIAMS: Thank  
8 you, sir.

9 COUNCILMAN JOHNSON: I want to  
10 start off by just commending you on the  
11 transition of L&I since you've been the  
12 Commissioner, specifically focusing on  
13 customer service, making sure your  
14 results -- the Commissioner's results  
15 oriented, and I'm also paying attention  
16 to in your testimony how you are going  
17 pretty much in the direction of making  
18 sure that, echoing Councilman Henon's  
19 approach, making sure that your  
20 commissioners are technology savvy. So I  
21 just want to commend you on your efforts.

22 COMMISSIONER WILLIAMS: Thank  
23 you, Councilman.

24 COUNCILMAN JOHNSON: One thing  
25 I just wanted to just get an idea of is

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           how we deal with developers having an  
3           opportunity to obtain permits when they  
4           may be -- explain to me the permit  
5           process for development and when a person  
6           have an outstanding balance with the  
7           City, how do we monitor that process. Is  
8           there any loopholes that we may want to  
9           address from a Council policy standpoint?  
10          Is there any way that we can get a hold  
11          on individuals who still build and do  
12          development in the City, but they're not,  
13          at the end of the day, following the  
14          rules in terms of making sure they pay  
15          any outstanding liens, balances? Give me  
16          an idea of that process and how that  
17          works.

18                       COMMISSIONER WILLIAMS:  
19          Currently right now if there is any  
20          outstanding balances in terms of taxes or  
21          liens, we work very closely with Revenue  
22          and Law Department. Right now the system  
23          is very -- it's manual, where data and  
24          information usually is derived through  
25          spreadsheets and then forwarded to our

1           4/16/13 - WHOLE - BILL 130178, etc.  
2       department. It's very difficult for us  
3       to enforce the way we would like, because  
4       we would have to then go through the  
5       entire process manually before we would  
6       be able to identify someone. And if  
7       someone is popping in and you're  
8       processing thousands of permits each day,  
9       it's very difficult to get that  
10      information. But with Project eCLIPSE  
11      and the use of APIs, a system that would  
12      allow our database to talk to other  
13      departmental databases and terminals,  
14      we'll be able to have that information at  
15      our fingertips so that when someone comes  
16      for a permit or a contractor has an  
17      outstanding debt to the City of  
18      Philadelphia, we can red flag it and not  
19      issue the permit before they actually  
20      apply and make sure that they settle all  
21      debts before they actually are able to  
22      move forward.

23                   COUNCILMAN JOHNSON: Good. And  
24      I'm probably just coming in on the tail  
25      end, so I didn't hear all the questions.



1 4/16/13 - WHOLE - BILL 130178, etc.

2 And the timeframe for the rollout will be  
3 after this budget is approved?

4 COMMISSIONER WILLIAMS:

5 Correct. We're actually in the process  
6 of rolling the information out right now.  
7 We have a contractor lined up and also in  
8 negotiations to get it conformed. Once  
9 it's conformed, the entire process will  
10 start, and our projected kickoff date is  
11 June 1st.

12 COUNCILMAN JOHNSON: So I'm  
13 going to also follow up with my colleague  
14 Councilman Henon. You should do a nice  
15 press piece, do a press hit, get credit  
16 where credit is due in terms of the work  
17 that you're doing, make sure you roll it  
18 out. And the other component is --  
19 because all of us as Council,  
20 specifically District Councilpeople, call  
21 upon L&I to do just about any and  
22 everything. And so at least in the 2nd  
23 Councilmanic District, and I'm quite sure  
24 the other District Councilpeople are  
25 speaking the same language, you have a

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           partner in any way that I can be  
3           supportive of your efforts in moving  
4           forward. We've done some great work when  
5           you were the Streets Department  
6           Commissioner in my district and even in  
7           your transition in the capacity of you  
8           being the L&I Commissioner, we've done  
9           some things in the district as well. So  
10          I just wanted to be supportive. You do  
11          have a partner in the 2nd Councilmanic  
12          District. I definitely want to go after  
13          those guys that be building these houses,  
14          though, and getting away with not paying  
15          their fair share. I just think that's an  
16          unfair part of the process. So we're  
17          going to be supportive. And when you do  
18          the rollout and cracking down on these  
19          guys so we can -- because that's all a  
20          part of this whole AVI conversation that  
21          we're having right now and how can we  
22          make government more efficient. So I'd  
23          rather be a part of the solution as  
24          opposed to just talking and the problems.

25                           COMMISSIONER WILLIAMS: Thank

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           you. We certainly appreciate your  
3           leadership and look forward to partnering  
4           with you as well.

5                   COUNCILMAN GREENLEE: Thank  
6           you, Councilman.

7                   Councilman Henon.

8                   COUNCILMAN HENON: No.

9                   COUNCILMAN GREENLEE: No?  
10          Okay. I'm sorry.

11                  Councilman Jones.

12                  COUNCILMAN JONES: Thank you,  
13          Mr. Chair.

14                  Just a real quick question,  
15          almost a followup. What is the official  
16          hours by which people can do work in  
17          neighborhoods?

18                  COMMISSIONER WILLIAMS: I  
19          believe it starts at 7:00 a.m. and ends  
20          at 9:00 p.m., is the length of time in  
21          which legal construction can take place.

22                  COUNCILMAN JONES: I've gotten  
23          complaints narrowed down to my block  
24          about people that come in post that to do  
25          work on residential properties, almost

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           like a side business that some of the  
3           major folks have, so that at night they  
4           pick up a couple extra clients, and  
5           literally had to call you at -- it might  
6           have been -- they were there at 1:00 in  
7           the morning with a backhoe, and my  
8           neighbors started calling me. And thank  
9           you, because we narrowed it down to who  
10          it was. But literally were arguing with  
11          me in my casual gear, a/k/a pajamas,  
12          about their right to do this, and they  
13          did everything but show me the permit and  
14          eventually had to concede the fact that  
15          they were working. How often does this  
16          happen?

17                   COMMISSIONER WILLIAMS: We have  
18          a -- right now we don't have a dedicated  
19          team. This upcoming budget will allow  
20          for us to create a construction-type task  
21          force that would give us the opportunity  
22          to perform more visual inspections at  
23          different times of the day. But right  
24          now we have a team that goes out on the  
25          weekend to try to check for people who

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           try to operate during non-business hours,  
3           as you would call it, and I think 1:00  
4           a.m. in the morning is certainly a  
5           non-business hour.

6                       We do get some complaints. It  
7           has not been a humongous number, but  
8           that's not to say it's not happening. We  
9           don't know if people are reporting, but  
10          we're excited that we have a team of  
11          people that will be dedicated to look at  
12          issues such as this in terms of  
13          contractor compliance with the code;  
14          namely, conformance to work site  
15          conditions and timelines established to  
16          do work, so that we can monitor their  
17          effectiveness and ensure that they're not  
18          being nuisances to the neighborhoods that  
19          we serve.

20                      COUNCILMAN JONES: I firsthand  
21          truly appreciate it.

22                      One of the questions is that  
23          are there predictable inspection hours  
24          that people who want to work outside of  
25          the law know that you're not on duty at

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           certain times, and if so, how do we  
3           bridge that gap?

4                   COMMISSIONER WILLIAMS: I think  
5           that contractors -- this is just my  
6           hypothesis, and I'm going to let Deputy  
7           Commissioner Fink use his experience, as  
8           he's been in the business for 31 years,  
9           to also comment on it. I think they  
10          understand what L&I's business hours are  
11          and they try to -- those who do not want  
12          to follow the rules, such as going to get  
13          permits or don't have licenses or using  
14          what they call jack-lay contractors to  
15          usually operate beyond our normal  
16          business hours, which is Monday through  
17          Friday, any time after 6:00 or 7:00 p.m.  
18          or outside the code requirement hours.  
19          And so, therefore, I think that those are  
20          the bands in which we need to focus on.

21                   Councilwoman Sanchez raised a  
22          question at one of the testimonies, would  
23          our task force work non-traditional hours  
24          to catch some of these people, and the  
25          answer is yes. So that we will be able

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           to focus on those type of issues and  
3           problems that are happening beyond our  
4           normal workday where our inspectors  
5           aren't visibly present. But I'll also  
6           let Deputy Commissioner Fink also talk  
7           about it as well.

8                         DEPUTY COMMISSIONER FINK:  
9           Councilman, what is also helpful is the  
10          fact that the Department has all of its  
11          permit information available online. So  
12          we rely on the neighbors in the  
13          surrounding area to let us know when they  
14          observe any type of construction and  
15          there are no permits shown on our  
16          website. So we follow up on all those  
17          complaints. We do that with less than  
18          ten days to make sure that we catch the  
19          people in the act.

20                       Typically there's evidence of  
21          construction. You know, they may only be  
22          work at night. You can typically see  
23          that something has been done, in which  
24          case we can issue a stop work order, even  
25          though the people are not there, and

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           impose the violations at that point to  
3           get them to stop and call the police if  
4           they continue to work.

5                   COUNCILMAN JONES: Thank you,  
6           Mr. Chairman.

7                   COUNCILMAN GREENLEE: Thank  
8           you, Councilman.

9                   Councilwoman Reynolds Brown.

10                  COUNCILWOMAN BROWN: Thank you.  
11                  Good day, gentlemen.

12                  COMMISSIONER WILLIAMS: How you  
13           doing, Councilwoman?

14                  COUNCILWOMAN BROWN: Can you  
15           have members of your team stand up.

16                  COMMISSIONER WILLIAMS: Yes.  
17           This is my executive team and staff  
18           members from L&I.

19                  Please stand up.

20                  (Members of L&I standing up.)

21                  COUNCILWOMAN BROWN: Yes. I  
22           agree with Councilman Jones that that  
23           looks like Philadelphia. Thank you very  
24           much.

25                  COMMISSIONER WILLIAMS: You're



1           4/16/13 - WHOLE - BILL 130178, etc.

2           welcome. Thank you.

3                   COUNCILWOMAN BROWN: So what is  
4           the Department's policy -- well, let me  
5           start here. There was a fire in the 2200  
6           block of North 52nd Street in Councilman  
7           Jones' district and it was reported that  
8           they had violations already. So with  
9           that, please speak to your interface with  
10          the Fire Department as it relates to fire  
11          prevention around properties, and when  
12          there is a fire at a property that has  
13          reported violations, what type of  
14          followup happens?

15                   COMMISSIONER WILLIAMS: Thank  
16          you, Councilwoman. One of the things --  
17          we have a great working relationship with  
18          our Fire Department. Our inspectors go  
19          through fire code training, specialized  
20          in identifying problems and trying to  
21          prevent fires from occurring. One of the  
22          things that we just met with the Fire  
23          Department and Commissioner Ayers last  
24          month is to improve the process of block  
25          inspections, which the fire inspectors,

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           the Fire Department's battalion chiefs  
3           will go out and send crews along blocks  
4           of commercial corridors to identify  
5           businesses and do spot checks to ensure  
6           that they're in compliance with the  
7           Philadelphia Fire Code.

8                       We also talked about data,  
9           information sharing and our ability to  
10          use technology to help improve that  
11          process, so that when our inspectors are  
12          out in the field as well, we can identify  
13          problems and put them into a system that  
14          the Fire Department will be able to  
15          readily have that information that we're  
16          working off of and vice versa, that when  
17          fire teams go out block by block and look  
18          at these locations and those areas, if  
19          there are existing violations, whether  
20          they be fire related or structural  
21          related, then our department can act  
22          immediately. And those are the things  
23          that we're looking to work on to improve  
24          the system, and we're looking forward to  
25          using that type of technology and the

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           continuous relationships that we have  
3           with the Fire Department to try to  
4           prevent fires from happening.

5                   COUNCILWOMAN BROWN: Or at  
6           least minimize the number.

7                   COMMISSIONER WILLIAMS: Yes,  
8           ma'am.

9                   COUNCILWOMAN BROWN: In your  
10          prepared testimony on Page 4, you state  
11          that the goal for FY14 is 35 percent  
12          demolition activity is the highest Class  
13          200 spending category for L&I. Over the  
14          course of the past year, you successfully  
15          increased the number of minority  
16          registered demolition firms to 33 percent  
17          of qualified contractors. And it is no  
18          secret that there are many in this body  
19          that care and look closely at how  
20          departments are doing in this area.

21                   In your testimony, you state  
22          that MBE/WBE/DBE participation for FY13  
23          is 43.22 percent. Provide the total  
24          number of registered demolition firms on  
25          the list of qualified contractors.

1           4/16/13 - WHOLE - BILL 130178, etc.

2           COMMISSIONER WILLIAMS: Sure.

3           I can provide that information to you if  
4           you would give me one second. I can get  
5           that to you.

6           COUNCILWOMAN BROWN: Terrific.

7           COMMISSIONER WILLIAMS: There  
8           are a total of 13 demo contractors  
9           currently on our city's procurement  
10          process, and out of the 13, six are MBE  
11          or WBE contractors.

12          COUNCILWOMAN BROWN: Are they  
13          all local or no?

14          COMMISSIONER WILLIAMS: I can  
15          get that information to you. Could you  
16          hold on for one second.

17          Thank you, Councilwoman. There  
18          are eight local firms, and out of those  
19          eight firms, five of them are minority  
20          contractors that reside from the City of  
21          Philadelphia.

22          COUNCILWOMAN BROWN: Okay. All  
23          right. Infrequently we hear that  
24          departments are not able to have a  
25          captured pool or a critical scale of

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           vendors for the work that that department  
3           engages in. Speak about, if you will,  
4           what types of programs, seminars or  
5           symposiums you develop to educate  
6           potential vendors about opportunities  
7           within the Department.

8                       COMMISSIONER WILLIAMS: I'm  
9           also going to turn this over to Deputy  
10          Commissioner Mike Maenner, who has worked  
11          very closely with the contractors, and  
12          also Otis Haigler from my division, who  
13          will be able to give you a positive  
14          response.

15                       (Witness approached witness  
16          table.)

17                       MR. HAIGLER: Good morning --  
18          or good afternoon. I'm sorry. My name  
19          is Otis Haigler, Jr., Director of  
20          Neighborhood and Emergency Services for  
21          the Department of Licenses and  
22          Inspections.

23                       Councilwoman, we work very  
24          closely with the Office of Economic  
25          Opportunity. We attend various seminars

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           that they sponsor in the evening, evening  
3           hours. We go over. We give them  
4           information on what we do in L&I as far  
5           as our demolition program, what the  
6           requirements are. We work actively with  
7           contractors to help them, assist them  
8           with becoming certified through the  
9           Office of Economic Opportunity.

10                   COUNCILWOMAN BROWN: And what  
11           does that mean when you say you work with  
12           them to help them become certified?

13                   MR. HAIGLER: If they have a  
14           problem, we assist them with providing  
15           information. We work closely with  
16           Ms. Burton's office, Angela Dowd-Burton's  
17           office, to give them that information to  
18           assist with filling out the applications.  
19           We do help them with the application  
20           process. It is a lengthy process, and we  
21           do help them with the application  
22           process.

23                   COUNCILWOMAN BROWN: So you  
24           provide technical assistance, for lack of  
25           a better word?

1 4/16/13 - WHOLE - BILL 130178, etc.

2 MR. HAIGLER: Yes, ma'am.

3 COUNCILWOMAN BROWN: Is bonding  
4 required?

5 MR. HAIGLER: Yes, ma'am, it  
6 is. We require at least a \$75,000 bond  
7 for our demolition projects. That's the  
8 initial bond. If there's a project that  
9 exceeds \$75,000, they're required to get  
10 an additional bond to cover the cost of  
11 whatever that project is.

12 COUNCILWOMAN BROWN: Okay.  
13 There you go. See you on the next round.

14 MR. HAIGLER: Thank you.

15 COUNCILMAN GREENLEE:

16 Councilman Johnson.

17 COUNCILMAN JOHNSON: Thank you,  
18 Mr. Chair.

19 Just a couple questions. In  
20 the Southwest part of my district, we  
21 have an overwhelming number of junkyards  
22 and automobile shops, all populated in a  
23 particular area. And so I'm going to be  
24 looking at bringing together all the key  
25 City stakeholders to begin looking at

1           4/16/13 - WHOLE - BILL 130178, etc.  
2       making sure that, one, all these  
3       businesses are in compliance; two, where  
4       they're not in compliance, making sure  
5       they're cited and coming up to code in  
6       terms of operating their businesses.  
7       These businesses are pretty much becoming  
8       a blight in a particular area. So I just  
9       want to get an idea from your perspective  
10      as the L&I Commissioner in terms of your  
11      jurisdiction what y'all can or cannot do  
12      to be effective in this process.

13                   And the other component is,  
14      there's also a high population of illegal  
15      rental units based upon a report that I  
16      received that was put together by  
17      Controller Butkovitz that kind of just  
18      highlights the problem of having illegal  
19      rental units. But this particular part  
20      of my district is becoming a problem,  
21      because obviously if you have an influx  
22      of people living in houses illegally,  
23      then obviously that's more of a drain on  
24      resources in the area that's not really  
25      being documented.



1           4/16/13 - WHOLE - BILL 130178, etc.

2                       So we're going to be, again,  
3 aggressively looking at those two  
4 particular issues, and I just want to get  
5 an idea from your office in which ways  
6 y'all can be supportive in that process  
7 and what y'all may be able to do to be  
8 supportive as we address it.

9                       COMMISSIONER WILLIAMS:

10 Certainly you'll have our department's  
11 support and whatever authorities that we  
12 can enact to try to ensure the  
13 compliance. I think -- and I'll let  
14 Deputy Commissioner Maenner talk a little  
15 bit more about the auto business and  
16 detail as to what their requirements are  
17 to ensure that they don't affect the  
18 quality of life in the local  
19 neighborhoods that you have, and then  
20 I'll come back to the illegal rental  
21 situation.

22                       COUNCILMAN JOHNSON: They have  
23 like dogs running around, you know what I  
24 mean, scaring the neighbors, that type.

25                       DEPUTY COMMISSIONER MAENNER:

1 4/16/13 - WHOLE - BILL 130178, etc.

2 Good afternoon, Councilman. Currently we  
3 have a scrap yard task force that we're a  
4 part of. Also DEP, PADEP, the state and  
5 federal agencies are involved in, as well  
6 as many other departments in the City,  
7 including the Water Department.

8 COUNCILMAN JOHNSON: Okay.

9 DEPUTY COMMISSIONER MAENNER:

10 And we go out the first Tuesday of each  
11 month, and we follow up on the fourth  
12 Wednesday of each month. So we go out  
13 two days a month and we target various  
14 scrap yards throughout the City.

15 If you have any addresses,  
16 we'll be glad to make them part of our  
17 inspections.

18 COUNCILMAN JOHNSON: I'll make  
19 sure I get you a list.

20 DEPUTY COMMISSIONER MAENNER:  
21 Absolutely.

22 COUNCILMAN JOHNSON: Thank you.

23 COMMISSIONER WILLIAMS: And as  
24 a followup, one of the things that Deputy  
25 Commissioner Fink mentioned earlier,

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           which we're very excited and proud of, is  
3           our new L&I website, which provides the  
4           data that we have in our current systems  
5           in realtime, and that includes all rental  
6           property licenses, as well as violations,  
7           as well as permits for construction and  
8           so forth. But specifically under the HIL  
9           program, all rental licenses are posted  
10          online and you can see each property who  
11          is the owner, if there's any violations,  
12          and if they have an active rental license  
13          or if it expired. We also started our  
14          delinquent licensing project last year  
15          that yielded more than \$3.6 million in  
16          additional revenue to the General Fund,  
17          and this was our department's undertaking  
18          and aggressive team who administratively  
19          went after everyone who had an expired  
20          license, and they were able to bring in  
21          those type of revenues to put them back  
22          on the payrolls and gain them in  
23          compliance, which is ultimately going to  
24          lead to \$1.1 million in future revenues.

25                       But I think that the biggest

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           partnership that we can have is with the  
3           community and public and using our  
4           website to identify a property that is  
5           being illegally rented, and if they were  
6           able to go online and give us an  
7           indication that there's no license or  
8           permit issued -- there's no license or  
9           rental license at this location or HIL,  
10          then we can send an inspector out to that  
11          location to try to identify them, because  
12          a lot of the times we have a hard time  
13          gaining access or also if they're  
14          single-family rentals, it's difficult to  
15          determine if they're actually renting the  
16          property or not. And so we would need  
17          support from the public to help us out in  
18          targeting those areas so that we can  
19          target our resources.

20                   COUNCILMAN JOHNSON: Okay.  
21           Thank you, Commissioner.

22                   COUNCILMAN GREENLEE: Thank  
23           you, Councilman.

24                   Councilman Henon.

25                   COUNCILMAN HENON: Thank you,

1 4/16/13 - WHOLE - BILL 130178, etc.

2 Mr. Chairman.

3 So I'm going to start off by  
4 saying, so if you've seen our Majority  
5 Leader running down the street at 1  
6 o'clock in the morning in onesies, onesie  
7 pajamas, would that be CVN worthy?

8 COUNCILMAN GREENLEE: They'll  
9 run the other way.

10 COUNCILMAN HENON: Okay.  
11 Anyway --

12 COUNCILMAN GREENLEE: Is that  
13 it?

14 COUNCILMAN HENON: No. I just  
15 had to break things up a little bit. You  
16 know we love our Majority Leader.

17 On the issue of unlicensed  
18 investors or landlords that are out  
19 there, there is a tremendous amount of --  
20 I wouldn't say tremendous, but there's a  
21 large sector out there that it's hard to  
22 identify if the public doesn't get  
23 involved to be our eyes and ears. And I  
24 know that in my district, I encourage  
25 anybody and everybody, if you think that

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           somebody is renting illegally, to report  
3           it to the 3-1-1, then call my office,  
4           which in turn has multiple records of the  
5           complaint going to a specific address. I  
6           assume that helps the Department having  
7           things on record. So I encourage  
8           everybody to continue to do that, and I  
9           hope -- and I'm sure your community  
10          folks, when they're out there talking to  
11          the community, echo the same message.

12                   COMMISSIONER WILLIAMS:  
13          Absolutely.

14                   COUNCILMAN HENON: Revenue,  
15          when it comes to Revenue, how much  
16          interaction does your department have  
17          with the Department of Revenue?

18                   COMMISSIONER WILLIAMS: We have  
19          a very positive working relationship.  
20          Monthly we go over individual reports  
21          that affect our department. We talked  
22          about issues related to properties that  
23          are tax delinquent. Our staff sits on a  
24          team with Revenue that meets weekly to  
25          talk about these issues.

1           4/16/13 - WHOLE - BILL 130178, etc.

2                   So I think the relationship is  
3       strong. We understand its importance in  
4       terms of being able to look at other  
5       things beyond L&I's scope to address an  
6       issue or problem.

7                   COUNCILMAN HENON: And I'm glad  
8       to hear that, because I think it's  
9       critical that Revenue be a part of what  
10      you're doing and your policies and your  
11      executions of the strategies in  
12      combatting not only delinquencies but  
13      people who aren't complying with the law.  
14      I think it's absolutely not just  
15      critical, it's necessary for that to  
16      happen. And we have had, my office with  
17      your office working, we put together a  
18      Problem Property Advisory Committee,  
19      which is a collaborative effort with  
20      multiple departments, and I'm going to  
21      say the success rate has been great. We  
22      have together challenged the community to  
23      get involved in not just reporting but  
24      having positive actions. And sometimes  
25      it's a no. Like our Majority Leader was

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           saying, sometimes it is a no, we can't do  
3           anything, but at least there's  
4           communication and a response, which  
5           people not only deserve but it also helps  
6           change behavior in the community.

7                        So I hope Revenue continues to  
8           be a part of what you're doing, because I  
9           think, again, in order for things to work  
10          in a cohesive and a collaborative effort,  
11          Revenue needs to be a part of every  
12          department --

13                       COMMISSIONER WILLIAMS:  
14          Absolutely.

15                       COUNCILMAN HENON: -- in their  
16          execution.

17                       So that's all I have. Thank  
18          you, Chairman.

19                       COUNCILMAN GREENLEE: Thank  
20          you, Councilman.

21                       Councilwoman Reynolds Brown,  
22          did you have another question?

23                       COUNCILWOMAN BROWN: Yes.

24                       The issue is childcare and an  
25          update on where we are with -- if I'm not



1           4/16/13 - WHOLE - BILL 130178, etc.  
2           mistaken, the most recent intelligence is  
3           that childcare providers -- some years  
4           ago there was a unit or a provision  
5           within the Department that helped  
6           childcare providers expedite or walk  
7           through that maze towards licensing in a  
8           way that did not intimidate them and kept  
9           them whole so that they could become  
10          licensed so they can provide that  
11          service. So where are we with that?

12                   COMMISSIONER WILLIAMS: I want  
13          to let Deputy Commissioner Mike Maenner,  
14          who heads up that division, provide a  
15          response.

16                   DEPUTY COMMISSIONER MAENNER:  
17          Good afternoon, Councilwoman.

18                   COUNCILWOMAN BROWN: Good  
19          afternoon.

20                   DEPUTY COMMISSIONER MAENNER:  
21          Over the past year, we've actually  
22          streamlined the process and made it  
23          easier for childcare businesses to open  
24          up. All of our information is on the  
25          website and it's easy to follow. All of

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           our inspectors -- before, there was only  
3           a single unit. Now every single  
4           inspector is trained in childcare  
5           inspection. So it's citywide. Every  
6           inspector can perform a childcare  
7           inspection, which gives an expedited  
8           service to the childcare industry.

9                   COUNCILWOMAN BROWN: Very good.

10                   DEPUTY COMMISSIONER MAENNER:

11           We inspect the childcare -- the  
12           residential childcare, less than six  
13           people, which the state does not do. We  
14           do that as the safety net.

15                   COUNCILWOMAN BROWN: Very good.

16           Progress is good.

17                   DEPUTY COMMISSIONER MAENNER:

18           Thank you.

19                   COUNCILWOMAN BROWN: Okay. So  
20           you should know that last week or two  
21           weeks ago, I introduced a bill regarding  
22           the regulation of what's called, and I  
23           quote, "touch therapy," end quote,  
24           establishments in the City, because under  
25           the current state law, actually there's a

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           loophole when it comes to massage  
3           parlors. Under the current -- and the  
4           backdrop, the context of this is the  
5           growing prevalence of human trafficking  
6           of women and girls. Under the current  
7           state act, touch therapy establishments  
8           are not regulated by the state like  
9           massage parlors and they are not  
10          regulated by the City of Philadelphia.  
11          Therefore, there's no oversight at all.  
12          And where you don't have oversight, you  
13          have the abuse of women and girls who are  
14          forced into this type of business,  
15          period.

16                       The bill would require  
17          Philadelphia massage parlors to acquire,  
18          maintain, and display at all times a  
19          valid L&I-issued touch therapy license.  
20          In order to be issued, the license  
21          applicants, once we have hearings and  
22          hopeful it gets past Council to the  
23          Mayor's desk, will be required to pay a  
24          \$100 fee and submit all locations where  
25          therapy would be performed, detailing any

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           prior criminal convictions, et cetera. A  
3           license will be able to be denied to  
4           applicants who have been convicted of  
5           certain crimes or those who L&I find  
6           probable to believe that they may be  
7           conducting business other than massage  
8           parlors. And in that case, there be a  
9           \$300 penalty for those engaging in touch  
10          therapy without a valid license.

11                   The bill would finally regulate  
12          an industry that has allowed some, what I  
13          call, bad apples to operate with an  
14          anything-goes approach under the auspices  
15          of touch therapy. So I raise it here  
16          because with the hope that it gets to the  
17          Mayor's desk and becomes law, that will  
18          then be, like most things we do here, a  
19          new action item for your department.

20                   And so let's fast forward. It  
21          becomes law. Do regulations then have to  
22          be established or no?

23                   COMMISSIONER WILLIAMS: I'll  
24          defer to Deputy Commissioner Mike Fink,  
25          who heads up our licensing unit, respond.

1           4/16/13 - WHOLE - BILL 130178, etc.

2                   DEPUTY COMMISSIONER FINK:

3       Councilwoman, for the majority of  
4       licenses that the City requires, there  
5       are regulations developed which detail  
6       different processes that the Department  
7       implements to enforce the provisions of  
8       the code. So, yes. To answer your  
9       question shortly, typically, yes.

10                   COUNCILWOMAN BROWN: And the  
11       time it takes from the Mayor's desk to  
12       actual implementation, although that can  
13       be stipulated in the body of the bill so  
14       that it becomes effective at some XYZ  
15       date, how long typically does it take for  
16       regulations to be determined, et cetera?

17                   DEPUTY COMMISSIONER FINK: Once  
18       regulations are developed, they're  
19       advertised publicly for 30 days, at which  
20       point the public can request a hearing on  
21       those regulations. So the timeline can  
22       vary depending on how in-depth the  
23       regulations are and whether there's any  
24       objections to them.

25                   COUNCILWOMAN BROWN: Very well.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 Okay. Well, I would ask -- and this is  
3 presuming it gets to the Mayor's desk.  
4 It's about women and girls and girls and  
5 women -- that there's a community that  
6 cares about the issue, including those  
7 who actually house girls who have been  
8 trapped in this circumstance, that they  
9 would be advised so that they could come  
10 in and testify during a public hearing as  
11 well.

12 COMMISSIONER WILLIAMS: Yes,  
13 ma'am. We certainly will work with your  
14 office.

15 COUNCILWOMAN BROWN: Thank you.

16 Thank you, Mr. Chairman.

17 COUNCILMAN GREENLEE: Thank  
18 you.

19 Being no further questions,  
20 thank you all very much. Thank you for  
21 all the work you do.

22 COMMISSIONER WILLIAMS: Thank  
23 you, Councilman. I appreciate it.

24 COUNCILMAN GREENLEE: Have a  
25 good one.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 Our final department of the  
3 day -- we have public testimony at  
4 5:00 -- is the City Commissioners.

5 Don't all rush up here at once.

6 (Witnesses approached witness  
7 table.)

8 COUNCILMAN GREENLEE: Good  
9 afternoon, Mr. Chairman, Commissioners.  
10 How are you? If you could just identify  
11 yourself. And we have your written  
12 testimony, Commissioner. So if you just  
13 would like to summarize and then be  
14 available for questions, we'd appreciate  
15 it.

16 COMMISSIONER CLARK: Good  
17 afternoon, members of City Council.

18 COUNCILMAN GREENLEE: Good  
19 afternoon.

20 COMMISSIONER CLARK: My name is  
21 Anthony Clark. I'm the Chairman of the  
22 City Commissioners. I'm here with my  
23 colleagues. Here next to me is  
24 Commissioner Al Schmidt, the Vice  
25 Chairman of the Commissioners, and

1 4/16/13 - WHOLE - BILL 130178, etc.

2 Commissioner Stephanie Singer.

3 We're here to present our  
4 budget for the coming fiscal year. I'm  
5 now going to have Vice Chairman  
6 Commissioner Schmidt address Council  
7 about our budget.

8 COMMISSIONER SCHMIDT: Good  
9 afternoon. My name is Al Schmidt and I  
10 have the honor of serving as City  
11 Commissioner alongside our Chairman  
12 Anthony Clark and City Commissioner  
13 Stephanie Singer. Let me also begin by  
14 thanking City Council for the opportunity  
15 to testify before you today.

16 Like many departments, the City  
17 Commissioners Office faces increasing  
18 costs this coming fiscal year and, in our  
19 case, decreasing resources available to  
20 us from the Help America Vote Act, HAVA,  
21 grant revenue funding stream.  
22 Nevertheless, our FY2014 General Fund  
23 budget request is unchanged relative to  
24 our FY2013 original appropriation, with  
25 the exception of a minor increase to



1           4/16/13 - WHOLE - BILL 130178, etc.  
2           offset the cost of a 2.5 percent salary  
3           increase for our few non-represented and  
4           exempt Civil Service staff.

5                       Consequently, we continuously  
6           look for ways to maximize the efficiency  
7           and effectiveness of our department  
8           during these difficult budget times. The  
9           City Commissioners Office faces added  
10          costs that affect our Class 200 budget in  
11          particular, in addition to future  
12          mandates that may be enacted in the  
13          coming fiscal year. We'd like to quickly  
14          identify some of those additional costs  
15          at this time.

16                      Our voting machines and our  
17          election voting system were under a  
18          ten-year warranty that has now expired.  
19          The costs associated with multiple  
20          aspects of the warranty will now be  
21          incurred by the department on a yearly  
22          basis. These include a voting machine  
23          parts warranty, an election voting system  
24          software maintenance contract and a  
25          network support contract, as well as

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           other increasing maintenance and support  
3           costs. All in, these increases alone  
4           total nearly \$600,000 in the coming year.

5                     In addition, our department  
6           will likely see a significant, but as yet  
7           undetermined, decrease in HAVA grant  
8           revenue funding as the fund begins to  
9           deplete, especially for maintenance and  
10          electronic voting systems. As always, we  
11          are looking for ways to reduce  
12          expenditures where we can and will  
13          monitor increased costs throughout the  
14          year. We're in ongoing contact with the  
15          Office of Budget and Program Evaluation,  
16          which is aware of this condition.

17                    In this past year, we've taken  
18          steps toward improving the external  
19          customer service and internal performance  
20          management of our department. We  
21          consulted at all of our external  
22          functions, including the filing of  
23          nomination petitions and campaign finance  
24          reports, and co-located them in a single  
25          sort of one-stop shop in City Hall. And

1           4/16/13 - WHOLE - BILL 130178, etc.

2           we've approved a new website that should  
3           be going live in the next few weeks that  
4           will help improve transparency and make  
5           it easier for the public and Election  
6           Board workers to access election-related  
7           material. Internally, we've revised job  
8           specifications to create a new clerical  
9           career track for professional advancement  
10          for our employees, and we've implemented  
11          a set of rules and regulations for our  
12          staff to better manage our workflow.

13                 Our workforce has become  
14          somewhat more diverse in the past year,  
15          with a relative increase in our female  
16          and African American employee  
17          demographics. Although we have now  
18          appointed one of our employees as a  
19          bilingual interpreter, which is a good  
20          first step, our Latino demographic has  
21          held steady and deserves our continued  
22          attention, as we have an obligation to  
23          ensure that our department is reflective  
24          of the City.

25                 In conclusion, I'd like to

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           thank the dedicated staff of our  
3           department for their hard work and again  
4           thank City Council for the opportunity to  
5           testify today. We welcome any questions.

6                   COUNCILMAN GREENLEE: Thank  
7           you, sir. Thanks to all three of you.

8                   One thing, on Page 2 of the  
9           written testimony, among the other  
10          things, Commissioner Schmidt, that you  
11          mentioned, it said that the department  
12          will have additional costs, including  
13          maintenance and support for our absentee  
14          balloting system. Could you explain that  
15          a little bit, what you mean by that?

16                   COMMISSIONER SCHMIDT: We  
17          recently upgraded our absentee ballot  
18          system and put a procedure in place that  
19          will, we believe, help it perform better.  
20          A lot of these costs are new, such as the  
21          other costs I mentioned for warranty and  
22          software and parts and all the rest for  
23          the voting machines.

24                   COUNCILMAN GREENLEE: Now,  
25          could you get just slightly more specific

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           as far as what you mean by update for the  
3           absentee ballots. What changes are you  
4           or improvements are you --

5                   COMMISSIONER SCHMIDT: So we  
6           have a software system that assists us  
7           with the processing of absentee ballots,  
8           and we've just recently in the last year  
9           upgraded that system to help it perform  
10          better.

11                   COUNCILMAN GREENLEE: Okay.  
12          Thank you. And just one other thing from  
13          me. When you talk about the HAVA funding  
14          and you do say in here you anticipate  
15          most, if not all, from the City of  
16          Philadelphia, but you said you're seeking  
17          or will seek alternative funding. Do you  
18          have any idea where that might be?  
19          Obviously we'd always like to see  
20          alternative funding other than the City  
21          of Philadelphia.

22                   COMMISSIONER SCHMIDT: Well,  
23          the first step is to make sure that we  
24          are able to use every last dime of HAVA  
25          funding that is available. The resources

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           are in different sorts of buckets to be  
3           used for different things. Some of those  
4           are depleted or will be depleted this  
5           year; others are not yet there. We have  
6           to make sure that we maximize our use of  
7           all of those resources before the  
8           resources are depleted and the funding  
9           ends.

10                   COUNCILMAN GREENLEE: Okay.  
11           Thank you.

12                   Before I recognize Councilman  
13           Jones, I see Ms. Carla Moss back there.  
14           I have to do a particular shout-out to  
15           her, as someone who is always very  
16           helpful in providing information and  
17           providing help to us. So thank you.

18                   Councilman Jones.

19                   COUNCILMAN JONES: Ward leaders  
20           know what to do.

21                   COUNCILMAN GREENLEE:  
22           Absolutely.

23                   COUNCILMAN JONES: I think this  
24           is the first time I've seen all three of  
25           you in the same place at the same time

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           other than in your chambers. So this is  
3           like, you know -- I was beginning to  
4           think you all are the same person  
5           imitating each other, but it's good to  
6           see you all.

7                       And to my good friend Mr. Voigt  
8           there, who we cut our teeth for good  
9           government, me and Congressman Fattah.  
10          We were 18 and 19, fresh out of  
11          enthusiasm about changing the world, and  
12          losing a campaign, our first one, and he  
13          helped console us and showed us we can  
14          make a difference in or out of elected  
15          office. I want to acknowledge him here  
16          today.

17                      A couple of things. Thank you  
18          for your work in stopping the voter ID  
19          component and educating us all and making  
20          sure that participation was called for in  
21          particularly underserved areas like  
22          minority communities, and I wanted to  
23          thank you guys for the outreach of that  
24          in a non-partisan way. We appreciate  
25          that kind of work coming out of the

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           Commissioners Office, and thank you for  
3           it.

4                   A couple of other things, real  
5           quick. How do you view some of the 20  
6           school closures that are going to happen?  
7           Many of them are polling places.

8                   I want to announce to those who  
9           can hear that Beeber, Dimner Beeber  
10          Middle School, was taken off of the list  
11          today.

12                   COUNCILMAN GREENLEE: Very  
13          good.

14                   COUNCILMAN JONES: So that's  
15          another one of them in the 4th that we  
16          got off the list, and a lot of people are  
17          going to be cheering, because there are  
18          four polling locations in Beeber alone.  
19          So how does that school closure impede  
20          upon your ability to get qualified  
21          polling places where people can have  
22          access to?

23                   COMMISSIONER SCHMIDT: It is of  
24          acute concern to us for a couple of  
25          reasons. One is because of the



1           4/16/13 - WHOLE - BILL 130178, etc.  
2           requirements for wheelchair accessibility  
3           over the last four years, there have been  
4           more and more polling places co-located  
5           in schools. So when schools close, not  
6           only do we have more polling places  
7           there, but we have more co-located there,  
8           and that's a real concern.

9                     Our staff immediately reached  
10          out and met with the School District to  
11          figure out alternatives where it affects  
12          our office and, in some cases, where we  
13          can still use those facilities if they  
14          close or are used for a different  
15          purpose. But even a small number of  
16          schools closing -- and this is a large  
17          number of schools, but even a small  
18          number of schools affects us in a pretty  
19          big way.

20                    COUNCILMAN JONES: Can you  
21          provide to the Chair a juxtaposed list of  
22          polling places located in public schools  
23          or schools that maybe cause some  
24          disruption in the voting process for us?

25                    COMMISSIONER SCHMIDT:

1           4/16/13 - WHOLE - BILL 130178, etc.

2           Absolutely. We'll have that today.

3                   COMMISSIONER CLARK: Because at  
4           the same time --

5                   COUNCILMAN GREENLEE:  
6           Commissioner, talk into the mic. Thank  
7           you.

8                   COMMISSIONER CLARK: Because at  
9           the same time, of course, the City plays  
10          a major role in making sure that we have  
11          a lot of these places that are handicap  
12          accessible because of an agreement that  
13          the City had, of course, with the state.  
14          We want to make sure that we follow the  
15          law and make sure that people have places  
16          that are handicap accessible. So with  
17          the schools closing, we still know that a  
18          lot of the schools that's in the City,  
19          City Council will have a lot of input in  
20          terms of those people that need to vote  
21          in that community. Maybe we could still  
22          use those places.

23                   COUNCILMAN JONES: So if you  
24          could provide that for us, that will be  
25          helpful so that we know the true impact.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 Cost of poll workers and  
3 officials that actually administer, that  
4 those individuals have not gotten a raise  
5 in how long?

6 COMMISSIONER CLARK: It's  
7 been --

8 COMMISSIONER SCHMIDT: I think  
9 it's 19 years.

10 COMMISSIONER CLARK: Yeah, it's  
11 19 years.

12 COUNCILMAN JONES: So for a  
13 machine operator, what is the  
14 compensation that we currently give them?

15 COMMISSIONER SCHMIDT: It's \$95  
16 for essentially a 14-hour day.

17 COUNCILMAN JONES: So that  
18 breaks down to what an hour?

19 COMMISSIONER SCHMIDT: And if  
20 they attend training --

21 COMMISSIONER CLARK: And \$20 if  
22 they attend training.

23 MR. VOIGT: Less than minimum  
24 wage.

25 COUNCILMAN JONES: Less than

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           minimum wage for the time that they put  
3           in there to provide the bedrock of  
4           democracy for our country. Something  
5           that we will have to look at again and  
6           pass a resolution, and hopefully they  
7           include it in the budget when we send it  
8           up.

9                       Finally, your outreach efforts,  
10          which I want to thank you, Commissioner  
11          Singer, for choosing Roxborough to kick  
12          it off. Can you describe what that is  
13          going to entail?

14                      COMMISSIONER SINGER: Yes.  
15          That's a new public awareness campaign  
16          that we kicked off in Roxborough last  
17          week. It's called Be the Boss: Vote May  
18          21st, and it is a partnership with Shop  
19          Rite and with Clear Channel, and they are  
20          helping us get the word out. We want to  
21          change the messaging around voting from  
22          register to take charge, take power,  
23          vote.

24                      COUNCILMAN JONES: So voter  
25          education.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 COMMISSIONER SINGER:

3 Absolutely.

4 COUNCILMAN JONES: Thank you,  
5 Mr. Chairman.

6 COUNCILMAN GREENLEE: Thank  
7 you, Councilman.

8 Councilwoman Reynolds Brown.

9 COUNCILWOMAN BROWN: Yes. It  
10 is customary for us to always raise the  
11 question with leadership of departments  
12 around gender and ethnicity to ensure  
13 that departments look like Philadelphia.  
14 Leadership certainly looks like  
15 Philadelphia. How well are we doing with  
16 the rank and file across the board, both  
17 on the D side and the R side, with  
18 regards to diversity in offices?

19 COMMISSIONER SINGER: Are you  
20 asking about our Commissioners offices?

21 COUNCILWOMAN BROWN: Yes.

22 COMMISSIONER SINGER: As  
23 opposed to the Civil Service staff?

24 COUNCILWOMAN BROWN: Yes.  
25 Because is that not where you have the

1 4/16/13 - WHOLE - BILL 130178, etc.

2 greatest opportunity and reach without  
3 being bound by Civil Service rules?

4 COMMISSIONER SINGER: That's  
5 correct.

6 COMMISSIONER SCHMIDT: It is  
7 almost evenly divided between men and  
8 women. I think total it is six men and  
9 five women, if you're talking about  
10 exempt staff.

11 COUNCILWOMAN BROWN: Yes.

12 COMMISSIONER SCHMIDT: And it  
13 is, I think -- off the top of my head, I  
14 think it's seven --

15 COUNCILWOMAN BROWN: Is this  
16 across the board for all three?

17 COMMISSIONER SCHMIDT: Yeah.  
18 It's about evenly split men and women and  
19 whites, if you combine the three offices.

20 COMMISSIONER SINGER: I'd like  
21 at this point to ask my staff, who are  
22 here, to stand up, Mr. Dennis Lee and Ms.  
23 Tracey Gordon and if you could imagine  
24 Ms. Norys Gonzalez standing with them, I  
25 think that the staff in my office

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           represents Philadelphia, and I'm very  
3           proud of that.

4                   COUNCILWOMAN BROWN: And you  
5           all may not know that it was presented to  
6           the -- it was requested of the Chief of  
7           Staff of the Mayor's Office, and I or we  
8           were remiss in not making sure that your  
9           office knew as well that we'd like for  
10          you to include that in the body of the  
11          testimony, the compositional breakdown of  
12          your offices. So Commissioner --

13                   COMMISSIONER SCHMIDT: We have  
14          it included in the final page of the  
15          testimony for the entire department.

16                   COUNCILWOMAN BROWN: Is it?  
17          Okay.

18                   COMMISSIONER SINGER: Is it  
19          broken down -- well...

20                   You may want to see it broken  
21          down by individual office, Commissioners'  
22          office.

23                   COUNCILWOMAN BROWN: Yes, by  
24          individual offices is what we want to  
25          see.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 COMMISSIONER SCHMIDT: We can  
3 do that.

4 COUNCILWOMAN BROWN: Please  
5 provide that to the Chair, if you would.

6 COMMISSIONER SCHMIDT: Yes,  
7 ma'am.

8 COUNCILWOMAN BROWN: By  
9 providing it to the Chair, we won't have  
10 to have callbacks.

11 COMMISSIONER SCHMIDT: Right.

12 COMMISSIONER CLARK: I just  
13 turned around here because we have our  
14 acting administrator here, and he says  
15 it's around 50/50.

16 COUNCILWOMAN BROWN: In terms  
17 of diversity?

18 COMMISSIONER CLARK: Yes.

19 COUNCILWOMAN BROWN: And we'll  
20 hear back from you, Commissioner?

21 COMMISSIONER CLARK:  
22 Absolutely.

23 COUNCILWOMAN BROWN: And so the  
24 always important follow-up question is,  
25 by when? The end of the month? When



1 4/16/13 - WHOLE - BILL 130178, etc.

2 will we get those answers?

3 COMMISSIONER SCHMIDT: I  
4 would -- it's a pretty limited number.  
5 I've already put the numbers together, so  
6 perhaps even by the end of the day today.

7 COUNCILWOMAN BROWN: Okay,  
8 then. Please, if you could forward that  
9 to the Chair.

10 COMMISSIONER SCHMIDT:  
11 Certainly.

12 COUNCILWOMAN BROWN: Thank you,  
13 Mr. Chairman.

14 COUNCILMAN GREENLEE: Thank  
15 you, Councilwoman.

16 Councilman Oh.

17 COUNCILMAN OH: Thank you very  
18 much, Mr. Chairman.

19 And just a point to follow off  
20 of Councilwoman Blondell Reynolds Brown's  
21 point, if you could include in the number  
22 any Asian Americans. I've asked that  
23 basically there may be some consistency  
24 from the Administration. Different  
25 department heads come in with

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           different -- sometimes it's this group of  
3           folk but not that, and I'd just like to  
4           see some consistency. And I think also  
5           Councilwoman Sanchez often raises how  
6           many are bilingual, which is an important  
7           service in our community, if you could  
8           throw that in.

9                       But what I wanted to ask you  
10          about for your expert opinion is the  
11          issue of early voting. Is that something  
12          that you favor? From your position, does  
13          it help us in Philadelphia? Does it make  
14          things more complicated, less  
15          complicated? What is your opinion on  
16          early voting in Pennsylvania and  
17          Philadelphia in particular?

18                      COMMISSIONER SINGER: Well, I  
19          can speak for myself. As an individual  
20          Commissioner, I think any changes made to  
21          election administration have to be made  
22          with the election administrators in mind,  
23          our Civil Service staff, so that no  
24          change should be made quickly and no  
25          change should be made without getting

1           4/16/13 - WHOLE - BILL 130178, etc.

2           buy-in from election administrators.

3                   There are many states that have  
4           early voting, and it is something that  
5           increases turnout. It is something that  
6           voters like very much, and it is  
7           something that I personally would like to  
8           see in the State of Pennsylvania, again,  
9           with the caveat that it should be  
10          implemented carefully and with the buy-in  
11          of the people who are doing the  
12          day-to-day administering of the  
13          elections.

14                   COUNCILMAN OH: Thank you very  
15          much.

16                   Other Commissioners?

17                   COMMISSIONER SCHMIDT: Yes,  
18          Councilman. One terrific thing about our  
19          country is with all the different states  
20          running elections according to their own  
21          election law and in different ways, you  
22          have different types of voting taking  
23          place, and over time you get to see what  
24          works and what doesn't work. Oregon, I  
25          think, has all voting by mail. Others

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           have early voting. So they're each sort  
3           of a petri dish for finding out what  
4           works best.

5                   COUNCILMAN OH: Are there some  
6           other things then in addition to early  
7           voting that you've come across that you  
8           think is effective in getting more votes  
9           out?

10                   COMMISSIONER CLARK: We try to  
11          stay basically within the realm, because  
12          it changes everything, all the dynamics,  
13          including City Council and the Mayor  
14          putting questions on the ballot. We try  
15          to do things in a manner that will allow  
16          us to give time to everyone. And  
17          basically, of course, you know, we're  
18          making the ballot, we're making sure that  
19          people can vote by alternative ballot, by  
20          absentee ballot that need to vote. So  
21          what we have -- we have a timeframe that  
22          we're basically on. That timeframe also  
23          includes the law. So we just can't do  
24          what we want to do, because we are bound  
25          by federal, state, and local law. So we

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           do the best we can.

3                   And we have also complaints  
4           about when people work on the polling  
5           place for about 13 hours, they're waiting  
6           for their checks, but we have to go  
7           through a certain process in order to pay  
8           them. We have to -- when people vote by  
9           provisional ballot, we have to make sure  
10          that that provisional ballot has the  
11          address on it, has the name on it,  
12          because if a person vote and they don't  
13          fill out the outside of the ballot, we  
14          can't count that ballot.

15                   Another thing is is that if a  
16          person is working on the polling place,  
17          if they don't fill out the slip and they  
18          say, We worked all day on the polling  
19          place, but they didn't fill out the slip,  
20          then we have to do an evaluation before  
21          we can give them their check.

22                   So there's a process that we  
23          must go through in terms of our  
24          employees. They are sworn in in order to  
25          count the provisional ballots. The Board

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           members as Commissioners are not allowed  
3           to count those ballots or touch those  
4           ballots until after that count is over.

5                       So we do have a process that we  
6           have to go through in order to make sure  
7           that we run a fair election. Can we run  
8           a perfect election? No, but we can run a  
9           fair election, because nothing is  
10          perfect. The only thing that's perfect I  
11          know is the creator. So what we have to  
12          do is make sure that we go through the  
13          process of checks and balances so that we  
14          can run a fair election.

15                     COUNCILMAN OH: All right.  
16          Thank you very much.

17                     Thank you, Mr. Chairman.

18                     COUNCILMAN GREENLEE: Thank  
19          you, Councilman.

20                     Just a quick question. The  
21          provisional ballot issue was brought up.  
22          About how many percentage-wise are  
23          actually counted of those provisional  
24          ballots? I mean, is there any -- I guess  
25          maybe the presidential election would

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           have been a good judge on that. You know  
3           what I'm saying? Because I think a lot  
4           are probably people really aren't  
5           eligible to vote.

6                       COMMISSIONER CLARK: I'm going  
7           to let our administrator answer that  
8           question.

9                       COUNCILMAN GREENLEE: Okay.  
10          Fine.

11                      COMMISSIONER CLARK: Greg.

12                      MR. IRVING: Good afternoon,  
13          Councilman.

14                      COUNCILMAN GREENLEE: You're  
15          going to have to come up to the  
16          microphone. I know you're not bashful,  
17          so you can do that.

18                      (Witness approached witness  
19          table.)

20                      MR. IRVING: Good afternoon,  
21          Councilman.

22                      COUNCILMAN GREENLEE: Good  
23          afternoon.

24                      MR. IRVING: Provisional  
25          ballots, we probably had about 70 percent

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           of those --

3                   COUNCILMAN GREENLEE: I'm  
4           sorry. State your name for the record,  
5           please.

6                   MR. IRVING: Gregory Irving,  
7           Acting Voter Registration Administrator.

8                   We probably had about 70  
9           percent of those from this past election  
10          that were counted.

11                  COUNCILMAN GREENLEE: Seventy  
12          percent?

13                  MR. IRVING: Yes. The number  
14          that weren't counted were due to people  
15          not being registered or they moved out of  
16          county, so, therefore, those were not  
17          valid and were not counted.

18                  COUNCILMAN GREENLEE: Okay.  
19          That makes sense. I was just wondering,  
20          because I know particularly in the  
21          presidential election, I think a lot of  
22          people probably filled them out that  
23          might not have been eligible to vote.  
24          All right. That's great. And thank you  
25          for all you do. Mr. Lynch I see over



1           4/16/13 - WHOLE - BILL 130178, etc.  
2           there. Thank you all for all the service  
3           you provide.

4                   COMMISSIONER CLARK: And  
5           speaking about the provisional ballot,  
6           let me just say this. The provisional  
7           ballots, during the time that the  
8           presidential election went on, people  
9           wanted to vote.

10                   COUNCILMAN GREENLEE: Sure.

11                   COMMISSIONER CLARK: And some  
12           people went into a polling place where  
13           there was four divisions or three  
14           divisions, and they stood in line and  
15           said it's 15 people in this line. And  
16           they get to the table and a person say,  
17           Well, you don't vote in this division,  
18           you vote over in that division. So  
19           rather than a person going over there to  
20           the next division where they see 15  
21           people in that line, they vote by  
22           provisional. If they vote by provisional  
23           in that particular division, then they  
24           probably won't get their State Rep or  
25           their Senator, but they will get the top

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           of the ticket. So actually what they did  
3           was split their vote. And you can do  
4           that around the City. It's allowed. But  
5           we don't really -- we like you to vote in  
6           your division, but we'll accept it. And  
7           what happens is is that we have to count  
8           those ballots in those different  
9           divisions, and a lot of times when people  
10          vote by provisional ballot that's not in  
11          their division, they can cut the  
12          Councilman, they can cut -- you know, if  
13          they wanted to do their -- we don't want  
14          to say that. But anyway, bottom line is  
15          is that if you're voting for the top of  
16          the ticket and you're voting by  
17          provisional, you can cut one or two  
18          people that --

19                   COUNCILMAN GREENLEE: You might  
20                   not be able to vote for that particular  
21                   district representative, whoever that is.

22                   COMMISSIONER CLARK:  
23                   Absolutely.

24                   COUNCILMAN GREENLEE: I got  
25                   you. Thank you.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 COMMISSIONER CLARK: And the  
3 split.

4 COUNCILMAN GREENLEE: Thank  
5 you.

6 Councilman Goode.

7 COUNCILMAN GOODE: Thank you,  
8 Mr. Chair.

9 Mr. Schmidt, how long was your  
10 written testimony?

11 COMMISSIONER SCHMIDT: I'm  
12 sorry, sir?

13 COUNCILMAN GOODE: How long was  
14 your written testimony, how many pages?

15 COMMISSIONER SCHMIDT: I  
16 believe it was five pages.

17 COUNCILMAN GOODE: And how many  
18 pages did you deliver?

19 COMMISSIONER SCHMIDT: I'm  
20 sorry, sir?

21 COUNCILMAN GOODE: How many  
22 pages did you deliver?

23 COMMISSIONER SCHMIDT: How many  
24 pages did I?

25 COUNCILMAN GOODE: Deliver.

1           4/16/13 - WHOLE - BILL 130178, etc.

2           How many of the five pages did you read?

3           COMMISSIONER SCHMIDT: I read  
4           one page in -- I took a couple sections  
5           from it and read it in a much --

6           COUNCILMAN GOODE: How many of  
7           the five pages did you read?

8           COMMISSIONER SCHMIDT: I'd say  
9           one total.

10          COUNCILMAN GOODE: Okay. So  
11          you left out all the diversity stuff.

12          COMMISSIONER SCHMIDT: No, sir.  
13          I concluded with a paragraph dealing with  
14          our workforce.

15          COUNCILMAN GREENLEE: Just a  
16          little bit more in the microphone,  
17          because it's hard to hear.

18          COMMISSIONER SCHMIDT: Oh, I'm  
19          sorry, sir.

20          In the concluding paragraph, I  
21          pointed out that our workforce --

22          COUNCILMAN GOODE: That's in  
23          the written testimony.

24          COMMISSIONER SCHMIDT: No, sir.  
25          I just spoke this a couple moments ago.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 I just spoke this in the oral testimony  
3 at the very beginning.

4 COUNCILMAN GOODE: Well, let's  
5 go over those numbers, then, since you  
6 spoke in the testimony, because I think  
7 that someone just said that the employee  
8 breakdown was 50/50. Is it in fact  
9 50/50? Since you read it into the  
10 testimony, is the employee breakdown  
11 50/50.

12 COMMISSIONER SCHMIDT: Yes.

13 COUNCILMAN GOODE: What  
14 percentage of the employees are white?

15 COMMISSIONER SCHMIDT: I have  
16 it here, sir.

17 Fifty-six percent are white, 40  
18 percent are African American, 5 percent  
19 are Latino.

20 COUNCILMAN GOODE: That's not  
21 the question I asked. What percentage  
22 are white?

23 COMMISSIONER SCHMIDT:  
24 Sixty-two percent.

25 COUNCILMAN GOODE: That's not

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           the question I asked. What percentage  
3           are white? Fifty-six percent. What  
4           percentage are male?

5                   COMMISSIONER SCHMIDT:  
6           Sixty-two percent.

7                   COUNCILMAN GOODE: Is that  
8           50/50?

9                   COMMISSIONER SCHMIDT: For  
10          white -- no, it is not.

11                  COUNCILMAN GOODE: It's not  
12          50/50.

13                  COMMISSIONER SCHMIDT: It's 56  
14          percent white. Our workforce of --

15                  COUNCILMAN GOODE: And 62  
16          percent male.

17                  COMMISSIONER SCHMIDT: And 62  
18          percent male, that's correct.

19                  COUNCILMAN GOODE: I'm just  
20          dealing with the issue of diversity. You  
21          don't mind that, do you?

22                  COMMISSIONER SCHMIDT: I'm  
23          sorry, sir?

24                  COUNCILMAN GOODE: I'm just  
25          dealing with the issue of diversity. You

1 4/16/13 - WHOLE - BILL 130178, etc.

2 don't mind me doing that, do you?

3 COMMISSIONER SCHMIDT: No.

4 We've had --

5 COUNCILMAN GOODE: What  
6 percentage of contracts go to businesses  
7 owned by women and people of color?

8 COMMISSIONER SCHMIDT: We do  
9 most of our contracts --

10 COUNCILMAN GOODE: What  
11 percentage of contracts, contract  
12 dollars, go to businesses owned by women  
13 and people of color?

14 COMMISSIONER SCHMIDT: I can  
15 speak to that right now. Most of our  
16 contracts are selected through  
17 Procurement, L&I, and the Law Department.  
18 So we don't actually do the selection.  
19 We do have a few small purchase orders  
20 that are handled by our Budget Unit.  
21 Fortunately our new budget officer, who  
22 we hired in the last couple months, was  
23 involved as the EEO -- OEO liaison.

24 COUNCILMAN GOODE: Was that a  
25 number you were giving me? I asked what

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           percentage of contracts or contract  
3           dollars go to businesses owned by women  
4           and people of color. Do you have a  
5           number for me?

6                   COMMISSIONER SCHMIDT: We don't  
7           make the selection. I can't answer that.

8                   COUNCILMAN GOODE: But do you  
9           have a number for me? You can just say I  
10          don't know.

11                   COMMISSIONER SCHMIDT: I can  
12          find out that number, sir.

13                   COUNCILMAN GOODE: You don't  
14          know, right?

15                   COMMISSIONER SCHMIDT: That's  
16          correct.

17                   COUNCILMAN GOODE: So how are  
18          you involved in contracting?

19                   COMMISSIONER SCHMIDT: So we  
20          have a handful of small purchase orders  
21          that our office --

22                   COUNCILMAN GOODE: Beyond the  
23          small purchase orders, you're not  
24          involved in the decision-making at all?  
25          Even those things that Procurement



1           4/16/13 - WHOLE - BILL 130178, etc.  
2           handles, you don't decide what the  
3           specifications are, what you want from  
4           those contracts? How are you involved,  
5           even if they handle the process, how are  
6           you involved in it?

7                   COMMISSIONER SCHMIDT: When  
8           they are new contracts, we provide the  
9           specifications. We've had one that has  
10          come up this last year that was not a  
11          renewal, and that was for hauling, and  
12          the company has DBE participation, but  
13          wasn't registered with OEO. Our new  
14          budget officer -- and we're fortunate to  
15          have acquired her -- is the OEO -- was  
16          the OEO liaison for increasing DBE  
17          participation rates at L&I. So she's  
18          already reached out to the vendors that  
19          we work with to make sure that they have  
20          registered with the City.

21                   COUNCILMAN GOODE: So you are  
22          involved in the contracting process  
23          beyond small order purchases?

24                   COMMISSIONER SCHMIDT: For  
25          small order purchases --

1 4/16/13 - WHOLE - BILL 130178, etc.

2 COUNCILMAN GOODE: Are you  
3 involved in contracts beyond small order  
4 purchases?

5 COMMISSIONER SCHMIDT: When  
6 they're new, we provide specifications  
7 for what we're looking for, yes, sir.

8 COUNCILMAN GOODE: If they are  
9 renewable contracts, you're not involved  
10 at all?

11 COMMISSIONER SCHMIDT: For  
12 non-small purchase orders?

13 COUNCILMAN GOODE: Yes.

14 COMMISSIONER SCHMIDT: Yes, in  
15 terms of the specifications, I believe.  
16 All the work --

17 COUNCILMAN GOODE: But not in  
18 terms of trying to ensure diversity?

19 COMMISSIONER SCHMIDT: I can  
20 certainly find out the answer for that,  
21 sir. It's all been done through our  
22 Budget Office.

23 COUNCILMAN GOODE: Are you  
24 certain that for renewable contracts,  
25 there are not qualified subcontractors

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           that would be identified? Particularly  
3           if they are existing contracts, you know  
4           what you want, so there is no problem in  
5           seeking out and/or identifying  
6           subcontractors that are businesses owned  
7           by women and people of color, and  
8           particularly if you're doing a new  
9           contract where you're actually writing  
10          the specifications, there's nothing wrong  
11          with doing the research to find out how  
12          much diversity should exist there.

13                   Do you work with the Office of  
14          Economic Opportunity at all?

15                   COMMISSIONER SCHMIDT: Sir,  
16          would you mind if I ask our budget  
17          officer, who has headed all this up, to  
18          answer your questions. She's here.

19                   COUNCILMAN GOODE: I would  
20          prefer that you answer the questions.

21                   COMMISSIONER SCHMIDT: I won't  
22          necessarily know the answer to your  
23          questions, sir.

24                   COUNCILMAN GOODE: That's  
25          enough.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 Thank you, Mr. Chair.

3 COUNCILMAN GREENLEE: Thank  
4 you.

5 Councilwoman Reynolds Brown.

6 COUNCILWOMAN BROWN: So let me  
7 make sure I'm clear. I'm expecting from  
8 the Commissioners a breakdown by gender  
9 and by ethnicity the staff in each one of  
10 your offices.

11 COMMISSIONER SCHMIDT: Yes,  
12 ma'am.

13 COMMISSIONER CLARK: Female, we  
14 have 33 in the -- male we have 61.

15 COUNCILWOMAN BROWN: Let me  
16 make sure I'm clear. This is your office  
17 or across the board of the Commissioners  
18 Office?

19 COMMISSIONER CLARK: Across the  
20 board. Across the board.

21 And African American 35,  
22 Hispanic 4.

23 COUNCILWOMAN BROWN: And those  
24 are Civil Service?

25 COMMISSIONER SCHMIDT: It's a

1 4/16/13 - WHOLE - BILL 130178, etc.

2 combination of Civil Service and --

3 COMMISSIONER CLARK: And

4 administration.

5 COMMISSIONER SCHMIDT: --

6 non-represented.

7 COUNCILMAN GREENLEE: So

8 they're both.

9 COMMISSIONER SCHMIDT: Correct.

10 COUNCILWOMAN BROWN: So I'm a  
11 visual kind of learner, so I need to see  
12 in writing what the breakdown is, both  
13 Civil Service -- what was the other term  
14 you used?

15 COMMISSIONER SCHMIDT:  
16 Non-represented, Civil Service, and  
17 exempt.

18 COUNCILWOMAN BROWN: In all  
19 categories.

20 COMMISSIONER SCHMIDT: Yes,  
21 ma'am.

22 COUNCILWOMAN BROWN: Per  
23 office.

24 COMMISSIONER SCHMIDT: Yes,  
25 Councilwoman.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 COUNCILWOMAN BROWN: Please.

3 Thank you.

4 Thank you, Mr. Chairman.

5 COUNCILMAN GREENLEE: Thank

6 you.

7 All right. Seeing no further

8 questions, thank you all very much.

9 Thank you for coming. Thank you for your  
10 service.

11 (Thank you.)

12 COUNCILMAN GREENLEE: This

13 Committee will stand in recess until

14 later this afternoon at 5 o'clock, where

15 we will have public testimony.

16 Thank you.

17 (Recess.)

18 COUNCIL PRESIDENT CLARKE: Good

19 evening, everyone. We're going to start

20 now.

21 This is a continuation of the

22 Committee of the Whole dealing with the

23 FY14 budget matters. This is the public

24 testimony portion. We will hear

25 information relating to the FY14 budget

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           related to taxes, operations, and all  
3           other aspects of the City Council's FY14  
4           budget proposal submitted by the Mayor.

5                     Just briefly, I'd just like to  
6           lay the guidelines with respect to your  
7           public testimony. What we do, we have a  
8           three-minute limit on your testimony. We  
9           want to make sure that everybody has an  
10          opportunity to speak. We have a pretty  
11          long list this evening, as we normally do  
12          when we have public testimony.

13                    I want to thank all of you for  
14          coming in this evening taking time out of  
15          your day to talk about these very  
16          important matters. So, again, thank you,  
17          and we look forward to hearing your  
18          testimony.

19                    Mr. Stitt, would you read the  
20          name of the first three individuals.

21                    MR. STITT: Brett Mandel, Matt  
22          Ruben, and Renee Goodwin.

23                    (No response.)

24                    COUNCIL PRESIDENT CLARKE: I  
25          don't think they changed their mind, so I

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           anticipate they'll be back. Are they  
3           still having the press conference? It's  
4           okay. I'll come back when they come in.  
5           We'll come back to them.

6                     Please proceed.

7                     MR. STITT: Stanley Shapiro.

8                     (No response.)

9                     COUNCIL PRESIDENT CLARKE:

10           We're going to keep going until we get  
11           somebody to come up here.

12                     MR. STITT: Cynthia  
13           Kishinchand, Anne Gemmell, and Tom Earle,  
14           Ron Whitehorn.

15                     COUNCIL PRESIDENT CLARKE: Ron  
16           Whitehorn?

17                     (No response.)

18                     MR. STITT: Luther Collins.

19                     (No response.)

20                     MR. STITT: Liz Lassiter.

21                     COUNCIL PRESIDENT CLARKE: Come  
22           on up, please.

23                     (Witnesses approached witness  
24           table.)

