

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

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June 16, 2021
Start: 11:08 a.m.
Recess: 11:34 a.m.

HELD AT: Remote Hearing (Virtual Room 1)

B E F O R E: Rafael Salamanca Jr.
CHAIRPERSON

COUNCIL MEMBERS:
Adrienne Adams
Diana Ayala
Inez Barron
Joseph Borelli
Selvena Brooks-Powers
Ruben Diaz, Sr.
Oswald Feliz
Vanessa Gibson
Barry Grodenchik
Peter Koo
Stephen Levin
I Daneek Miller
Francisco Moya
Kevin Riley
Antonio Reynoso
Carlina Rivera
Mark Treyger
Jumaane Williams

A P P E A R A N C E S (CONTINUED)

2 SERGEANT-AT-ARMS: PC recording started.

3 SERGEANT-AT-ARMS: Cloud begun.

4 SERGEANT-AT-ARMS: Back up is rolling.

5 SERGEANT-AT-ARMS: Thank you. Good morning
6 and welcome to the Committee on Land Use. At this
7 time, would all panelists please turn on your videos?
8 I repeat, all panelists please turn on your videos.
9 Thank you. To minimize disruption, please place all
10 electronic devices to vibrate or silent mode. Land
11 use testimony@Council.NYC.gov. I repeat. Land use
12 testimony@council.nyc.gov. Chair Salamanca, we are
13 ready to begin.

14 CHAIRPERSON SALAMANCA: Thank you,
15 sergeant-at-arms. Good morning. I am Council member
16 Rafael Salamanca, Chair of the Committee on Land Use.
17 I would like to thank our subcommittee Chairs Moya
18 and Riley for their work on the subcommittees. I am
19 joined remotely today by Council members Adams,
20 Ayala, Barron, Borelli, Senior Diaz, Feliz,
21 Grodenchik, Koo, Levin, Chair Moya, Reynoso, Chair
22 Riley, and Public Advocate Williams. We have also
23 been joined by Council member Brooks-Powers. Today,
24 we will vote on applications referred out from both
25 of our subcommittees, but before I begin, I would

2 like to recognize the committee counsel to review the
3 remote meeting procedures.

4 COMMITTEE COUNSEL: Thank you, Chair
5 Salamanca. I am Julie Lubin, counsel to the
6 committee. Council members who would like to ask
7 questions or make remarks should use the zoom raise
8 hand function. The raise hand button should appear
9 at the bottom of the panel. I will announce council
10 members who have questions or remarks in the order
11 that they raise to their hands. Chair Salamanca will
12 then recognize members to speak. We ask that you
13 please be patient if any technical difficulties arise
14 today. Chair Salamanca will now continue with
15 today's agenda items.

16 CHAIRPERSON SALAMANCA: Thank you, counsel.
17 From the zoning subcommittee, we will vote to approve
18 prey considered LUs 806 and 807 for the St. Joseph's
19 1949 Bathgate Avenue rezoning related to property in
20 Council member Feliz's district in the Bronx. The
21 proposal seeks a zoning map and zoning text
22 amendment, including changing and R6A district to and
23 R7D district and the establishment of a mandatory
24 inclusionary housing area, mapping option one and
25 option two to facilitate that development of an 11-

2 story residential building. The building will
3 contain approximately 130 units of supportive housing
4 and 157 units will be for residents earning 40 to 70
5 percent of the AMI with an average AMI for the
6 project at 55 percent.

7 We will also vote to approve LU 792, the
8 16th Street zoning special permit relating to
9 property in Council member Treyger's district in
10 Brooklyn. The proposal seeks a special permit for
11 commercial use within the special Coney Island mixed
12 use district to facilitate the development of a two-
13 story commercial warehouse building at 2706 West 16th
14 Street.

15 We will vote to approve with
16 modifications LU 709 and 791 for the 909 Castle Hill
17 Avenue rezoning relating to property in Council
18 member Ruben Diaz Senior's district in the Bronx.
19 The proposal seeks a zoning map and zoning text
20 amendment, including changing the R3-2 district to an
21 R6B district with the portion of C1-3 overlay in the
22 establishment of a mandatory inclusionary housing
23 area mapping option one and option two to facilitate
24 the development of a five story mixed use building
25 including approximately 35 dwelling units, nine of

2 which would be permanently affordable, as well as a
3 commercial and communities space. Community facility
4 space. Our modifications will be to strike MIH
5 option two while retaining option one.

