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PUBLIC HEARING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

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June 7, 2021

2:32 p.m.

REMOTE PUBLIC HEARING
VIA MICROSOFT TEAMS CONFERENCE CALL

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

Mayor: Alexis Blane

Office of the Mayor: Julie Bero

Corporation Counsel: Sharon Cantor, Calendar Item
1 and 2; Amrita Barth, Calendar Item 3

Office of Management and Budget: Yvonne Quintian

Comptroller: John Katsorhis

Bronx Borough President: Mirtha Camille Sabio

Brooklyn Borough President: Tonya Cantlo

Manhattan Borough President: Rosaura Mendez

Queens Borough President: Allan Swisher

Staten Island Borough President: Stephen Caracappa

Clerk: Gregg Alleyne

1
2 THE CLERK: Hello, this is Greg
3 Alleyne, clerk for the FCRC. Before
4 we get started with today's
5 proceedings, I'd like to confirm that
6 everyone can hear me clearly.

7 Can everyone hear me clearly?

8 (Chorus of "Yeses".)

9 THE CLERK: Today's hearing is
10 being held via Microsoft Teams
11 conference call, and we ask that all
12 attendees announce their name for the
13 record each time they speak on the
14 call for ease of transcription. If
15 you are not speaking, we ask that you
16 mute your microphone to avoid
17 background noises during the call.
18 Only one person should be speaking at
19 any given time. I will direct, should
20 there be any conflict.

21 Chair, we are ready to begin.

22 THE CHAIR: Good afternoon, and
23 thank you all for being here. My name
24 is Alexis Blane, Chair of the FCRC.
25 The Franchise and Concession Review

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Committee remote public hearing will
now come to order.

Will the Clerk please call the
roll.

THE CLERK: Mayor?

MS. BLANE: Present.

THE CLERK: Office of the Mayor?

MS. BERO: Present.

THE CLERK: Could
each speaker --

MS. BERO: Sorry. Julie Bero,
present.

THE CLERK: Comptroller.

MR. KATSORHIS: John Katsorhis,
present.

THE CLERK: Corporation Counsel?

MS. CANTOR: Sharon Cantor,
present for item number 1 and 2.

MS. BARTH: Amrita Barth,
present for item number three.

THE CLERK: Office of Management
and Budget.

MS. QUINTIAN: Yvonne Quintian.
Office of Management and Budget,

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present.

THE CLERK: President, Borough
of the Bronx.

MS. SABIO: Mirtha Camille
Sabio, President for Bronx Borough
President, Ruben Diaz Junior.

THE CLERK: President, Borough
of Brooklyn?

MS. CANTLO: Tanya Cantlo for
Brooklyn Borough President, Eric
Adams.

THE CLERK: President, Borough
of Manhattan?

MS. MENDEZ: Rosie Mendez, for
Manhattan Borough President, Gale
Brewer.

THE CLERK: President, Borough
of Queens.

MR. SWISHER: Allan Swisher for
Queens Borough President, Donovan
Richards.

THE CLERK: President, Borough
of Staten Island?

MR. CARACAPPA: Stephen

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Caracappa for Staten Island Borough
President, James Oddo.

THE CLERK: Representative from
the Department of Parks and
Recreation.

MR. HAN: Alexander Han for New
York City Parks.

THE CLERK: Representative from
the Department of Information
Technology and Telecommunication.

MS. RICHARDS: Tynia Richards,
from DoITT.

MS. TISCH: And Jessica Tisch
from DoITT.

THE CLERK: Thank you.

MS. BLANE: Welcome to this
remote public hearing of the Franchise
and Concession Review Committee. The
hearing being conducted today has been
publically advertised in accordance
with New York City Charter and
concession rules of the City of New
York.

We want to be sure that anyone

1
2 desiring to be heard as an opportunity
3 to do so. Due to the anticipated
4 volume of testimony for today's
5 hearing, we are asking all persons
6 wishing to speak to register their
7 name, affiliation, indicate which
8 calendar item they wish to testify on
9 and whether they are for or against
10 said item to the clerk via e-mail to
11 fcrc@mocs -- M-O-C-S -- dot NYC dot
12 G-O-V. I'm going to repeat that.