25                     COUNCIL PRESIDENT CLARKE: Good



1           4/16/13 - WHOLE - BILL 130178, etc.  
2           evening. If you can just state your name  
3           for the record.

4                   MR. EARLE: My name is Thomas  
5           Earle, Chief Executive Officer of Liberty  
6           Resources, the Center for Independent  
7           Living.

8                   COUNCIL PRESIDENT CLARKE:  
9           Please proceed.

10                  MR. EARLE: Thank you.

11                  Members of Council, I'm honored  
12           to testify before you on the budget that  
13           presents itself to the City of  
14           Philadelphia. I am the CEO of Liberty  
15           Resources, which is a non-profit  
16           organization that provides service and  
17           advocacy support for people with mostly  
18           physical disabilities, and over the last  
19           couple of years, we've seen continued  
20           budget cuts to many of our programs, but  
21           most pertinent right now in this budget  
22           process is the adaptive modification  
23           program that's funded through the Office  
24           of Housing and Community Development.

25                  Historically this program,

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           which allows City residents who live in  
3           their own homes or apartments with  
4           physical disabilities, to get  
5           modifications done to the homes so they  
6           can continue living there. This program  
7           historically has had a two- to three-year  
8           waiting list. Many of these folks end  
9           up, out of frustration, having to move  
10          into expensive nursing home settings,  
11          which costs taxpayers ultimately more  
12          money. It's a proven fiscal reality that  
13          we can serve three people with  
14          disabilities in the community with the  
15          services they need for every one that's  
16          in a nursing home, like Philadelphia  
17          Nursing Home.

18                 Secondly is a program called  
19          Homemaker Services, which used to be  
20          administered through the Office of  
21          Supportive Housing under Dainette Mintz.  
22          This program was reduced over the past  
23          years, had a waiting list of over 200  
24          City residents for basic homemaker  
25          services, assistance in their homes, to

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           people with mostly physical disabilities,  
3           and last year the program was eliminated  
4           altogether.

5                       We served 40 people with  
6           physical disabilities in this program.  
7           Not only are these folks no longer  
8           receiving these needed services, but we  
9           were also forced to lay off staff. So  
10          the repercussions are deep.

11                      Lastly, there's a program  
12          called the SHARP Home Repair Program  
13          that's administered through Philadelphia  
14          Corporation on Aging, which is also  
15          designed to help seniors with  
16          disabilities live in their homes and  
17          provide basic home repair support. These  
18          are all programs that are proven success  
19          programs in the City. They help our  
20          seniors and people with physical  
21          disabilities continue living in their  
22          homes, and we ask through the budget  
23          process that there be some fairness.

24                      We're really at the point --  
25          I'll wrap up -- that we can't cut

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           services anymore. You can't get blood  
3           out of a stone. It's time to look as  
4           City Council to sources of revenue, and  
5           one of them is the Quinones-Sanchez use  
6           and occupancy reform bill and also  
7           Councilwoman Sanchez's land bank  
8           legislation that would repurpose  
9           thousands of vacant properties and  
10          buildings and bring them back on the tax  
11          rolls. It's this type of innovative  
12          legislation that we need in the City of  
13          Philadelphia to bring the revenue we need  
14          to fund these needed services and  
15          hopefully stop giving tax breaks to  
16          corporations and really helping the City  
17          residents.

18                       Thank you very much.

19                       COUNCIL PRESIDENT CLARKE:

20          Thank you, sir, for your testimony.

21                       (Applause.)

22                       MS. KISHINCHAND: Good  
23          afternoon. My name is Cynthia  
24          Kishinchand. I'm a member of East Falls  
25          Tree Tenders, Friends of Inn Yard Park,

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           Friends of McMichael Park, Pennsylvania  
3           Hort Society, and the Philadelphia Parks  
4           Alliance.

5                     President Clarke and members of  
6           City Council, thank you for restoring  
7           \$2,650,000 to Parks and Rec in Fiscal  
8           Year 2013.

9                     Five years ago, in Fiscal Year  
10          2009, City Council approved the  
11          additional 5 million recommended by Mayor  
12          Nutter. Philadelphia is woefully behind  
13          other cities in its per capita  
14          expenditure for Parks and Recreation, \$46  
15          for Philadelphia versus 263 for San  
16          Francisco. Even with an additional 5  
17          million for Fiscal Year 2014, the per  
18          capita expenditure would increase by only  
19          \$3.30.

20                    Why do I care? I care because  
21          as a youngster in a small blue-collar  
22          town in Connecticut, I was able to take  
23          swimming lessons at Burnside Park, a  
24          clean and safe park with functioning  
25          water fountains, play equipment, tennis

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           courts, and picnic tables. I want every  
3           youngster and every adult to have access  
4           to such a park wherever he or she may  
5           live in the City.

6                       Why do I care? I care because  
7           this Friday I will be helping East Falls  
8           Tree Tenders, a small group of  
9           volunteers, plant 16 TreeVitalize trees  
10          as part of the Pennsylvania Hort Society  
11          Plant One Million program. Yes, that's  
12          great, but all volunteers know it is  
13          crucial P&R has the funds it needs to  
14          plant and to maintain trees citywide.  
15          Also, at the age of 72, I have no  
16          illusions about my limitations as a  
17          volunteer.

18                      Why do I care? I care because  
19          Friday, April 26th at 10:00 a.m., 194  
20          elementary school youngsters will walk or  
21          come by school bus to Inn Yard Park, 4244  
22          Ridge Avenue, for East Falls Tree  
23          Tenders' 18th Arbor Day Celebration. At  
24          1.6 acres, it is one of the smallest  
25          parks in the City, but thanks to P&R and

1           4/16/13 - WHOLE - BILL 130178, etc.

2           Friends of Inn Yard Park, it is the  
3           perfect venue for the next generation of  
4           Tree Tenders to learn the importance of  
5           tree and nature. If City Council and the  
6           Mayor do not restore the \$5 million to  
7           the P&R budget, I wonder if the park will  
8           get the care it needs in the future so it  
9           will be a clean and safe site for this  
10          event sponsored by P&R as well as for  
11          other community events. And by the way,  
12          I e-mailed an announcement about this to  
13          City Council on Arbor Day a few weeks  
14          ago.

15                   Time does not permit me to  
16          address in detail the need for  
17          functioning water fountains for all parks  
18          and rec centers. I do urge City Council,  
19          the Mayor, and P&R to follow the lead of  
20          Independence National Historical Park so  
21          everyone will have access to free  
22          Philadelphia water.

23                   Yes, money is tight. I have  
24          two suggestions, the very ones I made  
25          here in this Chamber May 4th, 2009.

1           4/16/13 - WHOLE - BILL 130178, etc.

2           Enact a one-cent tax per ounce on sugar  
3           and non-alcoholic beverages.

4                       Number two, change the current  
5           real estate abatement program to either  
6           five years or ten years with the  
7           following payment schedule, which is  
8           attached.

9                       Even without such legislation,  
10          I am confident the \$5 million can be  
11          provided for the Department of Parks and  
12          Rec. Then the staff will have the  
13          resources necessary to increase the  
14          number of trees planted throughout the  
15          City so there will be a 30 percent tree  
16          cover. Every Park and Recreation  
17          facility will be maintained. All the  
18          pools will be open to the entire summer,  
19          and functioning water fountains will be  
20          standard fixtures at every site.

21                      Thank you.

22                      COUNCIL PRESIDENT CLARKE:

23          Thank you, ma'am. Thank you for your  
24          testimony.

25                      (Applause.)



1 4/16/13 - WHOLE - BILL 130178, etc.

2 MS. LASSITER: Hello, everyone.

3 My name is Liz Lassiter and I'm a  
4 resident of Strawberry Mansion. I work  
5 part time for the Census Bureau while  
6 caring for my grandson. The idea of  
7 having my rent increased because big  
8 businesses are receiving tax breaks  
9 motivated me to weigh in about the City's  
10 budget and property tax reform.

11 I am here today supporting the  
12 fair collection of hundreds of millions  
13 in delinquent property taxes. The  
14 delinquents are often investors just  
15 sitting on land, who can afford to pay  
16 but don't because nothing happens to them  
17 when they cheat us all and refuse to pay  
18 their fair share.

19 (Applause.)

20 MS. LASSITER: Mayor Nutter --

21 COUNCIL PRESIDENT CLARKE:

22 Guys, you're taking time away from her  
23 testimony. So if you could wait until  
24 she finishes, then clap.

25 MS. LASSITER: -- needs to

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           crack down on wealthy tax deadbeats to  
3           find money for our schools.

4                   Also unfair is the new plan for  
5           property tax reform, AVI. There are big  
6           businesses that fail to pay their fair  
7           share through loopholes and receive tax  
8           breaks from Governor Corbett year after  
9           year. Now under AVI, we are going to  
10          lower the property tax bills too? It  
11          makes no sense, when our schools are  
12          underfunded and are being closed down. A  
13          corporate landlord who can pay and should  
14          be reinvesting in our schools and  
15          communities should not get another tax  
16          break while Philly is in need of revenue  
17          for so much. This is not fair.

18                   The AVI plan will shift the tax  
19          burden onto homeowners, renters, and the  
20          most vulnerable families, while corporate  
21          landlords get a free pass. As someone  
22          who pays rent, I cannot afford to see my  
23          rent raised because businesses are paying  
24          less. I have already seen cuts to my  
25          income while prices are going up. And

1           4/16/13 - WHOLE - BILL 130178, etc.

2           now my rent too?

3                   The City is missing out on  
4           millions of needed dollars, and we are  
5           letting these corporations off the hook,  
6           while they bring pain and suffering to  
7           our neighborhoods and regular people like  
8           us.

9                   (Applause.)

10                  COUNCIL PRESIDENT CLARKE:

11           Thank you all so much for your testimony.

12           Thank you.

13                  MR. STITT: Steven Wright, Adam  
14           Feldman, and Tiffany Smith.

15                  MS. GEMMELL: I was in the  
16           other room when you called, I think. We  
17           were in the first group. Anne Gemmell.  
18           I wasn't in the room when you called.  
19           Did I miss my chance?

20                  COUNCIL PRESIDENT CLARKE: You  
21           missed your turn.

22                  MS. GEMMELL: I'll keep it  
23           brief.

24                  COUNCIL PRESIDENT CLARKE:

25           We'll do you right after the next group.

1           4/16/13 - WHOLE - BILL 130178, etc.

2           Okay?

3                   MS. GEMMELL:   Okay.

4                   COUNCIL PRESIDENT CLARKE:   It  
5           was more important being here than over  
6           there.  No; I'm just kidding.  We'll call  
7           you next.

8                   MS. GEMMELL:   I need a clone.

9                   COUNCIL PRESIDENT CLARKE:  
10          We'll call you next.

11                   (Witnesses approached witness  
12          table.)

13                   COUNCIL PRESIDENT CLARKE:   Good  
14          evening, sir.

15                   MR. WRIGHT:   Good evening.  My  
16          name is Steven Wright and I'm a proud  
17          librarian with the Free Library of  
18          Philadelphia.  I grew up in a very small  
19          mining town in Northern Minnesota where  
20          the library was literally the center of  
21          my life.  It was both a refuge and an  
22          escape.

23                   After bouncing around after  
24          college, I came to Philadelphia, where I  
25          met my wife, a children's librarian for

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           the Free Library of Philadelphia.

3                   COUNCIL PRESIDENT CLARKE: Hold  
4           on a second, sir.

5                   Folks, could I ask you to keep  
6           your voices down, please. Thank you.

7                   Please proceed, sir.

8                   MR. WRIGHT: When I found  
9           myself unemployed in 2001, she suggested  
10          that I apply for the Free Library's  
11          trainee program, to which I was accepted.  
12          After graduation, I worked in a number of  
13          branches, including the Wyoming Branch,  
14          which serves a very large immigrant  
15          community. Many of the patrons in the  
16          area did not have their own computers, so  
17          they rely on the library for their  
18          computer needs for everything from e-mail  
19          to homework help and applying for jobs.

20                   One of our patrons in the  
21          Wyoming Branch was a young Hispanic man  
22          who had come into the library on a  
23          regular basis to use the computer.  
24          Although we usually exchanged greetings,  
25          the young man often did not say much,

1           4/16/13 - WHOLE - BILL 130178, etc.

2           except when he needed help on the  
3           computer. One day he came in and asked  
4           me if he could show me something. He  
5           opened an envelope and proudly showed me  
6           his citizenship papers and said that if  
7           it hadn't been for my assisting him on  
8           the computer to show me the website where  
9           he could apply for his citizenship, he  
10          wouldn't have gotten his American  
11          citizenship.

12                        It was at that moment that I  
13          realized just how important my job was  
14          and the subtle impact that it could have  
15          in many ways.

16                        Everyday patrons like this  
17          young man are negatively impacted when  
18          their local branches are closed because  
19          lack of staff or because there is no heat  
20          in the winter or air conditioning in the  
21          summer. In his recent budget address,  
22          Mayor Nutter called for increasing funds  
23          to augment branch hours. However, these  
24          funds did not come close to restoring all  
25          of the cuts that the library has

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           sustained since the declared budget  
3           crisis.

4                       I know there are limited  
5           resources in the City. So it's about  
6           choices. The Mayor continues to make  
7           choices that benefit the one percent  
8           instead of the young man that I just  
9           described and the other people that I  
10          serve.

11                       (Applause.)

12                       MR. WRIGHT: Thank you for your  
13          time and attention.

14                       COUNCIL PRESIDENT CLARKE:  
15          Thank you, sir, for your testimony.

16                       Please proceed.

17                       MR. FELDMAN: Greetings,  
18          Council President, Councilmembers, fellow  
19          Philadelphians. My name is Adam Feldman.  
20          I'm a librarian at the Free Library of  
21          Philadelphia as well. I'd like to tell  
22          you a story to highlight how vital fully  
23          funded libraries are to your  
24          constituents.

25                       Last summer, I was the

1           4/16/13 - WHOLE - BILL 130178, etc.  
2       children's librarian at the Paschalville  
3       Branch in Southwest Philadelphia. From  
4       crowds of kids that greeted us in the  
5       morning to the throngs of teens and  
6       adults that begged us not to lock up at  
7       night, our library was rarely very quiet,  
8       except, of course, for those days when  
9       underfunding and understaffing would mean  
10      opening up late or not at all.

11                I'll never forget the most  
12      heart-breaking unexpected closure. I had  
13      planned a grand celebration of the  
14      accomplishments of the hundreds of  
15      children who took on our summer reading  
16      challenge, a menu of programs and games I  
17      organized to keep children in the  
18      neighborhood learning throughout the  
19      summer break.

20                Due to understaffing that  
21      summer day, our doors had to stay locked.  
22      The rest of our skeletal crew and I  
23      talked about it, and we decided to throw  
24      the party anyway, outside, on the corner,  
25      in a light but persistent summer rain.



1           4/16/13 - WHOLE - BILL 130178, etc.

2           The kids didn't mind so much, and the  
3           neighborhood magician we invited rolled  
4           with it as well. I think hearts melted  
5           among the throng of frustrated adult  
6           library users who lined the sidewalk to  
7           watch our library program without a  
8           library.

9                        Though we salvaged the  
10          situation the best we could, I know the  
11          memory of this subtle indignity of this  
12          diminished celebration stuck with some of  
13          the kids that day.

14                      I'm asking this body to make  
15          sure that children, teenagers, new  
16          Americans, small business entrepreneurs,  
17          adult learners, jobseekers, and seniors  
18          always have the kind of fully funded  
19          library services that has been their  
20          birth right since Benjamin Franklin  
21          introduced the world's first lending  
22          library to this city.

23                      Unfortunately, this Mayor's  
24          budget falls short of the one that  
25          ensures all Philadelphians enjoy the kind

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           of world-class public services that  
3           citizens are clamoring for and my  
4           colleagues and I are hungry to provide.

5                     Thank you for hearing my  
6           testimony.

7                     (Applause.)

8                     COUNCIL PRESIDENT CLARKE:

9           Thank you so much.

10                    MR. STITT: Tiffany Smith.

11                    COUNCIL PRESIDENT CLARKE: Is  
12           Tiffany here?

13                    (No response.)

14                    COUNCIL PRESIDENT CLARKE: I  
15           know a number of people just came in.  
16           Just real briefly, what we're asking you  
17           to do is, we have a three-minute limit  
18           for your testimony. We're asking that  
19           you adhere to the guidelines, because we  
20           want to make sure that everybody gets a  
21           chance to speak, and we have quite an  
22           extensive list.

23                    Thank you.

24                    MR. STITT: Brett Mandel, Matt  
25           Ruben, Rene Goodwin, Stanley Shapiro.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 COUNCIL PRESIDENT CLARKE: Are  
3 you testifying?

4 MR. SHAPIRO: I'm testifying on  
5 a panel with --

6 COUNCIL PRESIDENT CLARKE: I  
7 mean, you get to testify if you want.  
8 You want to wait until the panel comes  
9 up?

10 MR. SHAPIRO: Yeah. I'd like  
11 to wait.

12 COUNCIL PRESIDENT CLARKE:  
13 Okay.

14 MR. STITT: Anne Gemmell.

15 COUNCIL PRESIDENT CLARKE: I  
16 figured that was going to happen.

17 MR. STITT: Ron Whitehorn.  
18 (Witnesses approached witness  
19 table.)

20 COUNCIL PRESIDENT CLARKE: Good  
21 evening.

22 MS. BETTERS: Good evening,  
23 Council. Jill Betters, Fishtown resident  
24 and member of the Crosstown Coalition of  
25 Taxpayers. I'm speaking on behalf of

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           Rene Goodwin. She's got some spring  
3           laryngitis. She's coughing over there in  
4           the corner.

5                     Just to introduce Crosstown  
6           Coalition, Crosstown Coalition is a band  
7           of 12 civic associations, originally  
8           founded in 2008 to deal with zoning  
9           reform. It's now expanded to 22 to  
10          address AVI. We have members from the  
11          south, north, east, and west, from Broad  
12          Street to the Riverwards, Center City,  
13          East Falls, and Overbrook.

14                    We would like to thank  
15          Councilwoman Blackwell, Johnson, Kenney,  
16          and Squilla for joining us immediately  
17          prior to this for a press conference.

18                    Crosstown Coalition of  
19          Taxpayers simply wants to know whether  
20          AVI reassessments were done properly  
21          within acceptable industry standards, and  
22          to do this, we need to know the  
23          methodologies and formulas used by AVI to  
24          convert the field information to the  
25          final values. We want sunlight. In

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           fact, we demand it, but we've been kept  
3           in the dark.

4                   The OPA team has gone to  
5           neighborhoods to investigate and, more  
6           specifically, told us that all of the  
7           data that they had coalesced would be  
8           available on February 15th. Nothing was  
9           released. Starting on February 26th, we  
10          made three written requests, March 1st,  
11          18th, and April 5th, for the data  
12          collected. Nothing was ever released.

13                   OPA never actually responded to  
14          these requests, let alone supplied any  
15          further data and formulas until Council  
16          requested this at the March 26th  
17          hearings. Only then on March 29th did  
18          the Crosstown Coalition of Taxpayers  
19          receive the field data collected by OPA,  
20          two days before the appeal date.

21                   Using the data supplied by OPA,  
22          we have attempted unsuccessfully to  
23          reproduce and verify the Administration's  
24          claims that assessments meet industry  
25          standards. Our analysis shows that OPA's

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           efforts do not come close to industry  
3           standards.

4                     Our request: There is only one  
5           way to find out whether the job has been  
6           done correctly. The OPA must disclose  
7           the formulas it used to calculate the  
8           assessments issued. We then ask for the  
9           OPA to sit down with a Coalition data  
10          team to attempt to reconstruct the OPA's  
11          findings. This is not an academic  
12          exercise. I don't sit in a Center City  
13          conference room every two weeks for my  
14          health, trust me. We are talking  
15          about...

16                    COUNCIL PRESIDENT CLARKE:  
17          Conclude.

18                    MS. BETTERS: We are talking  
19          about people's lives, their livelihoods,  
20          their ability to stay in their homes. We  
21          would prefer to be here testifying about  
22          policy protections. We're not at that  
23          point. We don't know who to protect if  
24          the assessment system is fatally flawed.  
25          We can't continue with the data that we

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           have.

3                       We recommend the creation of an  
4           independent review panel, comprised of  
5           statistical experts, real estate  
6           professionals, and dedicated community  
7           leaders to serve as an open, unbiased  
8           clearinghouse for information, and to  
9           review the data collection and its  
10          formulas, and to recommend appropriate  
11          remediation measures.

12                      Sunlight is the best  
13          disinfectant. We must do this. It is  
14          the responsibility of the government to  
15          its people.

16                      If the OPA refuses to provide  
17          the formulas for public consumption and  
18          refuses the creation of an independent  
19          review panel, the Crosstown Coalition of  
20          Taxpayers will be forced to recommend the  
21          delay of AVI.

22                      COUNCIL PRESIDENT CLARKE:  
23          Okay. Thank you. Can you do me a  
24          favor --

25                      (Applause.)

1           4/16/13 - WHOLE - BILL 130178, etc.

2           COUNCIL PRESIDENT CLARKE: You  
3           said you did an analysis. Was it based  
4           on specific properties? Say that again.  
5           I want to make sure I understood you.

6           MS. BETTERS: Sure. The  
7           analysis was done by the information that  
8           was publicly released by OPA, which does  
9           not include any of the manipulation  
10          formulas or methodology.

11          COUNCIL PRESIDENT CLARKE: And  
12          then you did, your Coalition, did what?  
13          Did you do your own analysis?

14          MS. BETTERS: Yes, we did our  
15          own analysis, an independent analysis.

16          COUNCIL PRESIDENT CLARKE: If  
17          you can do me a favor and the Council a  
18          favor, just give us copies of both so we  
19          can just do a comparison.

20          MS. BETTERS: Yes, sir. Glad  
21          to provide.

22          COUNCIL PRESIDENT CLARKE:  
23          Thank you.

24          I'm sorry. Councilman Kenney.

25          COUNCILMAN KENNEY: Just one



1           4/16/13 - WHOLE - BILL 130178, etc.  
2           word of addition compared to your  
3           conversation. Part of the problem with  
4           the analysis is the office of the  
5           property assessor would not release any  
6           of their methodology or respond to any  
7           letters or cooperate in any way. So  
8           they've been kind of hamstrung in  
9           completing their analysis fully. So I  
10          just add that for the record.

11                   COUNCIL PRESIDENT CLARKE:  
12          We've had our challenges in this very  
13          room, and there will be a callback. We  
14          actually have a different method of  
15          extracting information, so...

16                   (Applause.)

17                   COUNCIL PRESIDENT CLARKE:  
18          Thank you.

19                   MR. RUBEN: Mr. President, I  
20          have copies of my testimony, if anyone  
21          would like. Thank you.

22                   COUNCIL PRESIDENT CLARKE:  
23          Thank you.

24                   MR. RUBEN: My name is Matt  
25          Ruben. I'm President of Northern

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           Liberties Neighbors Association, and we  
3           are proud to be one of the 22 groups that  
4           belongs to the Crosstown Coalition of  
5           Taxpayers.

6                     For reasons of time, I will  
7           start out only by saying that we, as a  
8           member of this Coalition, are very  
9           disturbed by what the Coalition's  
10          analysis has turned up so far. Briefly,  
11          evidence exists for the systemic  
12          undervaluation of land, improper  
13          assessments caused by chopping up the  
14          City into too many small so-called GMAs,  
15          undervaluation of the largest commercial  
16          properties, segregation of single-family  
17          from two to four multi-family homes for  
18          assessment purposes, and many other  
19          issues that we -- oh, and also apparently  
20          a margin of error that is much larger  
21          than OPA has been claiming. So we really  
22          need these formulas to sort out why they  
23          did what they did the way they did, but  
24          as far as we can tell, there are not just  
25          individual issues. There are systemic

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           issues that need to be dealt with.

3                   That said, I'm speaking  
4           specifically for my community of Northern  
5           Liberties, and our community, like many  
6           others, have been abuzz about AVI for  
7           months. And I have not encountered a  
8           single resident of my community who is  
9           not willing to pay increased property  
10          taxes, but many of our residents have  
11          been here for 10, 20, 30 years or their  
12          whole lives and they don't want to be  
13          taxed out of their homes based on flawed  
14          assessments and they --

15                   (Applause.)

16                   MR. RUBEN: Thank you, but I  
17          only have three minutes.

18                   And they don't want to be  
19          penalized for rebuilding a community that  
20          was de-industrialized, depopulated,  
21          ignored and left for dead until they got  
22          there. Property values have gone up  
23          because people who live and own  
24          businesses there made it a desirable  
25          place to live.

1           4/16/13 - WHOLE - BILL 130178, etc.

2                   The City Finance Director has  
3       said people in communities like mine have  
4       been subsidized for years with low tax  
5       bills. But no one subsidized us. People  
6       spent countless of millions of dollars in  
7       the aggregate and thousands upon  
8       thousands of uncompensated hours  
9       rebuilding their homes, starting  
10      businesses, making the place safer, and  
11      creating a social fabric.

12                   Now, City Council did not make  
13      the questionable assessment choices OPA  
14      seems to have made. You didn't run the  
15      Administration's bungled public  
16      information campaign and you didn't make  
17      the arrogant out-of-touch statements that  
18      have riled up so many taxpayers. But you  
19      do have some power to remedy or mitigate  
20      some of the problems, and in my view, you  
21      have a responsibility to use that power.

22                   I have a few suggestions, which  
23      probably are a little stronger than  
24      suggestions, and I want to quickly tell  
25      you what they are.

1           4/16/13 - WHOLE - BILL 130178, etc.

2                   Number one is create some form  
3 of gentrification protection. I know  
4 this is already in Council's mind, and  
5 I'm thrilled that it's already on the  
6 agenda. This is the only way to protect  
7 residents citywide who will be facing  
8 abrupt, enormous tax hikes. It's a far  
9 simpler, more effective and just tool  
10 than interest-bearing deferrals or  
11 anything else you have at your disposal.  
12 It is essential that you use this tool.

13                   Any means testing should be  
14 generous, like the 160 percent of median  
15 income that Councilman Johnson proposed  
16 for a different bill. The goal of  
17 gentrification protection should not be  
18 to include only the lowest income people  
19 but to exclude only the highest income.  
20 The City's broad middle class must be  
21 included under gentrification protection.

22                   (Applause.)

23                   MR. RUBEN: I have other  
24 recommendations, but for the purposes of  
25 time, I'll end there, and thank you very

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           much for the opportunity.

3                   COUNCIL PRESIDENT CLARKE:

4           Thank you, sir.

5                   (Applause.)

6                   COUNCIL PRESIDENT CLARKE:

7           Ma'am.

8                   MS. GALPERIN: Good evening,  
9           Council. I'm here tonight in place of  
10          Ron Whitehorn to speak on behalf of the  
11          PCAPS Coalition, Philadelphia Coalition  
12          Advocating for Public Schools. My name  
13          is Claire Galperin with Youth United for  
14          Change.

15                   PCAPS is a coalition of 15  
16          labor and community organizations united  
17          around making excellent schools for all  
18          children in Philadelphia. We last came  
19          to Council calling for a one-year  
20          moratorium on school closings, and we  
21          were not disappointed. We applaud  
22          Council's willingness to challenge the  
23          Mayor, the SRC, and this city's elites  
24          who all endorsed mass school closings.

25                   We are here today because the

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           fight for our schools continues, and  
3           again we call on Council to take the lead  
4           in doing the right thing.

5                   Today our children are not  
6           getting the education they need and  
7           deserve. Our children are subjected to  
8           growing class sizes, closed libraries,  
9           little in the way of enriched curriculum  
10          like art and music, and unsafe and  
11          unhealthy learning conditions. We have  
12          an apartheid-like system in this city  
13          that consigns the bulk of working-class  
14          children, disproportionately children of  
15          color, to a bare-bones second-class  
16          education, while reserving a few spots  
17          for the more privileged or the holders of  
18          a lucky lottery ticket.

19                   Anyone who doubts this need  
20          only to pay a visit to Overbrook High  
21          School and then take a brief ride across  
22          City Line Avenue to Lower Merion High  
23          School, two different worlds. One broken  
24          down, understaffed, and poorly equipped;  
25          the other spanking new, plenty of

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           teachers and adults and state-of-the-art  
3           technology. One with students who  
4           desperately need attention, support, and  
5           help to develop the academic skills  
6           needed for success; the other with  
7           students who have all the advantages that  
8           affluence brings. One spends half as  
9           much as the other on each child, and I  
10          know I don't need to tell you which one  
11          that is.

12                       For this to begin to change,  
13          our state and our city needs to provide  
14          the resources so every child can get an  
15          excellent education. We understand this  
16          will not happen overnight and it will not  
17          happen in Philadelphia. The voice of  
18          change is at both the state and the  
19          national level. But we are here and we  
20          must begin here while taking the fight to  
21          Harrisburg and Washington as well.

22                       We believe these resources need  
23          to come from corporations and the super  
24          rich who have avoided paying their fair  
25          share, not from already overtaxed working



1           4/16/13 - WHOLE - BILL 130178, etc.  
2           people.

3                       (Applause.)

4                       MS. GALPERIN: We also reject  
5           the logic of the School Reform Commission  
6           and the Boston Consulting Group that  
7           singles out school employees, many of  
8           whom are already close or under the  
9           poverty line, as the target for cost  
10          savings to fund our schools. Banks,  
11          corporations, and the very rich are on a  
12          30-year roll at the expense of working  
13          people. It is time to rein in their  
14          greed and make them pay their fair share.

15                      And I'll just wrap up our  
16          recommendations, are to reform the City's  
17          use and occupancy tax to shift more of  
18          the tax burden to large commercial  
19          interest and also to enforce the good  
20          neighbors legislation from the Pike  
21          County court decision that would have  
22          mega non-profits pay taxes on their  
23          business activities that are not related  
24          to their charitable purposes.

25                      (Applause.)

1           4/16/13 - WHOLE - BILL 130178, etc.

2           COUNCIL PRESIDENT CLARKE:

3           Thank you.

4           Councilman Jones, did you have  
5           a question?

6           COUNCILMAN JONES: No. I just  
7           had a comment. I'll wait until the  
8           last -- is this the end of this panel?

9           COUNCIL PRESIDENT CLARKE: Yes,  
10          sir.

11          COUNCILMAN JONES: First of  
12          all, let me briefly thank you for your  
13          comment, particularly about Overbrook  
14          High School. I just left there last  
15          night where close to 400 young people,  
16          who care deeply about their education,  
17          were grieving the loss of one of their  
18          students who was murdered out there and  
19          drawing the parallels between that and  
20          less than a two-mile away utopia of  
21          education that they face. We agree, and  
22          I'd like you to understand that we agree  
23          most -- I speak for most members of  
24          Council -- in supporting that public  
25          education system, but we've put money

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           after money, blank check after blank  
3           check to that and need, as the President  
4           of Council put it, more accountability by  
5           way of how our money is spent.

6                       So we applaud you for caring  
7           about that, but I want you to understand  
8           deeply to segregate the 4th floor from  
9           the 2nd floor, that we've done some heavy  
10          lifting, and we'll possibly be asked to  
11          do some heavy lifting more, but we care  
12          deeply about, deeply about those  
13          children. And more importantly than us  
14          on the 4th floor caring about them, they  
15          care about themselves and they want a  
16          brighter future too.

17                      So we stand together in that  
18          regard and look forward to working with  
19          you in creative ways to fund that future  
20          forum.

21                      Thank you.

22                      MS. GALPERIN: Thank you.

23                      COUNCIL PRESIDENT CLARKE:

24          Thank you, Councilman.

25                      Thank you all very much for

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           your testimony.

3                   MR. STITT: Stanley Shapiro,  
4           Anne Gemmell, Luther Collins.

5                   (Witnesses approached witness  
6           table.)

7                   MR. SHAPIRO: Gwen Snyder from  
8           Jobs with Justice is with us on this  
9           panel.

10                   COUNCIL PRESIDENT CLARKE:  
11           Okay. We're just calling the list as  
12           they came in, people that registered much  
13           earlier.

14                   MR. SHAPIRO: Okay. Anne, do  
15           you want to introduce the Coalition?

16                   MS. GEMMELL: Sure.

17                   Thanks, Council President. My  
18           name is Anne Gemmell. I'm Political  
19           Director at Fight for Philly. It's a  
20           grassroots organizing campaign around  
21           economic justice and economic  
22           opportunity. I've also been a homeowner  
23           for 20 years in the City and democratic  
24           committee woman, 2nd Ward.

25                   Fight for Philly has been

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           working very hard the past couple weeks  
3           to form a coalition called One  
4           Philadelphia, and it's focused on the  
5           transformative conversation that the City  
6           is having, both in the schools and with  
7           our property tax code. And so we're  
8           standing here today with many partners,  
9           including Liberty Resources, who was here  
10          earlier, SEIU Healthcare PA, Neighborhood  
11          Networks, Jobs with Justice, AFSCME DC 33  
12          and DC 47, Philadelphians Allied for a  
13          Responsible Economy, Action United, and  
14          many others, Casino Free Philadelphia.  
15          I'm forgetting some, I'm sure, but the  
16          long story short, it took a lot of time  
17          to get a lot of folks to agree on a few  
18          principles that we'll be fighting for in  
19          this tax conversation and this budget  
20          conversation.

21                       First and foremost, we want to  
22                       applaud the Mayor and Council's efforts  
23                       in collecting delinquent property taxes.  
24                       There's a lot of money out there, and  
25                       there's a myth that's recently been

1           4/16/13 - WHOLE - BILL 130178, etc.  
2       dispelled that, Oh, you can't get blood  
3       from a stone, those folks are never going  
4       to pay. The recent press and writing on  
5       that has proven that to be untrue and  
6       that there's more than half of the tax  
7       delinquency out there collectable and up  
8       to 60 percent collectable. So that's the  
9       first thing that we want to applaud and  
10      push for.

11                   The second thing is, the  
12      earlier testifiers said that they  
13      questioned the accuracy of AVI, and we  
14      applaud the effort to make it more  
15      accurate, but we don't want the debate  
16      about accuracy to delay any fairness  
17      efforts. We think the bigger question  
18      and the area of agreement between the  
19      previous testifiers and the One  
20      Philadelphia Coalition is that there's a  
21      lot of undervalued land in the corporate  
22      community and that there's undervalued  
23      property assessment in the corporate  
24      community, to the tune of hundreds of  
25      millions of dollars that's being shifted

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           from the corporate community to  
3           homeowners, which was in a graph -- it's  
4           graphically -- I think it's like almost  
5           10 percentage points more that homeowners  
6           and renters are going to be asked to pay.

7                       So to offset this unbalance and  
8           in recognition of Pennsylvania's  
9           uniformity clause, we need to take action  
10          locally and implement use and occupancy  
11          reform, which the use and occupancy tax,  
12          everyone says, Oh, no, we can't tax  
13          businesses, that's the worst thing to do,  
14          jobs will leave, everything else. We're  
15          not raising the business community's  
16          taxes by implementing use and occupancy  
17          reform. We're simply asking the  
18          corporate community to pay the same  
19          amount as what they paid last year,  
20          because we have firefighter contracts  
21          unsettled, we have public employee  
22          workers unsettled, we have teachers being  
23          asked to take a massive pay cut, we have  
24          parks, libraries, and schools and quality  
25          of life that needs to be invested in in

1 4/16/13 - WHOLE - BILL 130178, etc.

2 this City and none of that --

3 (Applause.)

4 MS. GEMMELL: It's not like  
5 we're sitting on piles of cash and it's  
6 time to give the business community a  
7 break so they bring more jobs in and  
8 perpetuate this mythology. That's not  
9 actually ever happened, and it's not  
10 going to happen. We need to hold them  
11 accountable and stand up as the great  
12 city that we are, attract residents  
13 through quality-of-life investments, and  
14 then the jobs will follow.

15 (Applause.)

16 COUNCIL PRESIDENT CLARKE:

17 Thank you. Thank you, ma'am.

18 MR. SHAPIRO: Council  
19 President, thanks for having us here  
20 today, Councilmembers.

21 I have a little thought  
22 experiment for everybody. I'm wondering  
23 what if the Mayor came to Council and  
24 said, Okay, I've got a great new economic  
25 development plan that I want you to pass.



1           4/16/13 - WHOLE - BILL 130178, etc.

2           I'm going to hand out checks of \$3,500, a  
3           little bonus, to everyone who pulls down  
4           a million dollars in wages in the City.  
5           The bonuses are going to get a little  
6           smaller, actually a lot smaller, if you  
7           earn less. If you earn \$34,200, which is  
8           the median wage, the bonus is going to be  
9           \$123. So if you're a millionaire, it's  
10          \$3,500. If you're a median wage earner,  
11          it's \$123.

12                       Well, that's what the Mayor is  
13          doing. He's not calling it that. He's  
14          saying it's a tax cut, it's a wage tax  
15          cut. But, in effect, if you cut the wage  
16          tax the way he's proposing, it's \$3,500  
17          to a millionaire, \$123 to someone earning  
18          the median wage. And that's \$167 million  
19          over five years out of the General Fund  
20          for that kind of distorted dispersion of  
21          bonus checks.

22                       What's alarming is that the  
23          idea sounds all right to many of the  
24          movers and shakers in our city. That's  
25          because we've wrapped the practice of

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           cutting wage taxes across the board in  
3           high-standing rhetoric and fancy  
4           econometric analysis. We think the rich  
5           folks are the job creators. Of course,  
6           the rich folks can't actually create jobs  
7           unless everyone else has the resources to  
8           buy their products and unless the rich  
9           folks actually decide that creating jobs  
10          increases their profits.

11                   But corporate profits are  
12          already at record levels. Corporations,  
13          controlled as they are by one-percenters  
14          who we want to hand out \$3,500 checks to,  
15          they're either hoarding billions of  
16          dollars in cash offshore or investing it  
17          in the stock market. They're not hiring.  
18          On what conceivable basis can anyone  
19          believe they're going to start doing so  
20          because we give them a \$3,500 bonus  
21          check?

22                   That brings us to the moral  
23          issue. Income equality is at record  
24          levels with more and more workers  
25          becoming dependent on food stamps and

1           4/16/13 - WHOLE - BILL 130178, etc.

2           living in their cars. It's just plain  
3           wrong to spend public dollars, because  
4           the \$3,500 checks are coming from the  
5           City treasury paid for by all the other  
6           taxpayers. It's wrong to spend that  
7           money on subsidies for the already rich.  
8           It's not like there are no other options  
9           if we have \$167 million to offer for  
10          economic development. We could use that  
11          money to lower the AVI rates. We could  
12          use the money to grow the homestead  
13          exemption to the \$30,000 that this  
14          Council passed last year rather than the  
15          Mayor's \$15,000. It could be spent in  
16          the City schools. That's the one thing  
17          which drives middle-class people and  
18          jobs from the City. We know that.

19                 All of these things would not  
20          only be useful, they'd also be the moral  
21          right thing to do, putting money in the  
22          hands of people who have worked hard  
23          their entire lives, yet still can't  
24          afford the basic necessities of life.

25                 With all due respect to members

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           of Council, this is not a close call.  
3           The average pay of a corporate CEO is 354  
4           times that of the average worker. We  
5           don't need to give them 354 times the  
6           wage tax cut of the average worker. The  
7           one percent already has 40 percent of the  
8           nation's wealth. They don't need more of  
9           it. We can freeze wage taxes where they  
10          are, cancel those checks, support all the  
11          rest of the things that One Philadelphia  
12          is supporting to promote a fair and  
13          prosperous city.

14                       Thanks for your time and  
15          attention.

16                       COUNCIL PRESIDENT CLARKE:

17          Thank you, sir.

18                       (Applause.)

19                       MR. COLLINS: Good evening.  
20          You have to excuse my voice. Thank you,  
21          Councilman Clarke and all Council, for  
22          hearing me today. My name is Luther  
23          Collins. I'm here on behalf of Papa  
24          Playground, which is located in Overbrook  
25          in Councilman Jones' councilmanic

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           district.

3                       We want to thank you for  
4           restoring the \$2 million-plus to the  
5           Parks and Recreation budget in Fiscal  
6           Year 2013. These funds have greatly  
7           helped to enrich the neighborhoods and  
8           Overbrook.

9                       While the funds that were  
10          restored in Fiscal Year 2013 were very  
11          much needed and helped with the  
12          reorganization and revitalization of our  
13          Parks and Recreation facilities, today  
14          we're here to ask to restore the \$5  
15          million which was promised in Fiscal Year  
16          2009 and approved by the Mayor. This  
17          will help us much with the continued  
18          growth and needed improvement in Parks  
19          and Recreation.

20                      As stated on public record for  
21          decades, Parks and Recreation has been  
22          underfunded from five years ago. The  
23          Mayor and Council approved the \$5 million  
24          then. I am here today in support of  
25          the -- or to let you know the importance

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           of Park and Recreation. I have firsthand  
3           of how the community outreach and civic  
4           pride in our neighborhoods has been  
5           enriched by the volunteer programs that  
6           we have at Papa, the after-school program  
7           to our youth, sports programs, to our  
8           Girl Scouts, to our youth community  
9           garden, just to name a few.

10                   Our volunteers give of their  
11           time and effort, and they help inspire  
12           and help keep our paid staff motivated,  
13           enlightened, and even take some of the  
14           stress off of them.

15                   As I have testified before here  
16           in Council in the past, our Councilman  
17           Curtis Jones knows what we do as voters  
18           and volunteers and work tirelessly and  
19           diligently to keep our recreation center  
20           and fields maintained and safe for our  
21           children. But there is only so much that  
22           we can do with the limited continuous  
23           funds -- there's only -- excuse me.  
24           There's only so much we can do with  
25           limited funding and resources.

1           4/16/13 - WHOLE - BILL 130178, etc.

2                   I'm not here today to ask for a  
3       handout. I am here today to ask for a  
4       hand up in funding. We volunteered on  
5       MLK Day, and we supplied the nails and  
6       plywood and materials used to repair our  
7       falling down recreation center building  
8       on the perimeter. However, it was a  
9       temporary fix and needs to be replaced,  
10      just one of many needs and repairs in our  
11      infrastructure.

12                   And I want to thank you today  
13      for the testimony, and we'll see you in  
14      the park.

15                   COUNCIL PRESIDENT CLARKE:

16      Thank you, sir. Thank you.

17                   (Applause.)

18                   COUNCIL PRESIDENT CLARKE: The  
19      Chair recognizes Councilman Jones.

20                   COUNCILMAN JONES: Thank you,  
21      Mr. President. Real brief.

22                   I want to thank all of the  
23      volunteers of the park. We are  
24      surrounded in the park on three sides by  
25      three viable communities that share Papa

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           Playground, and one of the good news is  
3           that we've committed, I think it was,  
4           \$250,000 to a new spray ground there, but  
5           also the daylighting that I talked about  
6           is adjacent to Papa Park about 50 yards  
7           from there where they're putting about \$5  
8           million worth of improvement there.

9                        So I think the spirit of what  
10          is said -- that's one park out of 30 I  
11          have, and by the time I get back around  
12          to Papa Playground, it might be that many  
13          years before I could put that kind of  
14          infrastructure again. So to spread it  
15          out so far is very difficult and  
16          challenging. So I understood the spirit  
17          in which the testimony was given.

18                      COUNCIL PRESIDENT CLARKE:

19          Thank you, Councilman.

20                      COUNCILMAN JONES: Thank you,  
21          Mr. President.

22                      MS. GEMMELL: Councilman, there  
23          are parts of the One Philadelphia  
24          platform that I have here, but these are  
25          copies here. So I can leave them with --



1 4/16/13 - WHOLE - BILL 130178, etc.

2 COUNCIL PRESIDENT CLARKE:

3 Thank you. We'll make sure they're  
4 distributed.

5 MS. GEMMELL: Thank you.

6 COUNCIL PRESIDENT CLARKE:

7 Thank you.

8 MR. STITT: Dorothy Council,  
9 Estelle Boykin, Djuna Wojton.

10 (Witnesses approached witness  
11 table.)

12 COUNCIL PRESIDENT CLARKE: Good  
13 evening, ladies.

14 (Good evening.)

15 COUNCIL PRESIDENT CLARKE:

16 Please proceed.

17 MS. COUNCIL: Good evening. My  
18 name is Dorothy Council. I've worked as  
19 a school crossing guard for 21-plus years  
20 at the intersection of 23rd, Clearfield,  
21 and Fox. As a thriving commercial and  
22 residential area, I provide a service  
23 that I know keeps children and adults out  
24 of danger.

25 One particular day the lights

1           4/16/13 - WHOLE - BILL 130178, etc.  
2       were off sequence in the three-way  
3       intersection. I realized it had been --  
4       that had I not been present, they only  
5       depend on the lights, there would have  
6       been mayhem, because as I stood in the  
7       midst of traffic flailing my arms around  
8       like a windmill trying to direct traffic  
9       and also keep children at bay and safe.  
10      It made me feel good to know that I could  
11      be there to protect my kids from danger.

12                You can never plan for  
13      emergencies like that, so it's important  
14      for me to be there every day. I've made  
15      a commitment to the City. Now it's time  
16      for the City to make a commitment to me.

17                This Mayor's budget does not  
18      provide enough funding to ensure that  
19      people like me are out there every day to  
20      keep our neighbors safe. City Council, I  
21      implore you to fully fund services like  
22      these I provide. For those monies not to  
23      be there is a disgrace. Our children  
24      deserve better.

25                Thank you.

1           4/16/13 - WHOLE - BILL 130178, etc.

2                   COUNCIL PRESIDENT CLARKE:

3           Thank you, ma'am.

4                   (Applause.)

5                   MS. BOYKIN: Hello. My name is  
6           Estelle Boykin. I've been a crossing  
7           guard for over ten years. Our children,  
8           some knee high to a grasshopper, have to  
9           cross many big streets at intersections  
10          that have cars, buses, trolleys, and  
11          tractor-trailers bigger than they are.  
12          Parents depend on us to be there every  
13          day so that the children can get to  
14          school safely while they're on their way  
15          to work. Children can be influenced  
16          easily by predators. They need us out  
17          there to protect them on their way to and  
18          from school. They walk past alleys,  
19          dumpsters, parks, vacant houses, and  
20          lots. The children in our communities  
21          need us to keep them safe.

22                   I'm urging City Council to give  
23          City services the funds so that our city  
24          can run efficiently. We need for this to  
25          be a better Philadelphia. Our children

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           are our future, and we need them to be  
3           here.

4                     Thank you for your time.  
5                     (Applause.)

6                     COUNCIL PRESIDENT CLARKE:

7           Thank you. Quick question. I'm not sure  
8           if you can answer this question. As a  
9           result of the school closures, we now  
10          will have different patterns in terms of  
11          where children will walk. Some children  
12          have to walk further because of local  
13          school closures. Has there been any  
14          conversations with the crossing guards as  
15          it relates to possible changes and where  
16          they will work? Have they started that  
17          conversation yet with any of you?

18                    MS. COUNCIL: No. And that's  
19          Local 1956 school crossing guards. As of  
20          yet, no, there hasn't.

21                    COUNCIL PRESIDENT CLARKE: You  
22          say as of now, you have not had any?

23                    MS. COUNCIL: No, they have  
24          not.

25                    COUNCIL PRESIDENT CLARKE: I

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           know there's some concern about how we're  
3           going to be prepared in September when  
4           there are changes and children now have  
5           to walk in different directions, and  
6           clearly we need to have crossing guards  
7           deployed to be impacted by that change.  
8           So at some point we're going to have to  
9           have that conversation about how you  
10          change that.

11                       MS. COUNCIL: I can --

12                       COUNCIL PRESIDENT CLARKE:  
13          Ma'am, pull the mic a little closer.

14                       MS. COUNCIL: Surely. Excuse  
15          me. There has been walks from designated  
16          closed schools to the new schools that  
17          children from those long distances would  
18          actually walk, and families have gathered  
19          early morning. They have speeches to  
20          explain to you this is what we're about  
21          to do. This is what your child will have  
22          to --

23                       COUNCIL PRESIDENT CLARKE: That  
24          was from the School District?

25                       MS. COUNCIL: Well, the School

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           District didn't -- the community  
3           organized it and took children from what  
4           would be Gratz High to Rhoads School,  
5           different schools that would interchange  
6           that would be closed to the ones that  
7           they would have to walk to that are going  
8           to stay open.

9                   COUNCIL PRESIDENT CLARKE: But  
10          no discussion with the crossing guards?

11                  MS. COUNCIL: No, not to us, as  
12          of yet. We work for the Philadelphia  
13          Police Department, so it will also go  
14          through them.

15                  COUNCIL PRESIDENT CLARKE:  
16          Okay. Thank you. We'll check into that.

17                  Please proceed, ma'am.

18                  MS. WOJTON: Hello. I'm Djuna  
19          Wojton and I'm a resident in Northern  
20          Liberties, and I'm here concerned about  
21          the property tax assessment. My husband  
22          and I bought our home in Northern  
23          Liberties in 1989 at a price that we  
24          thought we could afford, and we've kept  
25          that up, and now we're coming into

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           retirement age and we feel that this  
3           inflated property assessment will drive  
4           us from our home.

5                       We live in the block between  
6           5th and 6th in Fairmount, and our homes  
7           are 450 feet from the Philadelphia  
8           Housing Authority's Spring Garden  
9           Apartments, a low-rise development with  
10          202 units, and 300 feet from the Helping  
11          Hand Rescue Mission, and by placing us in  
12          GMAP-221, the OPA has valued our home  
13          based on the same validation estimates as  
14          renovated homes in the heart of one of  
15          the most expensive neighborhoods in the  
16          City.

17                      The row homes in our block of  
18          500 Fairmount Avenue are 175 years old,  
19          and this is verified by the Philadelphia  
20          Historical Society, and basically they're  
21          maintained by long-term residents. The  
22          majority of us have been in our homes for  
23          over 14 years, some as long as 50 years,  
24          and these homes have had two to no major  
25          renovations. The majority of investments

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           in our homes has been on maintenance  
3           alone. And our homes have old wiring and  
4           plumbing, unfinished basements, no  
5           central air, no off-street parking, and  
6           few have bathrooms on the first floor and  
7           old heating systems. And although we all  
8           agree our home values have increased, our  
9           estimation is that the OPA 2014 proposed  
10          values are at least 150 percent of the  
11          true market value. And we're all  
12          long-term and dedicated citizens of  
13          Philadelphia, and we're asking you to  
14          please act as an advocate to help us pay  
15          a fair tax, which will allow us to stay  
16          in our homes.

17                   COUNCIL PRESIDENT CLARKE:

18          Thank you, ma'am.

19                   (Applause.)

20                   COUNCIL PRESIDENT CLARKE: Is  
21          your property near the school?

22                   MS. WOJTON: Yes.

23                   COUNCIL PRESIDENT CLARKE: Are  
24          you like a block away from the cool?

25                   MS. WOJTON: Yeah.



1 4/16/13 - WHOLE - BILL 130178, etc.

2 COUNCIL PRESIDENT CLARKE:

3 Okay. I know where you are.

4 Thank you all so much for your  
5 testimony.

6 MR. STITT: Minister Ari  
7 Merretazon, Deacon James Abram, Yvette  
8 Guyton.

9 (Witnesses approached witness  
10 table.)

11 DEACON ABRAM: Good afternoon,  
12 President Clarke --

13 COUNCIL PRESIDENT CLARKE: Good  
14 evening.

15 DEACON ABRAM: -- and City  
16 Councilmembers. My name is Deacon James  
17 Abram from Triumph Baptist Church in  
18 Philadelphia, Pennsylvania.

19 My concerns are about the  
20 veterans. I don't know. Maybe I need a  
21 new pair of glasses or I'm not seeing  
22 clearly. I don't see in the budget for  
23 2014 anything about our veterans.

24 Veterans are dear to me. I am  
25 a decorated Vietnam veteran, wounded in

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           action, served my country, and I'm trying  
3           to figure out why is it so hard for this  
4           nation, this state, and this city to look  
5           after their veterans.

6                       We are the ones that y'all send  
7           off to get killed, maimed. I came back  
8           with a disability after 12 months in  
9           Southeast Asia, and now it's hard to find  
10          anyone who want to protect us.

11                      I have a group called Pointman  
12          Soldiers Heart Ministry that I founded 25  
13          years ago at Triumph Baptist Church in  
14          the basement, and we serve those veterans  
15          in the communities, all communities. We  
16          call them vulnerable veterans. We are  
17          not like the DAV, American Legion. We  
18          don't have that kind of status, but our  
19          status is that we go and get those  
20          veterans who need help, those veterans  
21          who don't trust the government, who don't  
22          trust the VA. We go looking for them and  
23          bring them in to our office at 2801  
24          Frankford Avenue, Frankford and Somerset.

25                      We mentor those veterans. We

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           work out a plan for them to obtain  
3           benefits. We have an intake on Thursday  
4           mornings and we take their DD 214 form  
5           and we find areas of their military  
6           service where they were wounded, not only  
7           physically but most of our wounds are  
8           invisible, you know. And those wounds  
9           that cause traumatic brain injuries in  
10          war, post traumatic stress disorder in  
11          war, these are the veterans that we go  
12          looking for.

13                   And so I'm hoping that City  
14          Council, you, President Clarke, and the  
15          Council will talk to our Mayor about  
16          adding something in there for the  
17          veterans in this budget. We need help.  
18          Like I said, all veterans, we are  
19          suffering from -- thank you.

20                   MINISTER MERRETAZON: I'll pick  
21          up where Jim Abram left off. My name is  
22          Minister Ari Merretazon, the Chief of  
23          Staff of Pointman Soldier Heart Ministry.

24                   What I want to do is raise --  
25          I'm going to -- hopefully my presentation

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           raise some questions and also identify  
3           some sources for veterans that I don't  
4           think has been considered by the City  
5           Council or the Mayor.

6                     First of all, we want to know  
7           where does the resources for veterans  
8           come? What commissioner is in charge of  
9           veterans affairs in this city? What  
10          agency here is in charge?

11                    Now, currently in Philadelphia,  
12          there's about 84,000 veterans in  
13          Philadelphia approximately, and when  
14          you -- and about 25 percent of those  
15          veterans probably are eligible for some  
16          benefits they already earn. Let me say  
17          they already earn benefits. So we have  
18          to access those benefits. So you take 25  
19          percent of disabled veterans who  
20          receiving approximately 70 percent  
21          disability, which amounts to about  
22          \$12,080, and you multiply that by the 25  
23          percent of the number of 84,000, you come  
24          up with 21,000 veterans. And so we  
25          approximate times \$1,300. That's

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           \$27,300,000 that's laid up somewhere in  
3           the federal government that can be  
4           brought into the City. And, of course,  
5           everybody is looking for money. Well,  
6           there's a source to feed into the issues  
7           of veterans. And our testimonies comes  
8           within the framework of the 9-1-1  
9           hearings that we had before the Council,  
10          thanks to Councilman Oh, Councilman  
11          Jones, and Councilwoman Blackwell. And  
12          at that time, we basically called the  
13          state of affairs the unreadiness of the  
14          City to deal with veterans is a state of  
15          emergency, and we said then there are no  
16          veterans affairs office serving the  
17          County of Philadelphia per Act 66, which  
18          came into existence in 2007, which  
19          provide resources for a director of  
20          veterans affairs for the county. And  
21          that goes back to a commissioner. One of  
22          the commissioners has some  
23          responsibility, according to the law.  
24          But we cannot determine which  
25          commissioner the veterans affairs fall

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           under. We said that there's no program  
3           to assist, facilitate or advocate for  
4           veterans and their families, obtaining  
5           benefits they already earned for their  
6           patriotic and honorable service.

7                       We also said then the City has  
8           no full-time, certified first point of  
9           contact for veterans where there is a  
10          state law -- when there's a state law  
11          providing for same. I know the City has  
12          done well with setting up the Veterans  
13          Advisory Commission and that office and  
14          whatnot. But that's good, and we  
15          appreciate that. That came after the  
16          9-1-1 hearing. We really appreciate  
17          that, but it's not enough, and right now  
18          the current situation with veterans in  
19          the City of Philadelphia is totally  
20          unacceptable.

21                      Please draw upon those  
22          resources I've identified, Act 66 and the  
23          number of veterans in the City that  
24          already earned dollars that can be an  
25          income stream for the City.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 Thank you for the time.

3 COUNCIL PRESIDENT CLARKE:

4 Thank you, sir. Real briefly -- and  
5 you're absolutely right. We are not  
6 doing enough for our veterans. I mean,  
7 that goes without question. And we have  
8 to do better, and we understood that at  
9 the beginning of this term and we  
10 subsequently established an office that  
11 veterans could actually go to on the  
12 first floor of City Hall. As you know,  
13 the old office was next door, couldn't  
14 get through the challenges down at the  
15 front door. We had a lot of disabled  
16 vets, and it just simply was a real  
17 challenge. There was no level of  
18 privacy, because you basically were  
19 sitting there, and we understood that and  
20 we made a change and we were able to swap  
21 out some space, and we opened Room 127,  
22 decent office, very accessible. And we  
23 subsequently started networking with a  
24 number of agencies throughout the City of  
25 Philadelphia, because there are a lot of

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           services out there. One of the  
3           challenges is finding out where those  
4           services are. And I agree with you,  
5           there's a lot of opportunities for  
6           people, but there was no point of  
7           reference where a person can say, I can  
8           go there and I can find out about pretty  
9           much everything. And we're trying to get  
10          there.

11                       We've established a  
12          relationship with the Philadelphia  
13          Housing Authority where we're now able  
14          out of our office able to get people  
15          vouchers for housing for vets. We're  
16          currently working on a process that will  
17          hopefully, in very short order, allow us  
18          to build housing for female veterans,  
19          because right now there's no housing for  
20          female veterans. We are actually in  
21          contact with Senator Toomey's Office.  
22          Senator Toomey is a strong proponent of  
23          veterans affairs, and we're going to be  
24          working with him. Chief justice Seamus  
25          McCaffery, as you all know, is a



1           4/16/13 - WHOLE - BILL 130178, etc.  
2           decorated vet, and we have interacted  
3           with him. We're actually working on a  
4           fundraiser for next year to assist  
5           veterans.

6                       So I agree, we haven't done  
7           enough, but we understand the need and  
8           we're going to do everything within our  
9           power. We reconstituted the Veterans  
10          Commission, because we found out that it  
11          had not been --

12                     MINISTER MERRETAZON: Since  
13          2009.

14                     COUNCIL PRESIDENT CLARKE:  
15          Exactly, sir.

16                     MINISTER MERRETAZON: See, the  
17          newsletter that you have on your site  
18          hasn't been updated since 2009. There's  
19          no indication exactly who is the chairman  
20          of that Veterans Advisory Commission.

21                     COUNCIL PRESIDENT CLARKE:  
22          Mr. Speller.

23                     MINISTER MERRETAZON: What's  
24          needed, just communication for the  
25          veteran population here so we understand

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           what -- we understand what you  
3           understand, so we can basically have some  
4           communications, right? So if we can  
5           update that site, communicate with the  
6           veterans, share with us how are the  
7           Veterans Advisory Commission elected.  
8           None of that is known to us.

9                       COUNCIL PRESIDENT CLARKE: We  
10          will --

11                      MINISTER MERRETAZON: Or known  
12          to the general population.

13                      COUNCIL PRESIDENT CLARKE: We  
14          will do a better job.

15                      MINISTER MERRETAZON: Thank you  
16          so very much.

17                      COUNCIL PRESIDENT CLARKE:  
18          Thank you so much for your testimony,  
19          sir.

20                      DEACON ABRAM: Is there any way  
21          that you can -- I guess we can do it  
22          through you hopefully -- that would keep  
23          us informed so we can tell our membership  
24          and the veterans that we service? We are  
25          not in an ivory tower. We die in the

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           badlands. That's where those veterans at  
3           that served this country. That's where a  
4           lot of them on the street, dealing drugs.

5                   COUNCIL PRESIDENT CLARKE:  
6           Okay. You can feel free to contact me.  
7           If you can't reach me, Mr. Carter to my  
8           left will be available, my Chief of  
9           Operations. Thank you.

10                   Yes, ma'am.

11                   MS. GUYTON: Good evening,  
12           Council. How are you?

13                   COUNCIL PRESIDENT CLARKE: I'm  
14           good.

15                   MS. GUYTON: Good. My name is  
16           Yvette Guyton. I'm a member of District  
17           47, Local 810. I'm also a house arrest  
18           officer for the First Judicial District,  
19           which I've been for 25 years.

20                   Pretrial officers, we help with  
21           the overpopulation within the Prison  
22           System, and pretrial officers also, we  
23           monitor them once they're released from  
24           prison. We have to monitor them closely  
25           and intensely in order to know and follow

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           the judges' court orders or their special  
3           releases.

4                       I have worked with passive  
5           house arrest, I've worked with GPS, and  
6           I've worked with ankle, which is very  
7           stressful. Me and my co-workers, we're  
8           threatened by parents and family members  
9           at work and during the course of the day  
10          until the case is completed. This is why  
11          I believe if furloughs are granted, not  
12          only being short of pretrial officers, we  
13          will not be able to monitor defendants as  
14          closely that's required by the judges'  
15          court order.

16                      I was told by a manager that  
17          there will be no more pretrial officers  
18          hired, and that's why it's so important  
19          not to give Mayor Nutter the blanket  
20          authority to contract out the City  
21          services.

22                      And that's all I have to say  
23          for today.

24                      COUNCIL PRESIDENT CLARKE:

25          Thank you so much. Thank you, ma'am.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 (Applause.)

3 MR. STITT: Nathaniel Turner,  
4 Erika Katz, William Brennan.

5 (Witnesses approached witness  
6 table.)

7 COUNCIL PRESIDENT CLARKE: Good  
8 evening.

9 MR. TURNER: You want me to go  
10 first?

11 COUNCIL PRESIDENT CLARKE: It's  
12 up to you.

13 MR. TURNER: Three minutes is a  
14 short time, but I'd like to thank you for  
15 speaking, for letting me be here and  
16 speaking.

17 As a kid I learned --

18 COUNCIL PRESIDENT CLARKE:  
19 State your name -- I'm sorry, sir. State  
20 your name for the record.

21 MR. TURNER: Nathaniel Turner.  
22 I live in Southwest Philly, right at the  
23 doorsteps of the University. So you know  
24 things is bad there.

25 As a kid I learned that three

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           organizations run the City and the  
3           government. The government as yourself,  
4           the mob, and the rich. At one point you  
5           have to deal with these three  
6           organizations. But I don't have the time  
7           to tell you about my senior citizens and  
8           a lot of people said a lot, but they  
9           can't afford their taxes. But up in the  
10          Mayfair section, I was running to catch  
11          the bus. I ran past an Irish guy and  
12          still missed the bus, and he came up to  
13          me and he says to me, I could have caught  
14          that bus, but I work 30 years at the  
15          Bellevue-Stratford, and at the end of  
16          those 30 years, they give him a hundred  
17          dollars, and you want that hundred  
18          dollars.

19                        So what I'm going to say is  
20          that working or doing in Southwest  
21          Philly, I'm going to try to find some of  
22          this money that you need. It's right  
23          here, I think. The company used to have  
24          30 vehicles and they used to hire  
25          somebody to come in and watch these 30

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           vehicles on Norwitch Drive, which is down  
3           there by the Auto Mall. Well, one day  
4           the pipe bust and pushed water all in  
5           that building all over the floor. When  
6           the plumber came, he put in a piece that  
7           would cut down the pressure coming in the  
8           building.

9                       What he informed me, that  
10          Norwitch Drive, which is in the City of  
11          Philadelphia, there's no water meters,  
12          and he also gave me a slight hint that  
13          there's no water meters in that area of  
14          the Auto Mall. And he also noted that  
15          there's a lot of water meters that -- a  
16          lot of buildings downtown that don't have  
17          a water meter. So I think that you  
18          should take to the Water Department. And  
19          I definitely know that building -- I  
20          could have checked two years ago, but I  
21          didn't. Never knew how I was going to  
22          get to you. But that building doesn't  
23          have a water meter, and they used to wash  
24          30 cars every Saturday. And now the Tabb  
25          Company is in there.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 But anyway, next is I live on  
3 the doorsteps of the University, and it's  
4 a shame how you let the University go  
5 away with what it wants to go.

6 That's my three minutes?

7 COUNCIL PRESIDENT CLARKE: Yes,  
8 sir.

9 MR. TURNER: Okay. I'm sorry.

10 COUNCIL PRESIDENT CLARKE: Go  
11 ahead, take 30 seconds more, please.  
12 Give you 30 seconds more if you just want  
13 to conclude.

14 MR. TURNER: I'll give you 30  
15 seconds more. I'm going to close up.

16 At a meeting, I informed them  
17 at the school board that the University  
18 does excellent in education, it does  
19 excellent, but it takes a 365 degree turn  
20 when it comes to a community. It's worse  
21 than AIDS. And it is the time for the  
22 City and the State to get its fair share  
23 of taxes from the University. That's the  
24 only way you're going to make it out of  
25 this situation. It is as if you as City



1 4/16/13 - WHOLE - BILL 130178, etc.

2 Council allow these senior citizens to  
3 pay you \$600 a year in taxes. Then the  
4 University comes and buys the property.  
5 You don't get anything.

6 Thank you for speaking.

7 COUNCIL PRESIDENT CLARKE:

8 Thank you, sir.

9 (Applause.)

10 MS. KATZ: Hello. My name is  
11 Erika Katz. I want to thank you, Darrell  
12 Clarke and the other Councilmembers that  
13 felt that this was important enough for  
14 to you stay, because there are not many  
15 left.

16 I sit here today because I'm  
17 tired. I've done my part to help the  
18 City move in the right direction. In  
19 return I've got nothing but heartache. I  
20 choose to invest my time and money in  
21 making the City a nicer place to live. I  
22 pay my taxes. I pay my bills. I'm tired  
23 of worrying how I'm going to afford all  
24 my rising bills. I'm tired of living in  
25 a city with a bloated government. I'm

1 4/16/13 - WHOLE - BILL 130178, etc.

2 tired of living in a city that thinks  
3 quick money is the answer.

4 You allow out-of-town landlords  
5 to hold on to properties that are falling  
6 into the ground and owe tens of thousands  
7 of dollars in taxes, yet you are trying  
8 to squeeze every last penny out of the  
9 homeowner. I'm tired of the City not  
10 recognizing that it is all the people  
11 like me that have made this a better  
12 place to live despite the City  
13 government.

14 We need -- we are not numbers  
15 on a piece of paper. You need to be  
16 innovative, be creative. We need real  
17 solutions.

18 The only solution that I see  
19 for myself if AVI stays the way it is is  
20 to leave the City. Not because I want  
21 to, but because I feel I have to, and I  
22 can.

23 Thank you.

24 COUNCIL PRESIDENT CLARKE:

25 Thank you, ma'am.

1 4/16/13 - WHOLE - BILL 130178, etc.

2 (Applause.)