6 We will also vote to approve prey
7 considered LU 797 for the Crab Shanty 361 City Island
8 Avenue rezoning related to property in Council member
9 Mark Gjonaj's district in the Bronx. The proposal
10 seeks a zoning map amendment to establish a C1-2
11 commercial overlay district within an existing R3A
12 district which would bring the Crap Shanty restaurant
13 and its long-standing commercial use into conformance
14 with zoning.

15 From our landmarks subcommittee, we will
16 vote to approve application number 20215029 SCM,
17 submitted pursuant to section 1732 of the New York
18 School Construction Authority. This application is
19 for a proposed site selection of property located at
20 3761 Temp avenue in the borough of Brooklyn for a
21 new, approximately 860 seat primary and intermediate
22 school. This school would replace a lease space
23 north of site currently occupied by PS 18 and PSIS
24 278. The site is in a district represented by
25 Council member Rodriguez. We will also vote to

2 approve LU 803 and 804, the Bedside Central and North
3 NIHOP cluster UDAP and Article 11. This application
4 submitted by HPD and requests approval of the
5 designation of an urban development action area and
6 urban development action area project for such area
7 and a disposition of city owned property in an
8 exemption from real property taxation pursuant to
9 article 11 of the Private Housing Finance Law. Both
10 items are related to for vacant city owned property
11 is located at 187 and 187 R, Chancy Street, 772
12 Myrtle Avenue, 890 Myrtle Avenue, and 1119-- I'm
13 sorry. At 119-125 Barnett Avenue in Bed Stuy,
14 neighborhood of Brooklyn represented by Council
15 member Cornegy. These action would facilitate the
16 construction of approximately 45 affordable
17 homeownership cooperative units distributed across
18 the four sites. The sale prices will be affordable
19 for households with incomes between 80 and 130
20 percent of the area median income.

21 We will also vote to approve LU 805, the
22 72-H transfer of block 3930, lot 50. This
23 application was submitted by the Department of the
24 Citywide Administrative Services on behalf of the
25 Mayor's Office of Resiliency pursuant to section 72-H

2 of the General Municipal Law for the transfer of city
3 owned property known as block 3930, lot 50 in the
4 borough of Staten Island to the United States of
5 America acting by and through the National Parks
6 Service. The proposed transfer will require that the
7 entire property being used as an enhanced swamp and
8 public access path in furtherance of the
9 environmental mitigation [inaudible 00:06:34] South
10 Shore Staten Island Coastal Storm risk management
11 project being undertaken by the federal government.
12 The property is located in the district represented
13 by Council member Matteo.

14 We will also vote to approve five
15 applications to facilitate the Melrose Open Door
16 project in my district in the Bronx. These
17 application submitted by the Department of Housing
18 Preservation and Development will facilitate the
19 construction of 12 new residential buildings in Bronx
20 community board districts one, two, and three and
21 that between them will contain approximately 70
22 affordable cooperative home ownership units.
23 Previously, units were plan to be affordable to
24 households earning incomes between 80 and 130 percent
25 of AMI. Now the proposal has been modified to be

2 affordable to households earning between 63 and 82
3 percent of the AMI. The project will be developed by
4 MANY under HPD's Open Door Affordable Homeownership
5 program. The property included in the projects are
6 vacant or will be demolished for new construction.

7 LUs 801 is a ULURP application for the
8 designation of an Urban Development Action area.
9 Approval of the Urban Development Action Area project
10 and disquisition of the city owned property located
11 at 667 [inaudible 00:07:47] Avenue, 675 Eagle Avenue,
12 672 Saint Anne's Avenue, A40 Tinton Avenue, and A42
13 Tinton Avenue in the Bronx. Community Board one.
14 This action will facilitate the construction of
15 approximately four buildings with approximately 28
16 cooperative units.

17 LUs 800 is an application for amendment
18 to the Mott Haven Urban Renewal Air Plan to exempt
19 two sites in Community District one, 675 Eagle Avenue
20 and 672 Saint Anne's Avenue for the floor area ratio,
21 open space ratio, and parking requirements for the
22 Urban Renewal Plan.