13 Please send your name,
14 affiliation, which calendar item you
15 wish to testify on and whether you are
16 for or against that item to the clerk
17 via e-mail at fcrc@mocs.nyc.gov.

18 We will be accepting written
19 testimony from anyone who is unable to
20 testify in the time allotted for this
21 hearing.

22 SPEAKER: Can you repeat that --

23 MS. BLANE: Please send an
24 e-mail to fcrc@mocs.nyc.gov.
25 Fcrc@mocs.nyc.gov.

1
2 So each speaker will be allotted
3 approximately three minutes. When you
4 are called on to testify, please
5 restate your name and affiliation, if
6 any, for the record. You may also
7 submit written testimony to the Clerk,
8 which will be made part of the record.

9 Any written submissions must be
10 given to the Clerk before the close of
11 the remote public hearing via e-mail
12 to -- one more time --
13 fcrc@mocs.nyc.gov. Those written
14 submissions will be provided to the
15 Committee after the hearing.

16 Will the Clerk please call the
17 first calendar item.

18 THE CLERK: New York City
19 Department of Parks and Recreation,
20 calendar item number one:

21 In the matter of the intent to
22 award a concession agreement to HM
23 Donuts LLC for the operation,
24 renovation and maintenance of two food
25 service facilities on the Hutchinson

1
2 River Parkway (Northbound and
3 Southbound) in the Borough of the
4 Bronx, New York for a three-year term
5 with two one-year renewal options.

6 MS. BLANE: We will take
7 testimony from the public. But first,
8 I'd like to ask the members of the
9 Committee if they have any statements.

10 (No response.)

11 MS. BLANE: Will the Clerk
12 please call the next person who wishes
13 to testify.

14 THE CLERK: Does anyone wish to
15 testify on this matter?

16 (No response.)

17 THE CLERK: We have now heard
18 all testimony on this calendar item.

19 MS. BLANE: Will the Clerk
20 please call the next calendar item.

21 THE CLERK: New York City
22 Mayor's Office of Contract Services,
23 calendar item number two:

24 In the matter of a public
25 hearing on Agency Annual Concession

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2 Plans for Fiscal Year 2022, pursuant
3 to Section 1-10 of the Concession
4 Rules of the City of New York.

5 At this remote public hearing,
6 the Franchise and Concession Review
7 Committee will solicit comments about
8 the provisions of the Concession Rules
9 from the vendor community, civic
10 groups and the public at large. The
11 FCRC shall consider the issues raised
12 at a remote public hearing in
13 accordance with the procedures set
14 forth in the Charter under the City
15 Administrative Procedure Act.

16 MS. BLANE: Thank you. We will
17 take testimony from the public. But
18 first, I'd like to ask members of the
19 Committee if they have any statements.

20 (No response.)

21 MS. BLANE: Will the Clerk
22 please call the next person who wishes
23 to testify.

24 THE CLERK: We have now heard
25 all testimony on this calendar item.

1
2 MS. BLANE: Will the Clerk
3 please call the next calendar item.

4 THE CLERK: New York City
5 Department of Information Technology
6 and Telecommunications, calendar item
7 number three:

8 In the matter of a public
9 hearing relative to a proposed third
10 amendment to a public communications
11 structure franchise agreement between
12 the City of New York and CityBridge
13 LLC that will, among other things,
14 modify the rights and responsibilities
15 of parties, including, among other
16 things, modification of construction,
17 installation and siting requirements
18 applicable to CityBridge.

19 Two, permitting certain new and
20 retrofit designs for public
21 communication structures, subject to
22 all required approval, including but
23 not limited to design approval by the
24 Public Design Commission.

25 Three, adding the installation

1
2 of mobile telecommunications equipment
3 as an ancillary service subject to the
4 requirements of the amendment.

5 Four, the removal of public pay
6 telephones installed on or before
7 April 30, 2014.

8 Five, modification of
9 CityBridge's minimum investment
10 commitments.

11 Six, modification of
12 requirements regarding compensation
13 payable by CityBridge to the City.

14 And seven, modification to
15 advertising space available to the
16 City for its own use.

17 MS. BLANE: We will take
18 testimony from the public. But first,
19 I'd like to ask the members of the
20 Committee if they have any statements.

21 (No response.)