3 MR. BRENNAN: Thank you,  
4 President Clarke and all the members of  
5 City Council for once again --

6 COUNCIL PRESIDENT CLARKE: Just  
7 state your name for the record.

8 MR. BRENNAN: William Brennan.

9 COUNCIL PRESIDENT CLARKE:  
10 Thank you, sir.

11 MR. BRENNAN: -- (continued)  
12 giving me this opportunity to speak.  
13 I've lived at 624 South 26th Street my  
14 entire life. I'm 76 years old, and my  
15 family has been there for near a hundred  
16 years. President Clinton stated that no  
17 one should raise taxes in a recession.  
18 It not only makes good economic sense,  
19 but shows a good heart.

20 As a young man, I met a family  
21 that had been forced off their land in  
22 Oklahoma. First, by the natural causes,  
23 the dust bowl, and then by the banks.  
24 The spirit was beaten out of them.  
25 Today, sadly, I'm witnessing the same

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           tragedy as the people here tonight await  
3           the same removal. And who will profit?  
4           The banks, while good people will be once  
5           again finding themselves taxed out of  
6           their homes, having to go through a  
7           mortgage. It's a land grab, pure and  
8           simple. It's an unfeeling system that  
9           increases the taxes because you improve  
10          your home.

11                       When my people came here from  
12          Ireland, it was ironically a valuation  
13          system like the one in my hands that  
14          penalizes the small tenant for improving  
15          his home by raising the rent, and so high  
16          that he and his family were evicted for a  
17          better or more desperate tenant.

18                      Councilman Jones' critique of  
19          the AVI accuracy is well taken. A home  
20          that sold for \$447,000 just two doors  
21          from me with all the amenities, central  
22          air, everything, is assessed for \$80,000  
23          less.

24                      To sum up, I feel like a member  
25          of one of the five civilized tribes who

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           were forced off their lands after they  
3           had abandoned their nomadic way of life  
4           and made their farms an exemplary  
5           enterprise, but fell victim to an  
6           abolitionist regime and the trail of  
7           bitter tears.

8                       Members of City Council, you  
9           are our last hope. I do not feel too  
10          confident when the Mayor's Office tries  
11          to drive the homestead exemption from  
12          \$30,000 to \$15,000, while at the same  
13          giving corporate real estate as much as a  
14          48 reduction off our backs.

15                      Thank you.

16                      COUNCIL PRESIDENT CLARKE:

17          Thank you, sir.

18                      (Applause. )

19                      MR. STITT: George Harris,  
20          Lenora Early.

21                      (Witnesses approached witness  
22          table.)

23                      MR. HARRIS: Good evening,  
24          Mr. Clarke.

25                      COUNCIL PRESIDENT CLARKE: Good

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           evening, sir.

3                   MR. HARRIS: My name is George  
4           Harris. I'm from West Philly. I came  
5           here because I'm very -- I think it's a  
6           shame that the people have to come up  
7           here and air all this unfairness that's  
8           going on, because we elect all these  
9           Council, all these people in Council, to  
10          fight for us and to take care of us, and  
11          they're allowing this to happen.

12                   I came through back in 1968  
13          they had a conference down at the Church  
14          of Advocates, and they spoke of the  
15          50-year plan about these colleges and  
16          these hospitals and these developments  
17          that are coming to take up all this land,  
18          and maybe they're using this tax thing --  
19          this must be part of it, because it's  
20          starting to come to fruition now and  
21          they're forcing us out.

22                   I have people in my  
23          neighborhood, old people, that probably  
24          paid maybe \$20,000 or \$30,000 for their  
25          house. Now all the sudden they can't

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           afford to live in their houses. They  
3           don't know why. You have people that  
4           came and voted for these people in  
5           wheelchairs and in walkers. Now they  
6           having heart attacks and strokes because  
7           now they can't -- I mean, it's a shame.  
8           We shouldn't even be here doing this.  
9           You have people coming here, same story,  
10          all these stories, these stories. And  
11          all of them are true, and it's unfair.  
12          And you vote for them. They should be  
13          fighting -- we shouldn't be in here. And  
14          then it seems like the people here aren't  
15          affected by it. I'm pretty sure you have  
16          grandmothers, mothers, aunts, and uncles  
17          that are affected by this. So, I mean,  
18          this shouldn't even being going on, this  
19          tax thing. I mean, where these people  
20          going to go. On a reservation? It  
21          really doesn't really make sense, and  
22          it's a shame because you can't tell me  
23          that they don't know what's going on with  
24          this. And forcing us -- what are you  
25          going to do? It really doesn't make any

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           sense, and I don't think -- you heard all  
3           the stories. You heard them all. So to  
4           me to start telling stories -- because  
5           you heard them all. And why this is  
6           happening? I don't understand why this  
7           is happening. We shouldn't even be here.  
8           They should have been fighting -- excuse  
9           me. Y'all can raise more hell than us  
10          about this. This shouldn't even be  
11          allowed. Now you have people have all  
12          this anxiety and all this stress now.  
13          It's a shame. It doesn't even make any  
14          sense.

15                   COUNCIL PRESIDENT CLARKE: All  
16          right.

17                  MR. HARRIS: And to think that  
18          people don't know what's going on, people  
19          know what's going on, even though they're  
20          not expressing it. Some of these people  
21          act like this just happened. This didn't  
22          just happen. They've been setting this  
23          up for years, and now it's really coming  
24          to fruition.

25                   COUNCIL PRESIDENT CLARKE:



1 4/16/13 - WHOLE - BILL 130178, etc.

2 Right.

3 MR. HARRIS: So this is  
4 ridiculous.

5 That's what I have to say. I  
6 think it's a shame that we have to come  
7 up here for this.

8 COUNCIL PRESIDENT CLARKE:

9 Right. I hear you. First of all, thank  
10 you for coming today. We have heard it.  
11 We are Philadelphians just like you. We  
12 happen to be elected officials. I have  
13 family members that have challenges. I  
14 have family members that are unemployed.  
15 I have family members that are on drugs.  
16 I got family members that are in jail. I  
17 mean, I'm just like a regular person  
18 lives in the City.

19 So trust me, we feel the  
20 issues. My next door neighbor, when I  
21 got my assessment, she clearly doesn't  
22 make close to the dollars that I make in  
23 terms of salary, so immediately I'm  
24 looking at the people on my block and I'm  
25 saying, Wow, how are they going to deal

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           with this.

3                   The rollout of this particular  
4           program was not done in a way that,  
5           frankly speaking, was the most  
6           productive. I'm trying to be nice about  
7           it, because the reality is, there are  
8           meetings that people go to the meetings  
9           and even when they found out in the  
10          conversations that their taxes are  
11          actually going to go down, they're still  
12          upset because you put them through all  
13          this stress and strain by virtue of them  
14          getting a notice in the mail that says  
15          your assessment goes from 25,000 to  
16          250,000, and you immediately think my tax  
17          bill is going to be comparable.

18                   So it was a problem. It was  
19          rolled out in a way that, as I said  
20          again, trying to be nice, was not  
21          productive, and at the end of the day, as  
22          in an annual basis, it's up to the  
23          responsibility of the City Council of  
24          Philadelphia to figure out a way to make  
25          it right.

1           4/16/13 - WHOLE - BILL 130178, etc.

2                   MR. HARRIS: But my point is,  
3 they knew -- this didn't just happen.  
4 This stuff has been going on -- they knew  
5 this was going to happen.

6                   COUNCIL PRESIDENT CLARKE: I  
7 understand, sir, but what I'm saying --  
8 trust me, believe me. I mean, I live in  
9 North Philly all my life. Trust me,  
10 Temple University, all that, Strawberry  
11 Mansion, born and raised, the whole nine  
12 yards. And I know about the concerns  
13 over the years. Other members in here  
14 live in similar areas. I mean, we  
15 understand it, but it's our  
16 responsibility first to give people a  
17 forum, which is this hearing. Tomorrow  
18 night we'll be out in the neighborhood in  
19 Councilman Squilla's district, and it's  
20 going to be a jammed room and we're going  
21 to hear more of the same, because people  
22 need to be able to tell us what their  
23 concerns are, and then it's our  
24 responsibility to come up with a  
25 solution. We're going to do what we have

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           to do.

3                   MR. HARRIS: I just --

4                   COUNCIL PRESIDENT CLARKE: No,  
5           it's okay.

6                   MR. HARRIS: I've said  
7           everything. It's not too many -- I think  
8           you know what I'm saying.

9                   COUNCIL PRESIDENT CLARKE: I  
10          understand exactly what you're saying,  
11          trust me.

12                  MR. HARRIS: This is  
13          ridiculous.

14                  COUNCIL PRESIDENT CLARKE: It  
15          was rolled out. We didn't roll it out.  
16          It was given to us in a particular  
17          format, and now it's the responsibility  
18          of City Council to do an analysis, which  
19          we have done, and now we will do what we  
20          need to do to ensure that a minimum  
21          number of people are negatively impacted  
22          by this particular proposal. And I think  
23          that we're probably on the path to figure  
24          out a way to do that.

25                  But just stay tuned. Trust me,

1 4/16/13 - WHOLE - BILL 130178, etc.

2 I understand your concern, and we'll  
3 figure out a way to make this right.

4 Yes, ma'am.

5 MS. EARLY: My name is Lenora  
6 Early and I'm representing a group of  
7 South Philadelphia neighbors, homeowners  
8 that came together on January the 23rd at  
9 a meeting at Temple Baptist Church at  
10 23rd and Madison Square because of the  
11 area being so impacted by AVI, with many  
12 people finding that their tax bills have  
13 gone up from maybe 900 or a thousand or  
14 \$1,200 with the new assessments to  
15 \$4,000, \$5,000, and \$6,000, and there's  
16 no way that they can afford it.

17 I'm reading now from the Pew  
18 study. For decades, Philadelphia  
19 property tax system has been criticized  
20 as outdated and unfair. In many cases,  
21 assessments have had little relation to  
22 actual property values or to assessments  
23 of similar structures across the street.

24 That is from the Pew study, the  
25 first paragraph from their website.

1           4/16/13 - WHOLE - BILL 130178, etc.

2                   In South Philadelphia we have  
3       found that under AVI assessments -- we  
4       have found under AVI, assessments  
5       continue to be unfair as to relation to  
6       actual value. Specifically, old  
7       construction houses have been receiving  
8       higher valuations than completely  
9       rehabbed and new construction properties  
10      that obviously have more value.

11                   Again, from the Pew study, the  
12      Actual Value Initiative would transform  
13      property taxation in Philadelphia in  
14      three significant ways. Changing the  
15      certified market value of every piece of  
16      property in the City is one. Second, the  
17      way individual assessments are used to  
18      calculate tax bills. Third, how property  
19      owners deal with any big tax increases  
20      that might result from the new system.

21                   Addressing number one,  
22      reassessing all properties -- that's  
23      539,000 -- changing the certified market  
24      value. We would like to know in South  
25      Philadelphia, how was that done? What

1           4/16/13 - WHOLE - BILL 130178, etc.  
2           criteria was used? What assessors had in  
3           hand as they evaluated each property.  
4           What checkoff list, descriptive  
5           categories, any info on permits issued,  
6           real estate agency descriptions, and  
7           interior and exterior photos from sales  
8           listings, et cetera.

9                        Okay. When City was asked --  
10          when we called the City for ask about  
11          this and how was this done and to explain  
12          all these differences, the City said on  
13          being questioned, the valuation system  
14          was too complicated for homeowners to  
15          understand. However, promo from the City  
16          has touted that the new system is being  
17          adopted because it is easy to understand.

18                      Okay. Two, this is the second  
19          Pew study issue. The way individual  
20          assessments are being used to calculate  
21          bills. That's the second thing that  
22          they're doing. The formula is total  
23          actual value, as I understand it, times a  
24          millage, which the City Council has to  
25          yet establish, as I understand it.

1           4/16/13 - WHOLE - BILL 130178, etc.

2                   Okay. I got to tie this up.

3                   I would like to say that,

4           lastly, I didn't get to read this all,

5           but this is from the Pew study again.

6           The report, the Actual Value Initiative

7           overhauling property taxes in

8           Philadelphia -- that's what the Pew study

9           is called -- finds that in recent years,

10          no large city has set out to change all

11          three at once. While transformations of

12          property tax systems in other

13          jurisdictions have been the result of

14          court orders and state mandates,

15          Philadelphia's preparing to act on its

16          own. I would like clarification from

17          City Council. Okay? Because the public

18          has been told that the state has ordered

19          the City to unify its tax system, but the

20          Pew is stating otherwise.

21                  I'd also like to say that if no

22          other municipality has done this, then

23          Philadelphia is obviously not following

24          what best practice says or an orderly

25          system as established by other



1           4/16/13 - WHOLE - BILL 130178, etc.  
2           municipalities that have been through  
3           this.

4                       (Applause.)

5                       COUNCIL PRESIDENT CLARKE:

6           Thank you for your testimony.

7                       Anyone else, Mr. Stitt?

8                       MR. STITT: There are no other  
9           names on the list.

10                      COUNCIL PRESIDENT CLARKE:

11           Anyone else?

12                      (No response.)

13                      COUNCIL PRESIDENT CLARKE:

14           Thank you. That concludes our list.

15           That concludes our hearing for this  
16           evening. Thank you all so much for your  
17           testimony.

18                      This Committee will stand in  
19           recess until Wednesday, April 17th at  
20           10:00, at which time we will reconvene in  
21           Room 400, City Hall.

22                      Thank you all very much.

23                      (Committee of the Whole  
24           adjourned at 6:45 p.m.)

25                      - - -

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I HEREBY CERTIFY that the  
proceedings, evidence and objections are  
contained fully and accurately in the  
stenographic notes taken by me upon the  
foregoing matter, and that this is a true and  
correct transcript of same.

-----  
MICHELE L. MURPHY  
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|                           |                          |                          |                          |                          |
|---------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <b>A</b>                  | 331:21 338:20            | 162:2,3 175:16           | 358:6,12 359:23          | <b>adequately</b> 14:7   |
| <b>abandoned</b> 101:7    | <b>abrupt</b> 301:8      | <b>accumulation</b>      | 360:6                    | 35:23 44:7               |
| 349:3                     | <b>absentee</b> 186:21   | 54:4                     | <b>acute</b> 240:24      | <b>adhere</b> 38:25      |
| <b>abated</b> 48:12 58:5  | 236:13,17 237:3          | <b>accuracy</b> 18:8,13  | <b>ad</b> 8:20 151:11    | 290:19                   |
| <b>abatement</b> 52:13    | 237:7 252:20             | 18:21 19:3               | <b>adage</b> 30:6 113:12 | <b>adjacent</b> 320:6    |
| 53:20 56:4,7              | <b>absolutely</b> 57:16  | 310:13,16                | <b>Adam</b> 283:13       | <b>adjoining</b> 128:8   |
| 57:14 58:13,15            | 152:16 163:10            | 348:19                   | 287:19                   | <b>adjourned</b> 361:24  |
| 58:25 59:7,24             | 166:21 173:6             | <b>accurate</b> 15:22    | <b>adaptive</b> 273:22   | <b>adjudication</b> 24:7 |
| 64:19 65:11               | 174:17 176:10            | 166:5 172:5              | <b>add</b> 25:4 31:18,22 | <b>administer</b> 243:3  |
| 280:5                     | 185:10 188:2             | 310:15                   | 297:10                   | <b>administered</b>      |
| <b>abatements</b> 49:21   | 192:5 193:22             | <b>accurately</b> 16:8   | <b>added</b> 9:19 67:19  | 274:20 275:13            |
| 49:23,24 51:19            | 195:13,17                | 362:5                    | 73:7 77:5 233:9          | <b>administering</b>     |
| 52:6 53:13,15             | 218:21 222:13            | <b>achieve</b> 161:25    | <b>adding</b> 331:16     | 251:12                   |
| 58:20 59:16,20            | 223:14 224:14            | <b>acknowledge</b>       | <b>addition</b> 7:12,21  | <b>administrating</b>    |
| 59:21 60:5 63:6           | 238:22 242:2             | 87:10 175:11             | 71:19 104:11             | 192:20                   |
| 63:14 64:24               | 245:3 248:22             | 239:15                   | 164:4 233:11             | <b>administration</b>    |
| <b>abides</b> 20:10       | 258:23 335:5             | <b>acquire</b> 127:13,14 | 234:5 252:6              | 14:11 17:4 28:8          |
| <b>ability</b> 8:18,20    | <b>abuse</b> 107:17      | 227:17                   | 297:2                    | 28:20 29:15              |
| 14:7 23:12 24:6           | 108:9 227:13             | <b>acquired</b> 265:15   | <b>additional</b> 31:12  | 56:13 67:11              |
| 87:2 93:16                | <b>abuzz</b> 299:6       | <b>acres</b> 278:24      | 70:14 71:12              | 70:17 77:9 81:8          |
| 190:22 210:9              | <b>academic</b> 294:11   | <b>act</b> 77:18 95:5,10 | 72:4 77:6 81:14          | 81:10 82:8,20            |
| 240:20 294:20             | 304:5                    | 102:19 121:13            | 83:17 84:25              | 87:21 88:3               |
| <b>able</b> 13:20 17:25   | <b>Academy</b> 94:16     | 154:19 207:19            | 90:7 98:4,6              | 103:3 107:23             |
| 22:14 38:16               | 94:16,20 96:11           | 210:21 227:7             | 102:9,23 103:4           | 115:5,24 116:6           |
| 56:17 58:18               | <b>accept</b> 258:6      | 232:20 328:14            | 108:21 110:9,24          | 133:21 144:3,15          |
| 69:7 73:24                | <b>acceptable</b> 16:11  | 333:17 334:22            | 129:19 137:16            | 196:24 249:24            |
| 81:11 98:3                | 292:21                   | 352:21 360:15            | 139:21 146:4             | 250:21 269:4             |
| 110:11 127:10             | <b>accepted</b> 285:11   | <b>acting</b> 248:14     | 147:4 164:12             | <b>Administrations</b>   |
| 127:13,15                 | <b>access</b> 220:13     | 256:7                    | 215:10 219:16            | 38:5                     |
| 159:25 171:4,11           | 235:6 240:22             | <b>action</b> 23:3,5,16  | 233:14 236:12            | <b>Administration's</b>  |
| 172:17,23                 | 278:3 279:21             | 23:18 37:10,11           | 277:11,16                | 54:7 293:23              |
| 173:12,23 180:2           | 332:18                   | 39:6 173:13              | <b>address</b> 34:23     | 300:15                   |
| 189:16 191:11             | <b>accessibility</b>     | 182:9 187:8              | 83:11 115:23             | <b>administrative</b>    |
| 192:14 193:14             | 241:2                    | 228:19 309:13            | 169:14 172:4             | 4:5 146:2 174:5          |
| 200:6,14,21               | <b>accessible</b> 181:17 | 311:9 330:2              | 199:9 217:8              | <b>administratively</b>  |
| 206:25 210:14             | 242:12,16                | <b>actions</b> 160:4     | 222:5 223:5              | 146:17 147:25            |
| 212:24 213:13             | 335:22                   | 223:24                   | 232:6 253:11             | 151:23 152:2             |
| 217:7 219:20              | <b>accomplishments</b>   | <b>active</b> 219:12     | 279:16 286:21            | 219:18                   |
| 220:6 223:4               | 8:16 288:14              | <b>actively</b> 214:6    | 292:10                   | <b>administrator</b>     |
| 228:3 237:24              | <b>account</b> 48:24     | <b>activities</b> 13:24  | <b>addressed</b> 50:4    | 248:14 255:7             |
| 258:20 277:22             | 92:17                    | 144:19 305:23            | <b>addresses</b> 171:14  | 256:7                    |
| 335:20 336:13             | <b>accountability</b>    | <b>activity</b> 7:25     | 171:23,24                | <b>administrators</b>    |
| 336:14 340:13             | 307:4                    | 127:19 211:12            | 218:15                   | 250:22 251:2             |
| 355:22                    | <b>accountable</b>       | <b>actual</b> 15:19 16:2 | <b>addressing</b> 58:12  | <b>admission</b> 37:15   |
| <b>abolitionist</b> 349:6 | 312:11                   | 19:5 50:11               | 154:25 358:21            | <b>adopt</b> 2:11,15     |
| <b>Abram</b> 329:7,11     | <b>accounting</b> 5:25   | 64:16 187:23             | <b>adequate</b> 72:15    | <b>adopted</b> 359:17    |
| 329:15,17                 | <b>accreditation</b>     | 229:12 357:22            | 142:8                    | <b>adopting</b> 2:17     |

|                                          |                                             |                                          |                                           |                                          |
|------------------------------------------|---------------------------------------------|------------------------------------------|-------------------------------------------|------------------------------------------|
| <b>adult</b> 122:22<br>278:3 289:5,17    | <b>AFSCME</b> 309:11                        | 336:4 337:6                              | 241:11                                    | 362:22                                   |
| <b>adults</b> 79:3 288:6<br>304:2 321:23 | <b>afternoon</b> 97:2,4<br>104:5,7 133:6    | <b>agreed</b> 89:4                       | <b>altogether</b> 275:4                   | <b>Angela</b> 214:16                     |
| <b>advancement</b><br>235:9              | 142:19,21 148:7                             | <b>agreement</b> 3:6<br>40:23 102:22     | <b>amended</b> 96:20                      | <b>angry</b> 136:21                      |
| <b>advancements</b><br>190:15            | 158:7,11 168:22                             | 154:9,17 242:12                          | <b>amendment</b> 49:9<br>63:22            | <b>ankle</b> 340:6                       |
| <b>advantage</b> 55:7                    | 168:23 175:7,8                              | 310:18                                   | <b>amenities</b> 348:21                   | <b>Anne</b> 272:13<br>283:17 291:14      |
| <b>advantageous</b><br>99:10             | 176:15,17                                   | <b>agrees</b> 99:19                      | <b>America</b> 232:20                     | 308:4,14,18                              |
| <b>advantages</b> 193:6<br>304:7         | 180:20 194:16                               | <b>ahead</b> 101:15<br>168:9 344:11      | <b>American</b> 78:11                     | <b>Annette</b> 78:5                      |
| <b>advertised</b> 112:17<br>149:2 153:25 | 213:18 218:2                                | <b>AIDS</b> 344:21                       | 78:13 139:22                              | <b>announce</b> 240:8                    |
| 229:19                                   | 225:17,19 231:9                             | <b>air</b> 286:20 328:5                  | 161:11,17,20                              | <b>announcement</b><br>279:12            |
| <b>advertising</b> 88:9                  | 231:17,19 232:9                             | 348:22 350:7                             | 235:16 261:18                             | <b>annual</b> 5:16 64:21<br>354:22       |
| <b>advised</b> 230:9                     | 255:12,20,23                                | <b>Airport</b> 107:8                     | 268:21 286:10                             | <b>anomalies</b> 61:15                   |
| <b>Advisory</b> 223:18<br>334:13 337:20  | 270:14 276:23                               | <b>Airy</b> 126:9,12                     | 330:17                                    | <b>answer</b> 10:5 18:2<br>21:9,10 25:20 |
| 338:7                                    | 329:11                                      | <b>Akin</b> 34:8                         | <b>Americans</b><br>249:22 289:16         | 34:4 74:5 100:6                          |
| <b>advocacy</b> 273:17                   | <b>after-school</b><br>318:6                | <b>Al</b> 231:24 232:9                   | <b>amount</b> 54:5                        | 115:13 153:19                            |
| <b>advocate</b> 328:14<br>334:3          | <b>age</b> 166:6 278:15<br>327:2            | <b>Alan</b> 3:23 39:25<br>64:8           | 83:14 88:12                               | 162:11 206:25                            |
| <b>Advocates</b> 350:14                  | <b>agencies</b> 23:22<br>29:3 71:25 85:4    | <b>alarming</b> 313:22                   | 90:5 105:10,12                            | 229:8 255:7                              |
| <b>Advocating</b><br>302:12              | 98:20,21 139:10                             | <b>alerted</b> 128:13                    | 165:3 166:9                               | 264:7 266:20                             |
| <b>afar</b> 152:10                       | 218:5 335:24                                | <b>algebra</b> 25:5                      | 192:12 193:5,15                           | 267:18,20,22                             |
| <b>affairs</b> 332:9<br>333:13,16,20,25  | <b>agency</b> 43:8 45:5<br>72:9 332:10      | <b>alleys</b> 323:18                     | 193:16 221:19                             | 324:8 346:3                              |
| 336:23                                   | 359:6                                       | <b>alleyways</b> 75:11                   | 311:19                                    | <b>answered</b> 25:10                    |
| <b>affect</b> 217:17<br>222:21 233:10    | <b>agenda</b> 301:6                         | <b>Alliance</b> 277:4                    | <b>amounts</b> 332:21                     | <b>answering</b> 117:16<br>149:22        |
| <b>affluence</b> 304:8                   | <b>aggregate</b> 300:7                      | <b>Allied</b> 309:12                     | <b>Amtrak</b> 37:11                       | <b>answers</b> 23:16<br>249:2            |
| <b>afford</b> 154:16<br>281:15 282:22    | <b>aggressive</b> 82:10<br>219:18           | <b>allow</b> 138:19<br>170:22 176:5      | <b>analyses</b> 17:10,25<br>19:2 25:13,14 | <b>Anthony</b> 231:21<br>232:12          |
| 315:24 326:24                            | <b>aggressively</b><br>10:14 80:11          | 192:9 200:12                             | <b>analysis</b> 4:7 11:22                 | <b>anticipate</b> 23:23<br>237:14 272:2  |
| 342:9 345:23                             | 217:3                                       | 204:19 252:15                            | 12:13,20 17:18                            | <b>anticipated</b><br>159:10             |
| 351:2 357:16                             | <b>Aging</b> 275:14                         | 328:15 336:17                            | 17:18,22 18:11                            | <b>anxiety</b> 352:12                    |
| <b>affordable</b> 38:2<br>44:4           | <b>ago</b> 27:2 29:14<br>38:21 63:10        | 345:2 346:4                              | 18:12 19:22                               | <b>anybody</b> 57:19<br>91:6 144:6       |
| <b>afoot</b> 65:19                       | 89:4 91:8 99:5                              | <b>allowance</b> 95:15                   | 20:10,20 21:3,8                           | 148:15 221:25                            |
| <b>African</b> 78:11,12<br>139:22 161:11 | 128:7 184:13                                | <b>allowed</b> 228:12<br>254:2 258:4     | 21:13,14,16,21                            | <b>anymore</b> 276:2                     |
| 161:17,20                                | 225:4 226:21                                | 352:11                                   | 25:13 37:9 40:4                           | <b>anything-goes</b><br>228:14           |
| 235:16 261:18                            | 260:25 277:9                                | <b>allowing</b> 350:11                   | 40:11 46:24                               | <b>anyway</b> 221:11<br>258:14 288:24    |
| 268:21                                   | 279:14 317:22                               | <b>allows</b> 184:7<br>274:2             | 47:2,6 54:14                              | 344:2                                    |
|                                          | 330:13 343:20                               | <b>alluded</b> 178:20                    | 55:15 56:24                               | <b>apartheid-like</b><br>303:12          |
|                                          | <b>agree</b> 30:14 61:16<br>62:9 64:11 65:7 | <b>alluding</b> 63:17                    | 59:15 60:4                                | <b>apartment</b> 82:15                   |
|                                          | 91:14 114:24                                | <b>alongside</b> 232:11                  | 61:19,23 62:3                             |                                          |
|                                          | 143:13 208:22                               | <b>altercation</b><br>135:15             | 62:19 293:25                              |                                          |
|                                          | 306:21,22                                   | <b>alternative</b> 53:6<br>119:21 237:17 | 296:3,7,13,15                             |                                          |
|                                          | 309:17 328:8                                | 237:20 252:19                            | 296:15 297:4,9                            |                                          |
|                                          |                                             | <b>alternatives</b>                      | 298:10 314:4                              |                                          |
|                                          |                                             |                                          | 356:18                                    |                                          |
|                                          |                                             |                                          | <b>analyst</b> 17:3                       |                                          |
|                                          |                                             |                                          | <b>analyze</b> 55:4                       |                                          |
|                                          |                                             |                                          | <b>Andrea</b> 4:5                         |                                          |
|                                          |                                             |                                          | <b>and/or</b> 267:5                       |                                          |

|                                                                                                                                                                                                                     |                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>apartments</b> 274:3<br>327:9                                                                                                                                                                                    | 189:15,23<br>196:17 203:2<br>205:21 230:23<br>231:14 239:24<br>334:15,16                                                                              | 70:10 101:12<br>135:4 136:11<br>188:13 207:13<br>211:20 215:23<br>216:8,24 285:16<br>310:18 321:22<br>343:13 357:11                                                                                                                                                                                                                                                                                         | 290:16,18<br>311:17 328:13                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>assurances</b><br>152:14                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>API</b> 172:16                                                                                                                                                                                                   | <b>approach</b> 29:8<br>38:7 53:22 66:9<br>82:10 134:13<br>198:19 228:14                                                                              | <b>areas</b> 14:8 28:10<br>53:10,25 63:13<br>63:13 75:11<br>121:22 134:15<br>177:2 179:16<br>180:4 182:6<br>188:22 210:18<br>220:18 239:21<br>331:5 355:14                                                                                                                                                                                                                                                  | <b>aspect</b> 193:11<br><b>aspects</b> 4:9<br>233:20 271:3<br><b>assessed</b> 16:10<br>18:15 348:22<br><b>assessment</b> 8:2<br>24:21 129:19,20<br>130:8 137:4<br>294:24 298:18<br>300:13 310:23<br>326:21 327:3<br>353:21 354:15                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>attach</b> 108:16<br><b>attached</b> 129:9<br>280:8<br><b>attacks</b> 351:6<br><b>attempt</b> 294:10<br><b>attempted</b> 293:22<br><b>attend</b> 95:14,14<br>213:25 243:20<br>243:22                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>APIs</b> 200:11                                                                                                                                                                                                  | <b>approached</b> 3:15<br>31:13 66:11<br>194:13 213:15<br>231:6 255:18<br>272:23 284:11<br>291:18 308:5<br>321:10 329:9<br>341:5 349:21               | <b>arguably</b> 63:4<br><b>arguing</b> 204:10<br><b>argument</b> 56:6,8<br>56:9,11 59:19<br>59:20,23 64:23<br><b>Ari</b> 329:6 331:22<br><b>arisen</b> 180:5<br><b>arm</b> 78:24<br><b>arms</b> 322:7<br><b>arrangement</b><br>148:17<br><b>arrest</b> 339:17<br>340:5<br><b>arrested</b> 122:21<br><b>arrogant</b> 300:17<br><b>art</b> 303:10<br><b>Asia</b> 330:9<br><b>Asian</b> 78:14<br>161:13 249:22 | <b>assessments</b><br>15:13,16 16:2,3<br>16:19 17:7<br>18:22 22:13<br>129:17 293:24<br>294:8 298:13<br>299:14 357:14<br>357:21,22 358:3<br>358:4,17 359:20<br><b>assessor</b> 297:5<br><b>assessors</b> 16:6<br>25:2 359:2<br><b>Asset</b> 81:25 131:6<br><b>assets</b> 5:24<br><b>assigned</b> 197:11<br><b>assist</b> 9:9 85:9,21<br>214:7,14,18<br>334:3 337:4<br><b>assistance</b> 85:19<br>116:19 214:24<br>274:25<br><b>assistants</b> 192:8<br><b>assisting</b> 286:7<br><b>assists</b> 237:6<br><b>associated</b> 233:19<br><b>association</b> 182:8<br>298:2<br><b>associations</b><br>292:7<br><b>assume</b> 53:25<br>222:6<br><b>assumptions</b><br>43:15 | <b>attended</b> 51:19<br><b>attending</b> 20:15<br><b>attention</b> 45:13<br>80:12 97:19<br>126:7 128:13<br>198:15 235:22<br>287:13 304:4<br>316:15<br><b>attorneys</b> 91:9<br><b>Attorney's</b> 75:20<br>76:15<br><b>attract</b> 312:12<br><b>auctioned</b> 27:24<br><b>audit</b> 5:15,20 6:4<br>11:3,4 12:22<br>23:3,21 24:5<br>25:18,25 29:11<br>31:17,23 41:16<br>42:18<br><b>audited</b> 5:15<br><b>Auditor</b> 41:15,20<br>45:9,10,15<br><b>Auditor's</b> 5:17<br><b>audits</b> 5:18,18<br>7:13 8:19,21<br><b>augment</b> 286:23<br><b>August</b> 159:20<br><b>aunts</b> 351:16<br><b>auspices</b> 228:14<br><b>authorities</b><br>217:11<br><b>authority</b> 3:4,4,10<br>45:8 166:18,19<br>336:13 340:20<br><b>Authority's</b> 327:8<br><b>authorization</b> |
| <b>apparently</b><br>298:19                                                                                                                                                                                         | <b>appropriate</b><br>22:24 23:3,15<br>26:23 167:24<br>180:3 295:10                                                                                   | <b>arguing</b> 204:10<br><b>argument</b> 56:6,8<br>56:9,11 59:19<br>59:20,23 64:23<br><b>Ari</b> 329:6 331:22<br><b>arisen</b> 180:5<br><b>arm</b> 78:24<br><b>arms</b> 322:7<br><b>arrangement</b><br>148:17<br><b>arrest</b> 339:17<br>340:5<br><b>arrested</b> 122:21<br><b>arrogant</b> 300:17<br><b>art</b> 303:10<br><b>Asia</b> 330:9<br><b>Asian</b> 78:14<br>161:13 249:22                         | <b>assessments</b><br>15:13,16 16:2,3<br>16:19 17:7<br>18:22 22:13<br>129:17 293:24<br>294:8 298:13<br>299:14 357:14<br>357:21,22 358:3<br>358:4,17 359:20<br><b>assessor</b> 297:5<br><b>assessors</b> 16:6<br>25:2 359:2<br><b>Asset</b> 81:25 131:6<br><b>assets</b> 5:24<br><b>assigned</b> 197:11<br><b>assist</b> 9:9 85:9,21<br>214:7,14,18<br>334:3 337:4<br><b>assistance</b> 85:19<br>116:19 214:24<br>274:25<br><b>assistants</b> 192:8<br><b>assisting</b> 286:7<br><b>assists</b> 237:6<br><b>associated</b> 233:19<br><b>association</b> 182:8<br>298:2<br><b>associations</b><br>292:7<br><b>assume</b> 53:25<br>222:6<br><b>assumptions</b><br>43:15 | <b>attended</b> 51:19<br><b>attending</b> 20:15<br><b>attention</b> 45:13<br>80:12 97:19<br>126:7 128:13<br>198:15 235:22<br>287:13 304:4<br>316:15<br><b>attorneys</b> 91:9<br><b>Attorney's</b> 75:20<br>76:15<br><b>attract</b> 312:12<br><b>auctioned</b> 27:24<br><b>audit</b> 5:15,20 6:4<br>11:3,4 12:22<br>23:3,21 24:5<br>25:18,25 29:11<br>31:17,23 41:16<br>42:18<br><b>audited</b> 5:15<br><b>Auditor</b> 41:15,20<br>45:9,10,15<br><b>Auditor's</b> 5:17<br><b>audits</b> 5:18,18<br>7:13 8:19,21<br><b>augment</b> 286:23<br><b>August</b> 159:20<br><b>aunts</b> 351:16<br><b>auspices</b> 228:14<br><b>authorities</b><br>217:11<br><b>authority</b> 3:4,4,10<br>45:8 166:18,19<br>336:13 340:20<br><b>Authority's</b> 327:8<br><b>authorization</b> |
| <b>appeal</b> 293:20                                                                                                                                                                                                | <b>approach</b> 29:8<br>38:7 53:22 66:9<br>82:10 134:13<br>198:19 228:14                                                                              | <b>arguably</b> 63:4<br><b>arguing</b> 204:10<br><b>argument</b> 56:6,8<br>56:9,11 59:19<br>59:20,23 64:23<br><b>Ari</b> 329:6 331:22<br><b>arisen</b> 180:5<br><b>arm</b> 78:24<br><b>arms</b> 322:7<br><b>arrangement</b><br>148:17<br><b>arrest</b> 339:17<br>340:5<br><b>arrested</b> 122:21<br><b>arrogant</b> 300:17<br><b>art</b> 303:10<br><b>Asia</b> 330:9<br><b>Asian</b> 78:14<br>161:13 249:22 | <b>assessments</b><br>15:13,16 16:2,3<br>16:19 17:7<br>18:22 22:13<br>129:17 293:24<br>294:8 298:13<br>299:14 357:14<br>357:21,22 358:3<br>358:4,17 359:20<br><b>assessor</b> 297:5<br><b>assessors</b> 16:6<br>25:2 359:2<br><b>Asset</b> 81:25 131:6<br><b>assets</b> 5:24<br><b>assigned</b> 197:11<br><b>assist</b> 9:9 85:9,21<br>214:7,14,18<br>334:3 337:4<br><b>assistance</b> 85:19<br>116:19 214:24<br>274:25<br><b>assistants</b> 192:8<br><b>assisting</b> 286:7<br><b>assists</b> 237:6<br><b>associated</b> 233:19<br><b>association</b> 182:8<br>298:2<br><b>associations</b><br>292:7<br><b>assume</b> 53:25<br>222:6<br><b>assumptions</b><br>43:15 | <b>attended</b> 51:19<br><b>attending</b> 20:15<br><b>attention</b> 45:13<br>80:12 97:19<br>126:7 128:13<br>198:15 235:22<br>287:13 304:4<br>316:15<br><b>attorneys</b> 91:9<br><b>Attorney's</b> 75:20<br>76:15<br><b>attract</b> 312:12<br><b>auctioned</b> 27:24<br><b>audit</b> 5:15,20 6:4<br>11:3,4 12:22<br>23:3,21 24:5<br>25:18,25 29:11<br>31:17,23 41:16<br>42:18<br><b>audited</b> 5:15<br><b>Auditor</b> 41:15,20<br>45:9,10,15<br><b>Auditor's</b> 5:17<br><b>audits</b> 5:18,18<br>7:13 8:19,21<br><b>augment</b> 286:23<br><b>August</b> 159:20<br><b>aunts</b> 351:16<br><b>auspices</b> 228:14<br><b>authorities</b><br>217:11<br><b>authority</b> 3:4,4,10<br>45:8 166:18,19<br>336:13 340:20<br><b>Authority's</b> 327:8<br><b>authorization</b> |
| <b>appealed</b> 153:13                                                                                                                                                                                              | <b>approached</b> 3:15<br>31:13 66:11<br>194:13 213:15<br>231:6 255:18<br>272:23 284:11<br>291:18 308:5<br>321:10 329:9<br>341:5 349:21               | <b>arguably</b> 63:4<br><b>arguing</b> 204:10<br><b>argument</b> 56:6,8<br>56:9,11 59:19<br>59:20,23 64:23<br><b>Ari</b> 329:6 331:22<br><b>arisen</b> 180:5<br><b>arm</b> 78:24<br><b>arms</b> 322:7<br><b>arrangement</b><br>148:17<br><b>arrest</b> 339:17<br>340:5<br><b>arrested</b> 122:21<br><b>arrogant</b> 300:17<br><b>art</b> 303:10<br><b>Asia</b> 330:9<br><b>Asian</b> 78:14<br>161:13 249:22 | <b>assessments</b><br>15:13,16 16:2,3<br>16:19 17:7<br>18:22 22:13<br>129:17 293:24<br>294:8 298:13<br>299:14 357:14<br>357:21,22 358:3<br>358:4,17 359:20<br><b>assessor</b> 297:5<br><b>assessors</b> 16:6<br>25:2 359:2<br><b>Asset</b> 81:25 131:6<br><b>assets</b> 5:24<br><b>assigned</b> 197:11<br><b>assist</b> 9:9 85:9,21<br>214:7,14,18<br>334:3 337:4<br><b>assistance</b> 85:19<br>116:19 214:24<br>274:25<br><b>assistants</b> 192:8<br><b>assisting</b> 286:7<br><b>assists</b> 237:6<br><b>associated</b> 233:19<br><b>association</b> 182:8<br>298:2<br><b>associations</b><br>292:7<br><b>assume</b> 53:25<br>222:6<br><b>assumptions</b><br>43:15 | <b>attended</b> 51:19<br><b>attending</b> 20:15<br><b>attention</b> 45:13<br>80:12 97:19<br>126:7 128:13<br>198:15 235:22<br>287:13 304:4<br>316:15<br><b>attorneys</b> 91:9<br><b>Attorney's</b> 75:20<br>76:15<br><b>attract</b> 312:12<br><b>auctioned</b> 27:24<br><b>audit</b> 5:15,20 6:4<br>11:3,4 12:22<br>23:3,21 24:5<br>25:18,25 29:11<br>31:17,23 41:16<br>42:18<br><b>audited</b> 5:15<br><b>Auditor</b> 41:15,20<br>45:9,10,15<br><b>Auditor's</b> 5:17<br><b>audits</b> 5:18,18<br>7:13 8:19,21<br><b>augment</b> 286:23<br><b>August</b> 159:20<br><b>aunts</b> 351:16<br><b>auspices</b> 228:14<br><b>authorities</b><br>217:11<br><b>authority</b> 3:4,4,10<br>45:8 166:18,19<br>336:13 340:20<br><b>Authority's</b> 327:8<br><b>authorization</b> |
| <b>applaud</b> 302:21<br>307:6 309:22<br>310:9,14                                                                                                                                                                   | <b>appropriate</b><br>22:24 23:3,15<br>26:23 167:24<br>180:3 295:10                                                                                   | <b>arguing</b> 204:10<br><b>argument</b> 56:6,8<br>56:9,11 59:19<br>59:20,23 64:23<br><b>Ari</b> 329:6 331:22<br><b>arisen</b> 180:5<br><b>arm</b> 78:24<br><b>arms</b> 322:7<br><b>arrangement</b><br>148:17<br><b>arrest</b> 339:17<br>340:5<br><b>arrested</b> 122:21<br><b>arrogant</b> 300:17<br><b>art</b> 303:10<br><b>Asia</b> 330:9<br><b>Asian</b> 78:14<br>161:13 249:22                         | <b>assessments</b><br>15:13,16 16:2,3<br>16:19 17:7<br>18:22 22:13<br>129:17 293:24<br>294:8 298:13<br>299:14 357:14<br>357:21,22 358:3<br>358:4,17 359:20<br><b>assessor</b> 297:5<br><b>assessors</b> 16:6<br>25:2 359:2<br><b>Asset</b> 81:25 131:6<br><b>assets</b> 5:24<br><b>assigned</b> 197:11<br><b>assist</b> 9:9 85:9,21<br>214:7,14,18<br>334:3 337:4<br><b>assistance</b> 85:19<br>116:19 214:24<br>274:25<br><b>assistants</b> 192:8<br><b>assisting</b> 286:7<br><b>assists</b> 237:6<br><b>associated</b> 233:19<br><b>association</b> 182:8<br>298:2<br><b>associations</b><br>292:7<br><b>assume</b> 53:25<br>222:6<br><b>assumptions</b><br>43:15 | <b>attended</b> 51:19<br><b>attending</b> 20:15<br><b>attention</b> 45:13<br>80:12 97:19<br>126:7 128:13<br>198:15 235:22<br>287:13 304:4<br>316:15<br><b>attorneys</b> 91:9<br><b>Attorney's</b> 75:20<br>76:15<br><b>attract</b> 312:12<br><b>auctioned</b> 27:24<br><b>audit</b> 5:15,20 6:4<br>11:3,4 12:22<br>23:3,21 24:5<br>25:18,25 29:11<br>31:17,23 41:16<br>42:18<br><b>audited</b> 5:15<br><b>Auditor</b> 41:15,20<br>45:9,10,15<br><b>Auditor's</b> 5:17<br><b>audits</b> 5:18,18<br>7:13 8:19,21<br><b>augment</b> 286:23<br><b>August</b> 159:20<br><b>aunts</b> 351:16<br><b>auspices</b> 228:14<br><b>authorities</b><br>217:11<br><b>authority</b> 3:4,4,10<br>45:8 166:18,19<br>336:13 340:20<br><b>Authority's</b> 327:8<br><b>authorization</b> |
| <b>Applause</b> 276:21<br>280:25 281:19<br>283:9 287:11<br>290:7 295:25<br>297:16 299:15<br>301:22 302:5<br>305:3,25 312:3<br>312:15 316:18<br>319:17 323:4<br>324:5 328:19<br>341:2 345:9<br>347:2 349:18<br>361:4 | <b>approach</b> 29:8<br>38:7 53:22 66:9<br>82:10 134:13<br>198:19 228:14                                                                              | <b>arguably</b> 63:4<br><b>arguing</b> 204:10<br><b>argument</b> 56:6,8<br>56:9,11 59:19<br>59:20,23 64:23<br><b>Ari</b> 329:6 331:22<br><b>arisen</b> 180:5<br><b>arm</b> 78:24<br><b>arms</b> 322:7<br><b>arrangement</b><br>148:17<br><b>arrest</b> 339:17<br>340:5<br><b>arrested</b> 122:21<br><b>arrogant</b> 300:17<br><b>art</b> 303:10<br><b>Asia</b> 330:9<br><b>Asian</b> 78:14<br>161:13 249:22 | <b>assessments</b><br>15:13,16 16:2,3<br>16:19 17:7<br>18:22 22:13<br>129:17 293:24<br>294:8 298:13<br>299:14 357:14<br>357:21,22 358:3<br>358:4,17 359:20<br><b>assessor</b> 297:5<br><b>assessors</b> 16:6<br>25:2 359:2<br><b>Asset</b> 81:25 131:6<br><b>assets</b> 5:24<br><b>assigned</b> 197:11<br><b>assist</b> 9:9 85:9,21<br>214:7,14,18<br>334:3 337:4<br><b>assistance</b> 85:19<br>116:19 214:24<br>274:25<br><b>assistants</b> 192:8<br><b>assisting</b> 286:7<br><b>assists</b> 237:6<br><b>associated</b> 233:19<br><b>association</b> 182:8<br>298:2<br><b>associations</b><br>292:7<br><b>assume</b> 53:25<br>222:6<br><b>assumptions</b><br>43:15 | <b>attended</b> 51:19<br><b>attending</b> 20:15<br><b>attention</b> 45:13<br>80:12 97:19<br>126:7 128:13<br>198:15 235:22<br>287:13 304:4<br>316:15<br><b>attorneys</b> 91:9<br><b>Attorney's</b> 75:20<br>76:15<br><b>attract</b> 312:12<br><b>auctioned</b> 27:24<br><b>audit</b> 5:15,20 6:4<br>11:3,4 12:22<br>23:3,21 24:5<br>25:18,25 29:11<br>31:17,23 41:16<br>42:18<br><b>audited</b> 5:15<br><b>Auditor</b> 41:15,20<br>45:9,10,15<br><b>Auditor's</b> 5:17<br><b>audits</b> 5:18,18<br>7:13 8:19,21<br><b>augment</b> 286:23<br><b>August</b> 159:20<br><b>aunts</b> 351:16<br><b>auspices</b> 228:14<br><b>authorities</b><br>217:11<br><b>authority</b> 3:4,4,10<br>45:8 166:18,19<br>336:13 340:20<br><b>Authority's</b> 327:8<br><b>authorization</b> |
| <b>apples</b> 228:13                                                                                                                                                                                                | <b>approval</b> 2:20<br><b>approved</b> 3:7<br>181:10 201:3<br>235:2 277:10<br>317:16,23                                                              | <b>arguing</b> 204:10<br><b>argument</b> 56:6,8<br>56:9,11 59:19<br>59:20,23 64:23<br><b>Ari</b> 329:6 331:22<br><b>arisen</b> 180:5<br><b>arm</b> 78:24<br><b>arms</b> 322:7<br><b>arrangement</b><br>148:17<br><b>arrest</b> 339:17<br>340:5<br><b>arrested</b> 122:21<br><b>arrogant</b> 300:17<br><b>art</b> 303:10<br><b>Asia</b> 330:9<br><b>Asian</b> 78:14<br>161:13 249:22                         | <b>assessments</b><br>15:13,16 16:2,3<br>16:19 17:7<br>18:22 22:13<br>129:17 293:24<br>294:8 298:13<br>299:14 357:14<br>357:21,22 358:3<br>358:4,17 359:20<br><b>assessor</b> 297:5<br><b>assessors</b> 16:6<br>25:2 359:2<br><b>Asset</b> 81:25 131:6<br><b>assets</b> 5:24<br><b>assigned</b> 197:11<br><b>assist</b> 9:9 85:9,21<br>214:7,14,18<br>334:3 337:4<br><b>assistance</b> 85:19<br>116:19 214:24<br>274:25<br><b>assistants</b> 192:8<br><b>assisting</b> 286:7<br><b>assists</b> 237:6<br><b>associated</b> 233:19<br><b>association</b> 182:8<br>298:2<br><b>associations</b><br>292:7<br><b>assume</b> 53:25<br>222:6<br><b>assumptions</b><br>43:15 | <b>attended</b> 51:19<br><b>attending</b> 20:15<br><b>attention</b> 45:13<br>80:12 97:19<br>126:7 128:13<br>198:15 235:22<br>287:13 304:4<br>316:15<br><b>attorneys</b> 91:9<br><b>Attorney's</b> 75:20<br>76:15<br><b>attract</b> 312:12<br><b>auctioned</b> 27:24<br><b>audit</b> 5:15,20 6:4<br>11:3,4 12:22<br>23:3,21 24:5<br>25:18,25 29:11<br>31:17,23 41:16<br>42:18<br><b>audited</b> 5:15<br><b>Auditor</b> 41:15,20<br>45:9,10,15<br><b>Auditor's</b> 5:17<br><b>audits</b> 5:18,18<br>7:13 8:19,21<br><b>augment</b> 286:23<br><b>August</b> 159:20<br><b>aunts</b> 351:16<br><b>auspices</b> 228:14<br><b>authorities</b><br>217:11<br><b>authority</b> 3:4,4,10<br>45:8 166:18,19<br>336:13 340:20<br><b>Authority's</b> 327:8<br><b>authorization</b> |
| <b>applicants</b> 227:21<br>228:4                                                                                                                                                                                   | <b>approved</b> 3:7<br>181:10 201:3<br>235:2 277:10<br>317:16,23                                                                                      | <b>arguing</b> 204:10<br><b>argument</b> 56:6,8<br>56:9,11 59:19<br>59:20,23 64:23<br><b>Ari</b> 329:6 331:22<br><b>arisen</b> 180:5<br><b>arm</b> 78:24<br><b>arms</b> 322:7<br><b>arrangement</b><br>148:17<br><b>arrest</b> 339:17<br>340:5<br><b>arrested</b> 122:21<br><b>arrogant</b> 300:17<br><b>art</b> 303:10<br><b>Asia</b> 330:9<br><b>Asian</b> 78:14<br>161:13 249:22                         | <b>assessments</b><br>15:13,16 16:2,3<br>16:19 17:7<br>18:22 22:13<br>129:17 293:24<br>294:8 298:13<br>299:14 357:14<br>357:21,22 358:3<br>358:4,17 359:20<br><b>assessor</b> 297:5<br><b>assessors</b> 16:6<br>25:2 359:2<br><b>Asset</b> 81:25 131:6<br><b>assets</b> 5:24<br><b>assigned</b> 197:11<br><b>assist</b> 9:9 85:9,21<br>214:7,14,18<br>334:3 337:4<br><b>assistance</b> 85:19<br>116:19 214:24<br>274:25<br><b>assistants</b> 192:8<br><b>assisting</b> 286:7<br><b>assists</b> 237:6<br><b>associated</b> 233:19<br><b>association</b> 182:8<br>298:2<br><b>associations</b><br>292:7<br><b>assume</b> 53:25<br>222:6<br><b>assumptions</b><br>43:15 | <b>attended</b> 51:19<br><b>attending</b> 20:15<br><b>attention</b> 45:13<br>80:12 97:19<br>126:7 128:13<br>198:15 235:22<br>287:13 304:4<br>316:15<br><b>attorneys</b> 91:9<br><b>Attorney's</b> 75:20<br>76:15<br><b>attract</b> 312:12<br><b>auctioned</b> 27:24<br><b>audit</b> 5:15,20 6:4<br>11:3,4 12:22<br>23:3,21 24:5<br>25:18,25 29:11<br>31:17,23 41:16<br>42:18<br><b>audited</b> 5:15<br><b>Auditor</b> 41:15,20<br>45:9,10,15<br><b>Auditor's</b> 5:17<br><b>audits</b> 5:18,18<br>7:13 8:19,21<br><b>augment</b> 286:23<br><b>August</b> 159:20<br><b>aunts</b> 351:16<br><b>auspices</b> 228:14<br><b>authorities</b><br>217:11<br><b>authority</b> 3:4,4,10<br>45:8 166:18,19<br>336:13 340:20<br><b>Authority's</b> 327:8<br><b>authorization</b> |
| <b>application</b><br>102:18 214:19<br>214:21                                                                                                                                                                       | <b>approving</b> 181:6<br><b>approximate</b><br>332:25<br><b>approximately</b><br>12:17 68:6 71:2<br>159:22 163:15<br>163:24 178:4<br>195:7 332:13,20 | <b>arguing</b> 204:10<br><b>argument</b> 56:6,8<br>56:9,11 59:19<br>59:20,23 64:23<br><b>Ari</b> 329:6 331:22<br><b>arisen</b> 180:5<br><b>arm</b> 78:24<br><b>arms</b> 322:7<br><b>arrangement</b><br>148:17<br><b>arrest</b> 339:17<br>340:5<br><b>arrested</b> 122:21<br><b>arrogant</b> 300:17<br><b>art</b> 303:10<br><b>Asia</b> 330:9<br><b>Asian</b> 78:14<br>161:13 249:22                         | <b>assessments</b><br>15:13,16 16:2,3<br>16:19 17:7<br>18:22 22:13<br>129:17 293:24<br>294:8 298:13<br>299:14 357:14<br>357:21,22 358:3<br>358:4,17 359:20<br><b>assessor</b> 297:5<br><b>assessors</b> 16:6<br>25:2 359:2<br><b>Asset</b> 81:25 131:6<br><b>assets</b> 5:24<br><b>assigned</b> 197:11<br><b>assist</b> 9:9 85:9,21<br>214:7,14,18<br>334:3 337:4<br><b>assistance</b> 85:19<br>116:19 214:24<br>274:25<br><b>assistants</b> 192:8<br><b>assisting</b> 286:7<br><b>assists</b> 237:6<br><b>associated</b> 233:19<br><b>association</b> 182:8<br>298:2<br><b>associations</b><br>292:7<br><b>assume</b> 53:25<br>222:6<br><b>assumptions</b><br>43:15 | <b>attended</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| 72:3 95:19<br>180:14<br><b>authorized</b> 3:6<br>95:5,16 181:2<br><b>auto</b> 217:15 343:3<br>343:14<br><b>automatically</b><br>169:25<br><b>automobile</b><br>215:22<br><b>available</b> 44:5<br>99:15 121:17<br>163:25 165:5<br>166:15 170:4,11<br>197:19 207:11<br>231:14 232:19<br>237:25 293:8<br>339:8<br><b>Avenue</b> 126:9,12<br>278:22 303:22<br>327:18 330:24<br><b>avenues</b> 26:17<br><b>average</b> 125:5<br>136:2 188:7<br>316:3,4,6<br><b>AVI</b> 11:15 19:5<br>19:22 20:9<br>46:23 202:20<br>282:5,9,18<br>292:10,20,23<br>295:21 299:6<br>310:13 315:11<br>346:19 348:19<br>357:11 358:3,4<br><b>avoid</b> 152:25<br><b>avoidance</b> 7:2<br><b>avoided</b> 304:24<br><b>await</b> 348:2<br><b>awarded</b> 160:12<br><b>aware</b> 59:15<br>97:16 126:7<br>197:7 234:16<br><b>awareness</b> 244:15<br><b>awesome</b> 195:5<br>195:10<br><b>awful</b> 61:8 189:15<br><b>Ayers</b> 209:23 | <b>a.m</b> 1:7 203:19<br>205:4 278:19<br><b>a/k/a</b> 204:11<br><br><b>B</b><br><b>B</b> 133:16<br><b>back</b> 32:22 44:14<br>52:5 64:2,22,24<br>82:6,12 100:15<br>100:18 103:20<br>107:20 111:4<br>120:23 121:24<br>121:25 122:13<br>126:4 129:4<br>130:2,12 131:17<br>138:24 145:20<br>145:24 146:6,7<br>146:12 151:16<br>151:17 156:10<br>156:16 165:8<br>171:21 176:2<br>178:16 186:16<br>192:17 217:20<br>219:21 238:13<br>248:20 272:2,4<br>272:5 276:10<br>320:11 330:7<br>333:21 350:12<br><b>backdrop</b> 227:4<br><b>background</b><br>137:22 179:20<br><b>backhoe</b> 204:7<br><b>backloading</b><br>29:25<br><b>backlog</b> 99:21<br><b>backs</b> 349:14<br><b>bad</b> 55:25 171:21<br>195:22 228:13<br>341:24<br><b>badlands</b> 339:2<br><b>bail</b> 83:15<br><b>bait</b> 113:12<br><b>balance</b> 50:18<br>99:16 100:23<br>181:8 199:6<br><b>balances</b> 199:15<br>199:20 254:13 | <b>balancing</b> 154:11<br>154:19<br><b>ball</b> 56:19<br><b>ballot</b> 236:17<br>252:14,18,19,20<br>253:9,10,13,14<br>254:21 257:5<br>258:10<br><b>balloting</b> 236:14<br><b>ballots</b> 237:3,7<br>253:25 254:3,4<br>254:24 255:25<br>257:7 258:8<br><b>Baltimore</b> 13:3<br><b>band</b> 44:14 292:6<br><b>bandit</b> 180:6<br><b>bands</b> 206:20<br><b>bank</b> 8:10 38:18<br>276:7<br><b>bankrupt</b> 43:22<br><b>bankruptcies</b><br>152:13<br><b>banks</b> 305:10<br>347:23 348:4<br><b>Baptist</b> 329:17<br>330:13 357:9<br><b>bare-bones</b><br>303:15<br><b>base</b> 48:22<br><b>based</b> 17:18 54:4<br>58:25 59:16,25<br>60:2,8,9,10 61:2<br>61:3,4 62:20<br>79:22 165:12<br>216:15 296:3<br>299:13 327:13<br><b>basement</b> 330:14<br><b>basements</b> 328:4<br><b>bashful</b> 255:16<br><b>basic</b> 159:16<br>274:24 275:17<br>315:24<br><b>basically</b> 100:16<br>107:9 115:10<br>126:21 144:6<br>155:14 249:23<br>252:11,17,22 | 327:20 333:12<br>335:18 338:3<br><b>basis</b> 35:24 38:2<br>71:22 99:24<br>102:20 154:22<br>233:22 285:23<br>314:18 354:22<br><b>Bass</b> 1:10 93:24<br>96:23,24 97:5,8<br>98:17 100:21,24<br>101:18,23<br>103:13,15,19<br>125:15,16,20<br>127:22 129:2<br>131:15 132:4,11<br>132:21 149:23<br><b>bathrooms</b> 328:6<br><b>battalion</b> 210:2<br><b>battle</b> 166:8<br><b>bay</b> 322:9<br><b>beat</b> 175:22<br><b>beaten</b> 347:24<br><b>becoming</b> 214:8<br>216:7,20 314:25<br><b>bedrock</b> 244:3<br><b>Beeber</b> 33:23<br>240:9,9,18<br><b>began</b> 6:14<br><b>begged</b> 288:6<br><b>beginning</b> 50:23<br>82:25 239:3<br>261:3 335:9<br><b>begins</b> 154:8<br>234:8<br><b>begun</b> 86:21<br>177:21<br><b>behalf</b> 71:15<br>93:16 99:17<br>291:25 302:10<br>316:23<br><b>behavior</b> 224:6<br><b>believe</b> 22:15<br>25:17 29:6<br>34:11 57:12<br>78:23 80:5<br>107:2 126:12<br>127:5 129:10 | 144:13 168:10<br>177:19 179:17<br>180:16 185:19<br>203:19 228:6<br>236:19 259:16<br>266:15 304:22<br>314:19 340:11<br>355:8<br><b>bell</b> 38:25 140:10<br><b>Bellevue-Stratf...</b><br>342:15<br><b>belongs</b> 298:4<br><b>bench</b> 134:13<br><b>benchmarks</b><br>140:25<br><b>beneficiary</b> 40:13<br><b>benefit</b> 49:25 50:2<br>52:24 53:13<br>64:5,8 65:7 98:4<br>146:11 191:22<br>287:7<br><b>benefited</b> 44:9<br><b>benefits</b> 146:9<br>173:5 175:13<br>192:5 193:6<br>331:3 332:16,17<br>332:18 334:5<br><b>Benjamin</b> 289:20<br><b>Bernard</b> 33:9<br><b>best</b> 14:7,16 25:11<br>26:15 29:7<br>45:21 80:16<br>93:16 137:13<br>252:4 253:2<br>289:10 295:12<br>360:24<br><b>better</b> 9:14 17:25<br>55:21 113:16<br>126:25 127:16<br>145:14 154:4<br>162:7 169:4<br>182:21 190:3,15<br>191:25 193:7<br>196:14 214:25<br>235:12 236:19<br>237:10 322:24<br>323:25 335:8 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 338:14 346:11<br>348:17<br><b>Betters</b> 291:22,23<br>294:18 296:6,14<br>296:20<br><b>beverages</b> 280:3<br><b>beyond</b> 59:6<br>119:8 152:20<br>206:15 207:3<br>223:5 264:22<br>265:23 266:3<br><b>Biblical</b> 81:9<br><b>bid</b> 88:6 89:9,20<br>89:22 90:7,10<br>90:15,18 91:11<br>91:15,23 100:14<br>112:14,15<br>118:12 129:16<br>129:18 130:3,7<br>131:3 147:11<br>149:11 150:6,6<br>156:12<br><b>bidders</b> 150:4<br>155:23<br><b>bidding</b> 145:17<br>148:17<br><b>bids</b> 89:24 90:10<br><b>big</b> 18:6 50:25<br>109:17 146:25<br>178:9 190:4<br>196:6,6 241:19<br>281:7 282:5<br>323:9 358:19<br><b>bigger</b> 51:4 96:3<br>310:17 323:11<br><b>biggest</b> 57:19 79:2<br>123:20 219:25<br><b>bike</b> 69:12 75:8<br><b>bikes</b> 84:23<br><b>bilingual</b> 87:9<br>235:19 250:6<br><b>bill</b> 2:10,14,16 3:1<br>3:8 4:1 5:1 6:1<br>7:1 8:1 9:1 10:1<br>11:1 12:1 13:1<br>14:1 15:1 16:1<br>17:1 18:1 19:1 | 20:1 21:1,2 22:1<br>23:1 24:1 25:1<br>26:1 27:1 28:1<br>29:1 30:1 31:1<br>32:1 33:1 34:1<br>35:1 36:1 37:1<br>38:1 39:1 40:1<br>41:1 42:1 43:1<br>44:1 45:1 46:1<br>46:13 47:1 48:1<br>49:1 50:1 51:1,4<br>52:1 53:1 54:1<br>55:1 56:1 57:1<br>58:1 59:1 60:1<br>61:1 62:1 63:1<br>64:1 65:1 66:1<br>67:1 68:1 69:1<br>70:1 71:1 72:1<br>73:1 74:1 75:1<br>76:1 77:1 78:1<br>79:1 80:1 81:1<br>82:1 83:1 84:1<br>85:1 86:1 87:1<br>88:1 89:1 90:1<br>91:1 92:1 93:1<br>94:1 95:1 96:1<br>97:1 98:1 99:1<br>100:1 101:1<br>102:1 103:1<br>104:1 105:1<br>106:1 107:1<br>108:1 109:1<br>110:1 111:1<br>112:1 113:1<br>114:1 115:1<br>116:1 117:1<br>118:1 119:1<br>120:1 121:1<br>122:1 123:1<br>124:1 125:1<br>126:1 127:1<br>128:1 129:1<br>130:1 131:1<br>132:1 133:1<br>134:1 135:1<br>136:1 137:1<br>138:1 139:1 | 140:1 141:1<br>142:1 143:1<br>144:1 145:1<br>146:1 147:1<br>148:1 149:1<br>150:1 151:1<br>152:1 153:1<br>154:1 155:1<br>156:1 157:1<br>158:1 159:1<br>160:1 161:1<br>162:1 163:1<br>164:1 165:1<br>166:1 167:1<br>168:1 169:1<br>170:1 171:1<br>172:1 173:1<br>174:1 175:1<br>176:1,3 177:1<br>178:1 179:1<br>180:1 181:1<br>182:1 183:1<br>184:1 185:1<br>186:1,18 187:1<br>188:1 189:1<br>190:1 191:1<br>192:1 193:1<br>194:1 195:1<br>196:1 197:1<br>198:1 199:1<br>200:1 201:1<br>202:1 203:1<br>204:1 205:1<br>206:1 207:1<br>208:1 209:1<br>210:1 211:1<br>212:1 213:1<br>214:1 215:1<br>216:1 217:1<br>218:1 219:1<br>220:1 221:1<br>222:1 223:1<br>224:1 225:1<br>226:1,21 227:1<br>227:16 228:1,11<br>229:1,13 230:1<br>231:1 232:1 | 233:1 234:1<br>235:1 236:1<br>237:1 238:1<br>239:1 240:1<br>241:1 242:1<br>243:1 244:1<br>245:1 246:1<br>247:1 248:1<br>249:1 250:1<br>251:1 252:1<br>253:1 254:1<br>255:1 256:1<br>257:1 258:1<br>259:1 260:1<br>261:1 262:1<br>263:1 264:1<br>265:1 266:1<br>267:1 268:1<br>269:1 270:1<br>271:1 272:1<br>273:1 274:1<br>275:1 276:1,6<br>277:1 278:1<br>279:1 280:1<br>281:1 282:1<br>283:1 284:1<br>285:1 286:1<br>287:1 288:1<br>289:1 290:1<br>291:1 292:1<br>293:1 294:1<br>295:1 296:1<br>297:1 298:1<br>299:1 300:1<br>301:1,16 302:1<br>303:1 304:1<br>305:1 306:1<br>307:1 308:1<br>309:1 310:1<br>311:1 312:1<br>313:1 314:1<br>315:1 316:1<br>317:1 318:1<br>319:1 320:1<br>321:1 322:1<br>323:1 324:1<br>325:1 326:1 | 327:1 328:1<br>329:1 330:1<br>331:1 332:1<br>333:1 334:1<br>335:1 336:1<br>337:1 338:1<br>339:1 340:1<br>341:1 342:1<br>343:1 344:1<br>345:1 346:1<br>347:1 348:1<br>349:1 350:1<br>351:1 352:1<br>353:1 354:1,17<br>355:1 356:1<br>357:1 358:1<br>359:1 360:1<br>361:1<br><b>billing</b> 7:20<br><b>billion</b> 43:23<br>47:25 48:6,10<br>48:12,17,19,23<br>48:25 49:19,20<br>50:9,11 58:5<br>60:14,17,20,20<br>60:21,23,24<br>62:12,17,18,19<br><b>billions</b> 314:15<br><b>bills</b> 1:17 2:5,9<br>56:3 71:23<br>92:12 93:6<br>130:21 282:10<br>300:5 345:22,24<br>357:12 358:18<br>359:21<br><b>birth</b> 289:20<br><b>bit</b> 32:22 98:3<br>107:7 127:16<br>130:13 180:8<br>181:17 217:15<br>221:15 236:15<br>260:16<br><b>bitter</b> 349:7<br><b>Blackwell</b> 1:11<br>39:9 189:9,10<br>189:19,24<br>292:15 333:11 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                           |                          |                          |                       |                          |
|---------------------------|--------------------------|--------------------------|-----------------------|--------------------------|
| <b>Blackwell's</b> 39:7   | 156:15                   | 39:16 185:14,24          | 154:20,23 155:3       | 281:10 286:21            |
| <b>blank</b> 307:2,2      | <b>born</b> 355:11       | 185:25 186:7             | 188:11 208:9,10       | 287:2 289:24             |
| <b>blanket</b> 58:22      | <b>borrowing</b> 30:10   | <b>brief</b> 83:8 144:22 | 208:14,21 209:3       | 309:19 317:5             |
| 340:19                    | 38:19 43:24              | 283:23 303:21            | 211:5,9 212:6         | 322:17 329:22            |
| <b>blight</b> 166:9 216:8 | <b>Boss</b> 244:17       | 319:21                   | 212:12,22             | 331:17                   |
| <b>blighted</b> 101:8     | <b>Boston</b> 13:13,25   | <b>briefly</b> 57:11     | 214:10,23 215:3       | <b>budgeted</b> 31:7     |
| 166:3                     | 67:4 137:7               | 144:25 163:18            | 215:12 224:21         | <b>build</b> 199:11      |
| <b>bloated</b> 345:25     | 143:23 305:6             | 271:5 290:16             | 224:23 225:18         | 336:18                   |
| <b>block</b> 203:23       | <b>bottom</b> 130:23     | 298:10 306:12            | 226:9,15,19           | <b>builders</b> 60:10    |
| 209:6,24 210:17           | 258:14                   | 335:4                    | 229:10,25             | <b>building</b> 52:12,13 |
| 210:17 327:5,17           | <b>bought</b> 326:22     | <b>brighter</b> 307:16   | 230:15 245:8,9        | 59:22 68:2,4             |
| 328:24 353:24             | <b>bouncing</b> 284:23   | <b>bring</b> 7:6 17:23   | 245:21,24             | 69:14,16,17              |
| <b>blocks</b> 165:9       | <b>bound</b> 246:3       | 74:7 84:8 99:7,8         | 246:11,15 247:4       | 73:16 74:7 75:9          |
| 210:3                     | 252:24                   | 99:9,11,14,19            | 247:16,23 248:4       | 75:12 133:10,25          |
| <b>Blondell</b> 1:15      | <b>boundaries</b>        | 101:20,22                | 248:8,16,19,23        | 135:24 136:17            |
| 188:11 249:20             | 185:16                   | 114:25 121:13            | 249:7,12 268:5        | 136:19,24,25             |
| <b>blood</b> 276:2 310:2  | <b>bowl</b> 347:23       | 122:11 126:6             | 268:6,15,23           | 137:6 140:18             |
| <b>Bloomberg</b> 8:9      | <b>Boykin</b> 321:9      | 128:19 141:18            | 269:10,18,22          | 141:7,8 144:17           |
| <b>blue</b> 183:10        | 323:5,6                  | 144:7,10 190:13          | 270:2                 | 144:20 159:10            |
| <b>blue-collar</b>        | <b>brain</b> 331:9       | 195:15,17                | <b>Brown's</b> 249:20 | 178:12 184:12            |
| 277:21                    | <b>branch</b> 285:13,21  | 219:20 276:10            | <b>brunt</b> 51:3     | 185:3 186:7              |
| <b>board</b> 45:4 235:6   | 286:23 288:3             | 276:13 283:6             | <b>buckets</b> 48:14  | 192:10 202:13            |
| 245:16 246:16             | <b>branches</b> 285:13   | 312:7 330:23             | 238:2                 | 319:7 343:5,8            |
| 253:25 268:17             | 286:18                   | <b>bringing</b> 27:17    | <b>bucks</b> 134:16   | 343:19,22                |
| 268:20,20 314:2           | <b>break</b> 60:12 116:8 | 52:24 97:10,18           | <b>budget</b> 2:15,17 | <b>buildings</b> 126:18  |
| 344:17                    | 142:18 177:13            | 122:9 141:14             | 3:25 4:15 31:25       | 129:8 143:16             |
| <b>boats</b> 51:20        | 177:15 221:15            | 215:24                   | 39:14 42:21           | 166:7 176:21             |
| <b>Bobby</b> 1:12 27:7    | 282:16 288:19            | <b>brings</b> 99:3       | 45:5 67:10,12         | 177:21 276:10            |
| <b>bodies</b> 102:9,12    | 312:7                    | 145:19 304:8             | 67:17,17,18           | 343:16                   |
| 121:21                    | <b>breakdown</b>         | 314:22                   | 70:3,11,12 72:2       | <b>builds</b> 50:2       |
| <b>body</b> 43:7 76:9     | 247:11 261:8,10          | <b>broad</b> 292:11      | 73:6 76:13            | <b>bulk</b> 303:13       |
| 123:12 211:18             | 268:8 269:12             | 301:20                   | 100:2 115:7,10        | <b>bullet</b> 135:19     |
| 229:13 247:10             | <b>breaks</b> 48:13      | <b>broken</b> 186:20     | 115:16,17,22,23       | <b>bulletproof</b> 123:6 |
| 289:14                    | 243:18 276:15            | 247:19,20                | 116:3,17,18           | 123:11 142:9             |
| <b>bogged</b> 193:12      | 281:8 282:8              | 303:23                   | 158:20,23             | <b>bungled</b> 300:15    |
| <b>bomb</b> 74:21 134:3   | <b>Brennan</b> 341:4     | <b>brought</b> 40:5      | 159:12 162:10         | <b>burden</b> 49:15      |
| 139:8                     | 347:3,8,8,11             | 125:6 128:2,9            | 163:13 164:2          | 282:19 305:18            |
| <b>bombs</b> 74:24        | <b>Brett</b> 271:21      | 128:11,11,13             | 176:5 197:5           | <b>Bureau</b> 281:5      |
| <b>bomb-sniffing</b>      | 290:24                   | 129:11 146:7             | 201:3 204:19          | <b>Burnside</b> 277:23   |
| 69:11 73:25               | <b>brick</b> 177:6       | 149:25 254:21            | 232:4,7,23            | <b>burnt-out</b> 126:21  |
| <b>bond</b> 215:6,8,10    | <b>bridge</b> 37:7 38:8  | 333:4                    | 233:8,10 234:15       | <b>Burton's</b> 214:16   |
| <b>bonding</b> 215:3      | 38:10,11,13,14           | <b>Brown</b> 1:15 133:2  | 244:7 263:20,21       | <b>bus</b> 278:21 342:11 |
| <b>bonus</b> 313:3,8,21   | 39:7 186:8               | 133:3,6 135:2,7          | 265:14 266:22         | 342:12,14                |
| 314:20                    | 206:3                    | 137:10 138:17            | 267:16 270:23         | <b>buses</b> 38:14       |
| <b>bonuses</b> 313:5      | <b>bridges</b> 34:11     | 139:24 140:9,14          | 270:25 271:4          | 323:10                   |
| <b>books</b> 106:4        | 35:14,22,25              | 140:22 142:11            | 273:12,20,21          | <b>business</b> 81:12    |
| 115:23 131:19             | 36:7,11 37:13            | 152:5,8,9,24             | 275:22 279:7          | 130:12 146:14            |