23 LUs 799 is an application requesting a
24 waiver of the area designation requirements of
25 Section 693 of the General Municipal Law. Waiver of

2 the requirements of Charter Section 197 C and 197 D
3 and approval of the project as an Urban Development
4 Action Area project of property located at 1048 Faile
5 Street in the Bronx. Community Board two. This
6 action will facilitate the construction of a new
7 building with approximately four affordable
8 cooperative units.

9 LU 802 is an application for the
10 designation of an Urban Development Action Area
11 approval of an Urban Development Action project for
12 such area and approval of the disposition of the city
13 owned property located at 881 Brook Avenue, 901 Eagle
14 Avenue, 959 Holmes Street, 1298 Hope Avenue and 1013
15 Hope Street in Bronx Community District three. This
16 action will facilitate the construction of
17 approximately five buildings containing approximately
18 32 cooperative units.

19 LU 798 is an application submitted
20 pursuant to Article 11 of the Private Housing Finance
21 Blog requesting approval of an exemption for real
22 property taxation for all the properties in the
23 project areas.

24 And also, today, we will also vote to
25 approve proposed Introduction number 1572 B, a local

2 law to amend the administrative code of the city of
3 New York in relation to requiring a citywide
4 equitable development data tool and racial equity
5 report on housing an opportunity, sponsored by Public
6 Advocate and myself. I would like to thank all my
7 colleagues who have joined as co-sponsors. This bill
8 was first introduced on May 29th, 2019 Stated
9 Meeting. It was subsequently amended as proposed
10 Intro 1572 A. The Land Use Committee held a hearing
11 on the amended bill on January 11th, 2021. Since
12 then, the bill has been further amended as the
13 version we have before us today. Across the nation,
14 there is a renewed movement and energy from local
15 governments and organizations of all types of
16 establish new tools to help address racial equity.
17 Intro 1572 B potential to be a nationwide model for
18 how cities can build the goal of racial equity into
19 their land use and housing policy making process. I
20 will try to summarize the key points of the bill as
21 briefly as possible. The proposed bill would require
22 applications for certain land use actions to provide
23 the City Planning Commission and the public with a
24 report on racial equity in connection with their
25 projects. These are new racial equity reports on the

2 housing an opportunity that would include a statement
3 describing how the proposed project relates to the
4 city's goal and strategies for affirmatively
5 furthering fair housing and promoting equitable
6 access to opportunity. Moreover, these racial equity
7 reports would be required to draw data for a local
8 study area from a newly created equitable development
9 data tool established by the Department of Housing
10 Preservation and Development and city planning for
11 citywide, borough wide, and where, statistically,
12 reliable data is available. Neighborhood and
13 community district level data. The equitable
14 development data tool will provide data on six
15 categories: demographics, economic security,
16 neighborhood quality of life, and access to
17 opportunity. Housing security and affordability,
18 housing production, and a displacement risk index
19 comprised of indicators of population vulnerability,
20 housing conditions. The bill would require data to
21 be disaggregated by race and ethnicity and include a
22 20 year look back for trends wherever available.
23 Additionally, for covered applications in connection
24 with residential projects, the bill would require
25 such reports to state the expected rents for market

2 rate and affordable units and the corresponding
3 incomes needed to afford to them without incurring
4 how cost burdens. The reports will also provide the
5 race, ethnicity for such households. Together, the
6 equitable development data tool and racial equity
7 reports will help the public, city agencies, and
8 elected officials better understand and combat racial
9 disparities in the land use policies. This bill will
10 deliver greatly expanded information on displacement
11 risks in our communities and help ensure that we
12 consider the racial equity implications of new
13 development. As New Yorkers continue to push for
14 fair housing and racial equity, developing tools to
15 achieve these goals in the context of the land use
16 approval processes of the utmost importance and this
17 bill is a significant step in that direction. I
18 strongly recommend my colleagues to support this
19 groundbreaking legislation. Public Advocate Jumaane
20 Williams has been pushing for the adoption of this
21 legislation since he originally introduced it and is
22 here today to provide some remarks. Public Advocate
23 Williams?