22 MS. BLANE: Will the Clerk
23 please call the next person who wishes
24 to testify.

25 MR. STAMOULIS: Pardon me, this

1
2 is Alex from MOCS. I just want to
3 note that I believe the Staten Island
4 BP indicated via e-mail that he wishes
5 to make a statement.

6 MR. CARACAPPA: Alex, I just
7 sent you a follow-up e-mail. I'm
8 going to waive at this time.

9 MR. STERLIN: Hi. This is Vlad
10 Sterlin from the Brooklyn Chamber of
11 Commerce. I'd like to testify.

12 THE CLERK: Our registration
13 process is via e-mail. Please send
14 the e-mail to fcrc@mocs.nyc.gov. We
15 will be going from that list.

16 MR. STAMOULIS: Once we are done
17 with everyone who is registered via
18 e-mail, we'll go forward with anyone
19 who hasn't had a chance to send an
20 e-mail and would like to speak.

21 Thank you for your
22 understanding. We are just trying to
23 manage about a hundred people on this
24 call.

25 SPEAKER: Alex, just a point of

1
2 information for the organizations that
3 already indicated they wanted to
4 testify as members of the public, do
5 they need to resend an e-mail or are
6 they already on your list?

7 MR. STAMOULIS: It would be
8 helpful if they can resend. But
9 otherwise, we'll go off the list that
10 was previously served. I believe
11 DoITT wants to make a statement first,
12 though.

13 MS. TISCH: Yes. Thank you.
14 Good afternoon, members of the
15 Franchise and Concession Review
16 Committee. My name is Jessica Tisch,
17 and I'm the Commissioner of the
18 Department of Information Technology
19 and Telecommunication. The New York
20 City's chief information officer. I
21 would like to briefly address the
22 committee on the item before you
23 today, amendment number three to the
24 Link NYC franchise agreement.

25 I want to thank the members

1
2 sitting before us today who have given
3 generously of their time over the past
4 several weeks, to participate in
5 briefings on this topic. If approved,
6 this amendment will accomplish several
7 key points.

8 It will modernize and right size
9 the Link NYC program, ensure that the
10 City gets paid back the money the
11 franchisee owes us, create a new
12 potential revenue stream. And most
13 importantly, it will double down on
14 the founding principle of the program,
15 to promote digital equity across the
16 City. Particularly in this moment as
17 we work together toward economic
18 recovery.

19 These things will be possible in
20 large part because the amendment
21 contemplates using the Link as part of
22 the build-out of 5G in New York City.
23 Which in turn, has allowed CityBridge
24 to attract a strategic investor who
25 will put two hundred million dollars

1
2 of capital investment into the
3 program.

4 This new investment means that
5 the deployment of Links will resume
6 for the first time in years, and the
7 existing Links will ultimately double
8 in New York City. The build-out could
9 also bring in an additional revenue
10 stream from the Link NYC kiosks,
11 including an estimated \$10 million
12 plus of use of the Link kiosks to host
13 5G infrastructure.

14 Under the terms of this
15 amendment, 90 percent of the new Links
16 will be sited outside of the Manhattan
17 core business district. In Brooklyn,
18 the Bronx, Queens and Staten Island
19 and in Manhattan, north of 96th
20 Street. That means that these areas,
21 in addition to getting the benefits of
22 Link NYC as we know them today, will
23 get massive 5G build-outs.

24 It is important to note that
25 today, the City has not spent any

1
2 money on the installation or
3 maintenance of the Link NYC program
4 beyond City staff time and
5 administration. This amendment will
6 ensure that continues to be the case.

7 Thank you once again for
8 allowing me the opportunity to speak.

9 THE CLERK: Gabe Paley. Please
10 provide your full name and affiliation
11 for the record.

12 MR. PALEY: Hi, my name is Gabe
13 Paley, and I'm with the NYC Vaccine
14 List Group.

15 Dear honorable members of the
16 Franchise and Concession Review
17 Committee. NYC Vaccine List is proud
18 to testify in support of this Link NYC
19 franchise amendments, and have
20 witnessed how the Link NYC program has
21 benefited its local community.

22 NYC Vaccine List is a volunteer
23 effort started in January of 2021 with
24 the goal of helping New Yorkers get
25 vaccinated. We support the Link NYC

1
2 program and are eager to see its
3 expansion as it continues to benefit
4 the community.