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| 188:14 204:2<br>206:8,10,16<br>217:15 227:14<br>228:7 289:16<br>305:23 311:15<br>312:6<br><b>businesses</b> 160:3<br>210:5 216:3,6,7<br>225:23 263:6,12<br>264:3 267:6<br>281:8 282:6,23<br>299:24 300:10<br>311:13<br><b>busload</b> 122:8<br><b>bust</b> 139:11 343:4<br><b>busy</b> 191:18<br><b>Butkovitz</b> 3:17,21<br>3:24 10:18 11:2<br>11:10,23 12:2,8<br>12:21 14:14<br>15:7,17 16:5,20<br>16:24 17:21<br>18:25 19:24<br>20:13,21,23<br>21:11,15,23<br>22:18 23:20<br>24:16 26:20<br>29:9 31:16<br>32:14 33:4 34:5<br>34:20 37:19<br>40:10,18,25<br>41:6 42:13<br>45:25 46:7 47:5<br>47:13,18,21,24<br>48:5,9,18 49:2,6<br>49:22 50:13,17<br>52:9 53:5 54:10<br>54:21,25 56:15<br>56:25 57:15<br>58:16 59:2,9,13<br>59:18 60:7 61:7<br>61:14 62:9,13<br>62:22 65:20,24<br>216:17<br><b>buy</b> 70:24 91:25<br>139:13 314:8<br><b>buying</b> 165:12 | <b>buys</b> 345:4<br><b>buy-in</b> 251:2,10<br><br><b>C</b><br><b>C</b> 76:21<br><b>calculate</b> 294:7<br>358:18 359:20<br><b>call</b> 81:18,24<br>118:25 131:6,23<br>131:24 153:15<br>162:23 188:10<br>201:20 204:5<br>205:3 206:14<br>208:3 222:3<br>228:13 284:6,10<br>303:3 316:2<br>330:16<br><b>callback</b> 116:23<br>297:13<br><b>callbacks</b> 248:10<br><b>called</b> 78:17 106:4<br>226:22 239:20<br>244:17 274:18<br>275:12 283:16<br>283:18 286:22<br>309:3 330:11<br>333:12 359:10<br>360:9<br><b>calling</b> 58:13<br>204:8 302:19<br>308:11 313:13<br><b>camera</b> 12:14<br>109:16,22 110:7<br>110:25<br><b>cameras</b> 7:14<br>12:18 13:24<br>14:3 32:23,25<br>33:3,12,17,25<br>111:2<br><b>campaign</b> 28:11<br>124:3 182:5<br>234:23 239:12<br>244:15 300:16<br>308:20<br><b>campaigned</b><br>80:21,21<br><b>cancel</b> 316:10 | <b>capabilities</b> 69:11<br><b>capable</b> 93:15<br>99:20<br><b>capacity</b> 56:23<br>73:7 202:7<br><b>capita</b> 277:13,18<br><b>capital</b> 2:11,15<br>6:10 193:19<br><b>captured</b> 212:25<br><b>car</b> 37:8 106:8,11<br>106:14<br><b>care</b> 172:25<br>211:19 277:20<br>277:20 278:6,6<br>278:18,18 279:8<br>306:16 307:11<br>307:15 350:10<br><b>career</b> 183:13<br>235:9<br><b>careers</b> 138:21<br><b>carefully</b> 251:10<br><b>cares</b> 230:6<br><b>caring</b> 281:6<br>307:6,14<br><b>Carla</b> 238:13<br><b>Carlton</b> 158:13<br><b>Carnegie</b> 184:14<br><b>cars</b> 315:2 323:10<br>343:24<br><b>Carter</b> 339:7<br><b>case</b> 87:16 90:13<br>92:3 173:23<br>207:24 228:8<br>232:19 340:10<br><b>cases</b> 6:22,24 88:7<br>89:10 122:23<br>127:17 155:12<br>241:12 357:20<br><b>case-by-case</b><br>136:9 154:22<br><b>cash</b> 7:15 312:5<br>314:16<br><b>casino</b> 8:3 40:5,9<br>40:23 309:14<br><b>casinos</b> 40:22<br>41:8<br><b>Castle</b> 106:4,13 | <b>casual</b> 204:11<br><b>catch</b> 38:2 45:12<br>206:24 207:18<br>342:10<br><b>categories</b> 177:22<br>269:19 359:5<br><b>category</b> 40:7,21<br>211:13<br><b>caught</b> 342:13<br><b>cause</b> 59:3 134:7<br>241:23 331:9<br><b>caused</b> 298:13<br><b>causes</b> 58:6,7,8<br>68:18 347:22<br><b>cautious</b> 38:7<br><b>caveat</b> 93:10<br>251:9<br><b>celebration</b><br>278:23 288:13<br>289:12<br><b>cell</b> 109:16 110:12<br>121:23 124:15<br><b>cells</b> 68:23 122:3<br><b>census</b> 64:19<br>281:5<br><b>center</b> 11:16<br>75:10 84:16<br>122:12 131:12<br>133:15 191:7<br>196:22,24 273:6<br>284:20 292:12<br>294:12 318:19<br>319:7<br><b>centered</b> 11:19<br><b>centers</b> 8:8,11<br>197:6 279:18<br><b>central</b> 7:25 328:5<br>348:21<br><b>CEO</b> 273:14<br>316:3<br><b>certain</b> 53:10<br>105:18,19 123:8<br>152:16 172:8<br>177:2 180:4<br>206:2 228:5<br>253:7 266:24<br><b>certainly</b> 67:3 | 97:15 103:17<br>189:22 196:17<br>196:18 203:2<br>205:4 217:10<br>230:13 245:14<br>249:11 266:20<br><b>certainty</b> 150:14<br>150:19<br><b>certificate</b> 145:21<br>362:2<br><b>certification</b><br>68:15 106:2,21<br>362:19<br><b>certified</b> 16:6<br>68:14 214:8,12<br>334:8 358:15,23<br><b>CERTIFY</b> 362:3<br><b>certifying</b> 362:23<br><b>cetera</b> 228:2<br>229:16 359:8<br><b>chain</b> 184:8<br><b>Chair</b> 15:2 21:22<br>22:4 26:9 32:11<br>32:18 39:5,21<br>46:18,21 51:14<br>51:22 57:7<br>62:24 63:18<br>75:25 79:13,16<br>86:12 92:21<br>96:22 103:25<br>111:12 117:8<br>125:11,14<br>132:25 143:8<br>157:6 168:18<br>175:3 182:14<br>185:2 188:5<br>197:24 203:13<br>215:18 241:21<br>248:5,9 249:9<br>259:8 268:2<br>319:19<br><b>chairman</b> 51:25<br>57:4,10 66:21<br>95:2 96:25<br>104:4 111:9,15<br>182:19 189:6<br>196:20 208:6 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 221:2 224:18<br>230:16 231:9,21<br>231:25 232:5,11<br>245:5 249:13,18<br>254:17 270:4<br>337:19<br><b>challenge</b> 288:16<br>302:22 335:17<br><b>challenged</b><br>223:22<br><b>challenges</b> 5:8<br>121:11 297:12<br>335:14 336:3<br>353:13<br><b>challenging</b><br>320:16<br><b>chamber</b> 63:5<br>279:25<br><b>chambers</b> 239:2<br><b>champion</b> 186:23<br><b>chance</b> 45:21<br>283:19 290:21<br><b>change</b> 44:3,24<br>96:16 106:24<br>123:13 190:13<br>224:6 244:21<br>250:24,25 280:4<br>302:14 304:12<br>304:18 325:7,10<br>335:20 360:10<br><b>changed</b> 271:25<br><b>changes</b> 2:25<br>237:3 250:20<br>252:12 324:15<br>325:4<br><b>changing</b> 239:11<br>358:14,23<br><b>Channel</b> 244:19<br><b>charge</b> 29:4 34:22<br>88:21 183:19<br>244:22 332:8,10<br><b>charitable</b> 305:24<br><b>Charter</b> 24:6<br><b>charts</b> 20:3<br><b>cheat</b> 281:17<br><b>check</b> 17:4 44:17<br>76:15 93:3 | 129:12 169:11<br>169:13 181:7<br>204:25 253:21<br>307:2,3 314:21<br>326:16<br><b>checked</b> 343:20<br><b>checking</b> 120:4<br>129:3<br><b>checkoff</b> 359:4<br><b>checkpoints</b><br>105:13<br><b>checks</b> 210:5<br>253:6 254:13<br>313:2,21 314:14<br>315:4 316:10<br><b>cheering</b> 240:17<br><b>Chestnut</b> 85:16<br>85:21<br><b>Chief</b> 9:8 67:14<br>70:8 116:6<br>133:23 197:13<br>247:6 273:5<br>331:22 336:24<br>339:8<br><b>chiefs</b> 210:2<br><b>child</b> 37:8 64:10<br>304:9,14 325:21<br><b>childcare</b> 224:24<br>225:3,6,23<br>226:4,6,8,11,12<br><b>children</b> 44:20<br>79:4,5,8 109:8<br>119:12,15,16<br>141:19,25<br>288:15,17<br>289:15 302:18<br>303:5,7,14,14<br>307:13 318:21<br>321:23 322:9,23<br>323:7,13,15,20<br>323:25 324:11<br>324:11 325:4,17<br>326:3<br><b>children's</b> 284:25<br>288:2<br><b>choice</b> 58:18<br><b>choices</b> 287:6,7 | 300:13<br><b>choose</b> 109:24<br>345:20<br><b>choosing</b> 244:11<br><b>chopping</b> 298:13<br><b>church</b> 78:20<br>329:17 330:13<br>350:13 357:9<br><b>churches</b> 78:18<br><b>CINDY</b> 1:10<br><b>circumstance</b><br>44:13 152:17,20<br>230:8<br><b>circumstances</b><br>56:2<br><b>cited</b> 216:5<br><b>cities</b> 13:3,3 14:17<br>29:2 31:19<br>175:17 277:13<br><b>citizen</b> 141:12<br><b>citizens</b> 5:2,5 67:5<br>70:21 77:18<br>159:25 183:11<br>290:3 328:12<br>342:7 345:2<br><b>citizenship</b> 286:6<br>286:9,11<br><b>city</b> 1:2,6 2:21,22<br>3:9,13,22,23 4:2<br>4:9,11,15 5:7,12<br>5:16 6:24 7:8,23<br>8:3,12,21,23 9:2<br>9:11,17,19,21<br>14:9 15:11<br>16:12 19:15<br>22:9 23:22<br>26:15,18 27:17<br>28:11 29:5,8<br>30:12 34:10,12<br>35:8 36:11 40:6<br>40:13,24 42:16<br>44:15 45:7 52:8<br>57:20 64:11<br>66:23 67:12<br>69:20 70:22<br>71:14,16,17,20<br>71:24 72:7,9,20 | 76:22 77:5,15<br>78:8 79:7,20<br>80:8 81:17<br>82:24 83:7,12<br>83:21 85:7,8<br>88:7,21 89:3,5<br>90:3,14,24 91:4<br>91:12,13,14,15<br>92:7,8,18 98:7<br>98:20 99:3,4,19<br>100:4,11,16<br>102:23 104:11<br>104:12,21<br>113:14 115:24<br>117:13,24<br>119:21 120:19<br>120:20 128:8<br>131:12 135:8<br>143:12,13,16<br>145:5 146:11<br>150:2,7 151:3,7<br>153:8,11 154:18<br>155:11 156:2<br>158:12,20<br>159:11 160:22<br>166:8,11,17<br>185:13,15,25<br>187:17 190:16<br>191:7 196:7<br>197:15 199:7,12<br>200:17 212:20<br>215:25 218:6,14<br>226:24 227:10<br>229:4 231:4,17<br>231:22 232:10<br>232:12,14,16<br>233:9 234:25<br>235:24 236:4<br>237:15,20 242:9<br>242:13,18,19<br>252:13 258:4<br>265:20 271:3<br>273:13 274:2,24<br>275:19 276:4,12<br>276:16 277:6,10<br>278:5,25 279:5<br>279:13,18 | 280:15 283:3<br>287:5 289:22<br>292:12 294:12<br>298:14 300:2,12<br>303:12,22<br>304:13 308:23<br>309:5 312:2,12<br>313:4,24 315:5<br>315:16,18<br>316:13 322:15<br>322:16,20<br>323:22,23,23<br>327:16 329:15<br>330:4 331:13<br>332:4,9 333:4<br>333:14 334:7,11<br>334:19,23,25<br>335:12,24<br>340:20 342:2<br>343:10 344:22<br>344:25 345:18<br>345:21,25 346:2<br>346:9,12,20<br>347:5 349:8<br>353:18 354:23<br>356:18 358:16<br>359:9,10,12,15<br>359:24 360:10<br>360:17,19<br>361:21<br><b>citywide</b> 34:19<br>187:19 226:5<br>278:14 301:7<br><b>city's</b> 5:21 7:7,15<br>7:16 12:13<br>71:11 77:20<br>153:18 156:13<br>158:24 212:9<br>281:9 301:20<br>302:23 305:16<br><b>civic</b> 292:7 318:3<br><b>civil</b> 69:19 141:13<br>233:4 245:23<br>246:3 250:23<br>268:24 269:2,13<br>269:16<br><b>civilian</b> 72:4 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                         |                          |                          |                           |                       |
|-------------------------|--------------------------|--------------------------|---------------------------|-----------------------|
| <b>civilized</b> 348:25 | 273:8 276:19             | 103:16 148:10            | 298:4,8 302:11            | 308:4 316:19,23       |
| <b>claim</b> 132:3      | 277:5 280:22             | 148:11 149:3             | 302:11,15                 | <b>color</b> 263:7,13 |
| <b>claiming</b> 298:21  | 281:21 283:10            | 155:10 244:19            | 308:15 309:3              | 264:4 267:7           |
| <b>claims</b> 130:22    | 283:20,24 284:4          | 268:7,16                 | 310:20                    | 303:15                |
| 293:24                  | 284:9,13 285:3           | <b>Clearfield</b> 321:20 | <b>Coalition's</b> 298:9  | <b>combatting</b>     |
| <b>Claire</b> 302:13    | 287:14 290:8,11          | <b>clearinghouse</b>     | <b>code</b> 159:9,20      | 223:12                |
| <b>clamoring</b> 290:3  | 290:14 291:2,6           | 295:8                    | 160:3 167:2               | <b>combination</b>    |
| <b>clap</b> 281:24      | 291:12,15,20             | <b>clearly</b> 325:6     | 172:22 184:11             | 74:11 98:19           |
| <b>clarification</b>    | 294:16 295:22            | 329:22 353:21            | 186:7 192:16              | 269:2                 |
| 360:16                  | 296:2,11,16,22           | <b>clerical</b> 70:14    | 205:13 206:18             | <b>combine</b> 246:19 |
| <b>clarity</b> 57:11    | 297:11,17,22             | 235:8                    | 209:19 210:7              | <b>Comcast</b> 61:10  |
| <b>Clark</b> 231:16,20  | 302:3,6 306:2,9          | <b>client</b> 91:14      | 216:5 229:8               | <b>come</b> 29:2 73:2 |
| 231:21 232:12           | 307:23 308:10            | <b>clients</b> 204:4     | 309:7                     | 76:9 85:7 88:5        |
| 242:3,8 243:6           | 312:16 316:16            | <b>climb</b> 87:12       | <b>coefficients</b> 17:11 | 103:20 106:9          |
| 243:10,21               | 316:21 319:15            | <b>Clinton</b> 347:16    | <b>cohesive</b> 224:10    | 107:20 109:22         |
| 248:12,18,21            | 319:18 320:18            | <b>clock</b> 123:6       | <b>coin</b> 52:4,5        | 111:3 112:21          |
| 252:10 255:6,11         | 321:2,6,12,15            | <b>clone</b> 284:8       | <b>collaborative</b>      | 117:21 121:8          |
| 257:4,11 258:22         | 323:2 324:6,21           | <b>close</b> 12:18 42:20 | 223:19 224:10             | 123:21 124:9,21       |
| 259:2 268:13,19         | 324:25 325:12            | 49:20 241:5,14           | <b>collapse</b> 74:6      | 147:24 148:15         |
| 269:3                   | 325:23 326:9,15          | 286:24 294:2             | <b>colleague</b> 34:8     | 148:21 149:8,16       |
| <b>Clarke</b> 1:10 2:2  | 328:17,20,23             | 305:8 306:15             | 201:13                    | 153:20 154:9          |
| 3:11,19 4:13            | 329:2,12,13              | 316:2 344:15             | <b>colleagues</b> 87:13   | 156:10 162:19         |
| 9:24 10:6,20            | 331:14 335:3             | 353:22                   | 175:14 231:23             | 175:23 194:6,8        |
| 11:8,12,24 12:4         | 337:14,21 338:9          | <b>closed</b> 282:12     | 290:4                     | 197:4 203:24          |
| 12:10 13:9              | 338:13,17 339:5          | 286:18 303:8             | <b>collect</b> 9:6 10:15  | 217:20 230:9          |
| 14:24 22:2 26:7         | 339:13 340:24            | 325:16 326:6             | 30:22 31:11               | 249:25 252:7          |
| 32:16 35:4              | 341:7,11,18              | <b>closely</b> 179:18    | 54:8 109:21               | 255:15 265:10         |
| 39:19 93:6              | 344:7,10 345:7           | 199:21 211:19            | <b>collectable</b> 310:7  | 272:4,4,5,11,21       |
| 117:3,7 125:12          | 345:12 346:24            | 213:11,24                | 310:8                     | 278:21 285:22         |
| 125:18 132:23           | 347:4,6,9                | 214:15 339:24            | <b>collected</b> 30:13    | 286:24 294:2          |
| 140:12 142:15           | 349:16,24,25             | 340:14                   | 54:8 107:13               | 304:23 332:8,23       |
| 142:22 143:4,18         | 352:15,25 353:8          | <b>closer</b> 101:10     | 129:22,25                 | 342:25 350:6,20       |
| 147:17 148:18           | 355:6 356:4,9            | 194:20,22                | 293:12,19                 | 353:6 355:24          |
| 149:5,10,14,18          | 356:14 361:5,10          | 325:13                   | <b>collecting</b> 26:16   | <b>comes</b> 44:15    |
| 150:9,13 151:5          | 361:13                   | <b>closing</b> 43:2      | 26:21 29:21               | 95:12 153:9           |
| 151:10,18,21            | <b>class</b> 37:11 39:6  | 241:16 242:17            | 309:23                    | 171:21 190:20         |
| 152:7 155:6,24          | 70:4,15 159:5,5          | <b>closings</b> 38:9     | <b>collection</b> 7:10,20 | 200:15 222:15         |
| 156:7,18,23             | 159:6,6 163:20           | 302:20,24                | 10:14 281:12              | 227:2 291:8           |
| 157:8,14,25             | 211:12 233:10            | <b>closure</b> 8:4       | 295:9                     | 333:7 344:20          |
| 158:6,11 162:13         | 301:20 303:8             | 240:19 288:12            | <b>collections</b> 9:9,11 | 345:4                 |
| 163:5,11 164:8          | <b>classes</b> 68:15     | <b>closures</b> 240:6    | 28:16,22,25               | <b>coming</b> 10:3    |
| 164:11,20 165:6         | <b>classroom</b> 68:16   | 324:9,13                 | 29:3 30:23                | 12:23 41:8            |
| 166:12,22               | <b>clause</b> 311:9      | <b>coalesced</b> 293:7   | 54:15,16 55:21            | 43:18 65:16           |
| 167:11,15 168:4         | <b>clean</b> 161:6 168:6 | <b>coalition</b> 291:24  | 77:14                     | 75:22 131:22          |
| 168:16 174:25           | 176:2,4 277:24           | 292:6,6,18               | <b>college</b> 284:24     | 136:3 137:19          |
| 270:18 271:24           | 279:9                    | 293:18 294:9             | <b>colleges</b> 350:15    | 147:20 166:2          |
| 272:9,15,21,25          | <b>clear</b> 13:14 14:21 | 295:19 296:12            | <b>Collins</b> 272:18     | 170:2 191:19          |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| 196:10 200:24<br>216:5 232:4,18<br>233:13 234:4<br>239:25 270:9<br>271:14 315:4<br>326:25 343:7<br>350:17 351:9<br>352:23 353:10<br><b>command</b> 27:23<br><b>commend</b> 84:12<br>162:25 198:21<br><b>commended</b> 5:9<br><b>commending</b><br>198:10<br><b>comment</b> 32:23<br>180:17 206:9<br>306:7,13<br><b>commented</b> 29:14<br><b>commerce</b> 63:5<br><b>commercial</b> 27:18<br>65:5 111:19<br>112:3,6,25<br>113:20 127:20<br>146:10 210:4<br>298:15 305:18<br>321:21<br><b>commission</b> 88:10<br>91:22 305:5<br>334:13 337:10<br>337:20 338:7<br><b>commissioner</b><br>12:15 158:10,13<br>158:16,17<br>162:14,16 163:3<br>163:9,19 164:10<br>164:15,24 166:4<br>166:20 167:4,13<br>168:2,8 169:6<br>169:16 170:15<br>171:17 172:2,11<br>173:4,10 174:2<br>174:16 176:9,11<br>176:14,18 177:8<br>177:14,18,23<br>178:3,11 179:2<br>179:14 180:7,15<br>180:17,19,21 | 181:15 182:10<br>182:23 183:7,14<br>183:20 184:4<br>185:9,18,20,22<br>186:5,13,25<br>187:25 188:15<br>189:13,17,21<br>190:3,8,12,24<br>191:4,13 192:4<br>193:21 194:3,7<br>195:12,16<br>196:16 197:10<br>198:5,7,12,22<br>199:18 201:4<br>202:6,8,25<br>203:18 204:17<br>206:4,7 207:6,8<br>208:12,16,25<br>209:15,23 211:7<br>212:2,7,14<br>213:8,10 216:10<br>217:9,14,25<br>218:9,20,23,25<br>220:21 222:12<br>222:18 224:13<br>225:12,13,16,20<br>226:10,17<br>228:23,24 229:2<br>229:17 230:12<br>230:22 231:12<br>231:16,20,24<br>232:2,6,8,11,12<br>236:10,16 237:5<br>237:22 240:23<br>241:25 242:3,6<br>242:8 243:6,8<br>243:10,15,19,21<br>244:10,14 245:2<br>245:19,22 246:4<br>246:6,12,17,20<br>247:12,13,18<br>248:2,6,11,12<br>248:18,20,21<br>249:3,10 250:18<br>250:20 251:17<br>252:10 255:6,11<br>257:4,11 258:22 | 259:2,11,15,19<br>259:23 260:3,8<br>260:12,18,24<br>261:12,15,23<br>262:5,9,13,17<br>262:22 263:3,8<br>263:14 264:6,11<br>264:15,19 265:7<br>265:24 266:5,11<br>266:14,19<br>267:15,21<br>268:11,13,19,25<br>269:3,5,9,15,20<br>269:24 332:8<br>333:21,25<br><b>commissioners</b><br>185:6 190:8<br>198:20 231:4,9<br>231:22,25<br>232:17 233:9<br>240:2 245:20<br>247:21 251:16<br>254:2 268:8,17<br>333:22<br><b>Commissioner's</b><br>194:24 198:14<br><b>commit</b> 83:17<br><b>commitment</b><br>87:10 322:15,16<br><b>commitments</b><br>42:24<br><b>committed</b> 320:3<br><b>committee</b> 1:3 2:5<br>66:21 76:2<br>158:7 197:14<br>223:18 270:13<br>270:22 308:24<br>361:18,23<br><b>Commonwealth</b><br>95:17<br><b>communicate</b><br>338:5<br><b>communicating</b><br>131:17<br><b>communication</b><br>224:4 337:24<br><b>communications</b> | 338:4<br><b>communities</b><br>78:14 86:22<br>239:22 282:15<br>300:3 319:25<br>323:20 330:15<br>330:15<br><b>community</b> 52:17<br>71:2 78:8,19<br>81:5 108:3<br>110:15 153:3<br>159:2 220:3<br>222:9,11 223:22<br>224:6 230:5<br>242:21 250:7<br>273:24 274:14<br>279:11 285:15<br>295:6 299:4,5,8<br>299:19 302:16<br>310:22,24 311:2<br>311:18 312:6<br>318:3,8 326:2<br>344:20<br><b>community's</b><br>311:15<br><b>commuters</b> 37:13<br><b>company</b> 105:24<br>134:17 136:7<br>145:12 265:12<br>342:23 343:25<br><b>comparable</b><br>354:17<br><b>compared</b> 13:2<br>297:2<br><b>comparison</b> 18:15<br>25:14 296:19<br><b>comparisons</b><br>31:21 41:9<br><b>compensation</b><br>6:23 7:18<br>243:14<br><b>compete</b> 81:15<br><b>complain</b> 31:4<br><b>complaint</b> 222:5<br><b>complaints</b> 75:18<br>123:20 182:2<br>203:23 205:6 | 207:17 253:3<br><b>complementing</b><br>186:24<br><b>complete</b> 118:19<br>168:13<br><b>completed</b> 118:23<br>161:6 340:10<br><b>completely</b> 43:19<br>187:11 358:8<br><b>completing</b> 297:9<br><b>complex</b> 72:8<br><b>compliance</b> 6:6<br>174:19 205:13<br>210:6 216:3,4<br>217:13 219:23<br><b>complicated</b> 21:4<br>25:5 250:14,15<br>359:14<br><b>complied</b> 187:11<br><b>complying</b> 187:16<br>223:13<br><b>component</b> 46:6<br>83:4,5,10,20<br>201:18 216:13<br>239:19<br><b>compositional</b><br>247:11<br><b>comprised</b> 159:4<br>295:4<br><b>compromises</b><br>100:12<br><b>computer</b> 70:13<br>80:23 285:18,23<br>286:3,8<br><b>computers</b> 285:16<br><b>concede</b> 204:14<br><b>conceivable</b><br>314:18<br><b>concentrated</b> 7:4<br><b>concern</b> 136:12<br>240:24 241:8<br>325:2 357:2<br><b>concerned</b> 80:9<br>119:18,24 120:2<br>326:20<br><b>concerning</b> 46:4<br><b>concerns</b> 97:11 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 109:13 135:13<br>329:19 355:12<br>355:23<br><b>conclude</b> 294:17<br>344:13<br><b>concluded</b> 260:13<br><b>concludes</b> 361:14<br>361:15<br><b>concluding</b><br>260:20<br><b>conclusion</b> 235:25<br><b>condensed</b> 73:16<br><b>condition</b> 33:17<br>33:25 36:18,22<br>119:10 234:16<br><b>conditioning</b><br>286:20<br><b>conditions</b> 35:13<br>35:15,19 36:4<br>118:9 205:15<br>303:11<br><b>condo</b> 130:22<br>131:12<br><b>conduct</b> 8:18,20<br>23:3 146:4<br>151:25<br><b>conducted</b> 91:8<br>148:12<br><b>conducting</b> 25:18<br>228:7<br><b>conducts</b> 153:4<br><b>conference</b> 272:3<br>292:17 294:13<br>350:13<br><b>confident</b> 280:10<br>349:10<br><b>confidential</b> 24:2<br><b>confines</b> 156:5<br><b>confirm</b> 185:21<br><b>confiscate</b> 107:8<br><b>confiscated</b> 105:7<br>105:8,13 107:12<br><b>confiscation</b><br>120:18<br><b>conflict</b> 21:13<br><b>conformance</b><br>205:14 | <b>conformed</b> 201:8<br>201:9<br><b>confusing</b> 24:2<br><b>congratulated</b> 5:9<br><b>congratulations</b><br>182:20<br><b>congratulatory</b><br>190:10<br><b>Congressman</b><br>239:9<br><b>connect</b> 121:2<br><b>connected</b> 127:5<br><b>Connecticut</b><br>277:22<br><b>Consequently</b><br>233:5<br><b>consider</b> 56:14<br><b>considerable</b><br>193:4<br><b>considerably</b><br>168:15<br><b>consideration</b><br>67:23<br><b>considered</b> 332:4<br><b>consigns</b> 303:13<br><b>consistency</b><br>249:23 250:4<br><b>console</b> 239:13<br><b>constant</b> 45:14<br>166:8<br><b>constituents</b><br>132:13 287:24<br><b>Constitution</b> 49:9<br>51:8<br><b>constitutional</b><br>53:7<br><b>construction</b> 7:9<br>7:24,25 50:25<br>52:24 53:15<br>58:21 161:4<br>203:21 207:14<br>207:21 219:7<br>358:7,9<br><b>construction-ty...</b><br>204:20<br><b>consultants</b> 22:23<br><b>consulted</b> 234:21 | <b>Consulting</b> 305:6<br><b>consuming</b> 170:5<br><b>consumption</b><br>295:17<br><b>contact</b> 234:14<br>334:9 336:21<br>339:6<br><b>contained</b> 46:9<br>362:5<br><b>context</b> 33:20<br>63:21 105:4<br>227:4<br><b>contingent</b> 29:17<br><b>continuance</b><br>114:21<br><b>continuances</b><br>112:12 114:23<br><b>continuation</b><br>270:21<br><b>continue</b> 4:24 5:6<br>8:25 9:12,16<br>23:14 54:7 70:8<br>72:10,11 156:3<br>161:22 162:6,17<br>165:15,20<br>188:21,24 208:4<br>222:8 274:6<br>275:21 294:25<br>358:5<br><b>continued</b> 7:6<br>112:24 153:21<br>159:15 160:25<br>235:21 273:19<br>317:17 347:11<br><b>continues</b> 5:11<br>80:17 160:21<br>161:7 224:7<br>287:6 303:2<br><b>continuing</b> 58:15<br>166:2<br><b>continuity</b> 126:24<br><b>continuous</b> 211:2<br>318:22<br><b>continuously</b><br>174:18 233:5<br><b>contract</b> 6:22<br>8:21 160:9 | 233:24,25<br>263:11 264:2<br>267:9 340:20<br><b>contracting</b> 28:12<br>264:18 265:22<br><b>contractor</b> 29:17<br>29:18 200:16<br>201:7 205:13<br><b>contractors</b> 189:4<br>206:5,14 211:17<br>211:25 212:8,11<br>212:20 213:11<br>214:7<br><b>contracts</b> 160:15<br>263:6,9,11,16<br>264:2 265:4,8<br>266:3,9,24<br>267:3 311:20<br><b>control</b> 134:10<br>152:21 362:22<br><b>controlled</b> 314:13<br><b>Controller</b> 3:14<br>3:17,21,23 4:9<br>10:18 11:2,10<br>11:23 12:2,8,21<br>14:14 15:6,7,17<br>16:5,17,20,24<br>17:21 18:25<br>19:18,24 20:13<br>20:21,23 21:6<br>21:11,15,23<br>22:16,18 23:20<br>24:16 26:20<br>29:9 31:16<br>32:14 33:4 34:5<br>34:20,22,24,25<br>35:6,9,20 36:12<br>36:16,19,24<br>37:19 40:10,18<br>40:25 41:6<br>42:13 45:7,25<br>46:7,22 47:5,13<br>47:18,21,24<br>48:5,9,18 49:2,6<br>49:22 50:13,17<br>52:9 53:5 54:10<br>54:21,25 56:15 | 56:25 57:15<br>58:16 59:2,9,13<br>59:18 60:7 61:7<br>61:14 62:9,13<br>62:22 65:20,24<br>66:3 111:16<br>185:13 216:17<br><b>Controllers</b> 4:3<br><b>Controller's</b> 4:16<br>20:3 22:9 23:18<br><b>controls</b> 5:20,25<br><b>conversation</b><br>13:14 32:9<br>41:15,22 52:2<br>53:18 64:12<br>65:9 118:6<br>129:5 137:2<br>143:10,11<br>144:22 202:20<br>297:3 309:5,19<br>309:20 324:17<br>325:9<br><b>conversations</b><br>115:6 133:13<br>135:10,12<br>324:14 354:10<br><b>convert</b> 292:24<br><b>convicted</b> 228:4<br><b>convictions</b> 228:2<br><b>convinced</b> 65:4<br><b>cookie</b> 154:24<br><b>cool</b> 176:13<br>328:24<br><b>cooperate</b> 297:7<br><b>cooperation</b> 3:4,6<br>9:25<br><b>cooperatively</b><br>179:4<br><b>coordination</b><br>117:18<br><b>copies</b> 296:18<br>297:20 320:25<br><b>copy</b> 10:9 21:18<br><b>Corbett</b> 282:8<br><b>core</b> 193:20<br><b>corner</b> 288:24<br>292:4 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                           |                 |                        |                  |                 |
|---------------------------|-----------------|------------------------|------------------|-----------------|
| <b>corporate</b> 282:13   | 23:11 25:25     | 295:22 296:2,11        | 22:3,4,6 23:17   | 123:9 143:10    |
| 282:20 310:21             | 26:7 27:8 32:16 | 296:16,17,22           | 24:10 25:23      | 144:14 166:5    |
| 310:23 311:2,18           | 35:4 39:19      | 297:11,17,22           | 26:8,9,11 28:19  | 168:18,20,24    |
| 314:11 316:3              | 44:16 55:3,5,13 | 300:12 302:3,6         | 30:14 32:4,15    | 169:8,17 170:13 |
| 349:13                    | 55:14 56:19     | 302:9,19 303:3         | 32:17,18,20      | 171:8,19 172:6  |
| <b>Corporation</b>        | 63:12 104:21    | 306:2,9,24             | 33:5 34:6,8 35:2 | 172:19 173:7,8  |
| 275:14                    | 115:24 117:3,7  | 307:4,23 308:10        | 35:17 36:8,13    | 173:25 174:14   |
| <b>corporations</b>       | 125:12,18       | 308:17 312:16          | 36:17,21,25      | 174:22 175:2    |
| 276:16 283:5              | 132:15,23       | 312:18,23              | 38:24 39:11,21   | 182:15,17,18,25 |
| 304:23 305:11             | 137:18 140:12   | 315:14 316:2,16        | 39:23 40:15,20   | 183:8,9,16,21   |
| 314:12                    | 142:15,21,22    | 316:21 317:23          | 41:4,11 45:23    | 183:23 184:25   |
| <b>correct</b> 17:20      | 143:4,9,13,18   | 318:16 319:15          | 46:3,14,16,17    | 185:11,23 186:3 |
| 34:5 64:13                | 147:17 148:18   | 319:18 320:18          | 46:18,20 47:10   | 186:12,22       |
| 74:13 91:19               | 149:5,10,14,18  | 321:2,6,8,12,15        | 47:16,20,22      | 187:20 188:3,9  |
| 115:4 185:23              | 150:9,13 151:5  | 321:17,18              | 48:2,7,11,16,20  | 188:11 189:5,7  |
| 190:23 191:14             | 151:9,10,13,18  | 322:20 323:2,22        | 49:4,18 50:5,15  | 189:8 190:2,6,7 |
| 193:22 194:4              | 151:21 152:7    | 324:6,18,21,23         | 51:12,15,16,22   | 190:25 191:5,15 |
| 201:5 246:5               | 155:6,24 156:7  | 324:25 325:11          | 51:24 52:3,16    | 193:10,23 194:5 |
| 262:18 264:16             | 156:18,23 157:8 | 325:12,14,23,25        | 53:17,22 54:12   | 194:18,21 195:5 |
| 269:9 362:8               | 157:14,25 158:6 | 326:9,11,15            | 54:23 55:8       | 195:9,14,18     |
| <b>correctly</b> 294:6    | 158:11,12,20    | 328:17,20,23           | 56:21 57:3,5,6,7 | 196:19,21,22    |
| <b>corridor</b> 7:15      | 162:13 163:4,5  | 329:2,13 331:14        | 57:9 58:4,23     | 197:22,25 198:2 |
| 127:20                    | 163:11 164:8,11 | 331:15 332:5           | 59:5,11,14,23    | 198:3,4,9,18,23 |
| <b>corridors</b> 33:19    | 164:20 165:6    | 333:9 335:3            | 60:13 61:12,22   | 198:24 200:23   |
| 210:4                     | 166:12,22       | 337:14,21 338:9        | 62:11,16,23,25   | 201:12,14 203:5 |
| <b>cost</b> 6:6 8:22 44:3 | 167:11,15 168:4 | 338:13,17 339:5        | 63:2,17,19,20    | 203:6,7,8,9,11  |
| 87:23 88:8                | 168:16,25       | 339:12,13              | 64:12 65:18,22   | 203:12,22       |
| 95:23,25 146:2            | 174:25 178:19   | 340:24 341:7,11        | 66:2,5,13,17     | 205:20 207:9    |
| 174:9 177:12,17           | 180:20 184:11   | 341:18 344:7,10        | 67:8 72:22 73:5  | 208:5,7,8,22    |
| 189:3 215:10              | 196:8 199:9     | 345:2,7 346:24         | 74:8,14 75:13    | 209:6 215:15,16 |
| 233:2 243:2               | 201:19 227:22   | 347:5,6,9 349:8        | 75:23 76:17      | 215:17 217:22   |
| 305:9                     | 231:17 232:6,14 | 349:16,25 350:9        | 77:13 79:11,14   | 218:2,8,18,22   |
| <b>costs</b> 188:7        | 236:4 242:19    | 350:9 352:15,25        | 79:15 80:20      | 220:20,22,23,24 |
| 193:20 232:18             | 252:13 270:18   | 353:8 354:23           | 83:3 86:8,10,11  | 220:25 221:8,10 |
| 233:10,14,19              | 271:24 272:9,15 | 355:6 356:4,9          | 93:21 94:4,10    | 221:12,14       |
| 234:3,13 236:12           | 272:21,25 273:8 | 356:14,18              | 94:15,23 95:18   | 222:14 223:7    |
| 236:20,21                 | 273:11 276:4,19 | 359:24 360:17          | 95:21 96:12,14   | 224:15,19,20    |
| 274:11                    | 277:6,10 279:5  | 361:5,10,13            | 96:21 103:23,25  | 230:17,23,24    |
| <b>coughing</b> 292:3     | 279:13,18       | <b>Councilman</b> 1:11 | 104:3,8 105:2    | 231:8,18 236:6  |
| <b>Council</b> 1:2,10     | 280:22 281:21   | 1:12,12,13,13          | 105:21 106:25    | 236:24 237:11   |
| 2:2,20 3:7,11,19          | 283:10,20,24    | 1:14,14,15 15:2        | 108:12,24 109:9  | 238:10,12,18,19 |
| 3:23 4:11,12              | 284:4,9,13      | 15:4,9,25 16:14        | 111:7,10,11,12   | 238:21,23       |
| 9:23,25 10:6,20           | 285:3 287:14,18 | 16:22 17:17            | 111:14 112:7,10  | 240:12,14       |
| 11:8,12,24 12:4           | 290:8,11,14     | 18:5,9,17,23           | 113:6,18,19      | 241:20 242:5,23 |
| 12:7,10 13:4,9            | 291:2,6,12,15   | 19:10,13,20            | 114:6,12 115:2   | 243:12,17,25    |
| 14:14,24 18:4             | 291:20,23       | 20:6,14,18,22          | 115:9 116:9,13   | 244:24 245:4,6  |
| 21:16 22:2 23:8           | 293:15 294:16   | 21:5,12,20,24          | 116:21 117:4,5   | 245:7 249:14,16 |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| 249:17 251:14<br>251:18 252:5<br>254:15,18,19<br>255:9,13,14,21<br>255:22 256:3,11<br>256:18 257:10<br>258:12,19,24<br>259:4,6,7,13,17<br>259:21,25 260:6<br>260:10,15,22<br>261:4,13,20,25<br>262:7,11,15,19<br>262:24 263:5,10<br>263:24 264:8,13<br>264:17,22<br>265:21 266:2,8<br>266:13,17,23<br>267:19,24 268:3<br>269:7 270:5,12<br>296:24,25<br>301:15 306:4,6<br>306:11 307:24<br>316:21,25<br>318:16 319:19<br>319:20 320:19<br>320:20,22<br>333:10,10<br>348:18 355:19<br><b>councilmanic</b><br>201:23 202:11<br>316:25<br><b>Councilmembers</b><br>287:18 312:20<br>329:16 345:12<br><b>Councilpeople</b><br>131:2 137:18<br>201:20,24<br><b>Councilperson</b><br>162:22<br><b>Councilwoman</b><br>1:10,11,15 39:6<br>39:9 86:13,14<br>86:19 88:13,19<br>89:8,16,19,25<br>90:16,25 91:5<br>91:16,18 92:16<br>92:20,23 93:11 | 93:18,22,23<br>96:23,24 97:5,8<br>98:9,17 100:8<br>100:21,23,24<br>101:18,23,25<br>103:13,15,19,24<br>117:8,9 119:23<br>120:22 123:17<br>125:9,13,15,16<br>125:20 127:22<br>129:2 131:15<br>132:4,11,21,24<br>133:2,3,6 135:2<br>135:7 137:10<br>138:17 139:24<br>140:9,14,22<br>142:11,16<br>149:23,23 152:5<br>152:8,9,22,24<br>154:20,23 155:3<br>155:7 175:4,5,9<br>176:13,15,16<br>177:4,11,16,20<br>177:25 178:7,14<br>179:8,25 180:24<br>181:12,23<br>182:12,16 188:9<br>188:10 189:9,10<br>189:18,19,22,24<br>195:19 206:21<br>208:9,10,13,14<br>208:21 209:3,16<br>211:5,9 212:6<br>212:12,17,22<br>213:23 214:10<br>214:23 215:3,12<br>224:21,23<br>225:17,18 226:9<br>226:15,19 229:3<br>229:10,25<br>230:15 245:8,9<br>245:21,24<br>246:11,15 247:4<br>247:16,23 248:4<br>248:8,16,19,23<br>249:7,12,15,20<br>250:5 268:5,6 | 268:15,23<br>269:10,18,22,25<br>270:2 276:7<br>292:15 333:11<br><b>Council's</b> 21:13<br>21:21 46:23<br>271:3 301:4<br>302:22 309:22<br><b>counsel</b> 90:15<br><b>counseling</b> 8:13<br><b>count</b> 253:14,25<br>254:3,4 258:7<br><b>counted</b> 254:23<br>256:10,14,17<br><b>counter</b> 170:3,8<br><b>Counterbalanci...</b><br>77:16<br><b>counties</b> 85:6<br><b>countless</b> 300:6<br><b>country</b> 109:4<br>244:4 251:19<br>330:2 339:3<br><b>counts</b> 185:8<br><b>county</b> 66:23 72:8<br>72:21 84:3,4<br>85:11 122:6<br>256:16 305:21<br>333:17,20<br><b>couple</b> 10:7 35:12<br>40:2 72:23 85:3<br>97:9 99:5<br>117:11 136:25<br>142:17 143:6<br>146:20 204:4<br>215:19 239:17<br>240:4,24 260:4<br>260:25 263:22<br>273:19 309:2<br><b>course</b> 52:23<br>144:24 176:24<br>211:14 242:9,13<br>252:17 288:8<br>314:5 333:4<br>340:9<br><b>court</b> 23:5 24:7<br>56:20 69:16,20<br>75:9,19,22 81:9 | 84:4,8 88:23<br>95:11 98:15<br>104:10,15,22<br>119:2 120:24<br>121:3,18,23<br>123:21 125:3,4<br>128:16,25<br>133:14 138:7<br>153:10 173:19<br>173:20 174:6<br>305:21 340:2,15<br>360:14<br><b>courthouse</b> 67:25<br>72:25 73:8 74:2<br>108:22 109:3,23<br>111:3 134:4,20<br><b>courthouses</b><br>68:11 69:13<br>72:16 75:7 84:9<br>84:17,20 86:6<br>105:15,23 109:5<br>109:6,7<br><b>courtroom</b> 68:12<br>76:7 105:9<br>110:3 122:24<br>124:8,15,19<br><b>courtrooms</b> 68:24<br>69:5 73:19 74:3<br>107:5,5 121:6<br><b>courts</b> 68:8,11<br>104:13 122:17<br>122:19 133:20<br>141:16 278:2<br><b>cover</b> 215:10<br>280:16<br><b>covering</b> 2:23<br><b>co-counsel</b> 89:6<br>89:15 90:14<br>128:12,18<br><b>co-counsels</b> 88:4<br>89:12 91:6<br><b>co-defendant</b><br>122:23<br><b>co-located</b> 234:24<br>241:4,7<br><b>co-workers</b> 340:7<br><b>crack</b> 282:2 | <b>cracking</b> 202:18<br><b>create</b> 138:5<br>204:20 235:8<br>301:2 314:6<br><b>created</b> 78:7 87:8<br><b>creates</b> 68:24 69:2<br>71:13 73:22<br><b>creating</b> 300:11<br>314:9<br><b>creation</b> 295:3,18<br><b>creative</b> 307:19<br>346:16<br><b>creator</b> 254:11<br><b>creators</b> 314:5<br><b>credentialed</b><br>22:23<br><b>credit</b> 28:7 151:17<br>201:15,16<br><b>crew</b> 288:22<br><b>crews</b> 210:3<br><b>crime</b> 177:2<br><b>crimes</b> 83:17<br>228:5<br><b>criminal</b> 75:10<br>84:15 109:6<br>122:12 133:15<br>228:2<br><b>crisis</b> 287:3<br><b>criteria</b> 359:2<br><b>critical</b> 83:10<br>102:24 183:25<br>185:5 212:25<br>223:9,15<br><b>criticized</b> 357:19<br><b>critique</b> 15:14<br>348:18<br><b>cross</b> 13:12 38:12<br>323:9<br><b>crossing</b> 38:14<br>321:19 323:6<br>324:14,19 325:6<br>326:10<br><b>Crosstown</b><br>291:24 292:5,6<br>292:18 293:18<br>295:19 298:4<br><b>cross-reference</b> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 172:3<br><b>cross-trained</b><br>74:23<br><b>crowd</b> 134:10<br><b>crowds</b> 288:4<br><b>crucial</b> 278:13<br><b>crumbling</b> 37:22<br><b>cultivate</b> 160:21<br><b>cultural</b> 7:14<br>78:14<br><b>curb</b> 180:11,14<br>181:6<br><b>current</b> 5:8 8:24<br>41:5 51:8 76:24<br>92:10 93:14<br>100:20 113:16<br>113:17 130:20<br>160:10 166:7<br>219:4 226:25<br>227:3,6 280:4<br>334:18<br><b>currently</b> 13:15<br>34:21 35:10,24<br>155:11 162:4<br>164:16 169:17<br>172:13 199:19<br>212:9 218:2<br>243:14 332:11<br>336:16<br><b>curriculum</b> 303:9<br><b>Curtis</b> 1:13<br>318:17<br><b>customary</b> 245:10<br><b>customer</b> 161:25<br>198:13 234:19<br><b>customer-orient...</b><br>175:21<br><b>cut</b> 94:21 113:12<br>122:16 180:14<br>181:6 239:8<br>258:11,12,17<br>275:25 311:23<br>313:14,15,15<br>316:6 343:7<br><b>cuts</b> 180:11<br>273:20 282:24<br>286:25 | <b>cutter</b> 154:25<br><b>cutting</b> 314:2<br><b>CVN</b> 174:7 221:7<br><b>Cynthia</b> 272:12<br>276:23<br><hr/> <b>D</b><br><b>D</b> 245:17<br><b>Dainette</b> 274:21<br><b>Dale</b> 184:14<br><b>damaging</b> 120:10<br><b>damn</b> 60:19<br><b>damning</b> 37:18<br><b>danger</b> 57:25<br>106:16 142:10<br>321:24 322:11<br><b>dangerous</b> 36:15<br>37:16<br><b>dark</b> 293:3<br><b>Darrell</b> 1:10<br>345:11<br><b>DART</b> 131:7,8,24<br><b>data</b> 17:3,9 22:24<br>23:14 25:12<br>47:14 62:14<br>192:23 199:23<br>210:8 219:4<br>293:7,11,15,19<br>293:21 294:9,25<br>295:9<br><b>database</b> 160:10<br>169:24 172:3<br>192:6 200:12<br><b>databases</b> 200:13<br><b>date</b> 17:8 84:10<br>92:15 159:21<br>160:17,23<br>201:10 229:15<br>293:20<br><b>dated</b> 64:23<br><b>DAV</b> 330:17<br><b>DAVID</b> 1:14<br><b>day</b> 5:6 68:7 82:7<br>84:24 102:25<br>110:13 122:18<br>147:4 170:8<br>188:6 199:13 | 200:8 204:23<br>208:11 231:3<br>243:16 249:6<br>253:18 271:15<br>278:23 279:13<br>286:3 288:21<br>289:13 319:5<br>321:25 322:14<br>322:19 323:13<br>340:9 343:3<br>354:21<br><b>daylighting</b> 320:5<br><b>days</b> 90:12 156:3<br>156:11 170:17<br>207:18 218:13<br>229:19 288:8<br>293:20<br><b>day-to-day</b><br>144:18 251:12<br><b>DA's</b> 110:10<br><b>DBE</b> 265:12,16<br><b>DC</b> 309:11,12<br><b>DD</b> 331:4<br><b>Deacon</b> 329:7,11<br>329:15,16<br>338:20<br><b>dead</b> 110:16<br>299:21<br><b>deadbeats</b> 154:14<br>282:2<br><b>deal</b> 15:23 37:12<br>37:23 99:23<br>122:21 145:4<br>153:6 166:10<br>199:2 292:8<br>333:14 342:5<br>353:25 358:19<br><b>dealing</b> 48:22<br>73:7 134:10,11<br>134:12 136:9<br>148:2 170:7<br>260:13 262:20<br>262:25 270:22<br>339:4<br><b>deals</b> 49:18 61:8,9<br><b>dealt</b> 299:2<br><b>dear</b> 329:24 | <b>death</b> 106:16,16<br><b>debate</b> 25:17<br>77:14 310:15<br><b>debt</b> 112:4 120:21<br>165:13 200:17<br><b>debts</b> 200:21<br><b>decade</b> 63:9<br><b>decades</b> 317:21<br>357:18<br><b>deceased</b> 152:12<br><b>decent</b> 335:22<br><b>decide</b> 55:5<br>108:19 265:2<br>314:9<br><b>decided</b> 288:23<br><b>decision</b> 32:8 55:2<br>90:17 162:2<br>305:21<br><b>decisions</b> 76:13<br><b>decision-making</b><br>264:24<br><b>declared</b> 287:2<br><b>decline</b> 63:13 96:8<br><b>decorated</b> 329:25<br>337:2<br><b>decrease</b> 4:20<br>5:10 75:15<br>163:16 234:7<br><b>decreased</b> 159:22<br>164:18<br><b>decreasing</b><br>232:19<br><b>dedicated</b> 4:12<br>40:8,21 44:6<br>122:10 204:18<br>205:11 236:2<br>295:6 328:12<br><b>dedication</b> 5:4<br><b>deed</b> 71:6,8 81:19<br>149:3 153:9<br><b>deeds</b> 81:2,21<br><b>deemed</b> 36:14<br><b>deeming</b> 37:16<br><b>deep</b> 275:10<br><b>deepest</b> 67:7<br><b>deeply</b> 306:16<br>307:8,12,12 | <b>defendant</b> 81:24<br>131:6 153:12<br><b>defendants</b><br>340:13<br><b>defer</b> 185:20<br>228:24<br><b>deferrals</b> 301:10<br><b>deferred</b> 38:3<br><b>deficiencies</b> 6:6<br><b>deficit</b> 42:25<br><b>definitely</b> 36:5<br>202:12 343:19<br><b>definitive</b> 194:10<br>197:16<br><b>degree</b> 344:19<br><b>degrees</b> 138:25<br><b>Delaware</b> 69:23<br>109:2 137:8<br><b>delay</b> 122:8,9<br>295:21 310:16<br><b>delays</b> 68:24<br><b>deliberative</b> 23:9<br><b>delicate</b> 99:15<br>100:23<br><b>delinquencies</b><br>145:8 166:25<br>223:12<br><b>delinquency</b><br>152:19 167:21<br>310:7<br><b>delinquent</b> 11:5<br>28:23 71:22<br>92:11 99:11<br>100:4,10 101:7<br>130:20 145:3,5<br>145:16 160:6<br>219:14 222:23<br>281:13 309:23<br><b>delinquents</b><br>281:14<br><b>deliver</b> 259:18,22<br>259:25<br><b>delivered</b> 193:4<br><b>delivery</b> 159:17<br><b>demand</b> 99:13<br>293:2<br><b>demanding</b> 69:19 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



|                         |                         |                          |                          |                           |
|-------------------------|-------------------------|--------------------------|--------------------------|---------------------------|
| <b>democracy</b> 244:4  | 158:21 159:19           | <b>dependent</b> 314:25  | <b>described</b> 287:9   | 150:17 199:2              |
| <b>democratic</b>       | 159:24 160:25           | <b>depending</b> 19:19   | <b>descriptions</b>      | <b>developing</b> 24:23   |
| 308:23                  | 162:6 167:7,25          | 63:4 229:22              | 359:6                    | <b>development</b> 52:7   |
| <b>demographic</b>      | 169:2 174:5             | <b>deplete</b> 234:9     | <b>descriptive</b> 359:4 | 101:5 127:18              |
| 235:20                  | 175:15,21               | <b>depleted</b> 69:6     | <b>deserve</b> 86:2,3    | 159:2 180:22              |
| <b>demographics</b>     | 178:22,24 179:5         | 238:4,4,8                | 224:5 303:7              | 184:16 199:5,12           |
| 235:17                  | 179:19 181:6,11         | <b>deploy</b> 141:6      | 322:24                   | 273:24 312:25             |
| <b>demolish</b> 165:10  | 183:6,17 184:14         | <b>deployed</b> 325:7    | <b>deserves</b> 235:21   | 315:10 327:9              |
| <b>demolished</b> 118:5 | 184:17 185:19           | <b>deployment</b> 141:4  | <b>design</b> 52:14      | <b>developments</b>       |
| 120:12 164:23           | 185:24 186:14           | <b>depopulated</b>       | <b>designate</b> 177:2   | 350:16                    |
| 167:19                  | 189:13,20               | 299:20                   | <b>designated</b>        | <b>devices</b> 74:24      |
| <b>demolition</b> 118:2 | 190:14 193:9,14         | <b>deposit</b> 91:24     | 325:15                   | 191:24 193:13             |
| 159:13 164:17           | 194:17 197:2,3          | 92:2 118:15              | <b>designed</b> 275:15   | 193:24 195:2              |
| 167:12,22               | 199:22 200:2            | <b>deputies</b> 68:17,18 | <b>desirable</b> 299:24  | <b>de-industrialized</b>  |
| 187:24 188:14           | 202:5 207:10            | 69:13,18,18              | <b>desire</b> 54:7       | 299:20                    |
| 189:2 211:12,16         | 209:10,18,23            | 70:2 72:3,4              | <b>desk</b> 136:2 144:8  | <b>DiCicco</b> 65:4       |
| 211:24 214:5            | 210:14,21 211:3         | 73:15 74:7 75:2          | 227:23 228:17            | <b>die</b> 338:25         |
| 215:7                   | 213:2,7,21              | 84:25 86:4 95:7          | 229:11 230:3             | <b>diem</b> 95:15         |
| <b>demolitions</b>      | 218:7 222:6,16          | 95:14 97:17              | <b>desperate</b> 102:5   | <b>difference</b> 18:6    |
| 163:21 164:6,14         | 222:17,21               | 102:6,24 103:4           | 348:17                   | 34:15 109:24              |
| 164:18 165:8,15         | 224:12 225:5            | 105:17 108:21            | <b>desperately</b> 304:4 | 239:14                    |
| 165:21,24               | 228:19 229:6            | 110:9,24 115:18          | <b>despite</b> 69:6      | <b>differences</b>        |
| 166:15,23 167:3         | 231:2 233:7,21          | 122:24 123:3,5           | 346:12                   | 359:12                    |
| <b>demonstration</b>    | 234:5,20 235:23         | 135:15 136:23            | <b>destroy</b> 107:21    | <b>different</b> 19:7     |
| 195:11 196:4            | 236:3,11 247:15         | 137:16 154:2             | <b>detail</b> 163:14     | 30:16 42:21               |
| <b>demonstrators</b>    | 249:25 263:17           | <b>deputy</b> 4:2 34:21  | 217:16 229:5             | 47:6 48:14                |
| 138:3                   | 280:11 326:13           | 34:24 35:6,8,20          | 279:16                   | 86:22 124:2,22            |
| <b>demos</b> 188:6,7,18 | 343:18                  | 36:12,16,19,24           | <b>detailing</b> 227:25  | 124:25 126:3,14           |
| <b>denied</b> 228:3     | <b>departmental</b>     | 68:9,13 95:4,9           | <b>details</b> 197:17    | 134:14 155:12             |
| <b>Dennis</b> 246:22    | 184:9 200:13            | 107:4 124:8              | <b>detecting</b> 74:24   | 170:18 175:17             |
| <b>dented</b> 37:7      | <b>departments</b> 5:16 | 158:15,17                | <b>detection</b> 139:8   | 178:19 181:21             |
| <b>DEP</b> 218:4        | 6:15 8:22 42:21         | 176:10,14,18             | <b>detectors</b> 143:21  | 185:4 204:23              |
| <b>department</b> 11:22 | 118:7 169:10,11         | 177:8,14,18,23           | <b>deter</b> 166:9       | 229:6 238:2,3             |
| 27:5,10 28:3            | 171:3,5 178:19          | 178:3,11 180:17          | <b>determine</b> 61:24   | 241:14 249:24             |
| 35:24 66:8              | 192:13 195:21           | 180:19,21                | 166:24 220:15            | 250:2 251:19,21           |
| 79:23,24 80:3           | 197:9 211:20            | 181:15 182:10            | 333:24                   | 251:22 258:8              |
| 80:16 87:7,8            | 212:24 218:6            | 185:20,22 186:5          | <b>determined</b> 62:5   | 297:14 301:16             |
| 90:3,4,23 93:4          | 223:20 232:16           | 190:8 206:6              | 229:16                   | 303:23 324:10             |
| 98:21,22,22             | 245:11,13               | 207:6,8 213:9            | <b>detriment</b> 138:16  | 325:5 326:5               |
| 101:22 103:9            | <b>department's</b>     | 217:14,25 218:9          | <b>develop</b> 61:25     | <b>differential</b> 95:24 |
| 104:9,17 111:18         | 7:19 160:9              | 218:20,24                | 64:20 213:5              | 96:2                      |
| 112:5,13 113:3          | 186:10 209:4            | 225:13,16,20             | 304:5                    | <b>difficult</b> 77:17    |
| 113:7 114:19            | 210:2 217:10            | 226:10,17                | <b>developed</b> 25:22   | 82:19 96:17               |
| 119:15 128:10           | 219:17                  | 228:24 229:2,17          | 229:5,18                 | 120:2 177:15              |
| 128:14 129:23           | <b>DePasquale</b> 41:19 | <b>derived</b> 172:15    | <b>developer</b> 126:19  | 181:18 200:2,9            |
| 138:10,20 144:3         | <b>depend</b> 322:5     | 199:24                   | 171:2                    | 220:14 233:8              |
| 154:6,7 158:14          | 323:12                  | <b>describe</b> 244:12   | <b>developers</b>        | 320:15                    |