24 PUBLIC ADVOCATE WILLIAMS: Thank you so
25 much, Chair Salamanca. As mentioned, my name is

2 Jumaane Williams. I'm the Public Advocate for the
3 city of New York. I want to thank you, Chair
4 Salamanca and the members of the Committee on Land
5 Use for holding this very important committee vote
6 today. Thank you, again, for your support on this
7 piece of legislation from day one and helping
8 shepherd through to where it is today. Thank you
9 very much for your support as the Chair. It has been
10 remarkable important to getting where we are today.
11 For many years, land rezoning has been seen as a tool
12 for commercial progression in our city, however, the
13 way land rezoning has been executed in New York has
14 often widely been seen to be one of the main
15 contributing factors that have led to or exacerbated
16 rising rents, gentrification, displacement, and
17 exclusion. The pattern continues because rezoning
18 applications are approved very often without having
19 all of the necessary information including data on
20 the individuals who already reside in the project's
21 area. This bill, Introduction 1572 B, cosponsored by
22 Chair Salamanca, will address this issue in two ways.
23 The first will be the creation of an equitable
24 development data tool which the Department of Housing
25 Preservation and Development and the Department of

2 City Planning will be required to create in
3 collaboration with other agencies. This tool will
4 include, but is not limited to, demographic
5 conditions, household economic security, neighborhood
6 quality of life and access to opportunity, housing
7 security, affordability and quality, housing
8 production, and a displacement risk index. A
9 displacement risk index will consist of signs of
10 population vulnerability, housing conditions, and
11 neighborhood change such as race and Hispanic origin,
12 income, English language proficiency, number of
13 renter occupied housing units, number of rent-
14 stabilized housing units, number of income restricted
15 housing units, number of households experiencing rent
16 burden, trends in housing and prices in rents, and
17 the number of housing units with three or more
18 maintenance deficiencies. This tool, which will be
19 updated annually and available for public use will be
20 used by applicants as part of now mandated racial
21 equity reports for certain rezoning applications.
22 The provision on racial equity reports is the second
23 component of this bill that makes it instrumental in
24 helping to address the problems of housing insecurity
25 in our city. The intention of Intro 1572 B is not to

2 impede construction. It is not to impede
3 development, but rather to disclose substantial
4 information to equip policymakers and elected
5 officials like ourselves and residents to better
6 discern how a proposed project might impacted their
7 community during a rezoning proposal. More than two
8 years to the day when this bill was introduced to the
9 city Council. Were very proud to see how far this
10 legislation has come. With the help of housing
11 advocates, especially the racial impact study
12 coalition and [inaudible 00:16:36] who first told me
13 and introduce the idea to me, we have a creative bill
14 that will further housing equality for New Yorkers.
15 I am also proud to say that my office released a
16 legislative report this morning explaining the need
17 for racial equity report to be a part of a land
18 rezoning process. For anyone who is still uncertain
19 as to why our city needs to ensure that race and
20 ethnicity are examined during the land use
21 application process, I recommend reading this report.
22 This morning, I would like to join the Chair in
23 urging every member of the Committee on Land Use to
24 vote yes. Passing Intro 1572 B will solidify our
25 efforts as elected officials to make more informed

2 land use [inaudible 00:17:14] which protects people
3 of more color from displacement and guarantees that
4 the economic development communities considers
5 everyone who is already there. As well as thanking,
6 Chair Salamanca, I'd like to thank Speaker Johnson.
7 I would also thank from my staff Casey Addison,
8 director of legislation policy who did the lion's
9 share of the awesome work that got us here. The
10 Senior Glover, Deputy Public advocate for housing.
11 Anika Michelle, policy and legislative associate.
12 Veronica Avis, chief Deputy Public Advocate for
13 policy. Nick Smith, first Deputy Public Advocate for
14 all the hard work in moving this legislation forward.
15 I would also like to thank the Council land use team
16 Roger Mann, George Sarcusan [sp?], Julie Lubin,
17 Bryant Paul, Caitlin Greer, and Jason Goldman. You
18 do a great job in helping navigate this. Thank you
19 so much and, again, on the project, I [inaudible
20 00:18:06] yes.