5 Throughout the pandemic, Link
6 NYC displayed vital public health
7 information, providing New Yorkers
8 with access to essential information
9 regarding food, housing and government
10 services. Additionally, Link NYC
11 partnered with NYC Vaccine List to
12 provide New Yorkers with up to date
13 walking directions to the nearest
14 vaccination location city-wide in an
15 effort to provide greater access to
16 vaccines.

17 We are excited for the program
18 to continue to expand, and agree that
19 Link NYC is truly a beneficial program
20 that benefits our community. Thank
21 you to the City and Link NYC for
22 bringing this first of its kind
23 project to New York City.

24 THE CLERK: Ari Buchalter.
25 Please provide your full name and

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affiliation for the record.

MR. BUCHALTER: Hi, my name is
Ari --

THE CLERK: Sorry if I
mispronounced your name.

MR. BUCHALTER: That's quite all
right. My name is Ari Buchalter, and
I'm the chairman of CityBridge.

Honorable members of the
Franchise and Concession Review
Committee, thank you for giving me the
time to speak today.

Link NYC launched in February
2016, CityBridge has invested over
\$250 million to build out and operate
the Link NYC network, which provides
vital free services to millions of New
Yorkers every day. Nearly 10 million
users have signed up for the free
wi-fi, collectively saving an
estimated \$285 million in equivalent
cellular data charges. More than 25
million phone calls have been made,
including to emergency services and

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3-1-1. But the most frequently dialed number is the SNAP EBT benefits hotline.

Hundred of thousands of searches for social services have been placed on our tablets. Most frequently for housing and food assistance. Over 1400 free advertising campaigns for local small businesses have run on our screen and links deliver critical information to the public. Notably, over the last years, Link NYC kiosks ran real-time updates in multiple languages on COVID-19 resources, alerts, guidelines and vaccine availability, worth over \$50 million in advertising space. All of this came at no cost to New Yorkers.

We are proud to be here today with our partners at DoITT to present this new chapter and pass forward Link NYC to the FCRC. Over the last year, we worked closely with DoITT to rethink and right size this program to

1
2 not only ensure survival, to play an
3 important role in advancing the City's
4 broadband and 5G goals. The amendment
5 demands equitable deployment of Link
6 NYC throughout the City, not just in
7 the Manhattan core business district,
8 and will help keep New York City on
9 the cutting edge of 5G and wireless
10 technology with leading cities around
11 the world.

12 Under the leadership of
13 Commissioner Tisch, DoITT and
14 CityBridge have collaborated on an
15 amendment that creates a new payment
16 structure that will pay the City back
17 the \$60 million it is owed to
18 March 2020, and provides for future
19 payments, including a new revenue
20 stream for 5G. It infuses an
21 additional \$200 million of new private
22 investment into the program. It
23 ensures the deployment of thousands
24 more kiosks, with 90 percent of new
25 deployment in communities throughout

1
2 the Bronx, Staten Island, Brooklyn,
3 Queens and upper Manhattan. The
4 amendment expands rollout of 5G across
5 the City with a focus on currently
6 underserved communities, provides an
7 even faster and greater broadband
8 coverage to New Yorkers with fewer
9 kiosks.

10 MR. STAMOULIS: One minute
11 remaining.

12 MR. BUCHALTER: It increases
13 screen time -- noted. Thank you.

14 It increases screen time for
15 City messages from 5 percent to
16 25 percent, worth more than \$750
17 million in market value over time.
18 And it completes the removal of
19 payphone kiosks this year.

20 This amendment creates a
21 sustainable path forward that builds
22 to the future, and provides expanded
23 public benefits that will continue to
24 cost taxpayers and users nothing.
25 CityBridge is committed to delivering

1
2 on the terms of this amendment, and
3 ensuring that Link NYC will not only
4 continue to benefit the millions that
5 already use it, but that the program
6 will be able to expand and support the
7 City's reopening, recovery and
8 equitable digital future. Thank you.