|                          |                           |                          |                          |                          |
|--------------------------|---------------------------|--------------------------|--------------------------|--------------------------|
| <b>difficulty</b> 130:5  | 156:20                    | 201:20,23,24             | 31:10,21 34:21           | <b>Dougherty</b>         |
| <b>digital</b> 192:8     | <b>discovered</b> 33:11   | 202:6,9,12               | 34:25 35:10              | 133:22                   |
| <b>dilemma</b> 31:13     | <b>discovery</b> 11:3     | 209:7 215:20             | 43:13 50:21              | <b>Dowd-Burton's</b>     |
| <b>diligently</b> 318:19 | <b>discuss</b> 156:4      | 216:20 221:24            | 55:14 78:15              | 214:16                   |
| <b>dime</b> 237:24       | <b>discussed</b> 65:10    | 241:10 258:21            | 93:15 103:10             | <b>downplayed</b>        |
| <b>diminish</b> 165:24   | <b>discussing</b> 11:14   | 317:2 325:24             | 110:21 116:19            | 85:25                    |
| <b>diminished</b>        | <b>discussion</b> 54:2    | 326:2 339:16,18          | 146:17 175:20            | <b>downtown</b> 343:16   |
| 289:12                   | 55:12 64:4                | 355:19                   | 182:5 188:6,12           | <b>downward</b> 54:20    |
| <b>diminishing</b>       | 104:19 111:25             | <b>districts</b> 45:12   | 190:11,13                | <b>dozens</b> 70:23      |
| 164:23                   | 326:10                    | <b>District's</b> 8:4    | 192:21 201:17            | <b>Dr</b> 18:18          |
| <b>Dimner</b> 240:9      | <b>discussions</b>        | <b>District-wide</b>     | 208:13 211:20            | <b>drain</b> 216:23      |
| <b>dire</b> 103:4        | 104:14 115:21             | 42:18                    | 223:10 224:8             | <b>dramatic</b> 45:19    |
| <b>direct</b> 322:8      | 116:5 140:23              | <b>disturbed</b> 298:9   | 245:15 251:11            | 45:21 77:3               |
| 362:22                   | <b>disgrace</b> 322:23    | <b>disturbing</b> 17:11  | 263:2 267:8,11           | <b>draw</b> 334:21       |
| <b>direction</b> 32:6    | <b>dish</b> 252:3         | 33:10                    | 303:4 313:13             | <b>drawing</b> 306:19    |
| 198:17 345:18            | <b>disinfectant</b>       | <b>diverse</b> 161:8     | 314:19 335:6             | <b>drew</b> 74:16        |
| <b>directions</b> 325:5  | 295:13                    | 235:14                   | 342:20 351:8             | <b>drive</b> 94:22 101:2 |
| <b>director</b> 4:5,7    | <b>dislocations</b> 15:24 | <b>diversion</b> 77:20   | 359:22                   | 327:3 343:2,10           |
| 67:16 70:9,12            | <b>dismissed</b> 173:24   | 78:4                     | <b>dollars</b> 9:7 43:23 | 349:11                   |
| 116:7 194:9,16           | <b>disorder</b> 331:10    | <b>diversity</b> 87:11   | 50:7,9 60:15,15          | <b>drivers</b> 315:17    |
| 197:13 213:19            | <b>dispatch</b> 85:20     | 188:13 245:18            | 60:18,23 100:16          | <b>drives</b> 99:14      |
| 300:2 308:19             | <b>dispelled</b> 310:2    | 248:17 260:11            | 146:5 150:5              | <b>DROP</b> 93:25,25     |
| 333:19                   | <b>disperse</b> 105:19    | 262:20,25                | 156:12 164:13            | 183:19 184:23            |
| <b>directors</b> 185:5   | <b>dispersion</b> 17:12   | 266:18 267:12            | 263:12 264:3             | 197:4                    |
| <b>disabilities</b>      | 313:20                    | <b>divided</b> 246:7     | 283:4 300:6              | <b>drug</b> 139:11       |
| 273:18 274:4,14          | <b>display</b> 227:18     | <b>division</b> 78:3     | 310:25 313:4             | <b>drugs</b> 339:4       |
| 275:2,6,16,21            | <b>disposal</b> 301:11    | 179:19 180:22            | 314:16 315:3             | 353:15                   |
| <b>disability</b> 330:8  | <b>disproportionat...</b> | 213:12 225:14            | 334:24 342:17            | <b>druthers</b> 95:22    |
| 332:21                   | 303:14                    | 257:17,18,20,23          | 342:18 346:7             | <b>Dubow</b> 67:16       |
| <b>disabled</b> 332:19   | <b>disrespect</b> 136:6   | 258:6,11                 | 353:22                   | <b>due</b> 73:2 152:19   |
| 335:15                   | <b>disrupted</b> 110:20   | <b>divisions</b> 257:13  | <b>domestic</b> 109:3,5  | 173:21 201:16            |
| <b>disagree</b> 16:15    | <b>disruption</b> 241:24  | 257:14 258:9             | 109:7                    | 256:14 288:20            |
| 53:21 56:22              | <b>disseminated</b>       | <b>Djuna</b> 321:9       | <b>donate</b> 107:10     | 315:25                   |
| <b>disagreement</b>      | 75:25                     | 326:18                   | <b>donation</b> 74:20    | <b>dumpsters</b> 323:19  |
| 16:16                    | <b>distances</b> 325:17   | <b>Doctrine</b> 106:4,13 | 84:22                    | <b>dust</b> 347:23       |
| <b>disappointed</b>      | <b>distorted</b> 313:20   | <b>document</b> 121:13   | <b>donators</b> 73:24    | <b>duty</b> 33:7 68:9    |
| 302:21                   | <b>distributed</b> 321:4  | <b>documented</b>        | <b>door</b> 119:4 335:13 | 141:13 205:25            |
| <b>disastrous</b> 102:11 | <b>district</b> 22:11     | 216:25                   | 335:15 353:20            | <b>dynamics</b> 252:12   |
| <b>disc</b> 17:9         | 33:3,22 34:18             | <b>documenting</b>       | <b>doors</b> 136:22      |                          |
| <b>discipline</b> 45:2   | 41:17,24 42:4             | 27:16                    | 288:21 348:20            | <b>E</b>                 |
| <b>disclose</b> 294:6    | 42:15 43:17,21            | <b>dog</b> 74:22         | <b>doorsteps</b> 341:23  | <b>Earle</b> 272:13      |
| <b>disconnect</b> 121:19 | 44:15 45:16               | <b>dogs</b> 69:9 73:25   | 344:3                    | 273:4,5,10               |
| <b>discount</b> 150:22   | 75:20 76:15               | 74:21,22,22              | <b>Dorothy</b> 321:8,18  | <b>earlier</b> 19:2      |
| 150:25 155:15            | 92:25 98:24               | 84:23 139:8,9            | <b>dots</b> 121:2        | 111:17 125:24            |
| 156:25 157:16            | 101:4 126:8               | 217:23                   | <b>double</b> 23:13      | 153:19 155:9             |
| <b>discounted</b> 150:5  | 129:16,18 130:4           | <b>doing</b> 11:4 14:2   | <b>doubt</b> 37:4        | 178:20 218:25            |
| <b>discounts</b> 155:12  | 130:13 131:4,13           | 25:11 30:20              | <b>doubts</b> 303:19     | 308:13 309:10            |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 310:12<br><b>early</b> 165:8<br>250:11,16 251:4<br>252:2,6 325:19<br>349:20 357:5,6<br><b>earn</b> 151:17 313:7<br>313:7 332:16,17<br><b>earned</b> 334:5,24<br><b>earner</b> 313:10<br><b>earning</b> 313:17<br><b>ears</b> 221:23<br><b>easier</b> 170:20<br>225:23 235:5<br><b>easily</b> 181:13<br>323:16<br><b>east</b> 126:9,11<br>276:24 278:7,22<br>292:11,13<br><b>easy</b> 25:20 87:12<br>225:25 359:17<br><b>easy-to-answer</b><br>25:21<br><b>echo</b> 190:9 222:11<br><b>echoing</b> 198:18<br><b>eCLIPSE</b> 160:11<br>169:23 170:14<br>170:16 180:2<br>190:18 194:25<br>200:10<br><b>econometric</b><br>314:4<br><b>economic</b> 6:17<br>127:19 213:24<br>214:9 267:14<br>308:21,21<br>312:24 315:10<br>347:18<br><b>economies</b> 6:2<br><b>Economy</b> 309:13<br><b>edge</b> 44:20<br><b>educate</b> 213:5<br><b>educating</b> 239:19<br><b>education</b> 178:16<br>182:4 244:25<br>303:6,16 304:15<br>306:16,21,25<br>344:18 | <b>EEO</b> 263:23<br><b>effect</b> 59:4 159:20<br>194:11 313:15<br><b>effective</b> 216:12<br>229:14 252:8<br>301:9<br><b>effectively</b> 127:11<br><b>effectiveness</b><br>205:17 233:7<br><b>efficiencies</b> 6:3<br>9:18 124:5,10<br><b>efficiency</b> 233:6<br><b>efficient</b> 6:20 80:3<br>80:22 81:4<br>140:8 174:9<br>192:14 193:8<br>202:22<br><b>efficiently</b> 80:18<br>121:3 323:24<br><b>effort</b> 160:6<br>161:25 223:19<br>224:10 310:14<br>318:11<br><b>efforts</b> 159:16<br>187:4 198:21<br>202:3 244:9<br>294:2 309:22<br>310:17<br><b>eight</b> 178:4<br>212:18,19<br><b>either</b> 30:16 65:3<br>88:3 90:12<br>114:10 119:14<br>147:5 150:21<br>152:12 167:9<br>187:10,11 280:5<br>314:15<br><b>elect</b> 350:8<br><b>elected</b> 103:2<br>239:14 338:7<br>353:12<br><b>election</b> 233:17,23<br>235:5 250:21,22<br>251:2,21 254:7<br>254:8,9,14,25<br>256:9,21 257:8<br><b>elections</b> 251:13 | 251:20<br><b>election-related</b><br>235:6<br><b>electronic</b> 71:6<br>81:19 170:25<br>234:10<br><b>elementary</b><br>278:20<br><b>elements</b> 55:12<br><b>eligible</b> 93:25<br>255:5 256:23<br>332:15<br><b>eliminated</b> 275:3<br><b>elites</b> 302:23<br><b>embarrassing</b><br>12:25<br><b>emergencies</b><br>322:13<br><b>emergency</b><br>102:20 213:20<br>333:15<br><b>employ</b> 161:7<br><b>employed</b> 54:18<br>114:14<br><b>employee</b> 235:16<br>261:7,10 311:21<br><b>employees</b> 4:21<br>4:21,24 55:10<br>161:14 162:5<br>235:10,18<br>253:24 261:14<br>305:7<br><b>empowerment</b><br>8:8,11<br><b>EMS</b> 7:19<br><b>enact</b> 217:12<br>280:2<br><b>enacted</b> 233:12<br><b>encountered</b><br>299:7<br><b>encourage</b> 221:24<br>222:7<br><b>ended</b> 145:17<br><b>endorsed</b> 302:24<br><b>ends</b> 203:19 238:9<br><b>enforce</b> 200:3<br>229:7 305:19 | <b>enforcement</b><br>28:17 83:6,19<br>85:24 106:19<br>139:6 159:9<br>160:4<br><b>engaged</b> 23:9<br><b>engages</b> 213:3<br><b>engaging</b> 228:9<br><b>engulfed</b> 126:11<br><b>enhance</b> 5:24<br>26:19<br><b>enhanced</b> 13:22<br>176:7<br><b>enhancements</b><br>54:17 55:20<br><b>enjoy</b> 289:25<br><b>enlightened</b><br>318:13<br><b>enormous</b> 301:8<br><b>enrich</b> 317:7<br><b>enriched</b> 303:9<br>318:5<br><b>ensure</b> 147:20<br>205:17 210:5<br>217:12,17<br>235:23 245:12<br>266:18 322:18<br>356:20<br><b>ensures</b> 289:25<br><b>entail</b> 88:11,12<br>244:13<br><b>enter</b> 105:9<br><b>enterprise</b> 188:20<br>349:5<br><b>enthusiasm</b><br>239:11<br><b>entire</b> 65:8 168:11<br>200:5 201:9<br>247:15 280:18<br>315:23 347:14<br><b>entities</b> 49:11,13<br>185:17<br><b>entity-wide</b> 5:18<br><b>entrepreneurs</b><br>289:16<br><b>envelope</b> 286:5<br><b>environment</b> | 84:15<br><b>equality</b> 314:23<br><b>equally</b> 80:9<br><b>equipment</b> 6:25<br>135:21 139:13<br>277:25<br><b>equipment-wise</b><br>135:14<br><b>equipped</b> 303:24<br><b>Erika</b> 341:4<br>345:11<br><b>error</b> 298:20<br><b>errors</b> 6:5 44:21<br><b>escape</b> 284:22<br><b>escapes</b> 84:11<br>142:6<br><b>escorting</b> 68:23<br><b>especially</b> 128:4<br>131:10 146:25<br>184:12 234:9<br><b>essential</b> 104:9<br>301:12<br><b>essentially</b> 120:20<br>145:9 243:16<br><b>establish</b> 359:25<br><b>established</b><br>147:19 205:15<br>228:22 335:10<br>336:11 360:25<br><b>establishments</b><br>226:24 227:7<br><b>estate</b> 10:16,23<br>11:5,11,20<br>54:15,16 65:8<br>78:3 83:5 92:11<br>92:11 129:20,21<br>154:14 280:5<br>295:5 349:13<br>359:6<br><b>Estelle</b> 321:9<br>323:6<br><b>estimate</b> 24:13<br><b>estimates</b> 327:13<br><b>estimation</b> 328:9<br><b>et</b> 228:2 229:16<br>359:8<br><b>eternal</b> 39:12 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                           |                          |                          |                           |                           |
|---------------------------|--------------------------|--------------------------|---------------------------|---------------------------|
| <b>ethnicities</b> 161:14 | 145:15 173:14            | <b>expand</b> 20:24      | <b>extent</b> 57:12       | 254:7,9,14                |
| <b>ethnicity</b> 245:12   | 187:2                    | <b>expanded</b> 292:9    | <b>exterior</b> 359:7     | 281:12,18 282:6           |
| 268:9                     | <b>examples</b> 89:10    | <b>expanding</b> 187:19  | <b>external</b> 44:25     | 282:17 304:24             |
| <b>Eugene</b> 41:19       | 89:21                    | <b>expansion</b> 67:23   | 184:10 234:18             | 305:14 316:12             |
| 42:12                     | <b>exceed</b> 188:24     | <b>expect</b> 11:6 44:22 | 234:21                    | 328:15 344:22             |
| <b>evaluated</b> 359:3    | <b>exceeding</b> 168:14  | 131:21                   | <b>extra</b> 204:4        | <b>Fairmount</b> 327:6    |
| <b>evaluating</b> 18:21   | <b>exceeds</b> 215:9     | <b>expectation</b>       | <b>extracting</b> 297:15  | 327:18                    |
| <b>evaluation</b> 234:15  | <b>Excellence</b> 196:23 | 188:23                   | <b>extradition</b> 84:5   | <b>fairness</b> 18:7 56:6 |
| 253:20                    | 196:25 197:7             | <b>expecting</b> 268:7   | <b>extraordinarily</b>    | 56:8 61:18                |
| <b>evasion</b> 7:9,23     | <b>excellent</b> 302:17  | <b>expedite</b> 225:6    | 58:2                      | 275:23 310:16             |
| <b>evening</b> 122:14     | 304:15 344:18            | <b>expedited</b> 226:7   | <b>extremely</b> 11:17    | <b>fall</b> 177:21 186:10 |
| 147:6,14 214:2            | 344:19                   | <b>expenditure</b>       | 52:21 189:2               | 333:25                    |
| 214:2 270:19              | <b>exception</b> 143:21  | 277:14,18                | <b>eye</b> 55:19,22       | <b>falling</b> 319:7      |
| 271:11,14 273:2           | 232:25                   | <b>expenditures</b>      | <b>eyes</b> 221:23        | 346:5                     |
| 284:14,15                 | <b>excess</b> 70:20      | 234:12                   | <b>e-mail</b> 285:18      | <b>falls</b> 276:24 278:7 |
| 291:21,22 302:8           | <b>exchanged</b> 285:24  | <b>expense</b> 29:5      | <b>e-mailed</b> 279:12    | 278:22 289:24             |
| 316:19 321:13             | <b>excited</b> 205:10    | 305:12                   | <b>e-mails</b> 103:2      | 292:13                    |
| 321:14,17                 | 219:2                    | <b>expenses</b> 70:15    |                           | <b>families</b> 96:9      |
| 329:14 339:11             | <b>exclude</b> 301:19    | <b>expensive</b> 274:10  | <b>F</b>                  | 110:20 282:20             |
| 341:8 349:23              | <b>excuse</b> 43:12      | 327:15                   | <b>fabric</b> 300:11      | 325:18 334:4              |
| 350:2 361:16              | 316:20 318:23            | <b>experience</b> 31:20  | <b>face</b> 306:21        | <b>family</b> 133:14      |
| <b>evenly</b> 246:7,18    | 325:14 352:8             | 197:21 206:7             | <b>faced</b> 120:5,25     | 152:17 340:8              |
| <b>event</b> 279:10       | <b>execute</b> 119:7     | <b>experienced</b> 88:2  | <b>faces</b> 110:14       | 347:15,20                 |
| <b>events</b> 279:11      | <b>executing</b> 159:17  | 128:6                    | 232:17 233:9              | 348:16 353:13             |
| <b>eventually</b> 95:8    | <b>execution</b> 14:20   | <b>experiencing</b> 4:20 | <b>facilitate</b> 334:3   | 353:14,15,16              |
| 204:14                    | 153:15 224:16            | <b>experiment</b>        | <b>facilities</b> 7:21    | <b>fancy</b> 314:3        |
| <b>Everett</b> 67:15      | <b>executions</b> 223:11 | 312:22                   | 68:12 78:16               | <b>far</b> 35:15 80:16    |
| 133:23 135:11             | <b>executive</b> 161:18  | <b>expert</b> 250:10     | 241:13 317:13             | 94:25 118:24              |
| <b>everybody</b> 13:17    | 208:17 273:5             | <b>experts</b> 295:5     | <b>facility</b> 73:20,22  | 119:18 130:25             |
| 150:18 191:18             | <b>exemplary</b> 349:4   | <b>expired</b> 164:3     | 84:4 280:17               | 131:14 139:16             |
| 221:25 222:8              | <b>exempt</b> 49:11      | 219:13,19                | <b>facing</b> 56:2 57:23  | 171:9,13 214:4            |
| 271:9 290:20              | 233:4 246:10             | 233:18                   | 133:9 301:7               | 237:2 298:10,24           |
| 312:22 333:5              | 269:17                   | <b>expiring</b> 123:7    | <b>fact</b> 37:22 48:21   | 301:8 320:15              |
| <b>Everyday</b> 286:16    | <b>exempted</b> 60:22    | <b>explain</b> 157:6     | 50:19 61:10               | <b>farms</b> 349:4        |
| <b>evict</b> 118:16       | <b>exemption</b> 17:19   | 199:4 236:14             | 93:5 109:12               | <b>fast</b> 196:25        |
| <b>evicted</b> 348:16     | 18:11,19 20:4,5          | 325:20 359:11            | 114:16 146:7              | 228:20                    |
| <b>eviction</b> 119:5,7   | 20:12 21:8               | <b>explaining</b> 100:7  | 162:18 173:22             | <b>faster</b> 81:3,21     |
| <b>evidence</b> 207:20    | 315:13 349:11            | <b>explanation</b> 27:6  | 204:14 207:10             | 122:11                    |
| 298:11 362:4              | <b>exemptions</b> 19:9   | 28:4                     | 261:8 293:2               | <b>fast-forward</b>       |
| <b>exactly</b> 52:10      | 49:19                    | <b>explode</b> 38:20     | <b>factors</b> 74:12      | 15:10                     |
| 150:20 196:8              | <b>exercise</b> 152:15   | <b>explore</b> 107:6     | 185:5                     | <b>fatally</b> 294:24     |
| 337:15,19                 | 294:12                   | <b>explosive</b> 74:24   | <b>fail</b> 282:6         | <b>father</b> 141:15      |
| 356:10                    | <b>exist</b> 267:12      | <b>expressing</b> 352:20 | <b>fair</b> 15:13,16 16:4 | <b>Fattah</b> 239:9       |
| <b>examination</b>        | <b>existence</b> 333:18  | <b>extends</b> 53:12     | 49:14 50:12,14            | <b>favor</b> 250:12       |
| 43:14                     | <b>existing</b> 73:10    | <b>extension</b> 8:10    | 50:20 54:9                | 295:24 296:17             |
| <b>example</b> 22:10,12   | 210:19 267:3             | <b>extensive</b> 184:6   | 60:25 139:10              | 296:18                    |
| 24:11 43:8                | <b>exists</b> 298:11     | 290:22                   | 140:5,8 202:15            | <b>February</b> 293:8,9   |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| <b>federal</b> 121:18<br>186:2 218:5<br>252:25 333:3<br><b>fee</b> 29:4 88:10<br>89:7,12 227:24<br><b>feed</b> 14:3 124:15<br>333:6<br><b>feedback</b> 42:10<br>175:19<br><b>feel</b> 43:12 121:2<br>322:10 327:2<br>339:6 346:21<br>348:24 349:9<br>353:19<br><b>fees</b> 26:17 29:18<br>31:12 71:20<br>88:22 100:5<br>104:12,15,15,21<br>104:25 105:6<br>108:16 130:22<br>131:12 174:6<br>187:14<br><b>feet</b> 327:7,10<br><b>Feldman</b> 283:14<br>287:17,19<br><b>fell</b> 37:7 349:5<br><b>fellow</b> 287:18<br><b>felt</b> 345:13<br><b>female</b> 161:10,16<br>161:19 235:15<br>268:13 336:18<br>336:20<br><b>females</b> 140:3<br><b>Ferry</b> 57:18 64:9<br><b>fewer</b> 74:9<br><b>field</b> 192:10,15,17<br>192:21 210:12<br>292:24 293:19<br><b>fields</b> 318:20<br><b>Fifty-six</b> 261:17<br>262:3<br><b>Fifty-two</b> 187:9<br><b>fight</b> 303:2 304:20<br>308:19,25<br>350:10<br><b>fighting</b> 309:18<br>351:13 352:8 | <b>figure</b> 43:2 91:21<br>101:11,12<br>241:11 330:3<br>354:24 356:23<br>357:3<br><b>figured</b> 291:16<br><b>file</b> 27:11 89:6,7<br>132:2 245:16<br><b>filed</b> 153:11<br><b>files</b> 181:19<br><b>filing</b> 71:6 81:19<br>88:22 89:7<br>153:14 234:22<br><b>filings</b> 95:11<br><b>fill</b> 184:21 253:13<br>253:17,19<br><b>filled</b> 256:22<br><b>filling</b> 184:2<br>214:18<br><b>final</b> 153:14 231:2<br>247:14 292:25<br><b>finalize</b> 113:3<br><b>finally</b> 153:24<br>196:10 228:11<br>244:9<br><b>finance</b> 6:15<br>28:11 67:15<br>70:9 98:11<br>116:7 234:23<br>300:2<br><b>finances</b> 196:12<br><b>financial</b> 2:22 5:8<br>5:24 6:5 8:8,13<br>30:12 44:25<br><b>find</b> 7:6 9:16<br>35:13 44:6<br>50:21 53:23<br>75:13 108:16<br>121:5 129:12<br>131:10 171:14<br>171:23 228:5<br>264:12 266:20<br>267:11 282:3<br>294:5 330:9<br>331:5 336:8<br>342:21<br><b>finding</b> 17:10 | 252:3 336:3<br>348:5 357:12<br><b>findings</b> 294:11<br><b>finds</b> 360:9<br><b>fine</b> 149:6 172:24<br>174:17,18<br>255:10<br><b>finer</b> 187:14<br><b>fingertips</b> 170:4<br>200:15<br><b>finished</b> 121:23<br><b>finishes</b> 281:24<br><b>Fink</b> 158:16<br>180:17,19,21<br>181:15 182:10<br>185:21,22 186:5<br>206:7 207:6,8<br>218:25 228:24<br>229:2,17<br><b>fire</b> 7:19 126:10<br>209:5,10,10,12<br>209:18,19,22,25<br>210:2,7,14,17<br>210:20 211:3<br><b>firefighter</b> 311:20<br><b>firemen</b> 107:18<br><b>fires</b> 178:10<br>209:21 211:4<br><b>firm</b> 126:15<br><b>firms</b> 211:16,24<br>212:18,19<br><b>first</b> 3:13 10:12<br>15:20 23:20<br>40:9 64:25 65:5<br>66:25 80:21<br>86:20 90:8,11<br>91:11 98:23<br>100:11 112:19<br>114:9 118:3<br>134:23 154:3<br>155:21 162:15<br>218:10 235:20<br>237:23 238:24<br>239:12 271:20<br>283:17 289:21<br>306:11 309:21<br>310:9 328:6 | 332:6 334:8<br>335:12 339:18<br>341:10 347:22<br>353:9 355:16<br>357:25<br><b>firsthand</b> 205:20<br>318:2<br><b>fiscal</b> 2:12,15,17<br>2:23,25 4:7,14<br>76:24 77:2<br>158:19 232:4,18<br>233:13 274:12<br>277:7,9,17<br>317:5,10,15<br><b>fish</b> 113:12<br><b>Fishtown</b> 291:23<br><b>five</b> 2:22 5:21<br>30:4 123:14,24<br>125:6,22 170:18<br>194:2 212:19<br>246:9 259:16<br>260:2,7 277:9<br>280:6 313:19<br>317:22 348:25<br><b>five-year</b> 28:21<br>30:2 43:9,11<br><b>fix</b> 45:22 319:9<br><b>fixtures</b> 280:20<br><b>flag</b> 169:25<br>200:18<br><b>flailing</b> 322:7<br><b>flash</b> 85:17<br><b>flawed</b> 294:24<br>299:13<br><b>floated</b> 150:16<br><b>flood</b> 100:25<br><b>floor</b> 73:18 123:5<br>307:8,9,14<br>328:6 335:12<br>343:5<br><b>flow</b> 99:25<br><b>focus</b> 45:15 83:12<br>173:12 178:8<br>206:20 207:2<br><b>focused</b> 161:24<br>309:4<br><b>focuses</b> 163:21 | <b>focusing</b> 170:19<br>192:6 198:12<br><b>folded</b> 33:22,23<br><b>folk</b> 250:3<br><b>folks</b> 55:13 56:23<br>67:4 81:6,15<br>85:5,10 87:2<br>89:17 91:20<br>98:4 105:25<br>107:20 121:25<br>124:4 134:11,12<br>134:19 139:6<br>191:16 192:2<br>195:21 204:3<br>222:10 274:8<br>275:7 285:5<br>309:17 310:3<br>314:5,6,9<br><b>follow</b> 41:22<br>43:15 83:22<br>196:18 201:13<br>206:12 207:16<br>218:11 225:25<br>242:14 249:19<br>279:19 312:14<br>339:25<br><b>followed</b> 41:14<br><b>following</b> 42:11<br>143:7 199:13<br>280:7 360:23<br><b>followup</b> 34:21<br>35:11 140:15,15<br>152:6 155:8<br>203:15 209:14<br>218:24<br><b>follow-up</b> 7:10,18<br>248:24<br><b>food</b> 314:25<br><b>forbid</b> 102:6<br>103:5<br><b>force</b> 113:17<br>204:21 206:23<br>218:3<br><b>forced</b> 113:11<br>227:14 275:9<br>295:20 347:21<br>349:2 |
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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>forcing</b> 350:21<br>351:24                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>forward</b> 10:2 12:6<br>21:21 32:5 39:2<br>46:22 80:11<br>82:9 93:7 97:25<br>99:20 123:19<br>181:24 183:12<br>194:9 200:22<br>202:4 203:3<br>210:24 228:20<br>249:8 271:17<br>307:18                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>frequently</b> 112:24<br><b>fresh</b> 239:10<br><b>Friday</b> 206:17<br>278:7,19<br><b>friend</b> 239:7<br><b>Friends</b> 276:25<br>277:2 279:2<br><b>front</b> 11:15 30:17<br>52:18 105:15<br>125:23 136:2<br>144:8 335:15                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>funding</b> 72:15<br>95:10 107:3<br>163:22,24<br>164:21,25 165:2<br>165:2,4 232:21<br>234:8 237:13,17<br>237:20,25 238:8<br>318:25 319:4<br>322:18<br><b>fundraiser</b> 337:4<br><b>funds</b> 70:5 104:16<br>130:2 131:8,14<br>131:16 163:17<br>163:20,22 164:5<br>278:13 286:22<br>286:24 317:6,9<br>318:23 323:23                                                                                                                                                                                                                                                                                          | 307:22<br><b>games</b> 288:16<br><b>gap</b> 14:18 206:3<br><b>garden</b> 318:9<br>327:8<br><b>gas</b> 37:24 38:20<br>71:23 90:4<br>92:12 130:21<br><b>gathered</b> 325:18<br><b>gauge</b> 93:9<br><b>gear</b> 204:11<br><b>Gemmell</b> 272:13<br>283:15,17,22<br>284:3,8 291:14<br>308:4,16,18<br>312:4 320:22<br>321:5<br><b>gender</b> 245:12<br>268:8<br><b>general</b> 4:16<br>30:24 41:15,20<br>45:10,11,15<br>63:16 70:6<br>147:9 148:14<br>149:4 158:24<br>159:3,8,14<br>160:8 164:12<br>219:16 232:22<br>313:19 338:12<br><b>generally</b> 35:19<br><b>generate</b> 26:15<br>81:16 104:16<br>159:11 175:13<br><b>generated</b> 89:25<br>160:23<br><b>Generating</b> 9:5<br><b>generation</b> 279:3<br><b>generations</b> 38:4<br><b>generous</b> 301:14<br><b>gentlemen</b> 133:4<br>142:13 157:20<br>175:7 208:11<br><b>gentrification</b><br>53:19 54:6<br>55:24 56:10<br>57:13,16 58:7<br>58:12,14 63:22 |
| <b>foreclosed</b> 178:25<br><b>foreclosed</b> 119:20<br><b>foreclosure</b> 71:4<br>86:25<br><b>forefront</b> 37:21<br><b>foregoing</b> 362:7<br>362:19<br><b>foremost</b> 309:21<br><b>forensic</b> 41:16<br><b>foreseeable</b> 43:19<br>43:20<br><b>forever</b> 22:25<br>27:21 155:16<br><b>forget</b> 288:11<br><b>forgetting</b> 309:15<br><b>forgiveness</b> 51:3,5<br>53:9<br><b>form</b> 132:2,2<br>301:2 309:3<br>331:4<br><b>formal</b> 46:23<br>115:21 116:20<br>151:13<br><b>formalize</b> 157:15<br><b>formally</b> 135:4<br>140:17<br><b>format</b> 356:17<br><b>former</b> 41:18<br>67:17 106:19,23<br>162:22<br><b>formula</b> 25:6<br>359:22<br><b>formulas</b> 292:23<br>293:15 294:7<br>295:10,17<br>296:10 298:22<br><b>forth</b> 25:13 129:4<br>179:22 219:8<br><b>fortunate</b> 265:14<br><b>Fortunately</b><br>263:21<br><b>fortune</b> 44:10<br><b>forum</b> 307:20<br>355:17 | <b>forwarded</b> 172:15<br>199:25<br><b>found</b> 35:16,21<br>36:2,4 63:2<br>285:8 337:10<br>354:9 358:3,4<br><b>founded</b> 292:8<br>330:12<br><b>fountains</b> 277:25<br>279:17 280:19<br><b>four</b> 5:18 71:10<br>81:23 85:20<br>152:13 240:18<br>241:3 257:13<br>298:17<br><b>fourth</b> 218:11<br><b>Fox</b> 321:21<br><b>frame</b> 61:19<br><b>framework</b> 333:8<br><b>Francisco</b> 277:16<br><b>Frank</b> 65:3<br><b>Frankford</b> 330:24<br>330:24<br><b>Franklin</b> 289:20<br><b>frankly</b> 24:16<br>354:5<br><b>fraud</b> 6:21,23 9:2<br><b>free</b> 8:12 61:10<br>148:11 149:2<br>193:19 279:21<br>282:21 284:17<br>285:2,10 287:20<br>309:14 339:6<br><b>freed</b> 165:13<br><b>freeze</b> 316:9<br><b>freight</b> 43:18 | <b>front-loaded</b> 30:5<br><b>fruition</b> 350:20<br>352:24<br><b>frustrated</b> 289:5<br><b>frustrating</b> 17:13<br>128:5<br><b>frustration</b> 274:9<br><b>frustrations</b><br>42:17<br><b>fugitive</b> 83:9 85:2<br><b>fulfill</b> 70:7 197:9<br><b>full</b> 13:7<br><b>fully</b> 287:22<br>289:18 297:9<br>322:21 362:5<br><b>full-time</b> 161:8<br>334:8<br><b>function</b> 7:17<br><b>functionally</b><br>43:22<br><b>functioning</b><br>146:13 277:24<br>279:17 280:19<br><b>functions</b> 234:22<br><b>fund</b> 4:17 9:20<br>30:24 70:6,10<br>107:4 158:24,25<br>159:3,3,7,8,14<br>160:8 164:13<br>219:16 232:22<br>234:8 276:14<br>305:10 307:19<br>313:19 322:21<br><b>funded</b> 102:22<br>273:23 287:23<br>289:18 | <b>fundraiser</b> 337:4<br><b>funds</b> 70:5 104:16<br>130:2 131:8,14<br>131:16 163:17<br>163:20,22 164:5<br>278:13 286:22<br>286:24 317:6,9<br>318:23 323:23<br><b>furloughs</b> 340:11<br><b>further</b> 8:6 58:9<br>68:3 156:17<br>197:23 230:19<br>270:7 293:15<br>324:12<br><b>future</b> 58:11<br>92:14 137:15<br>169:23 219:24<br>233:11 279:8<br>307:16,19 324:2<br><b>FY</b> 158:22<br><b>FY12</b> 160:16<br>161:3<br><b>FY13</b> 159:15<br>160:17 211:22<br><b>FY14</b> 70:2 159:7<br>159:12 160:19<br>161:23 162:10<br>211:11 270:23<br>270:25 271:3<br><b>FY2013</b> 232:24<br><b>FY2014</b> 232:22 | <b>gain</b> 219:22<br><b>gained</b> 174:20<br><b>gaining</b> 220:13<br><b>Galperin</b> 302:8<br>302:13 305:4                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| 63:25 64:10<br>65:10 301:3,17<br>301:21<br><b>gentrified</b> 64:7<br><b>George</b> 349:19<br>350:3<br><b>getting</b> 27:22 28:2<br>56:11 75:4 81:2<br>91:19 122:18,21<br>130:11 137:3<br>139:17 144:16<br>163:6 182:2<br>186:20 190:5<br>202:14 250:25<br>252:8 303:6<br>354:14<br><b>Gillison</b> 67:15<br>70:9 133:23<br>135:11<br><b>gimmicks</b> 110:14<br><b>Girl</b> 318:8<br><b>girls</b> 94:19 103:8<br>227:6,13 230:4<br>230:4,7<br><b>give</b> 32:11 40:6<br>56:16 58:21<br>63:20 67:3<br>78:10 79:25<br>80:14 83:8<br>90:13 93:4<br>111:4,21 113:24<br>124:20 138:22<br>139:15 142:2<br>146:16 149:2<br>162:16 167:17<br>172:9,23 183:20<br>199:15 204:21<br>212:4 213:13<br>214:3,17 220:6<br>243:14 252:16<br>253:21 296:18<br>312:6 314:20<br>316:5 318:10<br>323:22 340:19<br>342:16 344:12<br>344:14 355:16<br><b>given</b> 60:3 82:6 | 135:3 320:17<br>356:16<br><b>gives</b> 113:3 226:7<br><b>giving</b> 62:8,12,17<br>62:19 156:19<br>190:21 263:25<br>276:15 347:12<br>349:13<br><b>glad</b> 103:15<br>218:16 223:7<br>296:20<br><b>glasses</b> 329:21<br><b>GMAP-221</b><br>327:12<br><b>GMAs</b> 298:14<br><b>go</b> 19:14 20:16<br>21:20 24:6,10<br>30:20,25 31:10<br>32:7,22 33:7,21<br>34:7 40:3,22<br>44:19 58:6,8<br>64:22,24 78:19<br>80:24 84:2,3,6<br>85:21 96:6 99:6<br>99:7 101:15<br>105:17,25<br>110:12 113:4<br>116:17 118:18<br>119:8 120:3<br>129:24 131:14<br>136:22 137:23<br>138:24 139:4,6<br>146:3 152:11<br>163:7 171:7<br>179:16 184:21<br>188:18 194:11<br>195:3 200:4<br>202:12 209:18<br>210:3,17 214:3<br>215:13 218:10<br>218:12 220:6<br>222:20 253:6,23<br>254:6,12 261:5<br>263:6,12 264:3<br>326:13 330:19<br>330:22 331:11<br>335:11 336:8 | 341:9 344:4,5<br>344:10 348:6<br>351:20 354:8,11<br><b>goal</b> 8:24 16:20<br>77:9 160:19<br>211:11 301:16<br><b>goals</b> 194:24<br><b>God</b> 86:5 102:6<br>103:5<br><b>goes</b> 21:2 42:12<br>78:3 108:7<br>112:18,19<br>128:22 130:20<br>179:10 204:24<br>333:21 335:7<br>354:15<br><b>going</b> 2:3 14:2<br>21:19 22:21<br>36:25 38:25<br>39:4 40:13 42:6<br>42:7 45:14<br>52:12 54:5 55:3<br>60:22 64:3<br>76:23 83:21<br>84:20 108:11<br>110:7 114:16,23<br>118:15 120:13<br>120:20,23 125:2<br>126:4,17 127:10<br>134:21,22,23<br>138:15 139:18<br>139:19 142:18<br>144:13,14<br>150:22 156:24<br>157:15 163:7<br>175:13 176:2,11<br>176:24 178:8,16<br>180:10,16 182:5<br>183:16 186:15<br>191:8,25 192:17<br>193:25 194:8,11<br>194:19 198:16<br>201:13 202:17<br>206:6,12 213:9<br>215:23 217:2<br>219:23 221:3<br>222:5 223:20 | 232:5 235:3<br>240:6,17 244:13<br>255:6,15 257:19<br>270:19 272:10<br>272:10 282:9,25<br>291:16 310:3<br>311:6 312:10<br>313:2,5,8<br>314:19 325:3,8<br>326:7 331:25<br>336:23 337:8<br>342:19,21<br>343:21 344:15<br>344:24 345:23<br>350:8 351:18,20<br>351:23,25<br>352:18,19<br>353:25 354:11<br>354:17 355:4,5<br>355:20,20,25<br><b>Gonzalez</b> 246:24<br><b>good</b> 2:2 3:17,19<br>15:6,7 18:3 32:9<br>35:6 42:4 44:9<br>44:23 56:18<br>59:3 60:14,17<br>60:19 66:14,15<br>66:20 82:12<br>86:16,17 97:2,3<br>97:8 104:5,6<br>133:4,5 142:19<br>142:20 148:7<br>154:18 158:6,10<br>168:22,23<br>174:23 175:7,8<br>175:19 176:15<br>176:16 178:15<br>178:15 180:19<br>182:11 188:16<br>194:15 200:23<br>208:11 213:17<br>213:18 218:2<br>225:17,18 226:9<br>226:15,16<br>230:25 231:8,16<br>231:18 232:8<br>235:19 239:5,7 | 239:8 240:13<br>255:2,12,20,22<br>270:18 272:25<br>276:22 284:13<br>284:15 291:20<br>291:22 302:8<br>305:19 316:19<br>320:2 321:12,14<br>321:17 322:10<br>329:11,13<br>334:14 339:11<br>339:14,15 341:7<br>347:18,19 348:4<br>349:23,25<br><b>Goode</b> 1:11 15:3<br>15:4,9,25 16:14<br>16:22 17:17<br>18:5,9,17,23<br>19:10,13,20<br>20:6,14,18,22<br>21:5,12,20,24<br>46:19,20 47:10<br>47:16,20,22<br>48:2,7,11,16,20<br>49:4,18 50:5,15<br>51:12 52:3 57:8<br>57:9 58:4,23<br>59:5,11,14,23<br>60:13 61:12,22<br>62:11,16,23<br>64:12 259:6,7<br>259:13,17,21,25<br>260:6,10,22<br>261:4,13,20,25<br>262:7,11,15,19<br>262:24 263:5,10<br>263:24 264:8,13<br>264:17,22<br>265:21 266:2,8<br>266:13,17,23<br>267:19,24<br><b>Goode's</b> 53:22<br>188:9,12<br><b>goodness</b> 154:4<br><b>Goodwin</b> 271:22<br>290:25 292:2<br><b>Gordon</b> 246:23 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>gotten</b> 36:23<br>203:22 243:4<br>286:10                                                                     | 195:10,25<br>197:22 202:4<br>209:17 223:21<br>256:24 278:12<br>312:11,24                                                                                                                                                                                                                                                                                                                                                 | <b>group</b> 78:5 108:3<br>108:4 250:2<br>278:8 283:17,25<br>305:6 330:11<br>357:6                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Halcom</b> 194:8,15<br>194:16,20,23<br>195:6                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 205:8 207:3<br>211:4 352:6,7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>government</b> 9:3<br>9:19 132:14<br>184:19 202:22<br>239:9 295:14<br>330:21 333:3<br>342:3,3 345:25<br>346:13 | <b>greater</b> 63:15<br><b>greatest</b> 187:2<br>246:2<br><b>greatly</b> 32:12<br>86:23 87:5<br>317:6                                                                                                                                                                                                                                                                                                                    | <b>groups</b> 19:18<br>298:3<br><b>grow</b> 138:20<br>315:12<br><b>growing</b> 227:5<br>303:8<br><b>growth</b> 317:18<br><b>guard</b> 321:19<br>323:7                                                                                                                                                                                                                                                                                                                                          | <b>half</b> 43:23 173:21<br>304:8 310:6<br><b>Hall</b> 1:6 69:20<br>143:12 234:25<br>335:12 361:21<br><b>hamstrung</b> 297:8<br><b>hand</b> 193:24<br>313:2 314:14<br>319:4 327:11<br>359:3                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>happens</b> 92:2<br>107:12 112:24<br>118:7 155:20,20<br>209:14 258:7<br>281:16                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Governor</b> 37:20<br>44:10 282:8                                                                              | <b>greed</b> 305:14                                                                                                                                                                                                                                                                                                                                                                                                      | <b>guards</b> 324:14,19<br>325:6 326:10                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>handful</b> 264:20                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>hard</b> 5:3 96:19<br>162:5 220:12<br>221:21 236:3<br>260:17 309:2<br>315:22 330:3,9                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>governorship</b><br>44:11                                                                                      | <b>Greenlee</b> 1:12<br>168:19,20,24<br>169:8 170:13<br>171:8,19 172:6<br>172:19 173:8,25<br>174:14,22<br>182:15 189:7<br>190:2 194:18,21<br>196:21 197:25<br>203:5,9 208:7<br>215:15 220:22<br>221:8,12 224:19<br>230:17,24 231:8<br>231:18 236:6,24<br>237:11 238:10<br>238:21 240:12<br>242:5 245:6<br>249:14 254:18<br>255:9,14,22<br>256:3,11,18<br>257:10 258:19<br>258:24 259:4<br>260:15 268:3<br>269:7 270:5,12 | <b>guess</b> 30:15 50:5<br>63:23 65:7,12<br>133:7 145:13<br>190:9,13 254:24<br>338:21<br><b>guidance</b> 31:15<br><b>Guide</b> 9:5 10:10<br><b>guidelines</b> 271:6<br>290:19<br><b>gun</b> 83:11 136:4<br><b>guns</b> 105:12<br>107:24<br><b>guy</b> 342:11<br><b>guys</b> 32:11 85:9<br>92:17 94:19<br>103:8 108:15,16<br>117:21 122:5<br>134:13 136:7<br>141:18,25<br>142:23 175:24<br>186:24 202:13<br>202:19 239:23<br>281:22<br><b>Guyton</b> 329:8<br>339:11,15,16<br><b>Gwen</b> 308:7 | <b>handheld</b> 191:24<br>192:8 193:13<br><b>handicap</b> 242:11<br>242:16<br><b>handle</b> 109:19<br>126:25 185:24<br>265:5<br><b>handled</b> 263:20<br><b>handles</b> 265:2<br><b>handout</b> 319:3<br><b>hands</b> 25:12<br>56:17 315:22<br>348:13<br><b>hang</b> 83:15<br><b>Hansen</b> 160:10<br><b>happen</b> 108:4<br>110:2 123:16<br>196:11 204:16<br>223:16 240:6<br>291:16 304:16<br>304:17 312:10<br>350:11 352:22<br>353:12 355:3,5<br><b>happened</b> 13:19<br>16:13 52:7<br>69:22 94:24<br>97:14,20 109:3<br>116:10,11,12<br>143:23 182:21<br>312:9 352:21<br><b>happening</b> 57:19<br>57:20 123:2<br>137:7,8 157:7 | <b>happy</b> 10:4 23:6<br>44:13 162:11<br>187:18<br><b>hard</b> 5:3 96:19<br>162:5 220:12<br>221:21 236:3<br>260:17 309:2<br>315:22 330:3,9<br><b>harder</b> 177:13<br><b>Harris</b> 349:19,23<br>350:3,4 352:17<br>353:3 355:2<br>356:3,6,12<br><b>Harrisburg</b> 44:16<br>96:15,18 304:21<br><b>Harvey</b> 4:3<br><b>haul</b> 118:25<br><b>hauling</b> 265:11<br><b>HAVA</b> 232:20<br>234:7 237:13,24<br><b>havoc</b> 138:5<br><b>head</b> 114:25<br>132:19 183:6<br>190:4 246:13<br><b>headed</b> 267:17<br><b>heads</b> 183:18<br>225:14 228:25<br>249:25<br><b>health</b> 294:14<br><b>Healthcare</b><br>309:10<br><b>hear</b> 84:18 195:20<br>200:25 212:23<br>223:8 240:9<br>248:20 260:17<br>270:24 353:9<br>355:21<br><b>heard</b> 77:13 87:20<br>191:16 352:2,3<br>352:5 353:10 |
| <b>Governor</b> 37:20<br>44:10 282:8                                                                              | <b>greeted</b> 288:4<br><b>greetings</b> 285:24<br>287:17<br><b>Greg</b> 255:11<br><b>Gregory</b> 256:6<br><b>grew</b> 57:22<br>284:18<br><b>grieving</b> 306:17<br><b>ground</b> 50:22<br>185:7 320:4<br>346:6                                                                                                                                                                                                          | <b>H</b><br><b>Haigler</b> 213:12,17<br>213:19 214:13<br>215:2,5,14                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |



|                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>hearing</b> 2:4 27:7<br>91:7 99:4 116:3<br>124:23,24 144:5<br>229:20 230:10<br>271:17 290:5<br>316:22 334:16<br>355:17 361:15                                                                                                                                              | 317:17 318:11<br>318:12 328:14<br>330:20 331:17<br>339:20 345:17                                                                                                                                                                                                                                  | <b>highlights</b> 216:18<br><b>highway</b> 122:10<br><b>high-standing</b><br>314:3                                                                                                                                                               | 152:25<br><b>homemaker</b><br>274:19,24                                                                                                                                                                                      | 336:17 338:22                                                                                                                                                                                                                                            |
| <b>hearings</b> 51:18<br>137:18 143:22<br>154:12 227:21<br>293:17 333:9                                                                                                                                                                                                       | <b>helped</b> 28:9,10,11<br>225:5 239:13<br>317:7,11                                                                                                                                                                                                                                              | <b>hikes</b> 301:8<br><b>HIL</b> 191:11 219:8<br>220:9                                                                                                                                                                                           | <b>homeowner</b> 64:16<br>308:22 346:9                                                                                                                                                                                       | <b>hopes</b> 14:19<br><b>hoping</b> 39:10<br>188:24 331:13                                                                                                                                                                                               |
| <b>heart</b> 119:17<br>327:14 330:12<br>331:23 347:19<br>351:6                                                                                                                                                                                                                | <b>helpful</b> 12:6 55:11<br>55:25 117:22<br>127:17 188:4<br>207:9 238:16<br>242:25                                                                                                                                                                                                               | <b>hills</b> 87:12<br><b>hindsight</b> 64:22<br><b>hint</b> 343:12                                                                                                                                                                               | <b>homeowners</b><br>49:16 282:19<br>311:3,5 357:7<br>359:14                                                                                                                                                                 | <b>Hornstein</b> 4:6<br>17:24 18:3,12<br>18:18,20 19:4<br>19:12,16 20:2<br>48:13                                                                                                                                                                         |
| <b>heartache</b> 345:19<br><b>hearts</b> 289:4<br><b>heart-breaking</b><br>288:12                                                                                                                                                                                             | <b>helping</b> 108:2<br>186:19 244:20<br>276:16 278:7<br>327:10                                                                                                                                                                                                                                   | <b>hire</b> 28:23 102:13<br>102:23 159:9<br>193:18 342:24                                                                                                                                                                                        | <b>homes</b> 77:23<br>152:11 274:3,5<br>274:25 275:16<br>275:22 294:20<br>298:17 299:13<br>300:9 327:6,14<br>327:17,22,24<br>328:2,3,16<br>348:6                                                                             | <b>Hort</b> 277:3<br>278:10<br><b>hospitals</b> 350:16<br><b>hour</b> 134:16<br>140:17,18 205:5<br>243:18                                                                                                                                                |
| <b>heating</b> 328:7<br><b>heavily</b> 112:4<br><b>heavy</b> 307:9,11<br><b>heightened</b><br>143:24                                                                                                                                                                          | <b>helps</b> 74:23 81:6<br>81:20 222:6<br>224:5                                                                                                                                                                                                                                                   | <b>hired</b> 161:14<br>193:16 263:22<br>340:18                                                                                                                                                                                                   | <b>homestead</b> 17:19<br>18:11,19 19:8,8<br>19:11,23 20:12<br>20:20 21:7 54:6<br>55:24 56:9<br>65:11 315:12<br>349:11                                                                                                       | <b>hours</b> 94:22<br>123:24 203:16<br>205:2,23 206:10<br>206:16,18,23<br>214:3 253:5<br>286:23 300:8                                                                                                                                                    |
| <b>held</b> 70:23 99:4<br>129:22 130:10<br>235:21                                                                                                                                                                                                                             | <b>Henon</b> 1:12<br>186:22 190:6,7<br>190:25 191:5,15<br>193:10,23 194:5<br>195:5,9,14,18<br>196:19,22<br>197:22 201:14<br>203:7,8 220:24<br>220:25 221:10<br>221:14 222:14<br>223:7 224:15                                                                                                      | <b>historical</b> 63:21<br>279:20 327:20<br><b>historically</b><br>273:25 274:7                                                                                                                                                                  | <b>homework</b><br>285:19<br><b>honest</b> 183:4<br><b>honor</b> 232:10<br><b>honorable</b> 158:12<br>334:6                                                                                                                  | <b>house</b> 51:2 57:22<br>82:15 91:25<br>112:19 113:23<br>117:18,23 191:9<br>230:7 339:17<br>340:5 350:25                                                                                                                                               |
| <b>hell</b> 352:9<br><b>Hello</b> 281:2 323:5<br>326:18 345:10                                                                                                                                                                                                                | <b>Henon's</b> 27:7<br>198:18                                                                                                                                                                                                                                                                     | <b>hit</b> 196:7 201:15<br><b>hoarding</b> 314:15<br><b>hoc</b> 8:20 151:11<br><b>hold</b> 6:18 122:3,5<br>124:14 129:25<br>199:10 212:16<br>285:3 312:10<br>346:5                                                                               | <b>honored</b> 273:11<br><b>hood</b> 110:18<br><b>hook</b> 122:19<br>283:5                                                                                                                                                   | <b>housing</b> 95:15<br>166:19 273:24<br>274:21 327:8<br>336:13,15,18,19                                                                                                                                                                                 |
| <b>helm</b> 79:22<br><b>help</b> 5:7,12 9:25<br>56:23 58:20<br>65:15 70:7<br>84:23 97:17<br>102:7,8 116:18<br>119:13 132:13<br>139:9 191:25<br>210:10 214:7,12<br>214:19,21<br>220:17 232:20<br>235:4 236:19<br>237:9 238:17<br>250:13 275:15<br>275:19 285:19<br>286:2 304:5 | <b>heritage</b> 143:5<br><b>hesitation</b> 61:17<br><b>high</b> 14:19 27:18<br>27:23 33:8,12<br>56:2 167:21<br>216:14 303:20<br>303:22 306:14<br>323:8 326:4<br>348:15<br><b>higher</b> 358:8<br><b>highest</b> 30:11<br>211:12 301:19<br><b>highlight</b> 287:22<br><b>Highlighted</b><br>159:18 | <b>holding</b> 68:23<br>121:23<br><b>home</b> 71:4 78:22<br>274:10,16,17<br>275:12,17<br>326:22 327:4,12<br>328:8 348:10,15<br>348:19<br><b>homeland</b> 139:4<br><b>homeless</b> 77:19<br>79:2,4,4 80:13<br>82:17 107:11<br><b>homelessness</b> | <b>hope</b> 31:22 35:11<br>39:11 134:21<br>141:11 169:22<br>170:12 172:16<br>222:9 224:7<br>228:16 349:9<br><b>hopeful</b> 227:22<br><b>hopefully</b> 14:10<br>30:21 31:17<br>135:18 170:16<br>175:11 244:6<br>276:15 331:25 | <b>HR</b> 197:2,13<br><b>huge</b> 97:24<br><b>human</b> 227:5<br><b>humongous</b> 205:7<br><b>hundred</b> 48:23<br>50:7 60:14,15<br>60:23 342:16,17<br>347:15<br><b>hundreds</b> 281:12<br>288:14 310:24<br><b>hungry</b> 290:4<br><b>hurt</b> 134:22,23 |

|                          |                         |                          |                           |                           |
|--------------------------|-------------------------|--------------------------|---------------------------|---------------------------|
| <b>husband</b> 326:21    | 210:22 241:9            | <b>improper</b> 298:12   | 285:13 309:9              | <b>indicating</b> 27:11   |
| <b>hypothesis</b> 206:6  | 292:16 353:23           | <b>improve</b> 5:13 6:2  | <b>inclusive</b> 2:13     | <b>indication</b> 220:7   |
| <b>I</b>                 | 354:16                  | 6:18 9:10 53:10          | <b>income</b> 64:21       | 337:19                    |
| <b>ID</b> 239:18         | <b>immigrant</b>        | 69:7 169:18              | 98:7 282:25               | <b>indignity</b> 289:11   |
| <b>idea</b> 40:6 41:25   | 285:14                  | 170:11 209:24            | 301:15,18,19              | <b>Indira</b> 197:12      |
| 44:14 60:10              | <b>impact</b> 19:5,22   | 210:10,23 235:4          | 314:23 334:25             | <b>individual</b> 64:15   |
| 79:21,25 87:19           | 50:19 52:10,11          | 348:9                    | <b>inconvenience</b>      | 145:11 152:18             |
| 146:22 179:11            | 59:4 60:9 63:7          | <b>improved</b> 28:15    | 191:18                    | 170:2 222:20              |
| 198:25 199:16            | 64:11 73:11             | 36:18 121:10             | <b>incorporating</b>      | 247:21,24                 |
| 216:9 217:5              | 174:9 242:25            | 172:13                   | 2:24                      | 250:19 298:25             |
| 237:18 281:6             | 286:14                  | <b>improvement</b>       | <b>increase</b> 4:18 6:11 | 358:17 359:19             |
| 313:23                   | <b>impacted</b> 8:17    | 36:6 130:13              | 28:25 30:23,24            | <b>individuals</b> 13:21  |
| <b>ideal</b> 120:6       | 50:3 53:14              | 317:18 320:8             | 30:25 53:24               | 14:5 144:10               |
| <b>identical</b> 127:4   | 187:22 286:17           | <b>improvements</b>      | 70:3,15 73:12             | 147:20 199:11             |
| <b>identified</b> 6:5    | 325:7 356:21            | 237:4                    | 75:14,17,17               | 243:4 271:20              |
| 267:2 334:22             | 357:11                  | <b>improving</b> 10:13   | 76:11 77:3,10             | <b>industry</b> 226:8     |
| <b>identify</b> 9:17     | <b>impacting</b> 120:9  | 159:16 161:24            | 80:6 104:12,15            | 228:12 292:21             |
| 13:20 177:21             | <b>impede</b> 240:19    | 234:18 348:14            | 105:5,6 108:19            | 293:24 294:2              |
| 179:6 184:16             | <b>impediments</b>      | <b>inability</b> 11:16   | 232:25 233:3              | <b>inefficiencies</b> 7:5 |
| 200:6 210:4,12           | 113:8                   | <b>inaccuracy</b> 17:13  | 235:15 277:18             | 125:24                    |
| 220:4,11 221:22          | <b>impetus</b> 64:4     | <b>incident</b> 13:13,18 | 280:13                    | <b>inefficiency</b> 9:2   |
| 231:10 233:14            | <b>implement</b>        | 37:5 102:7,11            | <b>increased</b> 6:7      | <b>inflated</b> 327:3     |
| 332:2                    | 311:10                  | 103:6 109:2              | 76:25 100:6               | <b>influenced</b> 323:15  |
| <b>identifying</b> 7:4   | <b>implementation</b>   | 123:15 143:23            | 188:22 211:15             | <b>influx</b> 216:21      |
| 8:25 14:17               | 160:12 229:12           | <b>incidents</b> 14:4    | 234:13 281:7              | <b>info</b> 359:5         |
| 209:20 267:5             | <b>implemented</b>      | 84:11 86:6               | 299:9 328:8               | <b>informant</b> 110:16   |
| <b>ideological</b> 29:12 | 159:19 187:5            | 109:4 118:13,20          | <b>increases</b> 57:23    | <b>information</b>        |
| <b>ignored</b> 299:21    | 195:2 235:10            | 142:5 144:18             | 67:19 234:3               | 12:23 16:8                |
| <b>II</b> 102:20         | 251:10                  | <b>include</b> 10:16     | 251:5 314:10              | 22:12,14 23:19            |
| <b>illegal</b> 180:11    | <b>implementing</b>     | 11:9 18:13 20:4          | 348:9 358:19              | 23:25 24:12,15            |
| 216:14,18                | 311:16                  | 33:2 233:22              | <b>increasing</b> 68:4    | 24:20 26:2                |
| 217:20                   | <b>implements</b> 229:7 | 244:7 247:10             | 104:24 122:20             | 28:13 32:10               |
| <b>illegally</b> 118:22  | <b>implore</b> 322:21   | 249:21 296:9             | 232:17 234:2              | 78:10,21,25               |
| 216:22 220:5             | <b>importance</b> 223:3 | 301:18                   | 265:16 286:22             | 83:2 91:19                |
| 222:2                    | 279:4 317:25            | <b>included</b> 6:22     | <b>incur</b> 98:7         | 93:13,17 124:20           |
| <b>illness</b> 152:20    | <b>important</b> 23:11  | 18:11 34:3               | <b>incurred</b> 233:21    | 138:2 166:14              |
| <b>illusions</b> 278:16  | 30:9 76:12 80:6         | 115:17 247:14            | <b>Independence</b>       | 167:5,6,14                |
| <b>imaged</b> 181:20     | 97:13 104:11            | 301:21                   | 279:20                    | 169:22 170:3,10           |
| <b>imagine</b> 134:10    | 106:19,21,22            | <b>includes</b> 4:16     | <b>independent</b> 17:2   | 170:23 171:4              |
| 134:15 140:23            | 185:6,7 248:24          | 68:16 159:12,18          | 43:14 47:15               | 172:8,14,17               |
| 246:23                   | 250:6 271:16            | 163:22 219:5             | 273:6 295:4,18            | 179:20,21                 |
| <b>imitating</b> 239:5   | 284:5 286:13            | 252:23                   | 296:15                    | 181:16,22                 |
| <b>immediate</b> 106:15  | 322:13 340:18           | <b>including</b> 19:7    | <b>independently</b>      | 183:22 192:22             |
| 109:25 173:13            | 345:13                  | 67:25 69:8               | 42:22                     | 199:24 200:10             |
| <b>immediately</b>       | <b>importantly</b> 9:15 | 159:8 218:7              | <b>indicated</b> 12:16    | 200:14 201:6              |
| 13:20 172:18             | 87:2 307:13             | 230:6 234:22             | 34:25                     | 207:11 210:9,15           |
|                          | <b>impose</b> 208:2     | 236:12 252:13            | <b>indicates</b> 12:24    | 212:3,15 214:4            |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 214:15,17<br>225:24 238:16<br>270:25 292:24<br>295:8 296:7<br>297:15 300:16<br><b>informed</b> 338:23<br>343:9 344:16<br><b>informs</b> 96:5<br><b>infrastructure</b><br>28:22 34:9<br>37:22 38:18<br>166:6 175:12<br>319:11 320:14<br><b>Infrequently</b><br>212:23<br><b>initial</b> 215:8<br><b>initiate</b> 88:25<br><b>Initiative</b> 358:12<br>360:6<br><b>initiatives</b> 80:2,16<br><b>injuries</b> 331:9<br><b>injustice</b> 57:19<br><b>inmate</b> 84:2<br>124:18<br><b>inmates</b> 122:18<br><b>Inn</b> 276:25 278:21<br>279:2<br><b>innovative</b> 101:14<br>276:11 346:16<br><b>input</b> 67:20 82:25<br>242:19<br><b>Inquirer</b> 27:15<br><b>inside</b> 106:7,8,10<br>109:23 119:16<br><b>inspect</b> 185:14<br>186:4 226:11<br><b>inspected</b> 160:22<br><b>inspecting</b> 174:4<br><b>inspection</b> 98:23<br>120:16,17 158:3<br>158:9,22 170:24<br>173:18,19<br>205:23 226:5,7<br><b>inspections</b><br>158:14 161:4,5<br>180:23 187:7<br>192:10 193:7,7 | 204:22 209:25<br>213:22 218:17<br><b>inspector</b> 185:4<br>220:10 226:4,6<br><b>inspectors</b> 37:16<br>159:10 170:22<br>179:16 184:7,12<br>192:2,7,14<br>207:4 209:18,25<br>210:11 226:2<br><b>inspects</b> 35:25<br><b>inspire</b> 318:11<br><b>installed</b> 33:11<br><b>instance</b> 74:17<br>106:3 124:7<br>147:18<br><b>instances</b> 121:14<br>128:3 149:24<br>152:11 153:23<br><b>instituted</b> 74:25<br><b>instituting</b> 69:12<br><b>instructions</b><br>24:25<br><b>intake</b> 331:3<br><b>integral</b> 77:16<br>85:23<br><b>intelligence</b> 225:2<br><b>intensely</b> 339:25<br><b>intensifying</b> 74:9<br><b>intents</b> 45:3<br><b>interact</b> 171:22<br><b>interacted</b> 337:2<br><b>interacting</b> 77:21<br><b>interaction</b><br>169:10 171:12<br>222:16<br><b>interchange</b><br>326:5<br><b>interest</b> 25:24<br>76:3 126:20<br>305:19<br><b>interested</b> 14:12<br>45:10 92:24<br>126:17 127:12<br>147:23<br><b>interesting</b><br>116:23 123:18 | 187:21<br><b>interest-bearing</b><br>301:10<br><b>interface</b> 178:24<br>209:9<br><b>interfacing</b><br>178:18<br><b>Intergovernme...</b><br>3:3,5<br><b>interior</b> 129:9<br>359:7<br><b>internal</b> 5:19,25<br>184:9 234:19<br><b>Internally</b> 235:7<br><b>International</b><br>162:3 184:11<br><b>interpretation</b><br>53:12<br><b>interpreter</b><br>235:19<br><b>intersection</b><br>321:20 322:3<br><b>intersections</b><br>323:9<br><b>intimidate</b> 225:8<br><b>intimidated</b> 75:6<br>75:22<br><b>intimidation</b><br>75:14 76:4<br>109:12<br><b>intrigued</b> 190:17<br><b>introduce</b> 292:5<br>308:15<br><b>introduced</b> 41:13<br>71:5 226:21<br>289:21<br><b>inventory</b> 33:18<br>97:24 166:7<br><b>invest</b> 30:16,17<br>345:20<br><b>invested</b> 311:25<br><b>investigate</b> 293:5<br><b>investigated</b> 6:21<br>13:4<br><b>investigating</b><br>118:14<br><b>investigation</b> | 29:11 118:21<br><b>investigators</b><br>138:8<br><b>investing</b> 314:16<br><b>investment</b> 28:20<br>30:2,21 31:5,6,8<br>36:6 38:19<br>60:11<br><b>investments</b> 42:6<br>175:12 312:13<br>327:25<br><b>investor</b> 27:19<br><b>investors</b> 60:11<br>221:18 281:14<br><b>invisible</b> 331:8<br><b>invite</b> 196:7<br><b>invited</b> 289:3<br><b>invites</b> 96:4<br><b>invoke</b> 186:19<br><b>involved</b> 47:7,8<br>120:19 139:12<br>218:5 221:23<br>223:23 263:23<br>264:18,24 265:4<br>265:6,22 266:3<br>266:9<br><b>involves</b> 23:4<br>38:17<br><b>involving</b> 6:24<br><b>in-depth</b> 229:22<br><b>in-service</b> 137:23<br><b>irate</b> 137:25<br><b>Ireland</b> 348:12<br><b>Irish</b> 342:11<br><b>ironically</b> 348:12<br><b>Irving</b> 255:12,20<br>255:24 256:6,6<br>256:13<br><b>issue</b> 5:12 11:13<br>30:12 37:21<br>49:17 63:25<br>69:22 83:11<br>108:14,14<br>109:11 110:11<br>113:11 119:11<br>120:23 130:14<br>138:18 143:8 | 145:2,6 156:19<br>173:15 186:23<br>192:15 193:2<br>200:19 207:24<br>221:17 223:6<br>224:24 230:6<br>250:11 254:21<br>262:20,25<br>314:23 359:19<br><b>issued</b> 9:4 46:10<br>161:3 220:8<br>227:20 294:8<br>359:5<br><b>issues</b> 9:13 24:8<br>35:22 50:22<br>51:9 88:5 97:11<br>117:20 134:12<br>135:23 141:16<br>174:7 180:5,9<br>205:12 207:2<br>217:4 222:22,25<br>298:19,25 299:2<br>333:6 353:20<br><b>item</b> 126:5 228:19<br><b>items</b> 105:7,8<br>107:8,10,12<br>197:5<br><b>ivory</b> 338:25<br><b>i.e</b> 145:20 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