21 CHAIRPERSON SALAMANCA: Thank you, Public
22 Advocate Jumaane Williams, and I know that you
23 mentioned them, but I need to just give them a
24 shoutout and thank them because they were helpful in
25 helping me understand this and getting it to the

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2 finish line, as well. I have to give a big shoutout
3 to Rob Salano from CUFFH, Churches United for Fair
4 Housing, for helping us get this to the finish line.
5 With that, members of the committee and members
6 representing affected districts who have questions or
7 remarks about today's items should use the raise hand
8 button now. Counsel, can you recognize any members
9 with their hands up?

10 COMMITTEE COUNSEL: Council member
11 [inaudible 00:18:44] has his hand up.

12 CHAIRPERSON SALAMANCA: So, I see Council
13 member Feliz.

14 COUNCIL MEMBER FELIZ: Yeah. Thank you so
15 much. I wanted to say a few words about the Saint
16 Joseph's project. So, today I'll be voting yes on
17 the project. However, I am my community have
18 question and also concerns about the project. The
19 application will help facilitate the construction of
20 housing units including affordable housing units that
21 are desperately needed in our borough and also in the
22 city of New York. The application will also help
23 facilitate the construction of 60 units for
24 individuals with serious mental health complications
25 and the project will be built in a community that has

2 a lot of needs. Individuals with mental health
3 complications who aren't receiving the resources that
4 they need. So, before the Stated Meeting tomorrow,
5 looking forward to meeting with the applicant's and
6 continue the conversation about how this project,
7 which I think is a good one, can be used to serve--
8 the housing and the services that it offers can be
9 used to the help the individuals who are already in
10 this community and aren't receiving the housing and
11 also the services that they need and deserve. So, I
12 am in support of the project, but, again, before-- I
13 think it's a good project, but before the Stated
14 tomorrow, I look forward to continuing the
15 conversation about how this project and the resources
16 that it offers can better serve the local community
17 that the project will be built on.

18 CHAIRPERSON SALAMANCA: Thank you, Council
19 member Feliz. Are there any other members that wish
20 to speak?

21 COMMITTEE COUNSEL: I see no other
22 hands.

23 CHAIRPERSON SALAMANCA: Okay. Seeing none,
24 I will now call for a vote in accordance with the
25 recommendations of the subcommittees and the local

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2 members to approve with modifications that I have
3 described LUs 790, 791, and to approve prey
4 considered application numbers 20215029 SCM, LU 792,
5 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, and
6 807 and proposed Intro 1572 B. Will the clerk please
7 call the role?

8 COMMITTEE CLERK: Good morning, everyone.
9 William Martin, committee clerk. Roll call vote
10 Committee on Land Use. All items are coupled. Chair
11 Salamanca?

12 CHAIRPERSON SALAMANCA: Aye on all.

13 COMMITTEE CLERK: Barron?

14 COUNCIL MEMBER BARRON: Thank you. I vote
15 aye on all and ask to be added to 1572 B. Thank you.

16 COMMITTEE CLERK: Absolutely.

17 CHAIRPERSON SALAMANCA: Thank you.

18 COUNCIL MEMBER BARRON: Thank you.

19 COMMITTEE CLERK: Koo?

20 COUNCIL MEMBER KOO: Aye on all.

21 [inaudible 00:21:09]

22 COMMITTEE CLERK: I've got an aye on all
23 for Council member Koo. Levin?

24 COUNCIL MEMBER LEVIN: Is that Levin?
25

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2 COMMITTEE CLERK: Yes. Council member
3 Levin?

4 COUNCIL MEMBER LEVIN: Oh. I vote aye.

5 COUNCIL MEMBER KOO: Yes.

6 COMMITTEE CLERK: Council member Koo,
7 thank you. Miller?

8 COUNCIL MEMBER MILLER: Good morning. Can
9 you hear me, Billy?

10 COMMITTEE CLERK: Yes, sir.

11 COUNCIL MEMBER MILLER: Okay. Thank you.

12 I vote aye on all and I just want to give a special
13 shoutout to Public Advocate Jumaane Williams for his
14 [inaudible 00:22:35] on this very important issue and
15 legislative policy as well as the Black, Latino, and
16 Asian Caucus with the leadership of our Land Use
17 Chair Salamanca. Very proud moment for all of us in
18 fixing something that we know had to be addressed
19 here in the city. I look forward to its passage.
20 Aye on all.