9 THE CLERK: Ryan Naples. Please
10 provide your full name and affiliation
11 for the record.

12 MR. NAPLES: Hi. Ryan Naples
13 from Tech:NYC.

14 I will get started. So Tech:NYC
15 is a -- this is in support. Tech:NYC
16 is a non-profit coalition of more than
17 800 technology companies in New York.
18 Our membership includes the largest
19 tech companies in the world, as well
20 as hundreds of small ingrown startups.
21 We are committed in supporting the
22 faith in the City's economic recovery
23 and to ensure that all New Yorkers can
24 benefit from innovation.

25 Tech:NYC and our members work

1
2 with government and the community
3 partners to foster a dynamic ecosystem
4 so that New York remains the best
5 place in the country to start and grow
6 a technology company.

7 Tech:NYC is proud today to
8 testify in support of the proposed
9 Link NYC franchise amendment. Access
10 to free high speed internet for as
11 many New Yorkers as possible has never
12 been more important as it is today,
13 and we work for the diverse array of
14 private companies who share the same
15 goal.

16 Fortunately, the franchise
17 amendment under review at this hearing
18 will enable the Link program to
19 continue and expand into the New York
20 City communities that need it most
21 outside of the Manhattan core. Link
22 NYC has already connected over
23 10 million users to free wi-fi at no
24 cost to City taxpayers, and that
25 number will increase rapidly because

1
2 of this amendment.

3 We know that during COVID, 30
4 percent of free wi-fi users reported
5 no other means of accessing broadband.
6 Not only will this amendment enable
7 more people to access the free wi-fi
8 and tablets provided by the Link NYC
9 kiosks, but it will also speed New
10 York City's efforts to implement 5G
11 technology.

12 Strong 5G infrastructure will
13 keep New York City on the cutting edge
14 of technology capabilities, allow us
15 to continue to compete with cities
16 throughout the world for jobs, foster
17 innovation and promote the highest
18 quality of life possible for all New
19 Yorkers.

20 Tech:NYC strongly supports the
21 proposed amendment and encourages the
22 FCRC members to support it as well.
23 Thank you for your consideration, and
24 please do not hesitate to reach out
25 with any questions.

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THE CLERK: Vladimir Sterlin.
Please provide your full name and
affiliation for the record.

MR. STERLIN: Hi. Good
afternoon, everyone. My name is
Vladimir Sterlin, I'm senior director
for policy and government affairs here
at the Brooklyn Chamber of Commerce.

Can everyone hear me?

THE CLERK: Yes. Please proceed
with your statement.

MR. STERLIN: Okay. Thank you.

The Brooklyn Chamber of Commerce
is proud to testify in support of this
Link NYC franchise amendment. The
Brooklyn Chamber has seen firsthand
how the Link NYC program greatly
benefits businesses, workers,
residents and tourists alike. Link
NYC has been a major contributor to
our City. And CityBridge has been a
fantastic partner. We support
proposed changes to the franchise
agreement in order to ensure that the

1
2 program continues to operate and serve
3 our communities.

4 Since Link NYC launched in
5 February 2016 and began replace of
6 antiquated payphones with these smart
7 City kiosks, the benefits have been
8 clear. Link NYC kiosks have provided
9 super fast, free wi-fi along with
10 access to free calls, accessibility
11 services and information regarding
12 local social services.

13 Link NYC has provided free
14 advertising, featuring over 1400 small
15 local businesses through the link
16 local and power --

17 (Audio interruption.)

18 The Links have also become a key
19 resource for pandemic related
20 information and connections to City
21 services. This program's continued
22 operation and expansion will
23 undoubtedly be critical to the City's
24 economic recovery from the COVID-19
25 pandemic.

1
2 Thank you to all, thank you to
3 the members of the Franchise and
4 Concession Review Committee.

5 THE CLERK: Thank you.

6 Barbara Kelly. Please provide
7 your full name and affiliation for the
8 record.

9 MS. KELLY: Thank you. This is
10 Barbara Kelly. I'm the director of
11 the external relations at Older Adults
12 Technology Services from AARP.

13 May I begin?

14 THE CLERK: Yes. Proceed.

15 MS. KELLY: Honorable members of
16 the Franchise and Concession Review
17 Committee, on behalf of Older Adults
18 Technology Services, or OATS, I'm
19 honored to submit this testimony in
20 support of this amendment to the Link
21 NYC program. OATS is the leading
22 provider of technology education for
23 older adults in New York City, and we
24 are fully supportive of helping more
25 New Yorkers access quality internet at

1
2 low or no cost.