---

| J                        |  |  |  |  |
|--------------------------|--|--|--|--|
| <b>Jack</b> 41:16        |  |  |  |  |
| <b>jack-lay</b> 206:14   |  |  |  |  |
| <b>jail</b> 69:3 84:3    |  |  |  |  |
| 122:6 353:16             |  |  |  |  |
| <b>James</b> 1:14 329:7  |  |  |  |  |
| 329:16                   |  |  |  |  |
| <b>jammed</b> 355:20     |  |  |  |  |
| <b>JANNIE</b> 1:11       |  |  |  |  |
| <b>January</b> 3:8       |  |  |  |  |
| 357:8                    |  |  |  |  |
| <b>Jeff</b> 4:6 17:22,23 |  |  |  |  |
| 18:25                    |  |  |  |  |
| <b>Jefferson</b> 37:6    |  |  |  |  |
| <b>Jerry</b> 4:3         |  |  |  |  |
| <b>Jewell</b> 66:22      |  |  |  |  |
| 72:20                    |  |  |  |  |

|                          |                          |                           |                           |                       |
|--------------------------|--------------------------|---------------------------|---------------------------|-----------------------|
| <b>Jill</b> 291:23       | 94:15,23 95:18           | <b>July</b> 31:24         | <b>KENYATTA</b>           | 57:17 62:6            |
| <b>Jim</b> 331:21        | 95:21 96:12,21           | <b>jump</b> 83:15         | 1:13                      | 65:22 72:6 79:6       |
| <b>job</b> 4:9 14:15     | 103:23 111:10            | <b>June</b> 12:3,5 31:24  | <b>kept</b> 225:8 293:2   | 85:8 87:13            |
| 27:16 28:14              | 143:11 144:14            | 68:2 69:15 73:3           | 326:24                    | 89:11 95:23           |
| 102:2 103:11             | 182:17,18,25             | 80:25 108:22,23           | <b>Kevlar</b> 123:9,10    | 97:13,24 102:16       |
| 121:19 154:18            | 183:9,16,23              | 140:21 201:11             | 135:17                    | 105:25 106:13         |
| 162:17 235:7             | 184:25 185:11            | <b>junkyards</b> 215:21   | <b>key</b> 194:24 196:14  | 112:10 117:20         |
| 286:13 294:5             | 186:3,12 187:20          | <b>jurisdiction</b>       | 215:24                    | 117:21 119:3,25       |
| 314:5 338:14             | 188:3 189:5              | 186:11 216:11             | <b>kick</b> 195:7 244:11  | 120:14 127:14         |
| <b>jobs</b> 285:19 308:8 | 203:11,12,22             | <b>jurisdictions</b> 84:7 | <b>kicked</b> 244:16      | 129:8 130:14          |
| 309:11 311:14            | 205:20 208:5,22          | 109:13 360:13             | <b>kickoff</b> 201:10     | 131:18 132:5,14       |
| 312:7,14 314:6           | 209:7 238:13,18          | <b>jurors</b> 72:12,17    | <b>kid</b> 341:17,25      | 132:18 136:5          |
| 314:9 315:18             | 238:19,23                | <b>jury</b> 121:16        | <b>kidding</b> 284:6      | 141:22,22             |
| <b>jobseekers</b> 289:17 | 240:14 241:20            | <b>justice</b> 75:10 76:5 | <b>kids</b> 85:16 288:4   | 171:19 172:7          |
| <b>Joe</b> 136:2 146:21  | 242:23 243:12            | 84:16 122:12              | 289:2,13 322:11           | 175:14,22             |
| 147:9                    | 243:17,25                | 133:15 308:8,21           | <b>killed</b> 38:21 330:7 | 177:22 180:7          |
| <b>John</b> 4:4 35:7     | 244:24 245:4             | 309:11 336:24             | <b>kind</b> 23:5,17       | 182:4 183:24          |
| <b>Johnson</b> 1:13      | 306:4,6,11               | <b>juvenile</b> 122:19    | 29:12,24 37:2             | 186:22 189:14         |
| 34:9 39:22,23            | 316:25 318:17            | <b>juxtaposed</b>         | 37:17,25 43:2             | 190:3 196:8           |
| 40:15,20 41:4            | 319:19,20                | 241:21                    | 43:14,20 44:13            | 197:2 205:9,25        |
| 41:11 45:23              | 320:20 333:11            |                           | 64:9 82:24                | 207:13,21             |
| 46:3,14 79:14            | 348:18                   | <b>K</b>                  | 87:19 105:18,19           | 217:23 221:16         |
| 79:15 83:3 86:8          | <b>Joseph</b> 76:20      | <b>K</b> 1:12             | 109:17 118:6              | 221:24 226:20         |
| 198:3,4,9,24             | 88:14 95:3               | <b>Katz</b> 341:4         | 120:6 136:3               | 238:20 239:3          |
| 200:23 201:12            | 98:10 112:8              | 345:10,11                 | 151:11 181:2              | 242:17,25 247:5       |
| 215:16,17                | 127:22 148:8             | <b>keep</b> 55:19,21      | 216:17 239:25             | 252:17 254:11         |
| 217:22 218:8,18          | 152:23                   | 58:11 72:15               | 269:11 289:18             | 255:2,16 256:20       |
| 218:22 220:20            | <b>Jr</b> 1:11,13 213:19 | 77:22 82:16               | 289:25 297:8              | 258:12 264:10         |
| 292:15 301:15            | <b>judge</b> 78:5 110:4  | 92:17 140:4               | 313:20 320:13             | 264:14 267:3,22       |
| <b>join</b> 85:4 96:4    | 121:8 124:9,16           | 167:5,10 272:10           | 330:18                    | 278:12 287:4          |
| 139:9                    | 124:17 125:7,23          | 283:22 285:5              | <b>kinds</b> 29:19 38:15  | 289:10 290:15         |
| <b>joined</b> 4:2        | 133:21,22 142:2          | 288:17 318:12             | 47:6                      | 292:19,22             |
| <b>joining</b> 292:16    | 255:2                    | 318:19 322:9,20           | <b>Kirk</b> 197:12        | 294:23 301:3          |
| <b>Jones</b> 1:13 32:19  | <b>judges</b> 69:20      | 323:21 338:22             | <b>Kishinchand</b>        | 304:10 315:18         |
| 32:20 33:5 34:6          | 72:11,17 121:6           | <b>keeping</b> 73:8 76:6  | 272:13 276:22             | 317:25 321:23         |
| 35:2,17 36:8,13          | 123:23,24                | <b>keeps</b> 321:23       | 276:24                    | 322:10 325:2          |
| 36:17,21,25              | 124:21 134:24            | <b>Kenney</b> 1:14        | <b>knee</b> 323:8         | 329:3,20 331:8        |
| 38:24 39:11              | 137:3 141:25             | 51:23,24 52:16            | <b>knew</b> 247:9         | 332:6 334:11          |
| 46:16 51:15              | 340:2,14                 | 53:17 54:12,23            | 343:21 355:3,4            | 335:12 336:25         |
| 57:5 62:25               | <b>judgment</b> 22:21    | 55:8 56:21 57:3           | <b>knife</b> 135:16,19    | 339:25 341:23         |
| 65:18,22 66:2,5          | 113:18 153:14            | 63:19,20 111:13           | <b>knives</b> 105:12      | 343:19 351:3,23       |
| 66:13,17 67:8            | <b>judgments</b> 187:14  | 111:14 112:8,10           | <b>knock</b> 142:4        | 352:18,19             |
| 72:22 73:5 74:8          | <b>judicial</b> 98:13,23 | 113:6,19 114:6            | <b>know</b> 21:3,17       | 355:12 356:8          |
| 74:14 75:13,23           | 98:25 124:3              | 114:12 115:2,9            | 24:23 25:9                | 358:24                |
| 76:17 77:13              | 125:3 148:13             | 116:9,13,21               | 30:19 31:24               | <b>knowing</b> 133:11 |
| 79:11 86:10              | 339:18                   | 117:5,15 292:15           | 36:9 38:8 50:20           | <b>knowledge</b>      |
| 93:21 94:4,10            | <b>juggling</b> 77:17    | 296:24,25                 | 55:17,23 56:22            | 197:21                |

|                          |                          |                            |                          |                          |
|--------------------------|--------------------------|----------------------------|--------------------------|--------------------------|
| <b>known</b> 338:8,11    | <b>late</b> 288:10       | 138:18 341:17              | 261:4                    | <b>liens</b> 148:12      |
| <b>knows</b> 13:17       | <b>Latino</b> 78:13      | 341:25                     | <b>level</b> 117:17      | 166:24,25                |
| 62:18 123:10             | 235:20 261:19            | <b>learner</b> 269:11      | 153:18,18                | 199:15,21                |
| 131:4 135:12,13          | <b>launch</b> 196:5      | <b>learners</b> 289:17     | 165:15 185:7             | <b>lieutenants</b>       |
| 318:17                   | <b>launched</b> 159:24   | <b>learning</b> 288:18     | 197:11 304:19            | 139:20                   |
| <b>Knudsen</b> 9:8 12:5  | <b>law</b> 6:15 15:18    | 303:11                     | 335:17                   | <b>life</b> 5:14 63:23   |
| <b>KOZs</b> 61:9         | 20:11,11 27:5            | <b>leave</b> 16:15         | <b>levels</b> 314:12,24  | 134:7 174:8              |
| <b>kudos</b> 162:16      | 27:10 28:3 83:6          | 311:14 320:25              | <b>Lewis</b> 2:8,10      | 217:18 284:21            |
| 175:10,21,25             | 83:19,22 85:24           | 346:20                     | <b>liabilities</b> 92:10 | 311:25 315:24            |
| <b>K-9</b> 69:8          | 90:22 93:4               | <b>Lee</b> 246:22          | <b>liability</b> 90:2    | 347:14 349:3             |
|                          | 98:21 99:12              | <b>leeway</b> 150:24       | 100:17 150:3             | 355:9                    |
| <b>L</b>                 | 101:22 106:3,6           | <b>left</b> 85:13 158:16   | <b>liaison</b> 132:14    | <b>lifting</b> 307:10,11 |
| <b>L</b> 1:10 362:14     | 106:13,19                | 168:13 260:11              | 263:23 265:16            | <b>light</b> 31:18,22    |
| <b>labor</b> 302:16      | 111:18 112:5,13          | 299:21 306:14              | <b>liberal</b> 53:12     | 32:6 97:11,13            |
| <b>lack</b> 62:14 122:2  | 113:3,6 114:19           | 331:21 339:8               | <b>Liberties</b> 298:2   | 97:20 121:10             |
| 123:3 145:13             | 126:15 128:10            | 345:15                     | 299:5 326:20,23          | 137:6,7 288:25           |
| 214:24 286:19            | 128:14 139:5             | <b>legal</b> 16:11 29:19   | <b>Liberty</b> 273:5,14  | <b>lights</b> 321:25     |
| <b>ladies</b> 321:13     | 154:6,7 167:7            | 119:7 181:9                | 309:9                    | 322:5                    |
| <b>laid</b> 333:2        | 174:5 178:24             | 203:21                     | <b>librarian</b> 284:17  | <b>likewise</b> 122:8,12 |
| <b>Lamberton</b> 33:22   | 179:5,19 186:20          | <b>legally</b> 51:6 113:7  | 284:25 287:20            | 134:7 135:14,24          |
| <b>land</b> 276:7 281:15 | 199:22 205:25            | <b>Legion</b> 330:17       | 288:2                    | 139:7                    |
| 298:12 310:21            | 223:13 226:25            | <b>legislation</b> 96:16   | <b>libraries</b> 287:23  | <b>limit</b> 271:8       |
| 347:21 348:7             | 228:17,21                | 96:20 106:22,23            | 303:8 311:24             | 290:17                   |
| 350:17                   | 242:15 251:21            | 107:9 187:12               | <b>library</b> 284:17,20 | <b>limitations</b>       |
| <b>landlord</b> 282:13   | 252:23,25                | 276:8,12 280:9             | 285:2,17,22              | 278:16                   |
| <b>landlords</b> 186:21  | 263:17 333:23            | 305:20                     | 286:25 287:20            | <b>limited</b> 8:19      |
| 221:18 282:21            | 334:10,10                | <b>legislator</b> 106:23   | 288:7 289:6,7,8          | 249:4 287:4              |
| 346:4                    | <b>laws</b> 106:24       | <b>Legislature</b> 46:12   | 289:19,22                | 318:22,25                |
| <b>lands</b> 349:2       | <b>lawsuit</b> 39:12     | <b>legitimate</b> 117:2    | <b>Library's</b> 285:10  | <b>Linda</b> 194:8,12    |
| <b>lane</b> 122:11       | 99:3,3,8,8               | <b>legs</b> 133:7          | <b>license</b> 40:9,23   | 194:16                   |
| <b>lanes</b> 13:11       | 136:21 153:11            | <b>lenders</b> 71:16       | 98:22 120:16             | <b>line</b> 105:15       |
| <b>language</b> 53:7     | 153:13,24                | <b>lending</b> 289:21      | 158:3,9,21               | 116:18,18 126:3          |
| 201:25                   | <b>lawyer</b> 121:16,17  | <b>length</b> 203:20       | 160:24 180:22            | 153:5 197:5              |
| <b>large</b> 105:10      | <b>lawyers</b> 51:10     | <b>lengthy</b> 214:20      | 191:3,11,21              | 257:14,15,21             |
| 131:21 176:7             | <b>lay</b> 271:6 275:9   | <b>Lenora</b> 349:20       | 219:12,20 220:7          | 258:14 303:22            |
| 221:21 241:16            | <b>lead</b> 193:6 219:24 | 357:5                      | 220:8,9 227:19           | 305:9                    |
| 285:14 305:18            | 279:19 303:3             | <b>lessons</b> 74:15       | 227:20 228:3,10          | <b>Linebarger</b> 89:17  |
| 360:10                   | <b>Leader</b> 197:3      | 277:23                     | <b>licensed</b> 225:10   | 91:2,9                   |
| <b>larger</b> 50:6       | 221:5,16 223:25          | <b>letter</b> 17:5 24:17   | <b>licenses</b> 158:14   | <b>lined</b> 201:7 289:6 |
| 298:20                   | <b>leaders</b> 238:19    | <b>letters</b> 297:7       | 160:3 169:12             | <b>lines</b> 13:6 40:11  |
| <b>largest</b> 11:18     | 295:7                    | <b>letting</b> 283:5       | 170:21 191:10            | <b>list</b> 27:10 111:20 |
| 298:15                   | <b>leadership</b> 4:12   | 341:15                     | 206:13 213:21            | 118:2 130:24             |
| <b>laryngitis</b> 292:3  | 133:12,14                | <b>let's</b> 15:9,10 17:17 | 219:6,9 229:4            | 137:25 148:24            |
| <b>Lassiter</b> 272:20   | 184:15 189:20            | 20:22 31:10                | <b>licensing</b> 160:6   | 177:24 178:5,23          |
| 281:2,3,20,25            | 203:3 245:11,14          | 130:6,8 133:10             | 219:14 225:7             | 179:12 211:25            |
| <b>lastly</b> 172:20     | <b>learn</b> 74:17 279:4 | 155:21 156:5               | 228:25                   | 218:19 240:10            |
| 275:11 360:4             | <b>learned</b> 74:15,20  | 195:20 228:20              | <b>lien</b> 130:19       | 240:16 241:21            |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 271:11 274:8,23<br>290:22 308:11<br>359:4 361:9,14<br><b>listed</b> 27:13 77:8<br>99:22 114:20<br>149:7 155:22<br><b>listening</b> 105:4<br><b>listing</b> 90:8,11<br>91:13 112:19<br>114:9,10,10<br>154:3 155:21<br><b>listings</b> 359:8<br><b>litany</b> 122:25<br><b>literally</b> 57:24<br>204:5,10 284:20<br><b>little</b> 98:3 107:7<br>127:16 170:5<br>173:2 180:8<br>181:17 194:22<br>217:14 221:15<br>236:15 260:16<br>300:23 303:9<br>312:21 313:3,5<br>325:13 357:21<br><b>live</b> 9:14 110:18<br>162:7 191:6,8<br>195:3 235:3<br>274:2 275:16<br>278:5 299:23,25<br>327:5 341:22<br>344:2 345:21<br>346:12 351:2<br>355:8,14<br><b>lived</b> 347:13<br><b>livelihoods</b><br>294:19<br><b>lives</b> 294:19<br>299:12 315:23<br>353:18<br><b>living</b> 112:3<br>216:22 273:7<br>274:6 275:21<br>315:2 345:24<br>346:2<br><b>Liz</b> 272:20 281:3<br><b>lobbying</b> 96:15<br><b>local</b> 84:18 212:13 | 212:18 217:18<br>252:25 286:18<br>324:12,19<br>339:17<br><b>locally</b> 311:10<br><b>located</b> 186:8<br>241:22 316:24<br><b>location</b> 73:10<br>74:10 220:9,11<br><b>locations</b> 63:15<br>74:6,9 171:7<br>210:18 227:24<br>240:18<br><b>lock</b> 288:6<br><b>locked</b> 118:22<br>288:21<br><b>loggerhead</b> 116:8<br><b>logic</b> 305:5<br><b>logical</b> 36:22<br><b>logistical</b> 109:17<br><b>London</b> 13:16,17<br>13:19,24<br><b>long</b> 24:12 31:6<br>38:5 39:10<br>57:17 94:6<br>130:24 167:16<br>229:15 243:5<br>259:9,13 271:11<br>309:16 325:17<br>327:23<br><b>longer</b> 69:3 165:5<br>165:14 275:7<br><b>long-term</b> 146:9<br>146:11 327:21<br>328:12<br><b>look</b> 10:2 22:8<br>26:18,25 30:15<br>31:9 39:2,5<br>46:22 53:6 79:6<br>84:6 105:18<br>114:19 133:10<br>135:25 147:10<br>169:4 174:3<br>179:12,16<br>183:12 203:3<br>205:11 210:17<br>211:19 223:4 | 233:6 244:5<br>245:13 271:17<br>276:3 307:18<br>330:4<br><b>looked</b> 25:3<br><b>looking</b> 14:15<br>31:14,19,20<br>32:5 33:19<br>39:15 54:18<br>58:11 82:2<br>118:21 153:17<br>170:19,25 173:6<br>193:18 197:8<br>210:23,24<br>215:24,25 217:3<br>234:11 266:7<br>330:22 331:12<br>333:5 353:24<br><b>looks</b> 31:5 73:4<br>208:23 245:14<br><b>loophole</b> 227:2<br><b>loopholes</b> 199:8<br>282:7<br><b>lose</b> 78:22 139:17<br>140:25<br><b>losers</b> 20:9<br><b>losing</b> 239:12<br><b>loss</b> 8:17 306:17<br><b>lost</b> 44:8 136:20<br>136:20<br><b>lot</b> 11:19 28:8,10<br>29:15 30:3 61:8<br>61:11,15 68:22<br>74:20 75:20<br>81:11,12 83:2<br>85:24 88:5 96:7<br>101:5,6 105:8<br>106:7 122:15,22<br>135:22 141:23<br>162:23 175:13<br>177:12 180:25<br>181:3,9 182:2<br>189:15 190:9,10<br>192:23 193:19<br>220:12 236:20<br>240:16 242:11<br>242:18,19 255:3 | 256:21 258:9<br>309:16,17,24<br>310:21 313:6<br>335:15,25 336:5<br>339:4 342:8,8<br>343:15,16<br><b>lots</b> 90:19 146:24<br>323:20<br><b>lottery</b> 303:18<br><b>loud</b> 103:16<br><b>love</b> 195:11 196:3<br>221:16<br><b>loves</b> 150:18<br><b>low</b> 11:17 56:12<br>300:4<br><b>lower</b> 282:10<br>303:22 315:11<br><b>lowering</b> 55:22<br><b>lowest</b> 301:18<br><b>low-rise</b> 327:9<br><b>Luckily</b> 132:19<br><b>lucky</b> 303:18<br><b>Luther</b> 272:18<br>308:4 316:22<br><b>Lynch</b> 256:25<br><b>L&amp;I</b> 90:5 119:25<br>159:25 160:14<br>161:7,9,18<br>169:11 171:22<br>175:15 183:13<br>184:6,19 185:8<br>198:11 201:21<br>202:8 208:18,20<br>211:13 214:4<br>216:10 219:3<br>228:5 263:17<br>265:17<br><b>L&amp;I's</b> 185:14<br>206:10 223:5<br><b>L&amp;I-issued</b><br>227:19 | <b>Madison</b> 357:10<br><b>Maenner</b> 158:17<br>176:11,14,18<br>177:8,14,18,23<br>178:3,11 191:8<br>213:10 217:14<br>217:25 218:9,20<br>225:13,16,20<br>226:10,17<br><b>magician</b> 289:3<br><b>mail</b> 251:25<br>354:14<br><b>mailed</b> 193:3<br><b>maimed</b> 330:7<br><b>main</b> 38:20<br>131:24 173:12<br><b>maintain</b> 61:20<br>72:15 84:14,23<br>100:20 227:18<br>278:14<br><b>maintained</b> 35:23<br>280:17 318:20<br>327:21<br><b>maintenance</b><br>35:21 36:3 38:3<br>38:6 117:19<br>118:8 119:24<br>179:9 192:11<br>233:24 234:2,9<br>236:13 328:2<br><b>major</b> 27:25 49:3<br>49:7,17 71:2,17<br>86:5 102:6<br>103:5 111:6<br>118:11 139:11<br>161:25 204:3<br>242:10 327:24<br><b>majority</b> 36:14<br>59:16 60:5<br>95:11 197:2<br>221:4,16 223:25<br>229:3 327:22,25<br><b>makeup</b> 139:21<br><b>making</b> 15:13,16<br>29:21 30:2 42:2<br>42:5,8,23 55:19<br>76:3 80:5,10 |
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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 81:2 83:13,21<br>104:24 126:24<br>198:13,17,19<br>199:14 216:2,4<br>239:19 242:10<br>247:8 252:18,18<br>300:10 302:17<br>345:21<br><b>male</b> 161:10,16<br>161:19 262:4,16<br>262:18 268:14<br><b>males</b> 140:3<br><b>Mall</b> 343:3,14<br><b>man</b> 138:15<br>285:21,25<br>286:17 287:8<br>347:20<br><b>manage</b> 127:15<br>235:12<br><b>manageable</b><br>55:16<br><b>management</b> 5:24<br>7:16 9:18<br>234:20<br><b>manager</b> 340:16<br><b>mandates</b> 233:12<br>360:14<br><b>mandatory</b> 67:19<br><b>Mandel</b> 271:21<br>290:24<br><b>manipulation</b><br>296:9<br><b>manner</b> 252:15<br><b>manpower</b> 68:4<br>68:25 73:23<br>84:14 86:2<br>109:21 110:3<br>121:21 122:2<br>124:13,18,19<br>142:8<br><b>Mansion</b> 281:4<br>355:11<br><b>manual</b> 169:17<br>170:6 172:14<br>199:23<br><b>manually</b> 200:5<br><b>man's</b> 33:13 | <b>March</b> 17:5 24:18<br>293:10,16,17<br><b>margin</b> 298:20<br><b>MARK</b> 1:15<br><b>marked</b> 92:4<br><b>market</b> 16:12<br>47:23 48:4<br>100:25 148:16<br>314:17 328:11<br>358:15,23<br><b>marketable</b><br>179:18<br><b>masonry</b> 176:12<br>176:19 177:5<br><b>mass</b> 302:24<br><b>massage</b> 227:2,9<br>227:17 228:7<br><b>massive</b> 311:23<br><b>mate</b> 41:18<br><b>material</b> 123:11<br>235:7<br><b>materials</b> 319:6<br><b>Matt</b> 271:21<br>290:24 297:24<br><b>matter</b> 25:16 59:6<br>60:3 124:11<br>362:7<br><b>matters</b> 56:19<br>270:23 271:16<br><b>maverick</b> 104:20<br><b>maximize</b> 55:4<br>233:6 238:6<br><b>Mayfair</b> 342:10<br><b>mayhem</b> 322:6<br><b>Mayor</b> 3:2,8<br>15:11 16:3<br>22:10 28:14<br>65:3 252:13<br>271:4 277:11<br>279:6,19 281:20<br>286:22 287:6<br>302:23 309:22<br>312:23 313:12<br>317:16,23<br>331:15 332:5<br>340:19<br><b>Mayor's</b> 4:14 8:7 | 22:10 54:3<br>115:22 135:5<br>140:24 227:23<br>228:17 229:11<br>230:3 247:7<br>289:23 315:15<br>322:17 349:10<br><b>maze</b> 225:7<br><b>ma'am</b> 132:10<br>211:8 215:2,5<br>230:13 248:7<br>268:12 269:21<br>280:23 302:7<br>312:17 323:3<br>325:13 326:17<br>328:18 339:10<br>340:25 346:25<br>357:4<br><b>MBE</b> 212:10<br><b>MBE/WBE/DBE</b><br>211:22<br><b>McCaffery</b><br>336:25<br><b>McClarren</b><br>197:12<br><b>McMichael</b> 277:2<br><b>mean</b> 11:13 22:22<br>22:24 23:2 31:3<br>37:21 38:7,24<br>39:13 54:21<br>55:3 64:22,25<br>75:23 76:5,7<br>102:13 113:8<br>116:22,24<br>121:18 136:2<br>138:9 141:16<br>150:12 164:17<br>167:12 179:11<br>191:17 195:10<br>214:11 217:24<br>236:15 237:2<br>254:24 288:9<br>291:7 335:6<br>351:7,17,19<br>353:17 355:8,14<br><b>means</b> 59:10 62:4<br>68:20,22 69:9 | 96:8 99:2<br>301:13 362:21<br><b>meant</b> 162:23<br>188:10<br><b>measurements</b><br>17:12 161:2<br><b>measures</b> 7:6<br>15:23 145:4<br>295:11<br><b>meat</b> 110:17<br><b>mechanism</b><br>180:12<br><b>median</b> 301:14<br>313:8,10,18<br><b>medical</b> 119:9,11<br>119:14<br><b>meet</b> 5:7 69:25<br>116:14,15,24,25<br>156:4 182:7<br>293:24<br><b>meeting</b> 41:14<br>116:20 133:22<br>344:16 357:9<br><b>meetings</b> 20:15<br>52:17 78:4<br>116:17 133:20<br>354:8,8<br><b>meets</b> 222:24<br><b>mega</b> 305:22<br><b>melee</b> 85:16<br><b>meltdowns</b> 108:7<br><b>melted</b> 289:4<br><b>melting</b> 107:24<br><b>member</b> 276:24<br>291:24 298:8<br>339:16 348:24<br><b>members</b> 3:22<br>4:11 9:24 18:4<br>132:15 138:19<br>138:23 158:12<br>161:9 180:20<br>184:21 197:19<br>208:15,18,20<br>231:17 254:2<br>273:11 277:5<br>292:10 306:23<br>315:25 340:8 | 347:4 349:8<br>353:13,14,15,16<br>355:13<br><b>membership</b><br>338:23<br><b>memorized</b> 41:10<br><b>memory</b> 289:11<br><b>memos</b> 103:2<br><b>men</b> 84:12 119:6<br>141:4 246:7,8<br>246:18<br><b>mental</b> 134:12<br><b>mentioned</b> 8:16<br>77:22 125:24<br>218:25 236:11<br>236:21<br><b>mentor</b> 330:25<br><b>menu</b> 288:16<br><b>merge</b> 95:23<br><b>mergers</b> 33:20<br><b>Merion</b> 303:22<br><b>Merretazon</b><br>329:7 331:20,22<br>337:12,16,23<br>338:11,15<br><b>mesh</b> 177:9<br><b>message</b> 222:11<br><b>messaging</b> 244:21<br><b>met</b> 175:18<br>209:22 241:10<br>284:25 347:20<br><b>metal</b> 107:25<br>143:21<br><b>meter</b> 343:17,23<br><b>meters</b> 343:11,13<br>343:15<br><b>method</b> 297:14<br><b>methodologies</b><br>292:23<br><b>methodology</b> 17:6<br>22:13 296:10<br>297:6<br><b>mic</b> 242:6 325:13<br><b>Micciulla</b> 4:3<br><b>Michael</b> 158:16<br>180:21<br><b>MICHELE</b> |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 362:14<br><b>microphone</b><br>255:16 260:16<br><b>middle</b> 50:21<br>124:2 240:10<br>301:20<br><b>middle-class</b><br>315:17<br><b>midst</b> 63:24 322:7<br><b>Mike</b> 158:17<br>176:11 180:17<br>191:8 213:10<br>225:13 228:24<br><b>military</b> 331:5<br><b>millage</b> 26:3<br>55:22 359:24<br><b>million</b> 6:13<br>10:13 28:21<br>30:13 50:7<br>60:15 68:19<br>70:4,20 71:19<br>71:21,24 82:7<br>100:4 158:24,25<br>159:4,4,5,13<br>160:8 163:16,25<br>219:15,24<br>277:11,17<br>278:11 279:6<br>280:10 313:4,18<br>315:9 317:15,23<br>320:8<br><b>millionaire</b> 313:9<br>313:17<br><b>millions</b> 9:7 37:13<br>281:12 283:4<br>300:6 310:25<br><b>million-plus</b><br>317:4<br><b>mind</b> 33:24<br>108:25 173:14<br>250:22 262:21<br>263:2 267:16<br>271:25 289:2<br>301:4<br><b>mine</b> 101:4 300:3<br><b>minimal</b> 96:2<br><b>minimize</b> 211:6 | <b>minimum</b> 88:6<br>89:9,20,22,24<br>90:7,9 91:15,23<br>100:14 243:23<br>244:2 356:20<br><b>mining</b> 284:19<br><b>Minister</b> 329:6<br>331:20,22<br>337:12,16,23<br>338:11,15<br><b>Ministry</b> 330:12<br>331:23<br><b>Minnesota</b> 284:19<br><b>minor</b> 232:25<br><b>minority</b> 86:22<br>160:14 189:4<br>211:15 212:19<br>239:22<br><b>minority-based</b><br>188:19<br><b>Mintz</b> 274:21<br><b>minutes</b> 299:17<br>341:13 344:6<br><b>misperception</b><br>195:22<br><b>missed</b> 283:21<br>342:12<br><b>missing</b> 283:3<br><b>mission</b> 9:10<br>327:11<br><b>mistaken</b> 225:2<br><b>misunderstood</b><br>115:5<br><b>misuse</b> 6:24<br><b>mitigate</b> 300:19<br><b>mix</b> 85:14<br><b>MLK</b> 319:5<br><b>mob</b> 342:4<br><b>mobile</b> 170:21<br>192:25 195:2<br><b>mobs</b> 85:17<br><b>modification</b><br>273:22<br><b>modifications</b><br>274:5<br><b>moment</b> 286:12<br><b>moments</b> 260:25 | <b>Monday</b> 77:11<br>147:4 206:16<br><b>money</b> 5:13 9:4<br>26:25 29:21<br>30:7,7,8,10,17<br>30:17,22,24<br>37:25 42:23<br>44:5 70:21 82:3<br>82:6,11,12,13<br>82:14 92:6,18<br>107:10 115:25<br>130:9,11,24<br>154:13 165:13<br>173:3 193:16<br>274:12 279:23<br>282:3 306:25<br>307:2,5 309:24<br>315:7,11,12,21<br>333:5 342:22<br>345:20 346:3<br><b>monies</b> 7:11 42:5<br>92:8 129:25<br>139:12,13<br>322:22<br><b>monitor</b> 14:7<br>85:17 199:7<br>205:16 234:13<br>339:23,24<br>340:13<br><b>month</b> 27:2 29:14<br>77:11 128:7<br>147:7,16 209:24<br>218:11,12,13<br>248:25<br><b>monthly</b> 71:22<br>222:20<br><b>months</b> 11:7<br>35:12 145:22<br>161:15 168:13<br>195:7 263:22<br>299:7 330:8<br><b>moral</b> 314:22<br>315:20<br><b>moratorium</b><br>302:20<br><b>morning</b> 2:3 3:18<br>3:20 15:6,8 18:3 | 35:7 66:14,16<br>66:20 86:16,18<br>122:9 133:4,5<br>143:10 147:22<br>204:7 205:4<br>213:17 221:6<br>288:5 325:19<br><b>mornings</b> 331:4<br><b>mortgage</b> 128:5<br>131:11 348:7<br><b>Moss</b> 238:13<br><b>mother</b> 141:14<br><b>mothers</b> 351:16<br><b>motivated</b> 281:9<br>318:12<br><b>Mount</b> 126:9,12<br><b>move</b> 28:9 69:13<br>80:11 81:3 93:2<br>97:25 109:10<br>123:19 146:24<br>184:20 200:22<br>274:9 345:18<br><b>moved</b> 39:15<br>167:9 256:15<br><b>movement</b> 101:9<br><b>movers</b> 313:24<br><b>moving</b> 30:10<br>39:13 82:9,21<br>191:23 202:3<br><b>MPO</b> 102:19<br><b>multi</b> 122:22<br><b>multiple</b> 68:12<br>112:5 114:7<br>171:3 173:5<br>222:4 223:20<br>233:19<br><b>multiply</b> 332:22<br><b>multi-family</b><br>69:15 298:17<br><b>municipal</b> 125:4<br>166:25<br><b>municipalities</b><br>11:18 361:2<br><b>municipality</b><br>360:22<br><b>municipally</b><br>167:19 | <b>murder</b> 33:9,13<br><b>murdered</b> 306:18<br><b>Murphy</b> 133:22<br>362:14<br><b>music</b> 303:10<br><b>myth</b> 309:25<br><b>mythology</b> 312:8<br><hr/> <b>N</b> <hr/> <b>nails</b> 319:5<br><b>name</b> 35:3,5,7<br>66:18 76:20<br>88:14 98:10,13<br>112:8 127:22<br>144:8 148:8<br>213:18 231:20<br>232:9 253:11<br>256:4 271:20<br>273:2,4 276:23<br>281:3 284:16<br>287:19 297:24<br>302:12 308:18<br>316:22 318:9<br>321:18 323:5<br>329:16 331:21<br>339:15 341:19<br>341:20 345:10<br>347:7 350:3<br>357:5<br><b>names</b> 361:9<br><b>narcotic</b> 139:9<br><b>narcotics</b> 74:21<br><b>narrowed</b> 71:9<br>81:22 203:23<br>204:9<br><b>Nathaniel</b> 341:3<br>341:21<br><b>nation</b> 330:4<br><b>national</b> 175:15<br>279:20 304:19<br><b>nation's</b> 316:8<br><b>natural</b> 347:22<br><b>nature</b> 279:5<br><b>Navy</b> 40:12 41:2<br><b>near</b> 328:21<br>347:15<br><b>nearly</b> 234:4 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



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|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 64:20 171:6<br>267:22<br><b>necessary</b> 9:21<br>223:15 280:13<br><b>necessities</b> 315:24<br><b>need</b> 26:22,22<br>32:7 45:19<br>58:14,25 59:8<br>59:12,12,17,24<br>59:25 60:2,9<br>61:3,4,5,6,24<br>62:5,20 63:10<br>63:13,15 64:13<br>64:14,15,16,21<br>68:21 69:18<br>73:12,17 81:13<br>84:25 85:19<br>97:15,16,17,25<br>101:5 102:5<br>103:4 110:8,23<br>111:21 131:18<br>131:20 135:24<br>136:23 137:2,5<br>137:16 154:17<br>164:22 165:20<br>165:20 206:20<br>220:16 242:20<br>252:20 269:11<br>274:15 276:12<br>276:13 279:16<br>282:16 284:8<br>292:22 298:22<br>299:2 303:6,19<br>304:4,10,22<br>307:3 311:9<br>312:10 316:5,8<br>323:16,21,24<br>324:2 325:6<br>329:20 330:20<br>331:17 337:7<br>342:22 346:14<br>346:15,16<br>355:22 356:20<br><b>needed</b> 4:25 9:20<br>57:13,17 60:6<br>275:8 276:14<br>283:4 286:2 | 304:6 317:11,18<br>337:24<br><b>needs</b> 30:4 36:5<br>50:4 64:18,19<br>65:9,12 69:24<br>69:25 70:7<br>135:13 193:11<br>224:11 278:13<br>279:8 281:25<br>285:18 304:13<br>311:25 319:9,10<br><b>negatively</b> 286:17<br>356:21<br><b>neglected</b> 38:4<br><b>negotiation</b> 154:8<br><b>negotiations</b><br>112:21 114:5<br>201:8<br><b>neighbor</b> 353:20<br><b>neighborhood</b><br>51:20 58:2 63:6<br>64:3,6,6 83:16<br>101:13 213:20<br>288:18 289:3<br>309:10 350:23<br>355:18<br><b>neighborhoods</b><br>14:8 19:6 76:8<br>83:13,18 146:25<br>157:13 162:20<br>166:10 203:17<br>205:18 217:19<br>283:7 293:5<br>317:7 318:4<br>327:15<br><b>neighbors</b> 120:9<br>120:13 204:8<br>207:12 217:24<br>298:2 305:20<br>322:20 357:7<br><b>net</b> 226:14<br><b>network</b> 233:25<br><b>networking</b><br>335:23<br><b>Networks</b> 309:11<br><b>never</b> 64:5 84:17<br>116:19 288:11 | 293:13 310:3<br>322:12 343:21<br><b>Nevertheless</b><br>232:22<br><b>new</b> 4:6 5:23 9:8<br>41:20 52:24,24<br>52:25,25 53:2<br>63:3 65:19,21<br>67:25 70:2<br>72:25 73:6,16<br>74:2 80:2,23<br>133:9 134:20<br>135:20 139:8<br>159:9,19,24<br>169:23 172:12<br>172:16 186:17<br>187:14 192:6<br>219:3 228:19<br>235:2,8 236:20<br>244:15 263:21<br>265:8,13 266:6<br>267:8 282:4<br>289:15 303:25<br>312:24 320:4<br>325:16 329:21<br>357:14 358:9,20<br>359:16<br><b>news</b> 320:2<br><b>newsletter</b> 337:17<br><b>nice</b> 58:17 175:23<br>201:14 354:6,20<br><b>nicer</b> 345:21<br><b>night</b> 204:3<br>207:22 288:7<br>306:15 355:18<br><b>nine</b> 123:25<br>355:11<br><b>nomadic</b> 349:3<br><b>nomination</b><br>234:23<br><b>non-alcoholic</b><br>280:3<br><b>non-business</b><br>205:2,5<br><b>non-partisan</b><br>239:24<br><b>non-profit</b> 40:14 | 65:11 108:2,8<br>273:15<br><b>non-profits</b> 49:10<br>305:22<br><b>non-real</b> 54:16<br><b>non-represented</b><br>233:3 269:6,16<br><b>non-residents</b><br>27:19<br><b>non-small</b> 266:12<br><b>non-traditional</b><br>206:23<br><b>normal</b> 206:15<br>207:4<br><b>normally</b> 81:21<br>89:21 90:12<br>114:3 271:11<br><b>north</b> 7:25 142:23<br>209:6 292:11<br>355:9<br><b>Northern</b> 284:19<br>297:25 299:4<br>326:19,22<br><b>Norwich</b> 343:2<br>343:10<br><b>Norys</b> 246:24<br><b>noted</b> 343:14<br><b>notes</b> 362:6<br><b>notice</b> 102:10<br>354:14<br><b>notices</b> 172:22<br>192:16<br><b>November</b> 176:25<br><b>no's</b> 183:4,4<br><b>no-shows</b> 75:21<br><b>NSP2</b> 163:22,23<br>165:2<br><b>NTI</b> 163:22 164:5<br>165:2,9,22<br><b>nuisance</b> 92:13<br>130:22<br><b>nuisances</b> 205:18<br><b>number</b> 10:16<br>47:11,15,17<br>50:10 55:16<br>76:23 77:10<br>93:8 99:18 | 115:18 131:25<br>132:7,20 142:11<br>145:4 150:17<br>151:8 159:21<br>164:18,22 165:8<br>165:11 166:16<br>167:18,20<br>168:13 184:23<br>205:7 211:6,15<br>211:24 215:21<br>241:15,17,18<br>249:4,21 256:13<br>263:25 264:5,9<br>264:12 280:4,14<br>285:12 290:15<br>301:2 332:23<br>334:23 335:24<br>356:21 358:21<br><b>numbers</b> 15:22<br>17:5 19:14,21<br>23:13 46:25<br>82:9 111:17<br>140:4 147:2<br>165:23 168:14<br>182:7 184:5,24<br>188:17,21,25<br>249:5 261:5<br>346:14<br><b>numerous</b> 105:12<br><b>nursing</b> 274:10,16<br>274:17<br><b>Nutter</b> 277:12<br>281:20 286:22<br>340:19 |
| <b>O</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>obey</b> 88:23<br><b>objections</b> 229:24<br>362:4<br><b>objectives</b> 194:24<br><b>obligation</b> 235:22<br><b>observe</b> 207:14<br><b>observed</b> 152:10<br><b>obstruction</b> 24:4<br><b>obtain</b> 17:9 72:2<br>199:3 331:2<br><b>obtained</b> 21:18                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