21 COMMITTEE CLERK: Thank you. Council
22 member Koo, did you want to clarify?

23 COUNCIL MEMBER KOO: I vote aye on all.

24 COMMITTEE CLERK: Okay. Thank you, sir.

25 Reynoso?

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2 COUNCIL MEMBER REYNOSO: Permission to
3 explain my vote?

4 CHAIRPERSON SALAMANCA: Permission granted.

5 COUNCIL MEMBER REYNOSO: Thank you,
6 Chair Salamanca. I just want to congratulate Chair
7 Salamanca and Public Advocate Jumaane Williams for
8 this great piece of legislation on progress that was
9 able to be made in their time here in the Council. I
10 also want to shout out the people that were doing the
11 work on the ground. Churches United for Fair Housing
12 who have been asking to just get a better
13 understanding of demographics and data related to
14 these rezonings in a more meaningful way so that we
15 can make it, you know, objective and data-driven
16 informed decision related to the rezoning instead of
17 just assuming-- using assumptions to plan our city.
18 So, get, just wanted to thank Chair Salamanca and
19 Public Advocate Jumaane Williams and Churches United
20 for Fair Housing for the great work that they did. I
21 probably vote aye on all.

22 COMMITTEE CLERK: Thank you. Council
23 member Gibson?

24 COUNCIL MEMBER GIBSON: Thank you. I want
25 to join my colleagues and congratulating Public

2 Advocate Williams and Chair Salamanca. Thank you.

3 Great bill. I vote aye. Thank you.

4 COMMITTEE CLERK: Thank you. Council
5 member Treyger?

6 COUNCIL MEMBER TREYGER: I vote aye.

7 COMMITTEE CLERK: I'm sorry, Council
8 member? Can you repeat that? I'm sorry.

9 COUNCIL MEMBER TREYGER: I vote aye.

10 COMMITTEE CLERK: Thank you. Grodenchik?

11 COUNCIL MEMBER GRODENCHIK: Aye.

12 COMMITTEE CLERK: Adams?

13 COUNCIL MEMBER ADAMS: Congratulating our
14 colleagues, Chair Salamanca and Public Advocate
15 Jumaane Williams, as well as members of the Black,
16 Latino, and Asian Caucus for this groundbreaking
17 legislation, I enthusiastically about aye on all.

18 COMMITTEE CLERK: Thank you. Council
19 member Ayala?

20 COUNCIL MEMBER AYALA: I vote aye.

21 COMMITTEE CLERK: Ruben Diaz?

22 COUNCIL MEMBER DIAZ: Yes. I vote si en
23 todo. Gracias, Salamanca. Salamanca, I would like
24 to thank you very much.

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2 COMMITTEE CLERK: Thank you, Council
3 member.

4 CHAIRPERSON SALAMANCA: Thank you, Council
5 member.

6 COMMITTEE CLERK: Moya?

7 COUNCIL MEMBER MOYA: I vote aye on all.

8 COMMITTEE CLERK: Rivera?

9 COUNCIL MEMBER RIVERA: I vote aye.

10 COMMITTEE CLERK: Riley?

11 COUNCIL MEMBER RILEY: I vote aye on all.

12 COMMITTEE CLERK: Brooks-Powers?

13 COUNCIL MEMBER BROOKS-POWERS: I vote
14 aye on all.

15 COMMITTEE CLERK: Thank you. Feliz?

16 COUNCIL MEMBER FELIZ: Aye on all. Thank
17 you.

18 COMMITTEE CLERK: Borelli?

19 COUNCIL MEMBER BORELLI: I vote aye on
20 all. Thank you.

21 COMMITTEE CLERK: Thank you. By a vote of
22 18 in the affirmative, zero in the negative, and no
23 abstentions, all items have been adopted by the
24 committee and, Chair Salamanca, that is a full
25 committee.

2 CHAIRPERSON SALAMANCA: Thank you. I would
3 like to thank the members of the public, my
4 colleagues, counsel, and sergeant-at-arms on land use
5 staff for attending today's hearing. This meeting is
6 hereby adjourned. Thank you.

7 [gavel]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date _____ June 20, 2021 _____