3 Since 2004, OATS helped older
4 New Yorkers learn to use and leverage
5 technology to transform lives and
6 communities. Through its flagship
7 program, Senior Planet, OATS works
8 closely with older adults to create
9 extraordinary experiences in person
10 and online, harnessing the power of
11 technology to change the way we age.

12 The Link NYC program provides
13 free high speed internet to New
14 Yorkers who need it the most,
15 including older adults. In the past,
16 we've partnered with CityBridge to
17 provide education to older adults on
18 how to connect to the free wi-fi
19 provided by Link kiosks, and to use
20 the tablets to connect to City
21 services.

22 Link NYC has made a major
23 positive impact on our City and
24 CityBridge has been a fantastic
25 partner to us. We support proposed

1
2 changes to the franchise agreement in
3 order to ensure that the program
4 continues to operate and serve our
5 communities.

6 Thank you to the City and to
7 CityBridge for bringing this first of
8 its kind project to New York City. We
9 are excited to see what's next for
10 this new digital platform. Thank you
11 very much.

12 THE CLERK: Trey Jenkins.
13 Please provide your full name and
14 affiliation for the record.

15 MR. JENKINS: Hi. This is Trey
16 Jenkins. I'm the director of
17 marketing and business services for
18 the Jamaica Center Business
19 Improvement District in Jamaica,
20 Queens.

21 Dear honorable members of the
22 Franchise and Concession Review
23 Committee, the Jamaica Center BID is
24 proud to testify in support of this
25 Link NYC franchise amendment, and have

1
2 witnessed how the Link NYC program has
3 benefited our downtown Jamaica
4 community.

5 We support the proposed changes
6 to the franchise agreement in order to
7 ensure that the program continues to
8 operate and serve our community. Link
9 NYC has supported the Jamaica Center
10 BID's businesses, workers, residents
11 and tourists alike by providing a
12 resourceful information on its
13 advertising displays. Link NYC has
14 partnered with the Jamaica Center BID
15 to consistently highlight local
16 community events and organizations.

17 Additionally, Link NYC has
18 provided free advertising for over
19 1400 small local businesses city-wide.
20 Approximately 200 of which has been
21 featured in Queens. As the largest --

22 (Audio interruption.)

23 As the largest -- Queens, it is
24 important to us to continue to support
25 the Link NYC program. We have found

1
2 that local community organizations and
3 businesses appreciate the exposure
4 that this platform provides, and
5 residents frequently reference
6 learning about community news from
7 these terminals. So we are excited
8 for the program to continue to expand.

9 Thank you to the City and Link
10 NYC for bring this first of its kind
11 project to New York City. And I'm
12 excited and our organization is
13 excited to see what's next for this
14 unique digital platform. Thank you.

15 THE CLERK: Thank you.

16 Does anyone else wish to testify
17 on this calendar item?

18 (No response.)

19 THE CLERK: We have now heard
20 all testimony on this calendar item.

21 MS. BLANE: That concludes
22 today's hearing. We ask that the
23 reporter make the entire remote public
24 hearing agenda, which was made
25 publicly available at the FCRC

1
2 website, part of the final record of
3 the proceeding.

4 This hearing is now closed.
5 Thank you.

6 (TIME NOTED: 3:01 p.m.)
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C E R T I F I C A T E

STATE OF NEW YORK)

:SS

COUNTY OF SUFFOLK)

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

I reported the proceedings in the
within-entitled matter, and that the within
transcript is a true record of such proceedings to
the best of my ability.

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

IN WITNESS WHEREOF, I have hereunto set
my hand this 14th day of June, 2021.


Elbia Merino

\$10 16:11	adams 5:12	agree 18:18	ancillary 12:3	attract 15:24
\$200 21:21	adding 11:25	agreement 8:22 11:11 14:24 26:25 30:2 31:6 (6)	announce 3:12	audio 27:17 31:22
\$250 19:16	addition 16:21		annual 9:25	availability 20:17
\$285 19:22	additional 16:9 21:21	alerts 20:16	anticipated 7:3	available 12:15 32:25
\$50 20:17	additionally 18:10 31:17	alex 13:2,6,25	antiquated 27:6	avoid 3:16
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