|                           |                           |                        |                          |                          |
|---------------------------|---------------------------|------------------------|--------------------------|--------------------------|
| <b>obtaining</b> 334:4    | 214:17 217:5              | 123:9 154:4            | 358:6                    | 136:22 139:18            |
| <b>obvious</b> 45:20      | 222:3 223:16,17           | 249:16,17              | <b>older</b> 181:18,21   | 139:19 140:19            |
| <b>obviously</b> 32:7     | 230:14 232:17             | 251:14 252:5           | <b>once</b> 91:10 110:15 | 144:6 148:14             |
| 99:22 143:22              | 233:9 234:15              | 254:15 260:18          | 147:7,15 148:25          | 149:4 178:12             |
| 146:3 185:3               | 239:15 240:2              | 298:19 310:2           | 149:7 176:22             | 225:23 280:18            |
| 216:21,23                 | 241:12 246:25             | 311:12 333:10          | 178:6 184:21             | 295:7 326:8              |
| 237:19 358:10             | 247:7,9,21,22             | <b>okay</b> 11:9 13:10 | 201:8 227:21             | <b>opened</b> 139:3      |
| 360:23                    | 264:21 266:22             | 14:25 16:14            | 229:17 231:5             | 286:5 335:21             |
| <b>occasions</b> 111:18   | 267:13 268:16             | 21:11 47:21            | 339:23 347:5             | <b>opening</b> 67:25     |
| <b>occupancy</b> 145:21   | 268:18 269:23             | 51:12 56:15            | 348:4 360:11             | 108:22 133:9             |
| 276:6 305:17              | 273:23 274:20             | 62:22 74:14            | <b>ones</b> 51:17 279:24 | 140:6 150:6              |
| 311:10,11,16              | 297:4 330:23              | 76:14 91:16,18         | 326:6 330:6              | 288:10                   |
| <b>occur</b> 76:4 181:7   | 333:16 334:13             | 92:16,20 93:18         | <b>onesie</b> 221:6      | <b>opens</b> 135:8       |
| <b>occurrences</b>        | 335:10,13,22              | 95:21 96:12,21         | <b>onesies</b> 221:6     | <b>operable</b> 12:19    |
| 34:17                     | 336:14,21                 | 100:21 101:23          | <b>one-cent</b> 280:2    | <b>operate</b> 42:22     |
| <b>occurring</b> 209:21   | 349:10                    | 103:13 116:21          | <b>one-on-one</b> 8:13   | 80:18 195:23             |
| <b>occurs</b> 98:24       | <b>officer</b> 9:9 263:21 | 120:22 129:2           | <b>one-percenters</b>    | 205:2 206:15             |
| <b>OEO</b> 188:17         | 265:14 267:17             | 131:16 140:9           | 314:13                   | 228:13                   |
| 263:23 265:13             | 273:5 339:18              | 147:18 149:19          | <b>one-stop</b> 234:25   | <b>operating</b> 2:17    |
| 265:15,16                 | <b>officers</b> 68:13     | 151:6 152:3            | <b>one-year</b> 302:19   | 3:25 4:15 6:2            |
| <b>offer</b> 58:7 148:19  | 73:7 94:7                 | 154:20 155:4           | <b>ongoing</b> 32:10     | 67:18 107:6              |
| 315:9                     | 102:18 123:22             | 168:17 171:8           | 35:23 116:5              | 158:19 193:20            |
| <b>offering</b> 62:6 66:9 | 193:17 339:20             | 174:22 177:4           | 234:14                   | 216:6                    |
| <b>office</b> 4:16,19     | 339:22 340:12             | 178:7,14 181:23        | <b>online</b> 64:25 73:2 | <b>operation</b> 104:10  |
| 5:11 6:17 7:3,22          | 340:17                    | 182:12 186:15          | 80:24 146:8              | <b>operational</b> 161:5 |
| 8:7 22:10,17              | <b>offices</b> 32:12      | 194:19 203:10          | 166:2 170:21             | <b>operations</b> 14:9   |
| 23:18 44:11               | 245:18,20                 | 212:22 215:12          | 181:14,17                | 69:8 144:19              |
| 67:3,13,21,24             | 246:19 247:12             | 218:8 220:20           | 190:17,18,22             | 271:2 339:9              |
| 68:6 72:6,14              | 247:24 268:10             | 221:10 226:19          | 191:11,20                | <b>operator</b> 243:13   |
| 75:20 76:16               | <b>office's</b> 86:23     | 230:2 237:11           | 193:25 207:11            | <b>opinion</b> 5:18,20   |
| 78:6,17,24 80:4           | <b>official</b> 83:7      | 238:10 247:17          | 219:10 220:6             | 250:10,15                |
| 80:22 81:7 82:5           | 203:15                    | 249:7 255:9            | <b>onset</b> 110:6       | <b>opportunities</b>     |
| 83:20,25 84:5             | <b>Officially</b> 182:20  | 256:18 260:10          | <b>onsite</b> 193:3      | 4:10 139:16              |
| 84:13 85:13               | <b>officials</b> 243:3    | 272:4 284:2,3          | <b>on-site</b> 170:23    | 213:6 336:5              |
| 88:10,21,24               | 353:12                    | 291:13 295:23          | 192:9                    | <b>opportunity</b> 6:17  |
| 96:5 99:20                | <b>offline</b> 132:10     | 308:11,14              | <b>Oops</b> 44:22        | 9:22 13:22 33:6          |
| 101:11 102:3,5            | <b>offset</b> 233:2 311:7 | 312:24 326:16          | <b>OPA</b> 16:15 22:13   | 33:7 41:21               |
| 107:13,16                 | <b>offshore</b> 314:16    | 329:3 339:6            | 23:21 24:19              | 104:13 138:19            |
| 110:10 116:17             | <b>off-street</b> 328:5   | 344:9 356:5            | 25:15,18 293:4           | 138:23 146:24            |
| 119:17 128:6              | <b>oftentimes</b> 171:20  | 359:9,18 360:2         | 293:13,19,21             | 147:13 148:20            |
| 130:10,12                 | <b>oh</b> 1:14 16:24      | 360:17                 | 294:6,9 295:16           | 158:18 162:9             |
| 131:22 132:2              | 22:5,6 23:17              | <b>Oklahoma</b> 193:12 | 296:8 298:21             | 199:3 204:21             |
| 135:5 138:6,11            | 24:10 25:23               | 347:22                 | 300:13 327:12            | 213:25 214:9             |
| 139:3,14 140:7            | 57:15 104:2,3,8           | <b>old</b> 30:6 113:11 | 328:9                    | 232:14 236:4             |
| 140:24 141:23             | 105:2,21 106:25           | 172:13 327:18          | <b>OPA's</b> 47:14       | 246:2 267:14             |
| 147:3 192:18              | 108:12,24 109:9           | 328:3,7 335:13         | 293:25 294:10            | 271:10 302:2             |
| 213:24 214:9,16           | 111:7 114:4               | 347:14 350:23          | <b>open</b> 66:25 69:16  | 308:22 347:12            |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| <b>opposed</b> 63:16<br>112:3 192:17<br>193:3 202:24<br>245:23<br><b>opt</b> 149:11<br><b>options</b> 315:8<br><b>oral</b> 261:2<br><b>order</b> 9:3 73:23<br>88:24 98:15<br>99:2 119:2<br>128:17 131:19<br>141:19 147:8<br>148:10,11,13<br>149:2 153:10<br>171:15 207:24<br>224:9 227:20<br>253:7,24 254:6<br>265:23,25 266:3<br>336:17 339:25<br>340:15<br><b>ordered</b> 128:24<br>360:18<br><b>orderly</b> 360:24<br><b>orders</b> 107:17<br>263:19 264:20<br>264:23 266:12<br>340:2 360:14<br><b>ordinance</b> 2:11,14<br>2:16 3:7 151:14<br>151:22<br><b>Oregon</b> 251:24<br><b>organization</b><br>78:11 273:16<br><b>organizations</b><br>78:8,13 138:4<br>302:16 342:2,6<br><b>organized</b> 288:17<br>326:3<br><b>organizing</b><br>308:20<br><b>oriented</b> 198:15<br><b>original</b> 25:12<br>130:3 150:3<br>232:24<br><b>originally</b> 292:7<br><b>Otis</b> 213:12,19<br><b>ounce</b> 280:2 | <b>outcome</b> 174:11<br><b>outcomes</b> 160:21<br><b>outcome-based</b><br>161:2<br><b>outdated</b> 357:20<br><b>outlines</b> 9:6<br><b>outrageous</b> 51:10<br><b>outreach</b> 81:5<br>86:20 153:4<br>239:23 244:9<br>318:3<br><b>outside</b> 29:2<br>31:10 45:2,4<br>55:14 180:5<br>205:24 206:18<br>253:13 288:24<br><b>outstanding</b><br>14:15 92:9<br>169:19 179:21<br>199:6,15,20<br>200:17<br><b>out-of-touch</b><br>300:17<br><b>out-of-town</b> 346:4<br><b>overall</b> 65:7<br><b>Overbrook</b> 33:8<br>33:12,23,24<br>292:13 303:20<br>306:13 316:24<br>317:8<br><b>overcrowding</b><br>69:2<br><b>overhauling</b><br>360:7<br><b>overnight</b> 196:11<br>304:16<br><b>overpopulation</b><br>339:21<br><b>overseer</b> 26:14<br>46:5<br><b>oversight</b> 6:10<br>43:7 227:11,12<br><b>overtaxed</b> 304:25<br><b>overtime</b> 68:19<br><b>overview</b> 80:14<br>83:8<br><b>overwhelmed</b> | 122:17<br><b>overwhelming</b><br>95:11 112:23<br>215:21<br><b>owe</b> 346:6<br><b>owed</b> 7:11 9:7,17<br>70:21 82:3,5,11<br>90:2,5<br><b>owned</b> 27:19<br>145:7 166:17<br>167:20 185:16<br>263:7,12 264:3<br>267:6<br><b>owner</b> 100:19<br>113:17 151:17<br>152:12 153:12<br>187:15 219:11<br><b>owners</b> 358:19<br><b>ownership</b> 8:3<br>187:24<br><b>o'clock</b> 157:22<br>221:6 270:14 | <b>Papa</b> 316:23<br>318:6 319:25<br>320:6,12<br><b>paper</b> 153:25<br>191:20 346:15<br><b>papers</b> 84:18<br>286:6<br><b>paperwork</b> 119:4<br><b>paragraph</b><br>260:13,20<br>357:25<br><b>parallels</b> 306:19<br><b>paralysis</b> 37:10<br><b>parcels</b> 47:19<br><b>parents</b> 323:12<br>340:8<br><b>park</b> 276:25<br>277:2,23,24<br>278:4,21 279:2<br>279:7,20 280:16<br>318:2 319:14,23<br>319:24 320:6,10<br><b>parking</b> 73:20,21<br>74:2,4,11 106:7<br>180:25 181:2,9<br>328:5<br><b>parks</b> 277:3,7,14<br>278:25 279:17<br>280:11 311:24<br>317:5,13,18,21<br>323:19<br><b>parlors</b> 227:3,9<br>227:17 228:8<br><b>part</b> 5:7 49:19<br>53:18 65:9<br>77:16 79:9<br>85:23 115:22<br>138:4 147:14<br>180:24 181:5<br>182:4 193:25<br>202:16,20,23<br>215:20 216:19<br>218:4,16 223:9<br>224:8,11 278:10<br>281:5 297:3<br>345:17 350:19<br><b>participated</b> 67:6 | <b>participation</b><br>160:14,16,18<br>211:22 239:20<br>265:12,17<br><b>particular</b> 11:22<br>18:14 40:7 42:3<br>64:18 67:16<br>77:11 101:12<br>126:5 129:15<br>143:8 147:21,23<br>147:24 148:4,21<br>150:16 171:25<br>215:23 216:8,19<br>217:4 233:11<br>238:14 250:17<br>257:23 258:20<br>321:25 354:3<br>356:16,22<br><b>particularly</b><br>11:15 33:21<br>34:18 61:2<br>75:25 92:24<br>97:13,19 239:21<br>256:20 267:2,8<br>306:13<br><b>parties</b> 114:25<br><b>partner</b> 202:2,11<br><b>partnered</b> 8:6<br><b>partnering</b> 203:3<br><b>partners</b> 309:8<br><b>partnership</b><br>220:2 244:18<br><b>parts</b> 233:23<br>236:22 320:23<br><b>party</b> 288:24<br><b>Paschalville</b><br>288:2<br><b>pass</b> 244:6 282:21<br>312:25<br><b>passed</b> 176:3<br>315:14<br><b>passive</b> 340:4<br><b>passively</b> 22:25<br><b>path</b> 356:23<br><b>patriotic</b> 334:6<br><b>patrol</b> 69:12<br>74:22 75:4,8 |
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|---------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>patrons</b> 170:8<br>285:15,20<br>286:16 | 57:21 59:21<br>66:9 67:5 69:3<br>70:17 75:19,21<br>77:23 78:10,24<br>78:25 81:8,14<br>82:2,3,11,16<br>83:14 84:6,7<br>102:8,14,21<br>105:9 107:16<br>110:19 111:3<br>112:2 114:15<br>118:16,21<br>119:19 121:21<br>122:3,9,11,20<br>123:21 134:2,4<br>134:4 135:23<br>137:22 138:2,3<br>139:3,17 141:6<br>141:21 148:2<br>150:19 154:15<br>156:19 162:20<br>170:20 175:17<br>180:2,12 181:13<br>184:17 190:21<br>193:18 203:16<br>203:24 204:25<br>205:9,11,24<br>206:24 207:19<br>207:25 216:22<br>223:13 224:5<br>226:13 240:16<br>240:21 242:15<br>242:20 251:11<br>252:19 253:4,8<br>255:4 256:14,22<br>257:8,12,15,21<br>258:9,18 263:7<br>263:13 264:4<br>267:7 273:17<br>274:13 275:2,5<br>275:20 283:7<br>287:9 290:15<br>295:15 299:23<br>300:3,5 301:18<br>305:2,13 306:15<br>308:12 315:17<br>315:22 322:19 | 336:6,14 342:8<br>346:10 348:2,4<br>348:11 350:6,9<br>350:22,23 351:3<br>351:4,9,14,19<br>352:11,18,18,20<br>353:24 354:8<br>355:16,21<br>356:21 357:12<br><b>people's</b> 82:13<br>110:14 120:11<br>294:19<br><b>percent</b> 12:18<br>49:5 91:25<br>139:22,22,23<br>159:23 160:17<br>160:18,19 161:9<br>161:10,10,11,12<br>161:12,13,15,16<br>161:16,17,19,19<br>161:20,21 187:9<br>188:18,23,25<br>211:11,16,23<br>233:2 255:25<br>256:9,12 261:17<br>261:18,18,24<br>262:3,6,14,16<br>262:18 280:15<br>287:7 301:14<br>310:8 316:7,7<br>328:10 332:14<br>332:19,20,23<br><b>percentage</b><br>145:25 261:14<br>261:21 262:2,4<br>263:6,11 264:2<br>311:5<br><b>percentage-wise</b><br>254:22<br><b>perfect</b> 58:17<br>254:8,10,10<br>279:3<br><b>perform</b> 204:22<br>226:6 236:19<br>237:9<br><b>performance</b> 5:17<br>7:13 8:18 9:17 | 14:23 234:19<br><b>performed</b> 17:7<br>17:14 19:3<br>161:3 164:7,19<br>173:18 187:6<br>227:25<br><b>performing</b> 24:5<br>183:11<br><b>perimeter</b> 75:12<br>319:8<br><b>perimeters</b> 69:14<br><b>period</b> 26:3 28:21<br>30:2 31:6 123:8<br>165:22 227:15<br><b>permit</b> 26:17<br>159:21 160:24<br>169:21 181:4,16<br>187:14 191:2<br>199:4 200:16,19<br>204:13 207:11<br>220:8 279:15<br><b>permits</b> 160:2<br>161:3 169:12<br>170:20 191:10<br>199:3 200:8<br>206:13 207:15<br>219:7 359:5<br><b>permitted</b> 173:16<br><b>permitting</b><br>190:21<br><b>perp</b> 106:12<br><b>perpetrators</b><br>13:21<br><b>perpetuate</b> 312:8<br><b>persistent</b> 288:25<br><b>person</b> 49:25<br>70:13 84:2<br>104:23 106:8,10<br>106:14,15,20<br>110:21 118:12<br>118:14 119:9,11<br>119:14 121:14<br>124:14 125:5<br>134:16 136:3,10<br>136:19 137:24<br>137:25 145:17<br>145:19 169:14 | 171:25 172:24<br>173:22 199:5<br>239:4 253:12,16<br>257:16,19 336:7<br>353:17<br><b>personal</b> 192:8<br><b>personally</b> 114:18<br>251:7<br><b>personnel</b> 4:20<br>72:5 102:13<br>103:7 105:16<br>106:9 107:18<br>133:18 134:25<br>136:14 193:15<br><b>persons</b> 81:2<br>106:5<br><b>perspective</b> 14:13<br>65:14 216:9<br><b>pertinent</b> 273:21<br><b>petitions</b> 234:23<br><b>petri</b> 252:3<br><b>Pew</b> 357:17,24<br>358:11 359:19<br>360:5,8,20<br><b>Phase</b> 194:5 195:4<br><b>phased-in</b> 170:17<br><b>phases</b> 165:9<br>170:18 194:2,11<br><b>PHDC</b> 166:19<br><b>Philadelphia</b> 1:2<br>1:6 2:21,23 5:2<br>5:5,14 8:2,10<br>9:13 12:24<br>14:19 15:12<br>22:16 29:8<br>34:10,12 36:11<br>38:9 40:24<br>41:17 45:16<br>49:13 52:12<br>58:19 61:9 63:8<br>66:23,24 67:2<br>70:22 71:14,18<br>72:7,21 76:22<br>77:5,15 78:23<br>79:7,20 81:17<br>83:7,12,24 84:8<br>85:7,8,12,13,18 |
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| 85:22 94:20<br>95:12 96:11<br>98:8 102:3<br>128:9 142:24<br>143:16 145:6<br>153:8 162:7<br>166:17,18<br>183:12 187:18<br>200:18 208:23<br>210:7 212:21<br>227:10,17<br>237:16,21<br>245:13,15 247:2<br>250:13,17<br>273:14 274:16<br>275:13 276:13<br>277:3,12,15<br>279:22 284:18<br>284:24 285:2<br>287:21 288:3<br>302:11,18<br>304:17 309:4,14<br>310:20 316:11<br>320:23 323:25<br>326:12 327:7,19<br>328:13 329:18<br>332:11,13<br>333:17 334:19<br>335:25 336:12<br>343:11 354:24<br>357:7,18 358:2<br>358:13,25 360:8<br>360:23<br><b>Philadelphians</b><br>8:14 287:19<br>289:25 309:12<br>353:11<br><b>Philadelphia's</b><br>185:15 360:15<br><b>Philanthropies</b><br>8:9<br><b>Philly</b> 282:16<br>308:19,25<br>341:22 342:21<br>350:4 355:9<br><b>philosophy</b><br>113:15 156:13 | <b>phone</b> 109:16,22<br>162:23<br><b>phones</b> 110:12<br>111:2<br><b>photos</b> 359:7<br><b>physical</b> 68:16<br>273:18 274:4<br>275:2,6,20<br><b>physically</b> 53:16<br>171:6 192:22<br>331:7<br><b>PICA</b> 43:8 45:6<br><b>pick</b> 191:19 204:4<br>331:20<br><b>picking</b> 85:10<br><b>picnic</b> 278:2<br><b>picture</b> 20:8<br>109:15 110:7<br><b>piece</b> 18:7,8 97:21<br>119:25 191:19<br>201:15 343:6<br>346:15 358:15<br><b>pieces</b> 196:9<br><b>Pike</b> 305:20<br><b>piles</b> 312:5<br><b>pipe</b> 343:4<br><b>place</b> 9:14 13:16<br>15:23 24:14<br>30:3 53:23<br>103:11 145:10<br>160:13 162:7<br>176:6 196:13<br>203:21 236:18<br>238:25 251:23<br>253:5,16,19<br>257:12 299:25<br>300:10 302:9<br>345:21 346:12<br><b>places</b> 240:7,21<br>241:4,6,22<br>242:11,15,22<br><b>placing</b> 327:11<br><b>plain</b> 315:2<br><b>plaintiff</b> 90:13,23<br>113:14 128:7,22<br>150:3 151:3,4<br>153:6,7,18 | <b>plaintiffs</b> 128:2,4<br>129:13<br><b>plan</b> 2:22 8:5<br>43:10,11 94:5<br>133:12,16,24<br>144:4,17 170:25<br>183:25 184:2<br>282:4,18 312:25<br>322:12 331:2<br>350:15<br><b>planned</b> 196:12<br>288:13<br><b>planning</b> 184:20<br><b>plant</b> 278:9,11,14<br><b>planted</b> 280:14<br><b>plate</b> 37:6<br><b>platform</b> 320:24<br><b>play</b> 147:14 162:8<br>277:25<br><b>Playground</b><br>316:24 320:2,12<br><b>plays</b> 83:20 242:9<br><b>plea</b> 142:7<br><b>pleasant</b> 4:8<br><b>pleasantly</b> 37:3<br><b>please</b> 2:8 44:17<br>66:9,17 163:6<br>180:18 208:19<br>209:9 248:4<br>249:8 256:5<br>270:2 272:6,22<br>273:9 285:6,7<br>287:16 321:16<br>326:17 328:14<br>334:21 344:11<br><b>pleased</b> 158:18<br>188:16,20 189:2<br><b>pleasure</b> 79:18<br><b>plenty</b> 303:25<br><b>plumber</b> 343:6<br><b>plumbing</b> 328:4<br><b>plus</b> 30:13<br><b>plywood</b> 177:9<br>319:6<br><b>point</b> 29:19 37:9<br>39:3 52:10<br>62:12 102:25 | 109:10 156:24<br>172:7 197:17<br>208:2 229:20<br>246:21 249:19<br>249:21 275:24<br>294:23 325:8<br>334:8 336:6<br>342:4 355:2<br><b>pointed</b> 77:4<br>260:21<br><b>Pointman</b> 330:11<br>331:23<br><b>points</b> 149:21<br>311:5<br><b>police</b> 7:11,13<br>12:14 85:19,22<br>94:16,20 96:11<br>102:18 123:22<br>138:10,12<br>193:13,16 208:3<br>326:13<br><b>policemen</b> 107:17<br><b>policies</b> 197:15<br>223:10<br><b>policy</b> 4:7 55:2,11<br>65:13 138:22<br>150:10,25 199:9<br>209:4 294:22<br><b>political</b> 104:20<br>104:25 108:18<br>308:18<br><b>poll</b> 243:2<br><b>polling</b> 240:7,18<br>240:21 241:4,6<br>241:22 253:4,16<br>253:18 257:12<br><b>pool</b> 212:25<br><b>pools</b> 280:18<br><b>poor</b> 27:16<br><b>poorly</b> 303:24<br><b>popping</b> 180:9<br>200:7<br><b>populated</b> 215:22<br><b>population</b><br>216:14 337:25<br>338:12<br><b>portion</b> 270:24 | <b>position</b> 12:25<br>17:15 23:24<br>25:8,9 31:4 42:2<br>48:21 70:14<br>87:9 250:12<br><b>positions</b> 5:11<br>8:17 159:8<br>183:25 184:18<br>184:21 185:3<br><b>positive</b> 99:25<br>160:21 187:9,17<br>196:2 213:13<br>222:19 223:24<br><b>positively</b> 152:16<br><b>possibility</b> 146:17<br><b>possible</b> 9:3 23:23<br>56:12 80:23<br>102:21 195:3<br>324:15<br><b>possibly</b> 117:22<br>307:10<br><b>post</b> 5:15 203:24<br>331:10<br><b>posted</b> 91:11<br>219:9<br><b>poster</b> 64:10<br><b>postponed</b> 90:12<br>99:23 121:15<br><b>potential</b> 54:19<br>90:19 133:8<br>184:17 213:6<br><b>potentially</b> 179:6<br><b>pounds</b> 37:7<br><b>poverty</b> 305:9<br><b>power</b> 23:21<br>43:24 46:6 53:2<br>96:17 138:15<br>244:22 300:19<br>300:21 337:9<br><b>powers</b> 22:15,19<br>42:15<br><b>practical</b> 52:11<br>59:6<br><b>practicalities</b><br>58:19<br><b>practice</b> 114:14<br>313:25 360:24 |
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| <b>practices</b> 14:16<br>31:19 80:17 | 140:11,12<br>142:14,15,21,22<br>143:4,18 147:17<br>148:8,18 149:5<br>149:10,14,18<br>150:9,13 151:5<br>151:10,18,21<br>152:6,7 155:5,6<br>155:24 156:7,18<br>156:23 157:8,14<br>157:24,25 158:6<br>158:11 162:13<br>163:4,5,11<br>164:8,11,20<br>165:6 166:12,22<br>167:11,15 168:4<br>168:16,21<br>174:24,25<br>178:20 270:18<br>271:24 272:9,15<br>272:21,25 273:8<br>276:19 277:5<br>280:22 281:21<br>283:10,20,24<br>284:4,9,13<br>285:3 287:14,18<br>290:8,11,14<br>291:2,6,12,15<br>291:20 294:16<br>295:22 296:2,11<br>296:16,22<br>297:11,17,19,22<br>297:25 302:3,6<br>306:2,9 307:3<br>307:23 308:10<br>308:17 312:16<br>312:19 316:16<br>319:15,18,21<br>320:18,21 321:2<br>321:6,12,15<br>323:2 324:6,21<br>324:25 325:12<br>325:23 326:9,15<br>328:17,20,23<br>329:2,12,13<br>331:14 335:3<br>337:14,21 338:9 | 338:13,17 339:5<br>339:13 340:24<br>341:7,11,18<br>344:7,10 345:7<br>346:24 347:4,6<br>347:9,16 349:16<br>349:25 352:15<br>352:25 353:8<br>355:6 356:4,9<br>356:14 361:5,10<br>361:13<br><b>presidential</b><br>254:25 256:21<br>257:8<br><b>President's</b><br>168:25<br><b>press</b> 196:6,7<br>201:15,15 272:3<br>292:17 310:4<br><b>pressure</b> 343:7<br><b>presuming</b> 230:3<br><b>pretrial</b> 339:20,22<br>340:12,17<br><b>pretty</b> 144:10<br>168:7 172:10<br>198:17 216:7<br>241:18 249:4<br>271:10 336:8<br>351:15<br><b>prevail</b> 189:14<br><b>prevalence</b> 227:5<br><b>prevent</b> 78:25<br>209:21 211:4<br><b>prevented</b> 33:14<br><b>prevention</b> 86:25<br>178:17 209:11<br><b>previous</b> 81:7,10<br>82:7 310:19<br><b>previously</b> 153:3<br><b>pre-audit</b> 6:9,13<br>35:8 42:15 45:7<br>46:6,12<br><b>pre-planned</b><br>192:23<br><b>pre-programmed</b><br>192:24<br><b>price</b> 18:16 27:23 | 89:23 90:9<br>99:14 101:3<br>326:23<br><b>prices</b> 282:25<br><b>pride</b> 318:4<br><b>primarily</b> 163:21<br><b>primitiveness</b><br>13:2<br><b>principal</b> 68:5<br><b>principle</b> 28:16<br><b>principles</b> 309:18<br><b>print</b> 191:21<br><b>printed</b> 191:12<br><b>printers</b> 192:25<br><b>printout</b> 191:2<br><b>prior</b> 10:22,25<br>38:4,4,11<br>107:23 120:17<br>165:16 166:23<br>167:2,21 170:2<br>228:2 292:17<br><b>priority</b> 26:21,24<br>29:24 30:11<br>32:2 76:9<br>130:19 160:15<br><b>prison</b> 121:25<br>122:13 339:21<br>339:24<br><b>prisoner</b> 142:3<br><b>prisoners</b> 68:7,23<br>69:4 121:7<br><b>prisons</b> 68:8<br><b>privacy</b> 335:18<br><b>private</b> 14:3<br>31:20 181:3<br>186:8<br><b>privately</b> 145:7<br><b>privileged</b> 303:17<br><b>proactive</b> 86:24<br><b>proactively</b> 13:23<br><b>probable</b> 228:6<br><b>probably</b> 22:19<br>41:21 143:15<br>176:25 200:24<br>255:4,25 256:8<br>256:22 257:24<br>300:23 332:15 | 350:23 356:23<br><b>problem</b> 14:22<br>27:21 28:5 36:2<br>45:19,21 49:3,7<br>49:24 57:18<br>69:2 79:2,10<br>82:19 105:3<br>108:6,10,17<br>109:18 110:9<br>122:2,17 127:24<br>173:2 214:14<br>216:18,20 223:6<br>223:18 267:4<br>297:3 354:18<br><b>problematic</b><br>130:4<br><b>problems</b> 29:19<br>75:5 79:8 82:22<br>96:3 105:14<br>118:11 155:2<br>202:24 207:3<br>209:20 210:13<br>300:20<br><b>procedure</b> 157:11<br>236:18<br><b>procedures</b> 10:14<br>124:25<br><b>proceed</b> 272:6<br>273:9 285:7<br>287:16 321:16<br>326:17<br><b>proceedings</b><br>140:24 362:4<br><b>proceeds</b> 165:12<br>165:18<br><b>process</b> 6:18,19<br>7:16,20 20:17<br>23:4,9 24:11<br>25:18 26:13<br>28:15 29:20,25<br>80:25 81:3<br>87:20 88:22<br>93:12 97:23<br>98:6,16 99:6<br>101:17 115:16<br>117:13 118:25<br>121:9 124:22 |
|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 125:2,3,4 126:5<br>126:14 127:16<br>130:15,16,18<br>132:3 144:6<br>154:8 165:17<br>169:18 170:6<br>174:10,13 176:6<br>176:12 190:21<br>197:16,21 199:5<br>199:7,16 200:5<br>201:5,9 202:16<br>209:24 210:11<br>212:10 214:20<br>214:20,22<br>216:12 217:6<br>225:22 241:24<br>253:7,22 254:5<br>254:13 265:5,22<br>273:22 275:23<br>336:16<br><b>processed</b> 167:7<br>173:19<br><b>processes</b> 27:3<br>127:2 229:6<br><b>processing</b> 174:4<br>200:8 237:7<br><b>procurement</b><br>6:16 7:17 212:9<br>263:17 264:25<br><b>produced</b> 17:3<br><b>productive</b> 354:6<br>354:21<br><b>products</b> 314:8<br><b>professional</b><br>119:13 138:3<br>235:9<br><b>professionalism</b><br>5:4<br><b>professionally</b><br>30:19 138:21<br><b>professionals</b><br>55:10 108:23<br>135:3 136:8<br>295:6<br><b>profit</b> 348:3<br><b>profitable</b> 49:12<br><b>profits</b> 314:10,11 | <b>program</b> 2:11<br>7:15,18 12:14<br>77:21 78:4,17<br>80:4 81:25<br>93:25 94:13<br>95:17 107:22<br>108:9 147:19,21<br>147:23 148:4,21<br>149:12,16<br>151:15 160:6<br>180:2 183:19<br>184:7,9,16<br>192:13 197:4<br>214:5 219:9<br>234:15 273:23<br>273:25 274:6,18<br>274:22 275:3,6<br>275:11,12<br>278:11 280:5<br>285:11 289:7<br>318:6 334:2<br>354:4<br><b>programs</b> 9:20<br>81:6 159:18<br>195:23 213:4<br>273:20 275:18<br>275:19 288:16<br>318:5,7<br><b>progress</b> 67:14<br>161:23 162:4<br>226:16<br><b>project</b> 8:11 30:9<br>32:2 50:25 73:6<br>160:9,11 169:23<br>170:14,15,17<br>194:25 200:10<br>215:8,11 219:14<br><b>projected</b> 201:10<br><b>projectiles</b> 105:20<br><b>projects</b> 6:11,11<br>165:3 215:7<br><b>promised</b> 317:15<br><b>promo</b> 359:15<br><b>promote</b> 316:12<br><b>proper</b> 98:13<br>191:10<br><b>properly</b> 69:17 | 173:16 196:11<br>196:12 292:20<br><b>properties</b> 25:3<br>27:4,13,18,23<br>28:17 47:3,4,8<br>47:12 48:24<br>58:5 70:24<br>71:15 76:23<br>77:7 87:3 88:17<br>88:25 89:7<br>92:25 97:25<br>99:12,19,22<br>100:9,9 101:2,7<br>101:8 112:2,4<br>112:13,23,25<br>117:14,25 120:3<br>120:11 127:4,6<br>127:9 128:8<br>131:11 145:3,5<br>145:7,10 147:11<br>147:12 148:3,3<br>148:24 149:25<br>151:14 153:20<br>160:23 164:22<br>165:11,25<br>167:18,20 176:8<br>178:22,25 179:6<br>179:17 181:19<br>203:25 209:11<br>222:22 276:9<br>296:4 298:16<br>346:5 358:9,22<br><b>property</b> 6:16<br>15:13,16 16:18<br>49:11 50:8,9<br>52:20 53:16<br>60:16,18,20,24<br>60:25 90:2,6,7<br>90:11 91:10<br>92:4,9,13<br>100:18 101:6<br>111:19 112:6,14<br>112:15 113:21<br>113:21 114:20<br>117:19 118:4,4<br>118:8,12,16,17<br>118:18 119:10 | 119:16,24<br>120:18,21 126:8<br>127:7,11 128:17<br>128:19 129:15<br>129:24 130:6,9<br>131:3 136:20<br>145:12,15,16,20<br>145:24 146:7<br>148:11 153:12<br>154:3 155:12,21<br>157:17 160:20<br>167:8 169:20<br>171:20 179:3,9<br>179:15 186:9<br>187:4,10,15<br>192:11 209:12<br>219:6,10 220:4<br>220:16 223:18<br>281:10,13 282:5<br>282:10 297:5<br>299:9,22 309:7<br>309:23 310:23<br>326:21 327:3<br>328:21 345:4<br>357:19,22<br>358:13,16,18<br>359:3 360:7,12<br><b>proponent</b> 336:22<br><b>proposal</b> 145:9<br>150:17,20 271:4<br>356:22<br><b>propose</b> 70:16<br><b>proposed</b> 2:24<br>4:14 28:20<br>40:12 54:3<br>115:17 145:4<br>301:15 328:9<br><b>proposing</b> 313:16<br><b>proprietary</b> 23:25<br><b>prosperity</b> 51:20<br><b>prosperous</b><br>316:13<br><b>protect</b> 68:11<br>72:11 86:4<br>106:6 294:23<br>301:6 322:11<br>323:17 330:10 | <b>protected</b> 143:15<br><b>protecting</b> 84:19<br>110:3<br><b>protection</b> 53:19<br>55:24 84:21<br>107:17 108:8<br>109:24 301:3,17<br>301:21<br><b>protections</b><br>152:15 294:22<br><b>proud</b> 8:15<br>142:25 143:5<br>219:2 247:3<br>284:16 298:3<br><b>proudly</b> 286:5<br><b>prove</b> 59:8,12<br>60:2 61:5<br><b>proven</b> 274:12<br>275:18 310:5<br><b>provide</b> 4:25 5:5<br>9:21 49:25<br>56:23 68:10<br>75:24 86:24<br>132:18 138:14<br>166:21 173:13<br>174:21 179:22<br>185:2 188:4<br>192:7 197:18,20<br>211:23 212:3<br>214:24 225:10<br>225:14 241:21<br>242:24 244:3<br>248:5 257:3<br>265:8 266:6<br>275:17 290:4<br>295:16 296:21<br>304:13 321:22<br>322:18,22<br>333:19<br><b>provided</b> 6:9<br>25:15 28:13<br>53:9 71:24<br>167:14 280:11<br><b>providers</b> 225:3,6<br><b>provides</b> 50:2<br>169:20 186:18<br>219:3 273:16 |
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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>providing</b> 2:20<br>8:12 80:8 189:3<br>214:14 238:16<br>238:17 248:9<br>334:11<br><b>provision</b> 53:8<br>225:4<br><b>provisional</b> 253:9<br>253:10,25<br>254:21,23<br>255:24 257:5,6<br>257:22,22<br>258:10,17<br><b>provisions</b> 186:6<br>186:17 229:7<br><b>public</b> 2:4 6:16,19<br>12:15 33:17<br>34:3 72:18 74:2<br>74:3,11 76:2<br>84:19,24 86:4<br>102:10 110:22<br>134:24 136:13<br>136:13 138:16<br>141:24 143:9,22<br>144:4,5 147:9,9<br>148:15 149:4<br>181:3 182:22<br>220:3,17 221:22<br>229:20 230:10<br>231:3 235:5<br>241:22 244:15<br>270:15,23 271:7<br>271:12 290:2<br>295:17 300:15<br>302:12 306:24<br>311:21 315:3<br>317:20 360:17<br>362:15<br><b>publicly</b> 4:23<br>19:21 166:16<br>229:19 296:8<br><b>pull</b> 111:18<br>113:25 325:13<br><b>pullbacks</b> 112:6<br><b>pulling</b> 14:3<br><b>pulls</b> 313:3<br><b>purchase</b> 82:14 | 87:3 145:14,24<br>146:5 263:19<br>264:20,23<br>266:12<br><b>purchased</b> 100:19<br>145:11<br><b>purchaser</b> 71:7<br>145:25 146:6<br>155:14<br><b>purchases</b> 265:23<br>265:25 266:4<br><b>purchasing</b><br>126:18<br><b>pure</b> 348:7<br><b>purpose</b> 241:15<br><b>purposes</b> 43:25<br>45:3 298:18<br>301:24 305:24<br><b>pursuant</b> 3:5<br>98:15,25 148:13<br><b>pursue</b> 138:24<br>162:2<br><b>purview</b> 186:4<br><b>push</b> 88:2 101:5<br>310:10<br><b>pushed</b> 343:4<br><b>pushing</b> 49:8<br><b>put</b> 15:23 23:7<br>25:13 46:12<br>49:15 76:6<br>78:20 79:5<br>88:17 94:14<br>100:14 102:10<br>102:17 105:3<br>106:15 111:2<br>117:25 118:12<br>124:18 128:23<br>134:4,19 135:21<br>136:14 151:15<br>156:11,15 176:5<br>179:7 195:24<br>196:13,24<br>210:13 216:16<br>219:21 223:17<br>236:18 244:2<br>249:5 306:25<br>307:4 320:13 | 343:6 354:12<br><b>puts</b> 118:15<br><b>putting</b> 113:22<br>133:7 146:15<br>174:10 182:3<br>192:18 252:14<br>315:21 320:7<br><b>P&amp;R</b> 278:13,25<br>279:7,10,19<br><b>p.m</b> 203:20<br>206:17 361:24<br><hr/> <b>Q</b><br><hr/> <b>qualified</b> 211:17<br>211:25 240:20<br>266:25<br><b>quality</b> 4:25 5:13<br>217:18 311:24<br><b>quality-of-life</b><br>312:13<br><b>Queen</b> 63:25<br><b>question</b> 10:11<br>15:18,20 18:5<br>18:10,10,24<br>20:7,7,18 21:6,9<br>22:21 27:25<br>37:24 41:12<br>47:10 50:6,12<br>58:24 74:5<br>83:24 97:22<br>105:6 117:2,17<br>129:14 132:6<br>140:13 144:21<br>149:22 150:18<br>150:22 153:19<br>155:8,9 167:8<br>167:23 171:18<br>173:22 185:13<br>203:14 206:22<br>224:22 229:9<br>245:11 248:24<br>254:20 255:8<br>261:21 262:2<br>306:5 310:17<br>324:7,8 335:7<br><b>questionable</b><br>300:13 | <b>questioned</b><br>310:13 359:13<br><b>questions</b> 10:5,8<br>23:8,11 25:21<br>29:10 51:16<br>66:3 72:24<br>87:14 97:9<br>98:11 103:21<br>117:12 124:4<br>126:4 142:17<br>143:6 152:4<br>162:11 188:12<br>197:23 200:25<br>205:22 215:19<br>230:19 231:14<br>236:5 252:14<br>267:18,20,23<br>270:8 332:2<br><b>quick</b> 10:8 46:25<br>72:23 129:8<br>132:6 144:21<br>155:8 196:20<br>197:8 203:14<br>240:5 254:20<br>324:7 346:3<br><b>quicker</b> 113:11<br>172:25 173:2<br><b>quickly</b> 76:17<br>82:22 87:16<br>93:23 143:6<br>160:2 180:3,12<br>233:13 250:24<br>300:24<br><b>quiet</b> 288:7<br><b>Quinones-Sanc...</b><br>149:24 276:5<br><b>quite</b> 201:23<br>290:21<br><b>quote</b> 226:23,23<br><hr/> <b>R</b><br><hr/> <b>R</b> 245:17<br><b>race</b> 67:6<br><b>radios</b> 85:18<br><b>rain</b> 288:25<br><b>raise</b> 228:15<br>243:4 245:10 | 331:24 332:2<br>347:17 352:9<br><b>raised</b> 51:9<br>206:21 282:23<br>355:11<br><b>raises</b> 250:5<br><b>raising</b> 311:15<br>348:15<br><b>ramp</b> 87:22<br><b>ramping</b> 163:8<br><b>ran</b> 19:6 29:18<br>342:11<br><b>random</b> 47:7<br><b>range</b> 16:11<br><b>rank</b> 11:17<br>245:16<br><b>rap</b> 195:22<br><b>rarely</b> 288:7<br><b>rate</b> 18:14 26:3<br>54:4 55:22<br>56:11 58:6,8<br>160:16,18<br>187:10 188:23<br>223:21<br><b>rates</b> 167:21<br>265:17 315:11<br><b>reach</b> 246:2 339:7<br><b>reached</b> 241:9<br>265:18<br><b>reaching</b> 144:13<br>144:14<br><b>react</b> 172:25<br><b>read</b> 2:8 260:2,3,5<br>260:7 261:9<br>271:19 360:4<br><b>readily</b> 170:4<br>210:15<br><b>readiness</b> 141:3<br><b>reading</b> 288:15<br>357:17<br><b>ready</b> 137:11,13<br>139:17 170:10<br>196:5<br><b>real</b> 10:16,22 11:5<br>11:10,19 16:11<br>23:16 44:20<br>54:15 59:3 65:8 |
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| 78:3 83:5 92:10<br>92:11 108:14<br>129:7,19,20<br>154:13 162:20<br>203:14 240:4<br>241:8 280:5<br>290:16 295:5<br>319:21 335:4,16<br>346:16 349:13<br>359:6<br><b>reality</b> 133:8<br>143:20 144:4,9<br>274:12 354:7<br><b>realize</b> 28:24<br>154:4<br><b>realized</b> 286:13<br>322:3<br><b>really</b> 12:24 13:5<br>14:17 17:15<br>24:19 28:24<br>32:6 37:20<br>38:17 45:19<br>55:2,5 56:18<br>64:5 85:25<br>101:4,9,10<br>113:19 120:12<br>123:19 125:21<br>127:6,10 129:9<br>132:6 141:22<br>147:10 151:2<br>164:9 175:19,20<br>186:9 191:17<br>216:24 255:4<br>258:5 275:24<br>276:16 298:21<br>334:16 351:21<br>351:21,25<br>352:23<br><b>realm</b> 252:11<br><b>realtime</b> 13:25<br>14:9 170:23<br>219:5<br><b>realtors</b> 78:13<br><b>reanalyzed</b> 65:13<br><b>reason</b> 27:12,20<br>94:24 111:21<br>112:23 113:25 | 114:3,4 128:15<br>150:15 167:22<br><b>reasonable</b> 56:7<br><b>reasons</b> 111:23<br>240:25 298:6<br><b>reassessing</b><br>358:22<br><b>reassessment</b><br>50:10<br><b>reassessments</b><br>292:20<br><b>rebate</b> 145:14,23<br><b>rebated</b> 146:6<br><b>rebuilding</b> 38:19<br>299:19 300:9<br><b>rec</b> 87:7 277:7<br>279:18 280:12<br><b>recap</b> 34:13 35:18<br><b>receive</b> 22:14 23:2<br>24:15 191:2<br>282:7 293:19<br><b>received</b> 40:9,16<br>51:18 216:16<br><b>receiving</b> 275:8<br>281:8 332:20<br>358:7<br><b>recess</b> 157:21<br>158:5 270:13,17<br>361:19<br><b>recession</b> 347:17<br><b>recognition</b> 311:8<br><b>recognize</b> 52:21<br>52:22 69:21<br>134:3 238:12<br><b>recognizes</b> 15:2<br>22:4 26:9 32:18<br>39:21 46:18<br>51:22 57:7<br>63:18 79:13<br>86:12 96:22<br>103:25 111:12<br>117:8 125:14<br>132:25 168:18<br>175:3 319:19<br><b>recognizing</b><br>346:10<br><b>recollection</b> 36:9 | <b>recommend</b><br>91:11 133:25<br>295:3,10,20<br><b>recommendation</b><br>10:22 43:6<br>104:24<br><b>recommendatio...</b><br>5:23 9:6 10:12<br>10:25 11:25<br>45:24 46:5<br>55:20 179:23<br>301:24 305:16<br><b>recommended</b><br>277:11<br><b>reconcile</b> 172:4<br><b>reconstituted</b><br>337:9<br><b>reconstruct</b><br>294:10<br><b>reconvene</b> 361:20<br><b>reconvening</b><br>158:8<br><b>record</b> 27:17<br>34:14 35:3,5,18<br>46:25 57:12<br>66:18 103:17<br>108:20 222:7<br>256:4 273:3<br>297:10 314:12<br>314:23 317:20<br>341:20 347:7<br><b>recorded</b> 14:4<br><b>records</b> 36:3,4<br>109:15 222:4<br><b>recoveries</b> 8:23<br><b>Recovery</b> 81:24<br>81:25 131:6<br><b>recreation</b> 7:21<br>277:14 280:16<br>317:5,13,19,21<br>318:2,19 319:7<br><b>recruits</b> 96:7<br><b>recycle</b> 139:14<br><b>red</b> 169:25 200:18<br><b>Redevelopment</b><br>166:18<br><b>rediscussed</b> 65:13 | <b>redo</b> 28:22<br><b>reduce</b> 53:24 71:6<br>92:9 93:7<br>234:11<br><b>reduced</b> 274:22<br><b>reducing</b> 54:19<br>55:15<br><b>reduction</b> 349:14<br><b>reductions</b> 6:6<br><b>reenact</b> 110:25<br><b>reference</b> 41:2<br>97:22 336:7<br><b>referenced</b> 12:12<br><b>referred</b> 131:5<br><b>reflective</b> 15:19<br>235:23<br><b>reform</b> 276:6<br>281:10 282:5<br>292:9 305:5,16<br>311:11,17<br><b>refuge</b> 284:21<br><b>refusal</b> 116:25<br><b>refusals</b> 159:22<br><b>refuse</b> 281:17<br><b>refuses</b> 295:16,18<br><b>regard</b> 16:18 55:2<br>77:24 89:5<br>112:12,25 153:7<br>307:18<br><b>regarding</b> 2:5<br>41:16 97:11<br>226:21<br><b>regards</b> 54:19<br>245:18<br><b>regime</b> 349:6<br><b>register</b> 244:22<br><b>registered</b> 140:16<br>211:16,24<br>256:15 265:13<br>265:20 308:12<br><b>registration</b> 181:4<br>256:7<br><b>regular</b> 99:24<br>115:16 283:7<br>285:23 353:17<br><b>regulate</b> 228:11<br><b>regulated</b> 227:8 | 227:10<br><b>regulation</b> 226:22<br><b>regulations</b><br>228:21 229:5,16<br>229:18,21,23<br>235:11<br><b>rehabbed</b> 187:11<br>358:9<br><b>reimbursed</b> 95:13<br><b>rein</b> 305:13<br><b>reinvesting</b><br>282:14<br><b>reject</b> 305:4<br><b>related</b> 5:19 87:23<br>210:20,21<br>222:22 271:2<br>305:23<br><b>relates</b> 11:17<br>41:23 42:8<br>117:12 209:10<br>324:15<br><b>relating</b> 144:19<br>144:23 270:25<br><b>relation</b> 357:21<br>358:5<br><b>relationship</b> 78:7<br>209:17 222:19<br>223:2 336:12<br><b>relationships</b><br>211:2<br><b>relative</b> 52:7<br>53:18 54:14<br>55:15 65:10<br>232:23 235:15<br><b>release</b> 297:5<br><b>released</b> 7:12,22<br>11:6 19:21<br>21:16 293:9,12<br>296:8 339:23<br><b>releases</b> 340:3<br><b>relevant</b> 18:22<br><b>relief</b> 52:14 54:5<br>57:13,16 58:8<br>58:12,14<br><b>relisted</b> 27:13,14<br>92:14<br><b>rely</b> 207:12 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                         |                          |                         |                         |                          |
|-------------------------|--------------------------|-------------------------|-------------------------|--------------------------|
| 285:17                  | <b>reorganization</b>    | 159:12 164:12           | 146:10 203:25           | 354:23 355:16            |
| <b>remained</b> 160:15  | 317:12                   | 164:17 181:24           | 226:12 321:22           | 355:24 356:17            |
| <b>remaining</b> 164:4  | <b>Rep</b> 257:24        | 229:20 232:23           | <b>residents</b> 31:2   | <b>responsible</b> 45:11 |
| <b>remains</b> 174:15   | <b>repair</b> 118:18     | 294:4                   | 52:25 274:2,24          | 309:13                   |
| <b>remarks</b> 190:10   | 275:12,17 319:6          | <b>requested</b> 3:25   | 276:17 299:10           | <b>responsive</b> 162:18 |
| <b>remediation</b>      | <b>repairs</b> 319:10    | 69:19 115:19            | 301:7 312:12            | 183:3                    |
| 295:11                  | <b>repeat</b> 171:18     | 116:14,16 247:6         | 327:21                  | <b>responsiveness</b>    |
| <b>remedies</b> 38:16   | <b>repeatedly</b> 46:8   | 293:16                  | <b>resolution</b> 1:18  | 169:3                    |
| <b>remedy</b> 300:19    | <b>repercussions</b>     | <b>requesting</b> 22:12 | 2:7,9,19 41:13          | <b>rest</b> 110:13       |
| <b>remember</b> 108:3   | 275:10                   | 94:7 158:22             | 244:6                   | 236:22 288:22            |
| <b>remembered</b>       | <b>replace</b> 70:16     | <b>requests</b> 8:20    | <b>resolve</b> 112:22   | 316:11                   |
| 132:19                  | 160:10 164:13            | 46:8 70:12              | <b>resolved</b> 170:12  | <b>restaurant</b> 127:8  |
| <b>remiss</b> 247:8     | <b>replaced</b> 319:9    | 115:20 197:9            | <b>resources</b> 9:20   | <b>restore</b> 279:6     |
| <b>removal</b> 348:3    | <b>report</b> 5:17 7:10  | 293:10,14               | 49:17 68:3              | 317:14                   |
| <b>remove</b> 28:3      | 8:4 9:8 13:7             | <b>require</b> 27:8     | 174:3 216:24            | <b>restored</b> 317:10   |
| 177:12                  | 32:24,25 33:2            | 215:6 227:16            | 220:19 232:19           | <b>restoring</b> 277:6   |
| <b>removed</b> 27:4,9   | 34:3,7,11,14             | <b>required</b> 16:7    | 237:25 238:7,8          | 286:24 317:4             |
| <b>Rendell</b> 29:14    | 35:11 37:2               | 70:7 165:24             | 273:6,15 280:13         | <b>result</b> 8:22 33:8  |
| 37:20 44:10             | 38:11 41:3,9             | 181:4 215:4,9           | 287:5 304:14,22         | 53:3 157:12              |
| 65:2                    | 45:24 46:4,9             | 227:23 340:14           | 309:9 314:7             | 164:6 174:11             |
| <b>Rene</b> 290:25      | 216:15 222:2             | <b>requirement</b>      | 318:25 332:7            | 324:9 358:20             |
| 292:2                   | 360:6                    | 155:13,17               | 333:19 334:22           | 360:13                   |
| <b>Renee</b> 271:22     | <b>reported</b> 209:7,13 | 156:20 206:18           | <b>respect</b> 2:25     | <b>resulted</b> 160:7    |
| <b>renewable</b> 266:9  | <b>reporter</b> 362:23   | <b>requirements</b>     | 10:11 143:7,12          | 187:8                    |
| 266:24                  | <b>reporting</b> 6:5     | 214:6 217:16            | 143:13,25               | <b>results</b> 187:13    |
| <b>renewal</b> 164:3    | 43:4,4 205:9             | 241:2                   | 144:17 145:2,7          | 196:2 198:14,14          |
| 265:11                  | 223:23                   | <b>requires</b> 122:23  | 146:5 271:6             | <b>retained</b> 22:22    |
| <b>renewed</b> 123:14   | <b>reports</b> 5:12,19   | 229:4                   | 315:25                  | <b>rethink</b> 186:15    |
| 135:20                  | 5:22 6:4 7:19,22         | <b>Rescue</b> 327:11    | <b>respective</b> 76:8  | <b>retirement</b> 327:2  |
| <b>renovated</b> 327:14 | 222:20 234:24            | <b>resealed</b> 176:22  | <b>respond</b> 102:17   | <b>retirements</b>       |
| <b>renovations</b>      | <b>repost</b> 112:20     | 178:5                   | 228:25 297:6            | 184:22                   |
| 327:25                  | <b>reposted</b> 154:2    | <b>research</b> 170:9   | <b>responded</b> 293:13 | <b>return</b> 31:7,8     |
| <b>rent</b> 191:9 281:7 | <b>representative</b>    | 192:15 267:11           | <b>response</b> 17:8    | 345:19                   |
| 282:22,23 283:2         | 41:19 258:21             | <b>researched</b> 131:9 | 21:22 23:2              | <b>returned</b> 70:20    |
| 348:15                  | <b>representing</b>      | <b>reservation</b>      | 46:23 58:22             | 92:7                     |
| <b>rental</b> 160:3     | 357:6                    | 351:20                  | 66:4 83:9 87:15         | <b>revenue</b> 6:16 7:7  |
| 216:15,19               | <b>represents</b> 247:2  | <b>reserving</b> 303:16 | 187:10 213:14           | 9:9,10 10:10             |
| 217:20 219:5,9          | <b>reproduce</b> 293:23  | <b>reset</b> 90:15      | 224:4 225:15            | 26:13,16,19              |
| 219:12 220:9            | <b>reproduction</b>      | <b>resetting</b> 90:17  | 271:23 272:8,17         | 40:7,21 44:6             |
| <b>rentals</b> 220:14   | 362:20                   | <b>reside</b> 212:20    | 272:19 290:13           | 54:8,17 55:4,20          |
| <b>rented</b> 220:5     | <b>republican</b> 96:17  | <b>residence</b> 146:14 | 361:12                  | 71:13,17 77:14           |
| <b>renters</b> 282:19   | <b>repurpose</b> 276:8   | <b>residency</b> 6:23   | <b>responsibilities</b> | 80:8 81:16 90:3          |
| 311:6                   | <b>request</b> 17:6      | <b>resident</b> 281:4   | 67:24                   | 90:4 98:21               |
| <b>renting</b> 220:15   | 70:11 71:11              | 291:23 299:8            | <b>responsibility</b>   | 108:7,14 158:25          |
| 222:2                   | 77:4 89:3                | 326:19                  | 68:5 120:8              | 159:11 163:16            |
| <b>rents</b> 92:12      | 113:15 131:7             | <b>residential</b> 65:5 | 185:14 295:14           | 163:20 169:21            |
| 130:21                  | 158:20 159:3,7           | 112:2 113:21            | 300:21 333:23           | 171:13,22,23             |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 172:7 173:6<br>174:20 179:5,20<br>199:21 219:16<br>222:14,15,17,24<br>223:9 224:7,11<br>232:21 234:8<br>276:4,13 282:16<br><b>revenues</b> 6:7 9:5<br>9:16 26:21<br>31:11 40:5 41:7<br>160:7,24 187:13<br>219:21,24<br><b>review</b> 7:8,23,24<br>22:23 47:9<br>171:2 197:14<br>295:4,9,19<br><b>reviewed</b> 35:15<br>45:6<br><b>revised</b> 2:21<br>235:7<br><b>revitalization</b><br>317:12<br><b>Reynolds</b> 1:15<br>188:11 208:9<br>224:21 245:8<br>249:20 268:5<br><b>rhetoric</b> 314:3<br><b>Rhoads</b> 326:4<br><b>Rice</b> 4:3<br><b>rich</b> 304:24<br>305:11 314:4,6<br>314:8 315:7<br>342:4<br><b>ride</b> 61:11 75:8<br>303:21<br><b>Ridge</b> 278:22<br><b>ridiculous</b> 62:21<br>353:4 356:13<br><b>right</b> 16:17 20:11<br>23:10 25:23<br>28:2 29:24<br>30:10 31:3,9,14<br>34:6 41:11<br>44:19 46:14<br>50:25 52:18<br>54:13 57:20<br>60:3 62:6,7 | 63:16 64:9<br>69:20 94:2<br>95:16 101:18<br>103:12 105:21<br>106:14 108:4,12<br>108:24 111:7<br>114:12 120:23<br>121:20 123:3,17<br>136:3,4,15<br>142:24 143:3<br>149:6 151:19<br>155:25 156:8<br>157:3 158:15<br>165:7 166:13<br>170:6 172:24<br>173:25 174:15<br>174:23 186:13<br>191:12 199:19<br>199:22 201:6<br>202:21 204:12<br>204:18,23<br>212:23 248:11<br>254:15 256:24<br>263:15 264:14<br>270:7 273:21<br>283:25 289:20<br>303:4 313:23<br>315:21 334:17<br>335:5 336:19<br>338:4 341:22<br>342:22 345:18<br>352:16 353:2,9<br>354:25 357:3<br><b>rigorous</b> 43:14<br><b>riled</b> 300:18<br><b>rise</b> 51:21<br><b>rising</b> 345:24<br><b>risk</b> 134:20,22<br>135:21 136:15<br>136:16,17<br>141:11,12<br><b>Rite</b> 244:19<br><b>Riverwards</b><br>292:12<br><b>Rizzo</b> 78:5<br><b>robbed</b> 106:12<br><b>Robert</b> 67:16 | <b>robust</b> 25:16<br><b>role</b> 16:18,23,25<br>16:25 22:8<br>242:10<br><b>roll</b> 201:17 305:12<br>356:15<br><b>rolled</b> 289:3<br>354:19 356:15<br><b>rolling</b> 201:6<br><b>rollout</b> 201:2<br>202:18 354:3<br><b>rolls</b> 27:20 100:15<br>100:19 145:20<br>146:13 151:16<br>156:16 276:11<br><b>Ron</b> 272:14,15<br>291:17 302:10<br><b>room</b> 1:6 124:15<br>283:16,18<br>294:13 297:13<br>335:21 355:20<br>361:21<br><b>rope</b> 113:2,7,9<br><b>Rose</b> 4:6<br><b>round</b> 93:19<br>215:13<br><b>rounded</b> 88:8<br><b>routinely</b> 27:5<br><b>row</b> 327:17<br><b>Roxborough</b><br>191:7 244:11,16<br><b>RPR-Notary</b><br>362:15<br><b>rubber</b> 44:13<br><b>Ruben</b> 271:22<br>290:25 297:19<br>297:24,25<br>299:16 301:23<br><b>rude</b> 129:3<br><b>rules</b> 199:14<br>206:12 235:11<br>246:3<br><b>run</b> 16:8 17:9<br>19:11 46:24<br>57:25 95:6<br>122:4 221:9<br>254:7,7,8,14 | 300:14 323:24<br>342:2<br><b>rung</b> 140:10<br><b>running</b> 217:23<br>221:5 251:20<br>342:10<br><b>rush</b> 23:6 231:5<br><hr/> <b>S</b> <hr/> <b>sacrifice</b> 5:6<br><b>sacrificed</b> 44:21<br><b>sadly</b> 347:25<br><b>safe</b> 73:8 83:13,21<br>103:11 141:10<br>277:24 279:9<br>318:20 322:9,20<br>323:21<br><b>safeguard</b> 5:23<br>137:17 142:2,3<br><b>safeguarding</b><br>141:24<br><b>safely</b> 323:14<br><b>safer</b> 300:10<br><b>safety</b> 12:15 76:2<br>84:24 143:8,9<br>143:25 144:4<br>226:14<br><b>salary</b> 95:13<br>233:2 353:23<br><b>sale</b> 27:5,24 28:2<br>28:18 70:25<br>71:13 76:24<br>77:6,8,8 87:3,20<br>87:22,24 88:18<br>88:22,25 92:4<br>92:14 97:23<br>98:6,13,14,24<br>98:25 99:9,12<br>99:22 111:19<br>112:16 113:5,18<br>114:17,21<br>117:13,19,25<br>118:19,23 120:4<br>120:13,17 126:5<br>126:13 128:5,10<br>128:12,20,24<br>129:24 130:7 | 131:11 145:10<br>145:16,18 146:2<br>146:4 147:4,14<br>147:15,24<br>148:11,13,14,22<br>148:25,25 150:2<br>151:25 152:11<br>153:16,21,22<br>155:13,22 156:3<br>156:11 178:23<br>179:7,11,13<br><b>sales</b> 18:16 27:10<br>27:22 71:16,21<br>76:18 77:10<br>80:7 81:11 89:5<br>92:7 100:5<br>111:25 144:23<br>147:6,7 153:7<br>155:12 359:7<br><b>salvaged</b> 289:9<br><b>sample</b> 18:16 47:7<br><b>San</b> 277:15<br><b>Sanchez</b> 86:13,14<br>86:19 88:19<br>89:8,16,19<br>90:16,25 91:5<br>91:16,18 92:16<br>92:20,23 93:18<br>100:8 117:8,9<br>119:23 120:22<br>123:17 125:9<br>175:4,5,9<br>176:13,16 177:4<br>177:11,16,20,25<br>178:7,14 179:8<br>179:25 180:24<br>181:12,23<br>182:12 195:19<br>206:21 250:5<br><b>Sanchez's</b> 276:7<br><b>sandwiches</b><br>195:15<br><b>sanitized</b> 25:14<br><b>Saturday</b> 147:7<br>147:15,22<br>343:24<br><b>save</b> 5:13 9:3 |
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| 30:21 193:14<br><b>saves</b> 192:12<br><b>savings</b> 9:5 10:10<br>305:10<br><b>savvy</b> 198:20<br><b>saw</b> 85:18<br><b>saying</b> 55:9 67:2<br>102:2 103:16<br>137:3,4 143:19<br>155:11 193:17<br>221:4 224:2<br>255:3 298:7<br>313:14 353:25<br>355:7 356:8,10<br><b>says</b> 15:18 20:11<br>53:8 64:14<br>106:6 248:14<br>311:12 342:13<br>354:14 360:24<br><b>scale</b> 212:25<br><b>scaring</b> 217:24<br><b>scenario</b> 133:11<br><b>schedule</b> 280:7<br><b>scheduled</b> 140:18<br><b>Schmidt</b> 231:24<br>232:6,8,9<br>236:10,16 237:5<br>237:22 240:23<br>241:25 243:8,15<br>243:19 246:6,12<br>246:17 247:13<br>248:2,6,11<br>249:3,10 251:17<br>259:9,11,15,19<br>259:23 260:3,8<br>260:12,18,24<br>261:12,15,23<br>262:5,9,13,17<br>262:22 263:3,8<br>263:14 264:6,11<br>264:15,19 265:7<br>265:24 266:5,11<br>266:14,19<br>267:15,21<br>268:11,25 269:5<br>269:9,15,20,24<br><b>school</b> 8:4 22:11 | 33:2,8,12 38:13<br>41:17,24 42:4<br>42:15,18,20<br>43:17,21 44:15<br>45:4,11,16 95:5<br>95:6,8,14,14<br>105:17 138:24<br>240:6,10,19<br>241:10 278:20<br>278:21 302:20<br>302:24 303:21<br>303:23 305:5,7<br>306:14 321:19<br>323:14,18 324:9<br>324:13,19<br>325:24,25 326:4<br>328:21 344:17<br><b>schools</b> 34:3 44:4<br>44:8 63:11<br>241:5,5,16,17<br>241:18,22,23<br>242:17,18 282:3<br>282:11,14<br>302:12,17 303:2<br>305:10 309:6<br>311:24 315:16<br>325:16,16 326:5<br><b>scope</b> 223:5<br><b>Scott</b> 197:12<br><b>Scott's</b> 33:9<br><b>Scouts</b> 318:8<br><b>scrap</b> 218:3,14<br><b>seal</b> 176:3,12<br><b>sealing</b> 176:7<br><b>seals</b> 161:6 168:7<br>176:4,20<br><b>Seamus</b> 336:24<br><b>searches</b> 144:9<br><b>searching</b> 181:21<br><b>season</b> 32:2<br><b>second</b> 8:2 34:7<br>43:8 65:6 114:9<br>150:23 168:25<br>173:18 183:21<br>212:4,16 285:4<br>310:11 358:16<br>359:18,21 | <b>Secondly</b> 274:18<br><b>seconds</b> 344:11,12<br>344:15<br><b>second-class</b><br>303:15<br><b>secret</b> 211:18<br><b>section</b> 163:14<br>342:10<br><b>sections</b> 260:4<br><b>sector</b> 221:21<br><b>secure</b> 23:12<br>73:18 76:6<br>84:15,17 103:11<br>141:7<br><b>securing</b> 8:7<br><b>security</b> 68:10<br>72:16 74:10<br>102:14 105:16<br>105:24 106:5,9<br>107:18 110:25<br>133:24 134:17<br>135:22,25 136:6<br>136:9,11,13<br>137:4,5,21<br>139:4 143:12<br>144:16<br><b>see</b> 13:23 14:12<br>75:18 79:7,8,18<br>84:2 96:15,19<br>100:24 102:20<br>107:3 121:10<br>125:7 129:7<br>135:22 143:2<br>153:25 156:5<br>172:22 180:3<br>181:13,25 182:6<br>186:23 195:11<br>195:25 196:3<br>207:22 215:13<br>219:10 234:6<br>237:19 238:13<br>239:6 247:20,25<br>250:4 251:8,23<br>256:25 257:20<br>269:11 282:22<br>319:13 329:22<br>337:16 346:18 | <b>seeing</b> 14:22 66:5<br>196:2 270:7<br>329:21<br><b>seek</b> 24:7 94:18<br>119:13 237:17<br><b>seeking</b> 70:2<br>237:16 267:5<br><b>seen</b> 82:8 88:7<br>187:13 221:4<br>238:24 273:19<br>282:24<br><b>segregate</b> 307:8<br><b>segregation</b><br>298:16<br><b>SEIU</b> 309:10<br><b>selected</b> 263:16<br><b>selection</b> 263:18<br>264:7<br><b>self</b> 103:9<br><b>sell</b> 71:14 89:2<br>100:11,13<br>101:21 107:10<br>114:24 117:14<br>118:3 128:17<br>156:6,10<br><b>selling</b> 99:21<br><b>sells</b> 130:9<br><b>seminar</b> 20:25<br><b>seminars</b> 70:24<br>78:9,15 153:4<br>213:4,25<br><b>Senator</b> 257:25<br>336:21,22<br><b>send</b> 85:9 95:7<br>121:24 210:3<br>220:10 244:7<br>330:6<br><b>sending</b> 122:6<br><b>senior</b> 342:7<br>345:2<br><b>seniors</b> 275:15,20<br>289:17<br><b>sense</b> 53:23 58:10<br>62:3 87:23<br>143:24 144:16<br>256:19 282:11<br>347:18 351:21 | 352:2,14<br><b>sent</b> 17:5 103:3<br>115:10 173:17<br>173:19<br><b>sentence</b> 142:3<br><b>separate</b> 128:3<br><b>September</b> 325:3<br><b>sequence</b> 322:2<br><b>sergeants</b> 139:18<br><b>series</b> 22:22<br><b>serious</b> 49:23<br>114:15<br><b>servant</b> 182:22<br><b>serve</b> 119:4<br>205:19 274:13<br>287:10 295:7<br>330:14<br><b>served</b> 171:11,16<br>171:20 173:23<br>275:5 330:2<br>339:3<br><b>serves</b> 285:14<br><b>service</b> 4:25 8:13<br>71:6 78:20<br>79:19 110:22<br>131:4 138:14<br>159:17 162:4<br>165:14 171:22<br>174:20 187:3<br>190:16 191:25<br>193:8 196:13<br>198:13 225:11<br>226:8 233:4<br>234:19 245:23<br>246:3 250:7,23<br>257:2 268:24<br>269:2,13,16<br>270:10 273:16<br>321:22 331:6<br>334:6 338:24<br><b>services</b> 4:5 7:11<br>9:21 119:15,22<br>129:18 130:3<br>131:13 161:24<br>190:19 193:20<br>196:15 213:20<br>274:15,19,25 |
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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 275:8 276:2,14<br>289:19 290:2<br>322:21 323:23<br>336:2,4 340:21<br><b>serving</b> 232:10<br>333:16<br><b>set</b> 26:3 150:25<br>151:2,8 235:11<br>360:10<br><b>sets</b> 91:15<br><b>setting</b> 334:12<br>352:22<br><b>settings</b> 274:10<br><b>settle</b> 200:20<br><b>settlement</b> 112:21<br>113:4 114:5<br><b>seven</b> 246:14<br><b>Seventy</b> 256:11<br><b>severe</b> 133:17<br>136:16,17<br><b>sewer</b> 10:15,19,21<br>130:21<br><b>shadows</b> 83:16<br><b>shakers</b> 313:24<br><b>shame</b> 344:4<br>350:6 351:7,22<br>352:13 353:6<br><b>Shapiro</b> 272:7<br>290:25 291:4,10<br>308:3,7,14<br>312:18<br><b>share</b> 49:14 51:5<br>139:11 202:15<br>281:18 282:7<br>304:25 305:14<br>319:25 338:6<br>344:22<br><b>sharing</b> 210:9<br><b>SHARP</b> 275:12<br><b>shed</b> 32:6<br><b>shells</b> 126:22<br><b>sheltered</b> 148:16<br><b>sheriff</b> 27:4,10,22<br>27:24 28:2,18<br>66:13,15,20,22<br>67:9,10,18<br>70:25 71:16 | 72:7,20,23 73:3<br>73:13 74:13,19<br>75:16 76:14,18<br>76:24 77:3,6,25<br>79:12,17,23<br>80:6,15,19<br>81:11 83:23<br>86:9,17 87:3,20<br>87:22,24 89:4<br>92:5 93:11,17<br>94:3,8,12,17<br>96:4,5,13 97:3,7<br>97:16,23 98:6<br>98:12,14,25<br>99:9,18,25<br>101:24 103:14<br>103:18 104:5,6<br>104:18 105:11<br>105:22 106:25<br>107:14 108:13<br>108:25 109:20<br>111:16,19,25<br>112:16,18<br>114:17 115:3,8<br>115:12,18 116:3<br>117:12 118:10<br>120:4,15 121:12<br>124:12 126:4,13<br>128:9,12,20,23<br>129:24 130:7<br>131:5 133:19<br>134:8 135:6,9<br>136:23 137:12<br>138:20 139:2<br>140:2,20 141:5<br>141:23 142:19<br>142:20 143:2,17<br>144:23 145:10<br>145:16,18 146:2<br>146:19 147:6,7<br>147:24 148:6,10<br>148:13,22<br>152:11 153:2,16<br>155:13 157:3,23<br>178:23 179:7,10<br>179:13<br><b>sheriffs</b> 68:10,13 | 85:6 93:24<br>94:14 95:4,9<br>102:19 107:4<br>134:8,22 136:18<br>141:20<br><b>sheriff's</b> 66:7 67:2<br>67:24 72:14<br>78:6,24 79:24<br>80:3 81:7 82:4<br>83:25 84:5,13<br>85:13 88:10,20<br>88:24 96:5<br>99:20 102:3,4<br>104:8,16 105:17<br>107:13,15<br>119:17 124:8<br>129:22 130:10<br>130:12 131:22<br>131:24 138:6,11<br>139:3 140:7<br>144:2 147:3,5<br>149:3 153:21,22<br>178:21<br><b>shift</b> 63:10 121:21<br>282:18 305:17<br><b>shifted</b> 63:15<br>310:25<br><b>shocks</b> 15:24<br><b>shoot</b> 106:10,14<br><b>shop</b> 234:25<br>244:18<br><b>shops</b> 215:22<br><b>short</b> 26:3 289:24<br>309:16 336:17<br>340:12 341:14<br><b>shortage</b> 68:20<br>84:14 133:17<br><b>shorten</b> 113:7<br><b>shortened</b> 187:22<br><b>shorter</b> 113:9<br><b>shortly</b> 11:25<br>229:9<br><b>shot</b> 110:19<br><b>shout-out</b> 238:14<br><b>show</b> 44:16 75:19<br>76:10 204:13<br>286:4,8 | <b>showed</b> 239:13<br>286:5<br><b>shown</b> 207:15<br><b>shows</b> 59:15 60:4<br>63:3 293:25<br>347:19<br><b>side</b> 52:4,5 90:19<br>122:22 147:5<br>178:17 192:11<br>204:2 245:17,17<br><b>sides</b> 319:24<br><b>sidewalk</b> 289:6<br><b>sign</b> 137:19,20<br>173:16 180:13<br><b>significant</b> 38:18<br>49:13 67:13<br>83:14 145:8<br>161:23 165:3,7<br>165:11,21 234:6<br>358:14<br><b>signoff</b> 181:5<br><b>signs</b> 180:6,10,10<br>182:3<br><b>silo</b> 123:24<br><b>similar</b> 35:14,15<br>56:4 87:15<br>355:14 357:23<br><b>similarly</b> 33:16<br><b>simple</b> 17:6 21:9<br>27:7 73:9<br>143:20 348:8<br><b>simpler</b> 58:24<br>301:9<br><b>simply</b> 60:25 76:6<br>292:19 311:17<br>335:16<br><b>Singer</b> 232:2,13<br>244:11,14 245:2<br>245:19,22 246:4<br>246:20 247:18<br>250:18<br><b>single</b> 226:3,3<br>234:24 299:8<br><b>singles</b> 305:7<br><b>single-family</b><br>220:14 298:16<br><b>sinking</b> 45:18 | <b>sir</b> 3:20 10:7 35:5<br>39:20 95:20<br>114:24 117:4<br>148:23 149:13<br>149:17 150:11<br>155:19 157:4<br>182:24 198:8<br>236:7 259:12,20<br>260:12,19,24<br>261:16 262:23<br>264:12 266:7,21<br>267:15,23<br>276:20 284:14<br>285:4,7 287:15<br>296:20 302:4<br>306:10 316:17<br>319:16 335:4<br>337:15 338:19<br>341:19 344:8<br>345:8 347:10<br>349:17 350:2<br>355:7<br><b>sit</b> 22:25 25:19<br>27:20 138:7<br>155:15 294:9,12<br>345:16<br><b>site</b> 173:13 174:7<br>205:14 279:9<br>280:20 337:17<br>338:5<br><b>sites</b> 7:9,24<br><b>sits</b> 222:23<br><b>sitting</b> 52:20<br>121:6 124:16,17<br>281:15 312:5<br>335:19<br><b>situation</b> 37:18<br>90:18 129:23<br>148:19 176:3<br>217:21 289:10<br>334:18 344:25<br><b>situations</b> 117:24<br>120:6,10 152:10<br><b>six</b> 2:12 5:17 8:11<br>24:19 47:6<br>68:11 70:18<br>81:14 212:10 |
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| 226:12 246:8<br><b>sixth</b> 39:14<br><b>Sixty-two</b> 261:24<br>262:6<br><b>size</b> 18:16<br><b>sizes</b> 303:8<br><b>skeletal</b> 288:22<br><b>skills</b> 304:5<br><b>skyline</b> 63:7<br><b>slight</b> 4:18 343:12<br><b>slightly</b> 48:22<br>76:25 164:6,18<br>236:25<br><b>slip</b> 253:17,19<br><b>slow</b> 82:24<br><b>slowness</b> 27:21<br><b>small</b> 31:5 241:15<br>241:17 263:19<br>264:20,23<br>265:23,25 266:3<br>277:21 278:8<br>284:18 289:16<br>298:14 348:14<br><b>smaller</b> 313:6,6<br><b>smallest</b> 278:24<br><b>Smith</b> 283:14<br>290:10<br><b>smoother</b> 130:16<br><b>snapped</b> 44:14<br><b>snaps</b> 109:15<br><b>snapshot</b> 167:17<br><b>sniffing</b> 74:22<br>139:8<br><b>snitch</b> 110:16<br><b>Snyder</b> 308:7<br><b>social</b> 300:11<br><b>Society</b> 277:3<br>278:10 327:20<br><b>software</b> 233:24<br>236:22 237:6<br><b>sold</b> 90:8,9 91:10<br>100:13 114:10<br>167:9 187:12<br>348:20<br><b>Soldier</b> 331:23<br><b>Soldiers</b> 330:12<br><b>solid</b> 188:21 | <b>solution</b> 38:17<br>79:9 202:23<br>346:18 355:25<br><b>solutions</b> 9:13<br>170:22 346:17<br><b>somebody</b> 25:19<br>38:21 156:12<br>171:14 179:9<br>191:6 222:2<br>272:11 342:25<br><b>someone's</b> 134:7<br><b>Somerset</b> 330:24<br><b>somewhat</b> 58:20<br>235:14<br><b>soon</b> 195:2 197:18<br><b>sorry</b> 163:14<br>171:18 203:10<br>213:18 256:4<br>259:12,20<br>260:19 262:23<br>296:24 341:19<br>344:9<br><b>sort</b> 93:15 118:2<br>126:16 234:25<br>252:2 298:22<br><b>sorts</b> 127:2 238:2<br><b>sounds</b> 11:21<br>174:23 313:23<br><b>source</b> 31:10<br>71:17 333:6<br><b>sources</b> 44:6<br>276:4 332:3<br><b>south</b> 38:9 73:15<br>105:23 292:11<br>347:13 357:7<br>358:2,24<br><b>Southeast</b> 330:9<br><b>Southwest</b> 215:20<br>288:3 341:22<br>342:20<br><b>so-called</b> 298:14<br><b>space</b> 106:7<br>129:10 335:21<br><b>spanking</b> 303:25<br><b>speak</b> 83:19<br>194:19 209:9<br>213:3 250:19 | 263:15 271:10<br>290:21 302:10<br>306:23 347:12<br><b>speaking</b> 113:20<br>169:8 201:25<br>257:5 291:25<br>299:3 341:15,16<br>345:6 354:5<br><b>speaks</b> 125:23<br><b>special</b> 5:17 7:22<br>8:19 61:8,9<br>129:17 130:3,23<br>131:4,12 151:15<br>340:2<br><b>specialized</b><br>209:19<br><b>specially</b> 134:14<br><b>specialty</b> 139:5<br><b>specific</b> 101:13<br>222:5 236:25<br>296:4<br><b>specifically</b> 98:5<br>186:7 190:20<br>198:12 201:20<br>219:8 293:6<br>299:4 358:6<br><b>specifications</b><br>235:8 265:3,9<br>266:6,15 267:10<br><b>speculate</b> 155:16<br><b>speculating</b> 13:18<br><b>speculation</b><br>111:22<br><b>speeches</b> 325:19<br><b>Speller</b> 337:22<br><b>spend</b> 30:7 55:6<br>68:19,22 315:3<br>315:6<br><b>spending</b> 42:23<br>52:25 192:19<br>211:13<br><b>spends</b> 304:8<br><b>spent</b> 300:6 307:5<br>315:15<br><b>spirit</b> 320:9,16<br>347:24<br><b>spite</b> 5:10 165:21 | <b>split</b> 246:18 258:3<br>259:3<br><b>spoke</b> 260:25<br>261:2,6 350:14<br><b>spoken</b> 191:17<br><b>sponsor</b> 214:2<br><b>sponsored</b> 70:25<br>279:10<br><b>sports</b> 318:7<br><b>spot</b> 137:24 210:5<br><b>spots</b> 303:16<br><b>spray</b> 320:4<br><b>spread</b> 320:14<br><b>spreadsheets</b><br>199:25<br><b>spring</b> 292:2<br>327:8<br><b>springs</b> 39:11<br><b>spur</b> 127:18<br><b>squandered</b> 43:24<br><b>Square</b> 357:10<br><b>squatters</b> 117:23<br><b>squeeze</b> 346:8<br><b>Squilla</b> 1:15 26:10<br>26:11 28:19<br>30:14 32:4,15<br>292:16<br><b>Squilla's</b> 355:19<br><b>SRC</b> 45:3 302:23<br><b>stabilized</b> 75:15<br><b>staff</b> 4:19 5:11<br>6:14 10:4 26:22<br>67:14 69:17<br>70:8 116:7<br>124:11 129:4<br>133:23 161:8,9<br>161:18 183:10<br>183:18 190:12<br>197:12,14,19<br>208:17 222:23<br>233:4 235:12<br>236:2 241:9<br>245:23 246:10<br>246:21,25 247:7<br>250:23 268:9<br>275:9 280:12<br>286:19 318:12 | 331:23<br><b>staffer</b> 162:22<br><b>staffers</b> 78:2<br><b>staffing</b> 28:24<br>97:12 121:5,11<br><b>stakeholders</b><br>215:25<br><b>stamp</b> 154:25<br><b>stamps</b> 314:25<br><b>stand</b> 157:21<br>208:15,19<br>246:22 270:13<br>307:17 312:11<br>361:18<br><b>standard</b> 280:20<br><b>standards</b> 24:25<br>292:21 293:25<br>294:3<br><b>standing</b> 208:20<br>246:24 309:8<br><b>standpoint</b> 199:9<br><b>Stanley</b> 272:7<br>290:25 308:3<br><b>start</b> 2:3 76:12<br>170:14 174:12<br>198:10 201:10<br>209:5 221:3<br>270:19 298:7<br>314:19 352:4<br><b>started</b> 11:21<br>71:12 80:20<br>115:4 147:3<br>176:20,21<br>197:15 204:8<br>219:13 324:16<br>335:23<br><b>starting</b> 78:16<br>92:10 176:23<br>293:9 300:9<br>350:20<br><b>starts</b> 20:25 123:2<br>153:16 170:16<br>203:19<br><b>state</b> 33:16 34:9<br>35:5 41:18<br>45:15 49:9<br>66:17 68:15 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 84:4 95:6,19<br>96:7 186:2<br>211:10,21 218:4<br>226:13,25 227:7<br>227:8 242:13<br>251:8 252:25<br>256:4 257:24<br>273:2 304:13,18<br>330:4 333:13,14<br>334:10,10<br>341:19,19<br>344:22 347:7<br>360:14,18<br><b>stated</b> 77:9<br>317:20 347:16<br><b>statement</b> 27:11<br>100:2 115:19<br>166:5<br><b>statements</b> 5:22<br>46:10 300:17<br><b>states</b> 251:3,19<br><b>statewide</b> 95:12<br><b>state-of-the-art</b><br>304:2<br><b>stating</b> 360:20<br><b>statistical</b> 295:5<br><b>statistics</b> 75:24<br>76:10 177:3<br><b>status</b> 36:3 124:24<br>330:18,19<br><b>stay</b> 57:22 69:3<br>71:3,4 121:22<br>125:25 252:11<br>288:21 294:20<br>326:8 328:15<br>345:14 356:25<br><b>stays</b> 346:19<br><b>steady</b> 235:21<br><b>steel</b> 177:7,9<br><b>stenographic</b><br>362:6<br><b>step</b> 13:6 119:8<br>156:17 235:20<br>237:23<br><b>Stephanie</b> 232:2<br>232:13<br><b>steps</b> 22:22 | 234:18<br><b>Steven</b> 283:13<br>284:16<br><b>stewards</b> 42:5<br><b>stimulate</b> 58:20<br><b>stimulated</b> 52:13<br><b>stimulation</b> 63:14<br><b>stimulus</b> 50:18<br><b>stings</b> 85:3<br><b>stipulated</b> 229:13<br><b>Stitt</b> 271:19,21<br>272:7,12,18,20<br>283:13 290:10<br>290:24 291:14<br>291:17 308:3<br>321:8 329:6<br>341:3 349:19<br>361:7,8<br><b>stock</b> 99:15<br>314:17<br><b>stone</b> 276:3 310:3<br><b>stonewalled</b> 23:15<br><b>stood</b> 257:14<br>322:6<br><b>stop</b> 135:18<br>207:24 208:3<br>276:15<br><b>stopping</b> 239:18<br><b>stories</b> 124:2<br>351:10,10 352:3<br>352:4<br><b>storm</b> 136:10<br><b>story</b> 93:4 187:17<br>287:22 309:16<br>351:9<br><b>strain</b> 354:13<br><b>strategic</b> 159:17<br>186:13<br><b>strategies</b> 223:11<br><b>strategy</b> 160:20<br>179:3,15 187:5<br>187:6<br><b>Strawberry</b> 281:4<br>355:10<br><b>stream</b> 26:19<br>232:21 334:25<br><b>streamlined</b> | 225:22<br><b>street</b> 38:10 69:17<br>73:17 79:6,8<br>105:24 192:3<br>193:17 209:6<br>221:5 292:12<br>339:4 347:13<br>357:23<br><b>streets</b> 33:18<br>35:24 181:6,10<br>185:19,23<br>186:14 202:5<br>323:9<br><b>strength</b> 69:6<br><b>strengthen</b> 5:25<br><b>stress</b> 16:9 318:14<br>331:10 352:12<br>354:13<br><b>stressful</b> 340:7<br><b>stretch</b> 141:9<br><b>stretched</b> 68:3<br>86:7<br><b>stretching</b> 75:3<br>103:9<br><b>strikes</b> 50:24<br><b>strokes</b> 351:6<br><b>strong</b> 223:3<br>336:22<br><b>stronger</b> 300:23<br><b>structural</b> 44:24<br>210:20<br><b>structurally</b> 44:3<br><b>structure</b> 8:3 44:3<br>87:23 96:18<br>146:9<br><b>structures</b> 357:23<br><b>stucco</b> 177:10<br><b>stuck</b> 289:12<br><b>students</b> 304:3,7<br>306:18<br><b>studies</b> 68:16<br><b>study</b> 59:4 63:3<br>65:19 357:18,24<br>358:11 359:19<br>360:5,8<br><b>stuff</b> 21:4 65:12<br>90:20 138:8 | 177:6 260:11<br>355:4<br><b>subcontractors</b><br>266:25 267:6<br><b>subjected</b> 44:25<br>303:7<br><b>submit</b> 43:9,10<br>171:4 227:24<br><b>submitted</b> 3:2 9:7<br>24:18 67:20<br>72:19 115:16,22<br>135:4 271:4<br><b>subsequent</b> 91:13<br>138:24<br><b>subsequently</b><br>335:10,23<br><b>subsidies</b> 315:7<br><b>subsidized</b> 300:4<br>300:5<br><b>subsidy</b> 62:2,7<br><b>substantially</b><br>36:20<br><b>subtle</b> 286:14<br>289:11<br><b>success</b> 29:16<br>187:17 223:21<br>275:18 304:6<br><b>successful</b> 99:8<br>145:18<br><b>successfully</b> 72:10<br>72:11 211:14<br><b>succession</b> 94:5<br>183:24 184:20<br><b>such-and-such</b><br>44:18<br><b>sudden</b> 29:23<br>350:25<br><b>suffering</b> 283:6<br>331:19<br><b>sufficient</b> 22:19<br><b>sugar</b> 280:2<br><b>SugarHouse</b><br>40:16,22<br><b>suggested</b> 285:9<br><b>suggestions</b><br>279:24 300:22<br>300:24 | <b>suicide</b> 104:25<br>108:18<br><b>suit</b> 37:11 39:6<br><b>suite</b> 41:18<br><b>sum</b> 348:24<br><b>summarize</b><br>231:13<br><b>summer</b> 280:18<br>286:21 287:25<br>288:15,19,21,25<br><b>Sunday</b> 78:17<br>80:4<br><b>sunlight</b> 292:25<br>295:12<br><b>super</b> 304:23<br><b>supervision</b><br>362:22<br><b>supplied</b> 293:14<br>293:21 319:5<br><b>supply</b> 90:5 92:21<br>99:13<br><b>support</b> 44:7 67:7<br>70:13 72:13,13<br>109:8 110:11<br>152:3 217:11<br>220:17 233:25<br>234:2 236:13<br>273:17 275:17<br>304:4 316:10<br>317:24<br><b>supported</b> 24:9<br>42:9<br><b>supporting</b><br>281:11 306:24<br>316:12<br><b>supportive</b><br>104:23 202:3,10<br>202:17 217:6,8<br>274:21<br><b>supposed</b> 40:8,22<br>42:7 44:2 141:8<br><b>supposedly</b> 91:22<br><b>sure</b> 12:9 16:9<br>21:23 32:14<br>34:18 42:3,6,8<br>51:6 52:10 53:5<br>56:17,25 57:2 |
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|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 60:16,19 76:3<br>80:5,10,17 81:3<br>82:10 83:13,21<br>119:19 126:7,24<br>140:5,6 144:24<br>151:23 154:23<br>155:10 163:19<br>166:20 179:14<br>183:22 192:4<br>195:17 197:10<br>198:13,18,19<br>199:14 200:20<br>201:17,23<br>207:18 212:2<br>216:2,4 218:19<br>222:9 237:23<br>238:6 239:20<br>242:10,14,15<br>247:8 252:18<br>253:9 254:6,12<br>257:10 265:19<br>268:7,16 271:9<br>289:15 290:20<br>296:5,6 308:16<br>309:15 321:3<br>324:7 351:15<br><b>Surely</b> 155:3<br>325:14<br><b>surprised</b> 37:3<br><b>surrounded</b><br>319:24<br><b>surrounding</b><br>207:13<br><b>surveillance</b> 7:14<br>12:13<br><b>suspicious</b> 13:23<br><b>sustained</b> 287:2<br><b>swap</b> 335:20<br><b>sweat</b> 123:12<br><b>swimming</b> 277:23<br><b>sworn</b> 253:24<br><b>sympathy</b> 67:4,7<br><b>symposiums</b><br>213:5<br><b>system</b> 13:2 80:24<br>82:23 93:14,14<br>104:10 120:24 | 121:3 125:5<br>128:25 160:11<br>169:24 172:12<br>172:16 181:8<br>192:6,18,24<br>199:22 200:11<br>210:13,24<br>233:17,23<br>236:14,18 237:6<br>237:9 294:24<br>303:12 306:25<br>339:22 348:8,13<br>357:19 358:20<br>359:13,16<br>360:19,25<br><b>systemic</b> 298:11<br>298:25<br><b>systems</b> 172:3<br>219:4 234:10<br>328:7 360:12<br><hr/> <b>T</b> <hr/> <b>Tabb</b> 343:24<br><b>table</b> 3:16 66:10<br>66:12 194:14<br>213:16 231:7<br>255:19 257:16<br>272:24 284:12<br>291:19 308:6<br>321:11 329:10<br>341:6 349:22<br><b>tables</b> 78:21 278:2<br><b>tag</b> 89:23<br><b>tagged</b> 110:15<br><b>tail</b> 200:24<br><b>take</b> 16:7 17:15<br>23:15,18,24<br>24:13 37:10<br>39:17 53:11<br>55:7 61:16<br>67:22 94:6<br>114:17 134:21<br>142:18 160:12<br>172:25 182:8<br>184:18 203:21<br>229:15 244:22<br>244:22 277:22 | 303:3,21 311:9<br>311:23 318:13<br>331:4 332:18<br>343:18 344:11<br>350:10,17<br><b>taken</b> 25:8,9 38:6<br>80:15 109:10<br>234:17 240:10<br>348:19 362:6<br><b>takes</b> 30:6 81:21<br>94:8 125:4<br>193:4 229:11<br>344:19<br><b>talk</b> 19:17 20:9<br>83:5 87:21 98:2<br>104:21 133:16<br>162:20 163:15<br>163:17 172:20<br>176:12 191:23<br>200:12 207:6<br>217:14 222:25<br>237:13 242:6<br>271:15 331:15<br><b>talked</b> 13:15 41:7<br>57:17 80:10<br>145:2 154:12<br>169:9 171:10<br>172:21 210:8<br>222:21 288:23<br>320:5<br><b>talking</b> 16:2<br>64:17 88:17<br>92:6 144:2<br>177:5,6 178:21<br>180:8 202:24<br>222:10 246:9<br>294:14,18<br><b>talks</b> 10:13 19:18<br><b>tape</b> 20:16<br><b>target</b> 101:11<br>218:13 220:19<br>305:9<br><b>targeted</b> 11:4<br>182:6<br><b>targeting</b> 220:18<br><b>task</b> 22:20 204:20<br>206:23 218:3 | <b>tax</b> 6:18,25 7:8,23<br>11:3 18:14<br>49:21,22 51:3,4<br>51:5,9 52:25<br>53:8 54:3,15,16<br>56:3,4 57:14<br>58:6,8,13,15,24<br>59:7,16 60:23<br>60:24 64:24<br>65:8 71:12 80:8<br>88:17 89:5 92:7<br>100:8,10,15,17<br>100:18 101:7<br>112:22 113:17<br>145:8,20 146:13<br>149:25 150:2,3<br>151:16,17 153:7<br>153:21,22<br>154:14 156:16<br>166:25 222:23<br>276:10,15 280:2<br>281:8,10 282:2<br>282:5,7,10,15<br>282:18 300:4<br>301:8 305:17,18<br>309:7,19 310:6<br>311:11,12<br>313:14,14,16<br>316:6 326:21<br>328:15 350:18<br>351:19 354:16<br>357:12,19<br>358:18,19<br>360:12,19<br><b>taxable</b> 48:3,8<br><b>taxation</b> 358:13<br><b>taxed</b> 299:13<br>348:5<br><b>taxes</b> 10:17,23<br>11:5,11,20<br>26:17 28:23<br>29:22 30:13<br>51:21 57:24<br>61:9 71:22<br>92:11,12 100:5<br>100:20 105:5<br>129:21 130:20 | 130:21 154:7,16<br>169:13,19<br>179:21 199:20<br>271:2 281:13<br>299:10 305:22<br>309:23 311:16<br>314:2 316:9<br>342:9 344:23<br>345:3,22 346:7<br>347:17 348:9<br>354:10 360:7<br><b>taxing</b> 31:2<br><b>taxpayer</b> 112:20<br>153:23<br><b>taxpayers</b> 9:4<br>42:5 274:11<br>291:25 292:19<br>293:18 295:20<br>298:5 300:18<br>315:6<br><b>tax-abated</b> 48:23<br>50:8,9 60:16,18<br>60:21<br><b>tax-delinquent</b><br>169:25<br><b>tax-exempted</b><br>48:17,19,24<br><b>Taylor</b> 186:18<br><b>teachers</b> 304:2<br>311:22<br><b>team</b> 12:15 81:25<br>83:9 131:6<br>138:23 162:24<br>175:10,18<br>179:10,24<br>195:25 204:19<br>204:24 205:10<br>208:15,17<br>219:18 222:24<br>293:4 294:10<br><b>teams</b> 210:17<br><b>tears</b> 349:7<br><b>technical</b> 190:14<br>214:24<br><b>technology</b> 26:23<br>93:13 172:14<br>175:12 196:14 |
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|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 198:20 210:10<br>210:25 304:3<br><b>teenagers</b> 289:15<br><b>teens</b> 288:5<br><b>teeth</b> 239:8<br><b>tell</b> 17:16 25:5,7<br>42:19,24 103:10<br>104:20 106:20<br>108:20 110:18<br>123:4 124:20<br>166:13 287:21<br>298:24 300:24<br>304:10 338:23<br>342:7 351:22<br>355:22<br><b>telling</b> 89:13<br>114:3 137:8<br>165:19 352:4<br><b>Temple</b> 355:10<br>357:9<br><b>temporary</b> 319:9<br><b>ten</b> 39:8 43:21<br>51:2 53:20 71:2<br>161:18 207:18<br>280:6 323:7<br><b>tenant</b> 348:14,17<br><b>Tenders</b> 276:25<br>278:8,23 279:4<br><b>tenfold</b> 57:23<br><b>tennis</b> 277:25<br><b>tens</b> 346:6<br><b>tenure</b> 92:5<br><b>ten-year</b> 57:14<br>233:18<br><b>term</b> 118:19<br>145:14 269:13<br>335:9<br><b>terminals</b> 200:13<br><b>terms</b> 12:19,25<br>19:21 29:25<br>40:5 42:2 46:5<br>47:2 48:17<br>52:14 80:4,7<br>83:20 92:4<br>105:7 107:7<br>126:23 150:24<br>188:17 199:14 | 199:20 201:16<br>205:12 216:6,10<br>223:4 242:20<br>248:16 253:23<br>266:15,18<br>324:10 353:23<br><b>terrific</b> 212:6<br>251:18<br><b>test</b> 62:4 139:19<br>139:20 154:11<br><b>tested</b> 59:10<br><b>testified</b> 27:2<br>93:12 99:5<br>100:2 111:17<br>115:3 116:4<br>153:3 318:15<br><b>testifiers</b> 310:12<br>310:19<br><b>testify</b> 3:24<br>230:10 232:15<br>236:5 273:12<br>291:7<br><b>testifying</b> 109:14<br>291:3,4 294:21<br><b>testimonies</b><br>206:22 333:7<br><b>testimony</b> 9:23<br>66:6,9,19 115:4<br>116:10 142:12<br>157:20 198:16<br>211:10,21 231:3<br>231:12 236:9<br>247:11,15<br>259:10,14<br>260:23 261:2,6<br>261:10 270:15<br>270:24 271:7,8<br>271:12,18<br>276:20 280:24<br>281:23 283:11<br>287:15 290:6,18<br>297:20 308:2<br>319:13 320:17<br>329:5 338:18<br>361:6,17<br><b>testing</b> 301:13<br><b>tests</b> 16:9 19:7 | <b>thank</b> 3:12 4:24<br>9:23 10:7 12:11<br>14:25 15:4 18:4<br>21:24,25 22:3,6<br>26:5,8,11 32:15<br>32:17,20 39:18<br>39:20,23,25<br>46:15,16,20<br>51:12,14,15,24<br>57:3,4,5,9 62:23<br>62:25 65:17<br>66:6 67:8 72:19<br>72:22 79:11,15<br>79:17,19 80:19<br>83:23 86:5,8,10<br>86:14,20 87:6,9<br>93:20,21 96:24<br>97:10,18 101:25<br>103:14,18,20,22<br>103:23 104:3<br>111:8,9,10,14<br>117:5,6,9 125:9<br>125:11,13,16<br>132:21,22,24<br>133:3,7 140:11<br>142:12,14,16<br>152:3 155:4,5,7<br>157:18,19,23<br>158:2 162:9,14<br>162:24 163:3,12<br>168:5,17,20<br>169:6 174:23,24<br>175:2,5 180:6<br>182:13,14,15,18<br>182:23 183:7,14<br>189:5,7,10,12<br>189:17,21,24<br>190:8 194:15<br>197:24,25 198:4<br>198:7,22 202:25<br>203:5,12 204:8<br>208:5,7,10,23<br>209:2,15 212:17<br>215:14,17<br>218:22 220:21<br>220:22,25<br>224:17,19 | 226:18 230:15<br>230:16,17,20,20<br>230:22 236:2,4<br>236:6 237:12<br>238:11,17<br>239:17,23 240:2<br>242:6 244:10<br>245:4,6 249:12<br>249:14,17<br>251:14 254:16<br>254:17,18<br>256:24 257:2<br>258:25 259:4,7<br>268:2,3 270:3,4<br>270:5,8,9,11<br>270:16 271:13<br>271:16 273:10<br>276:18,20 277:6<br>280:21,23,23<br>283:11,12 285:6<br>287:12,15 290:5<br>290:9,23 292:14<br>295:23 296:23<br>297:18,21,23<br>299:16 301:25<br>302:4 306:3,12<br>307:21,22,24,25<br>312:17,17<br>316:17,20 317:3<br>319:12,16,16,20<br>319:22 320:19<br>320:20 321:3,5<br>321:7 322:25<br>323:3 324:4,7<br>326:16 328:18<br>329:4 331:19<br>335:2,4 338:15<br>338:18 339:9<br>340:25,25<br>341:14 345:6,8<br>345:11 346:23<br>346:25 347:3,10<br>349:15,17 353:9<br>361:6,14,16,22<br><b>thankful</b> 73:23<br><b>thanking</b> 232:14<br><b>thanks</b> 236:7 | 278:25 308:17<br>312:19 316:14<br>333:10<br><b>theme</b> 10:24 63:2<br><b>therapy</b> 226:23<br>227:7,19,25<br>228:10,15<br><b>they'd</b> 315:20<br><b>thin</b> 86:7 103:10<br><b>thing</b> 27:7 28:6<br>44:19 50:23<br>60:14,17,19<br>115:3 149:21<br>196:20 198:24<br>236:8 237:12<br>251:18 253:15<br>254:10 303:4<br>310:9,11 311:13<br>315:16,21<br>350:18 351:19<br>359:21<br><b>things</b> 16:13 23:7<br>27:9 33:10<br>38:10 40:2<br>43:16 45:22<br>53:2,10 61:20<br>73:14 84:21<br>87:18,25 97:15<br>107:15 120:24<br>122:15,25 126:2<br>134:9 146:20<br>167:10 170:25<br>177:3 178:17<br>190:11 195:23<br>202:9 209:16,22<br>210:22 218:24<br>221:15 222:7<br>223:5 224:9<br>228:18 236:10<br>238:3 239:17<br>240:4 250:14<br>252:6,15 264:25<br>315:19 316:11<br>341:24<br><b>think</b> 12:17 15:17<br>16:5,13,15<br>21:17,18 22:18 |
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|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 22:20 23:7,10<br>24:4,8,12 25:15<br>25:24 26:14,20<br>27:2,6 28:4,6,12<br>28:13 29:13<br>30:8 31:23 32:9<br>37:19 40:25<br>41:7 46:11 47:9<br>49:7,17 50:3,17<br>50:22 51:10<br>52:22 55:9,23<br>56:18 57:18<br>58:18 59:3,19<br>63:2,17,23 64:8<br>64:14 65:4 78:5<br>83:4,10 99:25<br>110:10 111:5,5<br>114:13 116:25<br>120:16 123:23<br>126:15,25 127:3<br>127:16 131:17<br>143:14 146:22<br>164:25 165:23<br>172:10,12 173:5<br>174:6 184:19<br>186:9,25 187:16<br>190:4 193:10<br>195:24 196:5,14<br>196:23 202:15<br>205:3 206:4,9<br>206:19 217:13<br>219:25 221:25<br>223:2,8,14<br>224:9 238:23<br>239:4 243:8<br>246:8,13,14,25<br>250:4,20 251:25<br>252:8 255:3<br>256:21 261:6<br>271:25 283:16<br>289:4 310:17<br>311:4 314:4<br>320:3,9 332:4<br>342:23 343:17<br>350:5 352:2,17<br>353:6 354:16<br>356:7,22 | <b>thinks</b> 346:2<br><b>third</b> 77:11<br>114:10 358:18<br><b>Thomas</b> 4:4 34:22<br>34:24 35:6,8,20<br>36:12,16,19,24<br>273:4<br><b>thought</b> 14:6<br>63:11 126:16<br>142:23 146:8<br>165:10 312:21<br>326:24<br><b>thoughts</b> 109:18<br>146:16<br><b>thousand</b> 100:15<br>150:5 156:12<br>178:4 357:13<br><b>thousands</b> 170:7<br>200:8 276:9<br>300:7,8 346:6<br><b>threat</b> 106:16<br>109:25,25 111:5<br>111:6<br><b>threatened</b> 340:8<br><b>threatening</b> 174:8<br><b>three</b> 5:19 12:23<br>13:8 14:21<br>71:10 72:4<br>94:22 114:8<br>152:13 236:7<br>238:24 246:16<br>246:19 257:13<br>271:20 274:13<br>293:10 299:17<br>319:24,25<br>341:13,25 342:5<br>344:6 358:14<br>360:11<br><b>three-minute</b><br>271:8 290:17<br><b>three-way</b> 322:2<br><b>three-year</b> 274:7<br><b>thrilled</b> 301:5<br><b>thriving</b> 321:21<br><b>throng</b> 289:5<br><b>throngs</b> 288:5<br><b>throw</b> 250:8 | 288:23<br><b>Thursday</b> 331:3<br><b>ticket</b> 258:2,16<br>303:18<br><b>ticking</b> 123:7<br><b>tie</b> 360:2<br><b>tied</b> 82:23<br><b>Tiffany</b> 283:14<br>290:10,12<br><b>tight</b> 279:23<br><b>time</b> 11:14 16:7<br>26:4 31:6 33:13<br>37:24 38:6<br>39:10 42:12<br>44:5,8 45:17<br>46:11 55:18<br>68:22 71:7<br>94:21 100:11<br>101:3 111:20<br>112:16 122:16<br>123:9 124:21<br>127:15 132:5<br>141:2,2 144:25<br>147:25 149:8<br>150:23 162:12<br>164:16 167:8,16<br>170:5,24 174:19<br>183:2 187:23<br>192:12,19 193:5<br>193:15 197:17<br>203:20 206:17<br>220:12 229:11<br>233:15 238:24<br>238:25 242:4,9<br>244:2 251:23<br>252:16 257:7<br>271:14 276:3<br>279:15 281:5,22<br>287:13 298:6<br>301:25 305:13<br>309:16 312:6<br>316:14 318:11<br>320:11 322:15<br>324:4 333:12<br>335:2 341:14<br>342:6 344:21<br>345:20 361:20 | <b>timeframe</b> 145:22<br>155:18 157:2<br>173:21 201:2<br>252:21,22<br><b>timekeeping</b> 6:25<br><b>timeline</b> 194:10<br>197:8 229:21<br><b>timelines</b> 205:15<br><b>timely</b> 193:7,11<br><b>times</b> 42:3 85:10<br>85:24 114:7,9<br>119:3 125:6<br>152:16 204:23<br>206:2 220:12<br>227:18 233:8<br>258:9 316:4,5<br>332:25 359:23<br><b>timing</b> 41:21<br><b>tired</b> 345:17,22<br>345:24 346:2,9<br><b>tirelessly</b> 318:18<br><b>title</b> 149:3<br><b>titles</b> 2:9<br><b>today</b> 3:24 4:2,22<br>10:24 13:14<br>34:15 40:2<br>68:17 143:9<br>158:15 178:20<br>198:6 232:15<br>236:5 239:16<br>240:11 242:2<br>249:6 281:11<br>302:25 303:5<br>309:8 312:20<br>316:22 317:13<br>317:24 319:2,3<br>319:12 340:23<br>345:16 347:25<br>353:10<br><b>token</b> 154:15<br><b>told</b> 293:6 340:16<br>360:18<br><b>Tolson</b> 180:7<br><b>Tom</b> 9:8 272:13<br><b>Tomorrow</b><br>355:17<br><b>ton</b> 38:12 | <b>tonight</b> 302:9<br>348:2<br><b>tool</b> 301:9,12<br><b>tools</b> 56:16,24<br>65:16<br><b>Toomey</b> 336:22<br><b>Toomey's</b> 336:21<br><b>top</b> 26:24 29:4<br>31:12 60:21<br>74:3 125:25<br>129:20 132:18<br>197:11 246:13<br>257:25 258:15<br><b>topic</b> 109:11<br><b>total</b> 47:3,11,23<br>48:3,3,7,11<br>71:23 90:5<br>158:22 159:12<br>184:23 211:23<br>212:8 234:4<br>246:8 260:9<br>359:22<br><b>totaling</b> 6:7 160:7<br><b>totalling</b> 6:12<br><b>totally</b> 73:21<br>334:19<br><b>touch</b> 226:23<br>227:7,19 228:9<br>228:15 254:3<br><b>touted</b> 359:16<br><b>tow</b> 180:13<br><b>tower</b> 338:25<br><b>towers</b> 182:3<br><b>towing</b> 180:10,10<br>182:8<br><b>town</b> 191:19<br>277:22 284:19<br><b>Tracey</b> 246:23<br><b>track</b> 27:16 93:3<br>123:19 124:6<br>167:5,10 175:24<br>187:22 196:25<br>235:9<br><b>tracking</b> 123:23<br><b>tracks</b> 43:18<br><b>tract</b> 64:19<br><b>tractor-trailers</b> |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| 323:11<br><b>traffic</b> 75:9 322:7<br>322:8<br><b>trafficking</b> 227:5<br><b>tragedy</b> 348:2<br><b>tragic</b> 43:16<br><b>trail</b> 349:6<br><b>train</b> 43:18 94:6<br><b>trained</b> 68:14<br>102:12,19,20<br>103:6 105:16,20<br>134:9,14,25<br>136:7,14 137:22<br>138:8 226:4<br><b>trainee</b> 285:11<br><b>training</b> 69:10<br>94:13 95:5,9,10<br>95:17 102:15<br>106:2,18,20<br>134:2,5,6 136:5<br>136:9 137:24<br>138:13,18 139:5<br>184:6,10,15<br>209:19 243:20<br>243:22<br><b>trainings</b> 139:7<br><b>transactions</b> 82:4<br><b>transcript</b> 362:8<br>362:20<br><b>transfer</b> 73:9<br>187:24<br><b>transform</b> 358:12<br><b>transformations</b><br>360:11<br><b>transformative</b><br>309:5<br><b>transformed</b><br>195:24<br><b>transition</b> 41:23<br>79:23 185:12<br>198:11 202:7<br><b>transparency</b><br>28:9 235:4<br><b>transport</b> 68:6<br><b>Transportation</b><br>39:5<br><b>transporting</b> | 121:7<br><b>trapped</b> 230:8<br><b>traumatic</b> 331:9<br>331:10<br><b>travel</b> 37:13<br><b>treasury</b> 7:8<br>315:5<br><b>tree</b> 276:25 278:8<br>278:22 279:4,5<br>280:15<br><b>trees</b> 278:9,14<br>280:14<br><b>TreeVitalize</b><br>278:9<br><b>tremendous</b><br>27:15 62:10,14<br>192:12 193:15<br>221:19,20<br><b>trial</b> 121:16 125:8<br><b>tribes</b> 348:25<br><b>tried</b> 117:21<br><b>tries</b> 349:10<br><b>trigger</b> 23:6<br><b>triple-checking</b><br>23:13<br><b>Triumph</b> 329:17<br>330:13<br><b>trolleys</b> 323:10<br><b>troubling</b> 125:21<br><b>true</b> 36:8 183:10<br>242:25 328:11<br>351:11 362:7<br><b>truly</b> 205:21<br><b>trust</b> 17:16 44:18<br>294:14 330:21<br>330:22 353:19<br>355:8,9 356:11<br>356:25<br><b>try</b> 31:9 56:10,16<br>116:7 128:14<br>170:9 172:4<br>190:13 204:25<br>205:2 206:11<br>211:3 217:12<br>220:11 252:10<br>252:14 342:21<br><b>trying</b> 50:21 | 53:22 72:14<br>80:21 91:21<br>93:2,5,8 94:18<br>101:5,8 118:16<br>118:17 119:7<br>127:18 130:2<br>132:12 136:10<br>140:4,4,6<br>152:25 154:18<br>157:5 171:14<br>209:20 266:18<br>322:8 330:2<br>336:9 346:7<br>354:6,20<br><b>Tuesday</b> 1:7<br>218:10<br><b>tune</b> 310:24<br><b>tuned</b> 356:25<br><b>turn</b> 92:18 107:19<br>146:20 176:10<br>213:9 222:4<br>283:21 344:19<br><b>turned</b> 71:21<br>100:3 118:20<br>137:21 248:13<br>298:10<br><b>Turner</b> 341:3,9<br>341:13,21,21<br>344:9,14<br><b>turnout</b> 251:5<br><b>turns</b> 117:13<br><b>twice</b> 85:3 147:15<br><b>two</b> 11:6 12:22<br>14:21 30:16<br>35:25 43:25<br>45:13 74:21<br>94:22 127:3,6<br>128:3,7,14<br>142:23 160:13<br>184:13 197:11<br>216:3 217:3<br>218:13 226:20<br>258:17 274:7<br>279:24 280:4<br>293:20 294:13<br>298:17 303:23<br>327:24 343:20 | 348:20 359:18<br><b>two-mile</b> 306:20<br><b>type</b> 86:20 148:16<br>184:18 187:8<br>207:2,14 209:13<br>210:25 217:24<br>219:21 227:14<br>276:11<br><b>types</b> 54:17 213:4<br>251:22<br><b>typically</b> 207:20<br>207:22 229:9,15<br><b>typing</b> 192:22<br><hr/> <b>U</b> <hr/> <b>ultimate</b> 174:11<br><b>ultimately</b> 120:8<br>133:11 164:5<br>219:23 274:11<br><b>unabated</b> 52:20<br><b>unacceptable</b><br>334:20<br><b>unbalance</b> 311:7<br><b>unbiased</b> 295:7<br><b>unchanged</b><br>232:23<br><b>uncles</b> 351:16<br><b>uncollected</b> 7:7<br><b>uncompensated</b><br>300:8<br><b>underfunded</b><br>282:12 317:22<br><b>underfunding</b><br>288:9<br><b>underground</b><br>73:20,21<br><b>undermined</b><br>29:20<br><b>underserved</b><br>239:21<br><b>Undersheriff</b><br>76:21 88:15<br>112:9 115:13<br>146:21 148:9<br>152:23<br><b>understaffed</b><br>303:24 | <b>understaffing</b><br>288:9,20<br><b>understand</b> 13:10<br>13:25 14:10<br>24:3,17 25:7<br>52:19 69:21,23<br>105:2 116:14<br>129:21 135:23<br>149:6 150:20<br>157:9 167:16<br>206:10 223:3<br>304:15 306:22<br>307:7 337:7,25<br>338:2,3 352:6<br>355:7,15 356:10<br>357:2 359:15,17<br>359:23,25<br><b>understanding</b><br>21:2 32:24 52:2<br>60:8 89:11<br>165:17<br><b>understood</b> 109:9<br>296:5 320:16<br>335:8,19<br><b>undertaking</b><br>219:17<br><b>undertook</b> 24:21<br><b>undervaluation</b><br>298:12,15<br><b>undervalued</b><br>310:21,22<br><b>underwent</b><br>184:14<br><b>undetermined</b><br>234:7<br><b>unemployed</b><br>285:9 353:14<br><b>unexpected</b><br>288:12<br><b>unfair</b> 50:24<br>52:15,21 58:3<br>202:16 282:4<br>351:11 357:20<br>358:5<br><b>unfairness</b> 51:11<br>52:19 56:11<br>61:17 350:7 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                          |                           |                          |                          |                           |
|--------------------------|---------------------------|--------------------------|--------------------------|---------------------------|
| <b>unfinished</b> 328:4  | 237:2 338:5               | 323:19                   | <b>vest</b> 123:8,11     | 112:8,11 113:10           |
| <b>unforeseeable</b>     | <b>updated</b> 12:22      | <b>valid</b> 227:19      | 135:17                   | 114:2,8,18                |
| 38:23                    | 337:18                    | 228:10 256:17            | <b>vests</b> 123:6,14    | 115:15 116:11             |
| <b>unfortunate</b>       | <b>updates</b> 37:2       | <b>validation</b> 327:13 | 142:9                    | 116:16 127:21             |
| 13:12 74:17              | 106:2,18                  | <b>valuable</b> 131:3    | <b>vet</b> 16:21 337:2   | 127:23 130:17             |
| <b>unfortunately</b>     | <b>updating</b> 93:13     | <b>valuation</b> 348:12  | <b>veteran</b> 329:25    | 131:23 132:9,17           |
| 14:20 38:22              | <b>upgraded</b> 236:17    | 359:13                   | 337:25                   | 148:7,9,23                |
| 128:21 130:18            | 237:9                     | <b>valuations</b> 358:8  | <b>veterans</b> 78:11    | 149:9,13,17,20            |
| 154:21 173:21            | <b>upset</b> 354:12       | <b>value</b> 16:12 27:18 | 107:11,11                | 150:11 151:2,7            |
| 289:23                   | <b>upstairs</b> 81:9      | 47:23 48:4               | 329:20,23,24             | 151:12,20                 |
| <b>unhealthy</b> 303:11  | <b>urge</b> 39:4 279:18   | 50:11 90:20              | 330:5,14,16,20           | 152:22,23 153:2           |
| <b>unheard</b> 43:3      | <b>urgency</b> 143:24     | 113:18 328:11            | 330:20,25                | 154:21,24                 |
| <b>uniformity</b> 311:9  | <b>urging</b> 323:22      | 358:6,10,12,15           | 331:11,17,18             | 155:19 156:2,9            |
| <b>unify</b> 360:19      | <b>use</b> 33:3 44:5      | 358:24 359:23            | 332:3,7,9,12,15          | 156:22 157:4,10           |
| <b>unit</b> 5:15 6:9,21  | 56:18 110:3               | 360:6                    | 332:19,24 333:7          | <b>Village</b> 63:25      |
| 69:8 118:21              | 135:17 139:12             | <b>valued</b> 47:3,12    | 333:14,16,20,25          | <b>Vine</b> 73:14 75:9    |
| 131:7,8,24               | 172:13 173:14             | 327:12                   | 334:4,9,12,18            | 84:16                     |
| 225:4 226:3              | 181:2,4 188:8             | <b>values</b> 15:20      | 334:23 335:6,11          | <b>violation</b> 171:12   |
| 228:25 263:20            | 200:11 206:7              | 16:10 18:15              | 336:18,20,23             | 171:15,21                 |
| <b>united</b> 302:13,16  | 210:10 237:24             | 53:14 292:25             | 337:5,9,20               | 172:22 174:15             |
| 309:13                   | 238:6 241:13              | 299:22 328:8,10          | 338:6,7,24               | 187:23 192:16             |
| <b>units</b> 139:5       | 242:22 276:5              | 357:22                   | 339:2                    | 193:2                     |
| 216:15,19                | 285:23 300:21             | <b>van</b> 122:7         | <b>vets</b> 335:16       | <b>violations</b> 160:4   |
| 327:10                   | 301:12 305:17             | <b>vans</b> 85:20        | 336:15                   | 167:2 186:21              |
| <b>University</b> 95:7   | 311:10,11,16              | <b>variances</b> 160:2   | <b>viability</b> 61:21   | 192:16,20,25              |
| 341:23 344:3,4           | 315:10,12                 | <b>variety</b> 19:6      | <b>viable</b> 319:25     | 208:2 209:8,13            |
| 344:17,23 345:4          | <b>useful</b> 42:14       | <b>various</b> 19:18     | <b>vice</b> 210:16       | 210:19 219:6,11           |
| 355:10                   | 315:20                    | 98:19,20 171:5           | 231:24 232:5             | <b>violence</b> 83:11,17  |
| <b>unknown</b> 137:13    | <b>users</b> 289:6        | 213:25 218:13            | <b>victim</b> 106:8,11   | <b>virtually</b> 20:25    |
| <b>unlicensed</b> 221:17 | <b>uses</b> 179:15        | <b>vary</b> 229:22       | 126:10 137:14            | <b>virtue</b> 354:13      |
| <b>unnecessarily</b>     | <b>usually</b> 184:10     | <b>vast</b> 36:13        | 349:5                    | <b>visibly</b> 207:5      |
| 77:19                    | 199:24 206:15             | <b>vehicle</b> 62:7      | <b>video</b> 7:13 12:13  | <b>vision</b> 15:15       |
| <b>unpaid</b> 10:15      | 285:24                    | <b>vehicles</b> 342:24   | 109:15                   | <b>visit</b> 141:19 171:3 |
| <b>unreadiness</b>       | <b>utilizations</b> 180:4 | 343:2                    | <b>Vietnam</b> 329:25    | 303:20                    |
| 333:13                   | <b>utilizing</b> 19:23    | <b>vein</b> 171:9        | <b>view</b> 63:5,6 160:2 | <b>visitation</b> 141:20  |
| <b>unsafe</b> 303:10     | 20:19 21:7                | <b>vendor</b> 6:18       | 186:19 240:5             | <b>visitations</b> 109:8  |
| <b>unsettled</b> 311:21  | 121:3                     | <b>vendors</b> 31:21     | 300:20                   | 141:17                    |
| 311:22                   | <b>utopia</b> 306:20      | 213:2,6 265:18           | <b>viewed</b> 171:5      | <b>visited</b> 141:15     |
| <b>unsuccessfully</b>    |                           | <b>venue</b> 279:3       | <b>Vignola</b> 76:20,21  | <b>visits</b> 125:22      |
| 293:22                   | <b>V</b>                  | <b>verified</b> 327:19   | 88:13,14,20              | <b>visual</b> 204:22      |
| <b>untrained</b> 108:23  | <b>VA</b> 330:22          | <b>verify</b> 180:13     | 89:14,18,24              | 269:11                    |
| 134:8                    | <b>vacancies</b> 197:5    | 293:23                   | 90:22 91:3,7,17          | <b>vital</b> 72:8 287:22  |
| <b>untrue</b> 310:5      | <b>vacant</b> 88:4        | <b>versa</b> 210:16      | 92:3,19,22               | <b>voice</b> 304:17       |
| <b>upcoming</b> 77:2     | 146:24 160:20             | <b>versed</b> 184:13     | 93:10 95:2,3,20          | 316:20                    |
| 204:19                   | 166:3 176:7               | 197:20                   | 95:25 98:9,10            | <b>voices</b> 285:6       |
| <b>update</b> 34:14 39:2 | 178:12 179:3,15           | <b>versus</b> 18:15      | 98:18 100:22             | <b>void</b> 184:3         |
| 82:18 224:25             | 187:4 276:9               | 51:19 277:15             | 101:16,20 112:7          | <b>Voigt</b> 239:7        |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 243:23<br><b>volunteer</b> 84:22<br>278:17 318:5<br><b>volunteered</b><br>319:4<br><b>volunteers</b> 278:9<br>278:12 318:10<br>318:18 319:23<br><b>vote</b> 232:20<br>242:20 244:17<br>244:23 252:19<br>252:20 253:8,12<br>255:5 256:23<br>257:9,17,18,21<br>257:22 258:3,5<br>258:10,20<br>351:12<br><b>voted</b> 61:12 351:4<br><b>voter</b> 239:18<br>244:24 256:7<br><b>voters</b> 251:6<br>318:17<br><b>votes</b> 252:8<br><b>voting</b> 233:16,17<br>233:22,23<br>234:10 236:23<br>241:24 244:21<br>250:11,16 251:4<br>251:22,25 252:2<br>252:7 258:15,16<br><b>vouchers</b> 336:15<br><b>vulnerable</b><br>282:20 330:16 | 128:18 253:5<br>274:8,23<br><b>waits</b> 124:9<br><b>waived</b> 89:12,14<br><b>walk</b> 133:15<br>136:18,24,25<br>154:5 225:6<br>278:20 323:18<br>324:11,12 325:5<br>325:18 326:7<br><b>walkers</b> 351:5<br><b>walks</b> 325:15<br><b>want</b> 10:11 13:5,6<br>17:6 26:2,25<br>29:13 38:25<br>41:25 42:9 55:6<br>55:7 56:13<br>58:21 65:2<br>77:18 79:5,9,17<br>79:19,21 87:6,9<br>87:18,21,22<br>93:2 100:25<br>101:25 102:8<br>103:19 107:6<br>108:19 119:18<br>126:20 127:3<br>131:18 134:3<br>138:13 139:4<br>141:12 144:12<br>148:20,24<br>149:15 151:8,22<br>154:6,13 155:10<br>156:25 157:12<br>157:15 162:16<br>162:24 163:13<br>175:10 176:10<br>183:24 189:12<br>198:9,21 199:8<br>202:12 205:24<br>206:11 216:9<br>217:4 225:12<br>239:15 240:8<br>242:14 244:10<br>244:20 247:20<br>247:24 252:24<br>258:13 265:3<br>267:4 271:9,13 | 278:2 290:20<br>291:7,8 292:25<br>296:5 299:12,18<br>300:24 307:7,15<br>308:15 309:21<br>310:9,15 312:25<br>314:14 317:3<br>319:12,22<br>330:10 331:24<br>332:6 341:9<br>342:17 344:12<br>345:11 346:20<br><b>wanted</b> 40:2 65:2<br>85:11,11 97:18<br>126:6 147:19<br>198:25 202:10<br>239:22 250:9<br>257:9 258:13<br><b>wants</b> 104:22<br>141:18 147:10<br>292:19 344:5<br><b>war</b> 331:10,11<br><b>Ward</b> 238:19<br>308:24<br><b>warehouses</b> 178:9<br><b>warm</b> 163:6<br><b>warrants</b> 85:3<br><b>warranty</b> 233:18<br>233:20,23<br>236:21<br><b>wash</b> 343:23<br><b>Washington</b><br>304:21<br><b>wasn't</b> 11:3 33:6<br>53:16 60:8<br>114:14 121:17<br>173:16 265:13<br>283:18<br><b>waste</b> 7:5 8:25<br><b>watch</b> 141:20<br>289:7 342:25<br><b>water</b> 10:15,19,21<br>71:23 90:3<br>92:12 130:21<br>218:7 277:25<br>279:17,22<br>280:19 343:4,11 | 343:13,15,17,18<br>343:23<br><b>way</b> 26:15 29:7<br>30:25 49:24<br>60:2 63:25<br>65:25 74:15<br>82:16 108:16<br>141:8 151:13<br>154:25 181:8,13<br>181:21 199:10<br>200:3 202:2<br>221:9 225:8<br>239:24 241:19<br>279:11 294:5<br>297:7 298:23<br>301:6 303:9<br>307:5 313:16<br>323:14,17<br>338:20 344:24<br>346:19 349:3<br>354:4,19,24<br>356:24 357:3,16<br>358:17 359:19<br><b>ways</b> 30:16 55:4<br>72:14 126:25<br>217:5 233:6<br>234:11 251:21<br>286:15 307:19<br>358:14<br><b>WBE</b> 212:11<br><b>weakened</b> 123:12<br><b>wealth</b> 197:20<br>316:8<br><b>wealthy</b> 282:2<br><b>weapon</b> 137:20<br><b>weapons</b> 105:18<br>105:19 107:19<br>107:21,22<br><b>wear</b> 123:8<br><b>website</b> 20:4<br>82:18,20,21<br>83:2 159:25<br>190:19 207:16<br>219:3 220:4<br>225:25 235:2<br>286:8 357:25<br><b>Wednesday</b> | 218:12 361:19<br><b>week</b> 21:17<br>175:16 226:20<br>244:17<br><b>weekend</b> 204:25<br><b>weekly</b> 222:24<br><b>weeks</b> 12:23 13:8<br>14:22 24:19<br>71:8,10 81:22<br>81:23 91:8 94:9<br>95:8 96:6,8 99:5<br>137:23 226:21<br>235:3 279:13<br>294:13 309:2<br><b>weigh</b> 281:9<br><b>weighing</b> 37:6<br><b>welcome</b> 125:19<br>209:2 236:5<br><b>welcomed</b> 183:4<br><b>welfare</b> 136:12<br><b>well-deserved</b><br>184:22<br><b>well-known</b> 38:8<br><b>went</b> 25:2 43:22<br>126:13,14<br>145:16 159:20<br>174:4 219:19<br>257:8,12<br><b>weren't</b> 256:14<br><b>west</b> 292:11 350:4<br><b>we'll</b> 3:13 11:25<br>13:7 16:15<br>23:15 31:25<br>53:25 76:14<br>101:21 111:4<br>131:25 139:10<br>157:21 172:17<br>195:16 197:17<br>200:14 218:16<br>242:2 248:19<br>258:6 272:5<br>283:25 284:6,10<br>307:10 309:18<br>319:13 321:3<br>326:16 355:18<br>357:2<br><b>we're</b> 2:3 11:4 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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**W**


---

**W** 1:11**wage** 52:25

243:24 244:2

313:8,10,14,15

313:18 314:2

316:6,9

**wages** 313:4**Wagner** 41:16**wait** 71:7 93:19

122:7 281:23

291:8,11 306:7

**waiting** 123:16

|                 |                         |                       |                         |                          |
|-----------------|-------------------------|-----------------------|-------------------------|--------------------------|
| 14:22 19:18     | 317:14 325:2,8          | <b>whites</b> 246:19  | 194:3,7 195:12          | 66:8 72:12,17            |
| 23:12 24:5 31:3 | 325:20 326:25           | <b>Widener</b> 68:2   | 195:16 196:16           | 75:5,21 76:5             |
| 31:13,14,18,20  | 328:11,13 336:9         | 75:9                  | 197:10 198:5,7          | 134:24 231:6             |
| 31:21 34:20     | 336:13,15,23            | <b>wife</b> 284:25    | 198:22 199:18           | 272:23 284:11            |
| 35:10 41:23     | 337:3,8 340:7           | <b>William</b> 1:12   | 201:4 202:25            | 291:18 308:5             |
| 48:21 55:3      | 355:20,25               | 341:4 347:8           | 203:18 204:17           | 321:10 329:9             |
| 58:13 60:22     | 356:23                  | <b>Williams</b> 66:15 | 206:4 208:12,16         | 341:5 349:21             |
| 62:18 64:17     | <b>we've</b> 11:13 17:8 | 66:20,22 67:10        | 208:25 209:15           | <b>witnessing</b> 347:25 |
| 69:11,25 75:2,7 | 22:22 34:17             | 72:20 73:3,13         | 211:7 212:2,7           | <b>woefully</b> 277:12   |
| 78:16 82:2,21   | 35:14 41:7              | 74:13,19 75:16        | 212:14 213:8            | <b>Wojton</b> 321:9      |
| 82:25 92:6,25   | 42:17,17 46:7           | 76:14 77:4,25         | 217:9 218:23            | 326:18,19                |
| 93:5,12 94:17   | 46:10 51:17,18          | 80:19 83:23           | 222:12,18               | 328:22,25                |
| 94:18 96:18     | 67:13 70:25             | 86:17 89:4 92:5       | 224:13 225:12           | <b>woman</b> 37:8        |
| 98:15 101:16    | 71:9,21 74:19           | 93:11 94:3,8,12       | 228:23 230:12           | 308:24                   |
| 102:24 103:10   | 75:4 76:2 78:7          | 94:17 96:13           | 230:22                  | <b>woman-based</b>       |
| 105:20 106:7    | 78:12,15,17             | 97:3,7 99:18          | <b>willing</b> 86:23    | 188:19                   |
| 113:13 114:16   | 82:6 87:4,20,25         | 101:24 103:14         | 147:13 162:19           | <b>women</b> 84:12       |
| 114:23 115:25   | 88:7 97:24              | 103:18 104:6,18       | 299:9                   | 108:8 119:6              |
| 119:6,7 120:25  | 103:3 116:4             | 105:11,22             | <b>willingness</b>      | 138:15 139:25            |
| 122:18 124:2,6  | 117:24 118:13           | 107:14 108:13         | 162:25 302:22           | 140:2 141:4              |
| 127:18 128:18   | 130:5 133:19            | 108:25 109:20         | <b>Wilmington</b>       | 227:6,13 230:4           |
| 128:24 134:20   | 135:10,11               | 115:8,12 116:4        | 69:22 74:15             | 230:5 246:8,9            |
| 137:3 139:16    | 165:22 169:9            | 118:10 120:15         | <b>WILSON</b> 1:11      | 246:18 263:7,12          |
| 140:3,4,5,5,6   | 178:9 179:4             | 121:12 124:12         | <b>windmill</b> 322:8   | 264:3 267:7              |
| 141:25 142:7,18 | 187:5,6,13              | 133:19 135:6,9        | <b>window</b> 186:20    | <b>women's</b> 108:9     |
| 144:12 152:24   | 188:22 197:11           | 137:12 139:2          | <b>winners</b> 20:9     | <b>wonder</b> 279:7      |
| 153:5 156:19    | 197:15 202:4,8          | 140:2,20 141:5        | <b>winter</b> 176:19    | <b>wondering</b> 11:20   |
| 157:15 158:17   | 225:21 234:17           | 142:20 143:2,17       | 286:20                  | 34:2,13 98:2             |
| 163:7 168:8,12  | 235:2,7,10              | 146:19 148:6          | <b>wipe</b> 156:14      | 124:5 256:19             |
| 168:14 170:18   | 237:8 263:4             | 157:3,23 158:10       | <b>wire</b> 177:9       | 312:22                   |
| 170:24 173:6,8  | 265:9 273:19            | 158:13 163:3,9        | <b>wiring</b> 328:3     | <b>wood</b> 142:4        |
| 176:23,23 182:2 | 293:2 297:12            | 163:19 164:10         | <b>withdrawn</b>        | <b>word</b> 47:14        |
| 182:5 187:18    | 306:25 307:9            | 164:15,24 166:4       | 114:11                  | 214:25 244:20            |
| 188:16,25 189:3 | 313:25 320:3            | 166:20 167:4,13       | <b>witness</b> 3:15     | 297:2                    |
| 189:16 192:6    | 326:24 336:11           | 168:2,8 169:6         | 66:11,11 75:14          | <b>work</b> 4:10 5:3     |
| 201:5 202:16,21 | <b>whatnot</b> 334:14   | 169:16 170:15         | 76:3 84:21              | 9:15 55:9,10             |
| 205:10 210:15   | <b>whatsoever</b> 62:20 | 171:17 172:2,11       | 109:11 110:4,21         | 70:8 78:2 88:2           |
| 210:23,24 217:2 | <b>wheelchair</b> 241:2 | 173:4,10 174:2        | 111:6 141:13            | 98:5,19 101:6            |
| 218:3 219:2     | <b>wheelchairs</b>      | 174:16 176:9          | 194:13,13               | 101:10 123:25            |
| 232:3 234:14    | 351:5                   | 179:2,14 180:15       | 213:15,15 231:6         | 138:9 141:23             |
| 252:17,18,22    | <b>white</b> 139:23     | 182:23 183:7,14       | 255:18,18               | 143:19 147:12            |
| 265:14 266:7    | 161:12,17,21            | 183:20 184:4          | 272:23 284:11           | 157:11 161:2             |
| 270:19 272:10   | 261:14,17,22            | 185:9,18 186:25       | 291:18 308:5            | 162:5,8 169:5            |
| 275:24 290:16   | 262:3,10,14             | 187:25 188:15         | 321:10 329:9            | 169:21 174:5             |
| 290:18 294:22   | <b>Whitehorn</b>        | 189:17,21             | 341:5 349:21            | 179:18 199:21            |
| 308:11 309:7    | 272:14,16               | 190:24 191:4,13       | <b>witnessed</b> 110:19 | 201:16 202:4             |
| 311:14,17 312:5 | 291:17 302:10           | 192:4 193:21          | <b>witnesses</b> 3:15   | 203:16,25                |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 205:14,16,24<br>206:23 207:22<br>207:24 208:4<br>210:23 213:2,23<br>214:6,11,15<br>224:9 230:13,21<br>236:3 239:18,25<br>251:24 253:4<br>265:19 266:16<br>267:13 281:4<br>318:18 323:15<br>324:16 326:12<br>331:2 340:9<br>342:14<br><b>workday</b> 207:4<br><b>worked</b> 63:23<br>179:4 213:10<br>253:18 285:12<br>315:22 321:18<br>340:4,5,6<br><b>worker</b> 316:4,6<br><b>workers</b> 6:23 7:17<br>235:6 243:2<br>311:22 314:24<br><b>workflow</b> 235:12<br><b>workforce</b> 73:10<br>87:11 121:4<br>235:13 260:14<br>260:21 262:14<br><b>working</b> 6:14<br>9:12 10:2 14:11<br>19:5 33:15 34:2<br>50:21 67:14<br>75:2 77:20,23<br>78:10,12,18<br>81:8,16 96:19<br>107:23 123:24<br>154:8 169:9,18<br>170:11 172:10<br>196:9 197:6<br>204:15 209:17<br>210:16 222:19<br>223:17 253:16<br>304:25 305:12<br>307:18 309:2<br>336:16,24 337:3<br>342:20 | <b>working-class</b><br>303:13<br><b>works</b> 6:19 14:17<br>37:24 62:15<br>90:4 196:4<br>199:17 251:24<br>252:4<br><b>workshops</b> 71:3<br><b>world</b> 58:17 120:7<br>239:11<br><b>worlds</b> 303:23<br><b>world's</b> 289:21<br><b>world-class</b> 290:2<br><b>worrying</b> 345:23<br><b>worse</b> 36:23<br>102:15 344:20<br><b>worst</b> 311:13<br><b>worst-case</b> 133:11<br><b>worth</b> 30:9 60:23<br>60:25 320:8<br><b>worthy</b> 221:7<br><b>wouldn't</b> 53:3<br>58:21 59:21<br>102:16 116:15<br>136:5 221:20<br>286:10<br><b>wounded</b> 329:25<br>331:6<br><b>wounds</b> 331:7,8<br><b>Wow</b> 353:25<br><b>wrap</b> 275:25<br>305:15<br><b>wrapped</b> 160:5<br>313:25<br><b>Wright</b> 283:13<br>284:15,16 285:8<br>287:12<br><b>writ</b> 71:20 153:15<br><b>write</b> 44:17<br>100:17<br><b>writes</b> 150:7<br><b>writing</b> 267:9<br>269:12 310:4<br><b>written</b> 138:22<br>231:11 236:9<br>259:10,14<br>260:23 293:10 | <b>wrong</b> 64:14<br>267:10 315:3,6<br><b>Wyoming</b> 285:13<br>285:21<br><hr/> <b>X</b> <hr/> <b>XYZ</b> 229:14<br><hr/> <b>Y</b> <hr/> <b>yard</b> 40:12 41:2<br>218:3 276:25<br>278:21 279:2<br><b>yards</b> 218:14<br>320:6 355:12<br><b>yeah</b> 48:19 112:11<br>133:19 148:6<br>151:20 173:4<br>194:21 243:10<br>246:17 291:10<br>328:25<br><b>year</b> 2:18,22,25<br>4:15,19 5:21<br>6:12,13,22 7:3<br>8:24 10:3 37:14<br>41:12 42:20,25<br>45:13 54:9<br>70:19 71:14,25<br>76:11,12,18,19<br>76:25 77:2 85:4<br>87:14,15 89:4<br>100:3 116:4,10<br>116:12,12<br>145:23 158:19<br>160:17 163:23<br>164:7,19 165:4<br>167:18 168:10<br>168:10,11,11<br>173:20 176:4,20<br>176:24 187:21<br>188:23 211:14<br>219:14 225:21<br>232:4,18 233:13<br>234:4,14,17<br>235:14 237:8<br>238:5 265:10<br>275:3 277:8,9<br>277:17 282:8,9<br>311:19 315:14 | 317:6,10,15<br>337:4 345:3<br><b>yearly</b> 233:21<br><b>years</b> 2:12,23<br>15:10 30:4<br>35:25 38:21<br>39:8 43:19,21<br>44:11 45:13<br>51:2 52:23<br>53:21 61:11<br>123:15 160:13<br>165:16 184:13<br>206:8 225:3<br>241:3 243:9,11<br>273:19 274:23<br>277:9 280:6,6<br>299:11 300:4<br>308:23 313:19<br>317:22 320:13<br>321:19 323:7<br>327:18,23,23<br>330:13 339:19<br>342:14,16<br>343:20 347:14<br>347:16 352:23<br>355:13 360:9<br><b>year's</b> 164:2<br>168:14<br><b>year-long</b> 160:5<br><b>yesterday</b> 9:4<br>13:13 33:5<br>71:12 77:6,7<br>97:14,20 114:21<br>171:10 172:21<br>173:15<br><b>yes's</b> 183:3<br><b>yield</b> 187:13<br><b>yielded</b> 219:15<br><b>young</b> 33:13 42:8<br>85:16 122:20<br>285:21,25<br>286:17 287:8<br>306:15 347:20<br><b>youngster</b> 277:21<br>278:3<br><b>youngsters</b><br>278:20 | <b>youth</b> 302:13<br>318:7,8<br><b>YouTube</b> 110:13<br><b>Yvette</b> 329:7<br>339:16<br><b>y'all</b> 216:11 217:6<br>217:7 330:6<br>352:9<br><hr/> <b>Z</b> <hr/> <b>zero</b> 20:4 84:11<br>142:5<br><b>zoning</b> 159:19<br>180:3 181:19<br>292:8<br><hr/> <b>\$</b> <hr/> <b>\$1,200</b> 357:14<br><b>\$1,300</b> 332:25<br><b>\$1,500</b> 88:8<br>156:13,14<br><b>\$1,728,666,587</b><br>6:8<br><b>\$1.1</b> 219:24<br><b>\$1.2</b> 163:24<br><b>\$10,000</b> 130:8<br><b>\$100</b> 227:24<br><b>\$12,000</b> 156:6,10<br><b>\$12,080</b> 332:22<br><b>\$123</b> 313:9,11,17<br><b>\$137</b> 48:5<br><b>\$140,000</b> 70:16<br><b>\$15,000</b> 19:7<br>315:15 349:12<br><b>\$167</b> 313:18 315:9<br><b>\$2</b> 70:20 71:19<br>82:6 317:4<br><b>\$2,650,000</b> 277:7<br><b>\$2.5</b> 71:21<br><b>\$20</b> 243:21<br><b>\$20,000</b> 350:24<br><b>\$23,000</b> 156:15<br><b>\$24,000</b> 100:17<br>150:8 155:22<br><b>\$25,000</b> 100:10<br>150:4<br><b>\$250,000</b> 320:4<br><b>\$27,300,000</b> 333:2 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                           |                           |                |             |             |
|---------------------------|---------------------------|----------------|-------------|-------------|
| <b>\$27,605,721</b>       | <b>1</b>                  | 19:1 20:1 21:1 | 140:1 141:1 | 234:1 235:1 |
| 158:23                    | <b>1</b> 54:20 161:13     | 22:1 23:1 24:1 | 142:1 143:1 | 236:1 237:1 |
| <b>\$3</b> 62:17 68:19    | 194:5 195:4               | 25:1 26:1 27:1 | 144:1 145:1 | 238:1 239:1 |
| <b>\$3,000</b> 88:9 89:23 | 221:5                     | 28:1 29:1 30:1 | 146:1 147:1 | 240:1 241:1 |
| 91:22                     | <b>1st</b> 176:21 201:11  | 31:1 32:1 33:1 | 148:1 149:1 | 242:1 243:1 |
| <b>\$3,500</b> 313:2,10   | 293:10                    | 34:1 35:1 36:1 | 150:1 151:1 | 244:1 245:1 |
| 313:16 314:14             | <b>1,200</b> 150:6        | 37:1 38:1 39:1 | 152:1 153:1 | 246:1 247:1 |
| 314:20 315:4              | <b>1,500</b> 89:21        | 40:1 41:1 42:1 | 154:1 155:1 | 248:1 249:1 |
| <b>\$3.30</b> 277:19      | <b>1,547</b> 168:11       | 43:1 44:1 45:1 | 156:1 157:1 | 250:1 251:1 |
| <b>\$3.6</b> 160:7 219:15 | <b>1,600</b> 168:12       | 46:1 47:1 48:1 | 158:1 159:1 | 252:1 253:1 |
| <b>\$30</b> 60:21 71:23   | <b>1,632</b> 161:6        | 49:1 50:1 51:1 | 160:1 161:1 | 254:1 255:1 |
| 100:4                     | 168:12                    | 52:1 53:1 54:1 | 162:1 163:1 | 256:1 257:1 |
| <b>\$30,000</b> 18:18     | <b>1.32</b> 54:3,20 55:16 | 55:1 56:1 57:1 | 164:1 165:1 | 258:1 259:1 |
| 19:8,11,23                | <b>1.47</b> 163:16        | 58:1 59:1 60:1 | 166:1 167:1 | 260:1 261:1 |
| 20:12,19 21:7             | <b>1.6</b> 278:24         | 61:1 62:1 63:1 | 168:1 169:1 | 262:1 263:1 |
| 315:13 349:12             | <b>1:00</b> 204:6 205:3   | 64:1 65:1 66:1 | 170:1 171:1 | 264:1 265:1 |
| 350:24                    | <b>10</b> 91:25 139:23    | 67:1 68:1 69:1 | 172:1 173:1 | 266:1 267:1 |
| <b>\$300</b> 228:9        | 299:11 311:5              | 70:1 71:1 72:1 | 174:1 175:1 | 268:1 269:1 |
| <b>\$31,000</b> 4:18      | <b>10:00</b> 278:19       | 73:1 74:1 75:1 | 176:1 177:1 | 270:1 271:1 |
| <b>\$34,200</b> 313:7     | 361:20                    | 76:1 77:1 78:1 | 178:1 179:1 | 272:1 273:1 |
| <b>\$37</b> 60:24         | <b>10:30</b> 124:9        | 79:1 80:1 81:1 | 180:1 181:1 | 274:1 275:1 |
| <b>\$4</b> 62:17 70:4     | <b>10:35</b> 1:7          | 82:1 83:1 84:1 | 182:1 183:1 | 276:1 277:1 |
| <b>\$4,000</b> 357:15     | <b>100</b> 70:2,4,15 72:3 | 85:1 86:1 87:1 | 184:1 185:1 | 278:1 279:1 |
| <b>\$4,500</b> 90:21      | 72:3 73:6 94:6            | 88:1 89:1 90:1 | 186:1 187:1 | 280:1 281:1 |
| <b>\$40</b> 28:21         | 159:5                     | 91:1 92:1 93:1 | 188:1 189:1 | 282:1 283:1 |
| <b>\$447,000</b> 348:20   | <b>101,000</b> 161:4      | 94:1 95:1 96:1 | 190:1 191:1 | 284:1 285:1 |
| <b>\$46</b> 277:14        | <b>102</b> 6:21           | 97:1 98:1 99:1 | 192:1 193:1 | 286:1 287:1 |
| <b>\$462</b> 177:19       | <b>11th</b> 73:15 105:23  | 100:1 101:1    | 194:1 195:1 | 288:1 289:1 |
| <b>\$5</b> 279:6 280:10   | 140:18                    | 102:1 103:1    | 196:1 197:1 | 290:1 291:1 |
| 317:14,23 320:7           | <b>12</b> 71:8 81:22      | 104:1 105:1    | 198:1 199:1 | 292:1 293:1 |
| <b>\$5,000</b> 57:24      | 161:15 195:7              | 106:1 107:1    | 200:1 201:1 | 294:1 295:1 |
| 145:17 357:15             | 292:7 330:8               | 108:1 109:1    | 202:1 203:1 | 296:1 297:1 |
| <b>\$500</b> 30:13 57:24  | <b>12,000</b> 100:12      | 110:1 111:1    | 204:1 205:1 | 298:1 299:1 |
| <b>\$6,000</b> 357:15     | 187:6                     | 112:1 113:1    | 206:1 207:1 | 300:1 301:1 |
| <b>\$6.3</b> 159:13       | <b>12,072</b> 160:22      | 114:1 115:1    | 208:1 209:1 | 302:1 303:1 |
| <b>\$600</b> 345:3        | <b>12.5</b> 161:16        | 116:1 117:1    | 210:1 211:1 | 304:1 305:1 |
| <b>\$600,000</b> 234:4    | <b>12:00</b> 147:22       | 118:1 119:1    | 212:1 213:1 | 306:1 307:1 |
| <b>\$7</b> 58:5 60:19,20  | <b>123</b> 4:21           | 120:1 121:1    | 214:1 215:1 | 308:1 309:1 |
| 62:12,19                  | <b>127</b> 69:18 73:18    | 122:1 123:1    | 216:1 217:1 | 310:1 311:1 |
| <b>\$7,696,397</b> 4:17   | 335:21                    | 124:1 125:1    | 218:1 219:1 | 312:1 313:1 |
| <b>\$75,000</b> 215:6,9   | <b>13</b> 212:8,10 253:5  | 126:1 127:1    | 220:1 221:1 | 314:1 315:1 |
| <b>\$780,978</b> 159:9    | <b>130178</b> 1:17 2:6    | 128:1 129:1    | 222:1 223:1 | 316:1 317:1 |
| <b>\$80,000</b> 348:22    | 2:10 3:1 4:1 5:1          | 130:1 131:1    | 224:1 225:1 | 318:1 319:1 |
| <b>\$845</b> 6:12         | 6:1 7:1 8:1 9:1           | 132:1 133:1    | 226:1 227:1 | 320:1 321:1 |
| <b>\$95</b> 243:15        | 10:1 11:1 12:1            | 134:1 135:1    | 228:1 229:1 | 322:1 323:1 |
| <b>\$99.9</b> 47:24 48:9  | 13:1 14:1 15:1            | 136:1 137:1    | 230:1 231:1 | 324:1 325:1 |
|                           | 16:1 17:1 18:1            | 138:1 139:1    | 232:1 233:1 | 326:1 327:1 |



|                   |                  |                   |                   |                |
|-------------------|------------------|-------------------|-------------------|----------------|
| 328:1 329:1       | 84:16            | 2018 2:24         | 3-1-1 222:3       | 27:1 28:1 29:1 |
| 330:1 331:1       | 19 94:9 95:8     | 2019 2:12         | 30 48:16,18 49:19 | 30:1 31:1 32:1 |
| 332:1 333:1       | 137:23 239:10    | 202 327:10        | 61:11 90:12       | 33:1 34:1 35:1 |
| 334:1 335:1       | 243:9,11         | 204 12:18         | 156:3,11 161:19   | 36:1 37:1 38:1 |
| 336:1 337:1       | 194 68:18 278:19 | 21st 244:18       | 161:20 170:16     | 39:1 40:1 41:1 |
| 338:1 339:1       | 1956 324:19      | 21,000 332:24     | 229:19 280:15     | 42:1 43:1 44:1 |
| 340:1 341:1       | 1968 350:12      | 21-plus 321:19    | 299:11 320:10     | 45:1 46:1 47:1 |
| 342:1 343:1       | 1987 63:23       | 214 331:4         | 342:14,16,24,25   | 48:1 49:1 50:1 |
| 344:1 345:1       | 1989 326:23      | 215-686-3530      | 343:24 344:11     | 51:1 52:1 53:1 |
| 346:1 347:1       | 1992 3:8         | 131:25            | 344:12,14         | 54:1 55:1 56:1 |
| 348:1 349:1       |                  | 22 126:9,11,12    | 30K 20:5          | 57:1 58:1 59:1 |
| 350:1 351:1       | 2                | 127:7,13 292:9    | 30-year 305:12    | 60:1 61:1 62:1 |
| 352:1 353:1       | 2 133:24 157:21  | 298:3             | 300 152:16 159:6  | 63:1 64:1 65:1 |
| 354:1 355:1       | 194:5 236:8      | 22nd 159:20       | 327:10            | 66:1 67:1 68:1 |
| 356:1 357:1       | 2nd 201:22       | 22.5 158:23 159:3 | 300-plus 36:10    | 69:1 70:1 71:1 |
| 358:1 359:1       | 202:11 307:9     | 2200 209:5        | 302 161:8         | 72:1 73:1 74:1 |
| 360:1 361:1       | 308:24           | 228,000 159:6     | 31 206:8          | 75:1 76:1 77:1 |
| 130179 1:17 2:6   | 2.5 233:2        | 23 33:15,15,25    | 31st 114:22       | 78:1 79:1 80:1 |
| 2:14              | 20 96:6,8 159:9  | 70:16 81:8 94:3   | 320 159:7         | 81:1 82:1 83:1 |
| 130180 1:17 2:6   | 240:5 299:11     | 139:17            | 33 184:24,25      | 84:1 85:1 86:1 |
| 2:16              | 308:23           | 23rd 321:20 357:8 | 211:16 268:14     | 87:1 88:1 89:1 |
| 130190 1:18 2:7   | 20/20 64:23      | 357:10            | 309:11            | 90:1 91:1 92:1 |
| 2:19              | 200 77:12 159:5  | 230 68:17         | 34 73:15 105:23   | 93:1 94:1 95:1 |
| 132 10:13         | 163:20 193:16    | 234 6:10          | 345 5:23          | 96:1 97:1 98:1 |
| 14 6:11 140:20,21 | 193:18 211:13    | 24 126:11,14      | 35 160:19 188:23  | 99:1 100:1     |
| 327:23            | 233:10 274:23    | 127:8,14 161:14   | 211:11 268:21     | 101:1 102:1    |
| 14-hour 243:16    | 2000 50:6        | 24th 11:18        | 354 316:3,5       | 103:1 104:1    |
| 140 4:21          | 2001 285:9       | 25 11:18 37:7     | 365 344:19        | 105:1 106:1    |
| 15 257:15,20      | 2002 43:22       | 49:4 159:23       | 37 48:25 161:10   | 107:1 108:1    |
| 302:15            | 2007 333:18      | 164:19 188:25     | 38 139:22         | 109:1 110:1    |
| 15K 20:4          | 2008 4:21 68:17  | 330:12 332:14     |                   | 111:1 112:1    |
| 15th 24:18 85:15  | 292:8            | 332:18,22         | 4                 | 113:1 114:1    |
| 85:21 293:8       | 2009 32:25 34:10 | 339:19            | 4 211:10 268:22   | 115:1 116:1    |
| 15.1 159:4        | 34:15 36:10      | 25,000 354:15     | 4th 17:5 24:18    | 117:1 118:1    |
| 150 328:10        | 67:18 277:10     | 250,000 354:16    | 240:15 279:25     | 119:1 120:1    |
| 1501 69:16 73:17  | 279:25 317:16    | 26th 278:19 293:9 | 307:8,14          | 121:1 122:1    |
| 1563-A 3:9        | 337:13,18        | 293:16 347:13     | 4,000 187:7       | 123:1 124:1    |
| 16 1:7 278:9      | 2012 50:8 159:21 | 263 277:15        | 4,500 89:22       | 125:1 126:1    |
| 160 301:14        | 2013 1:7 2:25    | 2801 330:23       | 4.5 158:24        | 127:1 128:1    |
| 17 5:10           | 190:14 277:8     | 289,000 47:9      | 4/16/13 3:1 4:1   | 129:1 130:1    |
| 17th 361:19       | 317:6,10         | 29th 293:17       | 5:1 6:1 7:1 8:1   | 131:1 132:1    |
| 175 327:18        | 2014 2:12,15,18  |                   | 9:1 10:1 11:1     | 133:1 134:1    |
| 176 140:3         | 2:23 3:25 4:15   | 3                 | 12:1 13:1 14:1    | 135:1 136:1    |
| 18 145:22 239:10  | 69:15 70:11,12   | 3 161:12 163:15   | 15:1 16:1 17:1    | 137:1 138:1    |
| 18th 278:23       | 73:4,4 158:19    | 194:6             | 18:1 19:1 20:1    | 139:1 140:1    |
| 293:11            | 277:17 328:9     | 3rd 3:8           | 21:1 22:1 23:1    | 141:1 142:1    |
| 1801 73:14 75:8   | 329:23           | 3,000 88:16       | 24:1 25:1 26:1    | 143:1 144:1    |

|             |             |                          |                         |                          |
|-------------|-------------|--------------------------|-------------------------|--------------------------|
| 145:1 146:1 | 239:1 240:1 | 333:1 334:1              | 163:14                  | 334:16                   |
| 147:1 148:1 | 241:1 242:1 | 335:1 336:1              | <b>517,000</b> 159:2    | <b>9:00</b> 147:12,22    |
| 149:1 150:1 | 243:1 244:1 | 337:1 338:1              | <b>52nd</b> 37:6 209:6  | 203:20                   |
| 151:1 152:1 | 245:1 246:1 | 339:1 340:1              | <b>539,000</b> 358:23   | <b>90</b> 12:18 33:11,15 |
| 153:1 154:1 | 247:1 248:1 | 341:1 342:1              | <b>54</b> 140:3         | 33:25                    |
| 155:1 156:1 | 249:1 250:1 | 343:1 344:1              | <b>56</b> 262:13        | <b>900</b> 357:13        |
| 157:1 158:1 | 251:1 252:1 | 345:1 346:1              | <b>579,000</b> 47:18    | <b>95</b> 122:10         |
| 159:1 160:1 | 253:1 254:1 | 347:1 348:1              | <b>579,662</b> 47:20    |                          |
| 161:1 162:1 | 255:1 256:1 | 349:1 350:1              | <b>58</b> 161:17        |                          |
| 163:1 164:1 | 257:1 258:1 | 351:1 352:1              |                         |                          |
| 165:1 166:1 | 259:1 260:1 | 353:1 354:1              | <b>6</b>                |                          |
| 167:1 168:1 | 261:1 262:1 | 355:1 356:1              | <b>6th</b> 327:6        |                          |
| 169:1 170:1 | 263:1 264:1 | 357:1 358:1              | <b>6:00</b> 206:17      |                          |
| 171:1 172:1 | 265:1 266:1 | 359:1 360:1              | <b>6:45</b> 361:24      |                          |
| 173:1 174:1 | 267:1 268:1 | 361:1                    | <b>60</b> 90:12 156:3   |                          |
| 175:1 176:1 | 269:1 270:1 | <b>40</b> 141:6 261:17   | 310:8                   |                          |
| 177:1 178:1 | 271:1 272:1 | 275:5 316:7              | <b>61</b> 268:14        |                          |
| 179:1 180:1 | 273:1 274:1 | <b>400</b> 1:6 159:7     | <b>62</b> 262:15,17     |                          |
| 181:1 182:1 | 275:1 276:1 | 306:15 361:21            | <b>624</b> 347:13       |                          |
| 183:1 184:1 | 277:1 278:1 | <b>41,647</b> 161:3      | <b>63</b> 161:9         |                          |
| 185:1 186:1 | 279:1 280:1 | <b>42</b> 161:16         | <b>66</b> 333:17 334:22 |                          |
| 187:1 188:1 | 281:1 282:1 | <b>4244</b> 278:21       | <b>663,000</b> 160:24   |                          |
| 189:1 190:1 | 283:1 284:1 | <b>43</b> 5:16 188:17    |                         |                          |
| 191:1 192:1 | 285:1 286:1 | <b>43.22</b> 160:18      | <b>7</b>                |                          |
| 193:1 194:1 | 287:1 288:1 | 211:23                   | <b>7</b> 48:12 49:20    |                          |
| 195:1 196:1 | 289:1 290:1 | <b>44</b> 161:11         | 50:11                   |                          |
| 197:1 198:1 | 291:1 292:1 | <b>45.23</b> 160:16      | <b>7th</b> 33:23        |                          |
| 199:1 200:1 | 293:1 294:1 | <b>450</b> 327:7         | <b>7,500</b> 71:15      |                          |
| 201:1 202:1 | 295:1 296:1 | <b>47</b> 161:10 309:12  | <b>7.1</b> 159:5        |                          |
| 203:1 204:1 | 297:1 298:1 | 339:17                   | <b>7:00</b> 203:19      |                          |
| 205:1 206:1 | 299:1 300:1 | <b>48</b> 349:14         | 206:17                  |                          |
| 207:1 208:1 | 301:1 302:1 |                          | <b>70</b> 161:18,20     |                          |
| 209:1 210:1 | 303:1 304:1 | <b>5</b>                 | 255:25 256:8            |                          |
| 211:1 212:1 | 305:1 306:1 | <b>5</b> 161:12 261:18   | 332:20                  |                          |
| 213:1 214:1 | 307:1 308:1 | 270:14 277:11            | <b>72</b> 278:15        |                          |
| 215:1 216:1 | 309:1 310:1 | 277:16                   | <b>75,000</b> 159:6     |                          |
| 217:1 218:1 | 311:1 312:1 | <b>5th</b> 293:11 327:6  | <b>76</b> 347:14        |                          |
| 219:1 220:1 | 313:1 314:1 | <b>5:00</b> 147:12 231:4 |                         |                          |
| 221:1 222:1 | 315:1 316:1 | <b>50</b> 320:6 327:23   | <b>8</b>                |                          |
| 223:1 224:1 | 317:1 318:1 | <b>50-year</b> 350:15    | <b>8</b> 134:16         |                          |
| 225:1 226:1 | 319:1 320:1 | <b>50/50</b> 248:15      | <b>8th</b> 33:24        |                          |
| 227:1 228:1 | 321:1 322:1 | 261:8,9,11               | <b>810</b> 339:17       |                          |
| 229:1 230:1 | 323:1 324:1 | 262:8,12                 | <b>84,000</b> 332:12,23 |                          |
| 231:1 232:1 | 325:1 326:1 | <b>500</b> 47:8 68:7     | <b>85,000</b> 161:5     |                          |
| 233:1 234:1 | 327:1 328:1 | 327:18                   | <b>87</b> 77:7 161:15   |                          |
| 235:1 236:1 | 329:1 330:1 | <b>503</b> 45:11         |                         |                          |
| 237:1 238:1 | 331:1 332:1 | <b>51</b> 139:21 163:14  | <b>9</b>                |                          |
|             |             |                          | <b>9-1-1</b> 333:8      |                          |