

In Re Public Meeting NYC - Mayor`s Office of Contract Services
(MOCS)

November 9, 2022

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REMOTE PUBLIC MEETING
FRANCHISE and CONCESSION REVIEW COMMITTEE

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November 9, 2022
2:37 p.m.

Remotely via
Microsoft Teams

Julia M. Speros
Court Reporter

In Re Public Meeting NYC - Mayor`s Office of Contract Services
(MOCS)

November 9, 2022

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

3 Mayor:
4 Allison Stoddart

5 Office of the Mayor:
6 Rahul Agarwal

7 Corporation Counsel:
8 Kenisha Sutton

9 Office of Management and Budget:
10 Yvonne Quintian

11 Comptroller:
12 John Katsorhis

13 Borough President of Brooklyn:
14 John Douglas

15 Borough President of Manhattan:
16 Tomi Vest

17 Borough President of Queens:
18 Allan Swisher

19 Borough President of Staten Island:
20 Lauren Lefkowitz

21 Clerk:
22 Alexandre Stamoulis

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25

November 9, 2022

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1 PROCEEDINGS

2 THE CLERK: Hello. This is Alex
3 Stamoulis, Clerk for the FCRC.

4 Before we get started with today's
5 proceeding, I'd like to confirm that
6 everyone can hear me clearly.

7 (All attendees responded "yes".)

8 THE CLERK: Today's meeting is being
9 held via Microsoft Teams conference call
10 and we ask that all attendees announce
11 their name for the record each time they
12 speak on the call for ease of
13 transcription.

14 If you are not speaking, we ask that
15 you mute your microphone to avoid
16 background noises during the call.

17 Only one person should be speaking
18 at any given time. I will direct,
19 should there be a conflict.

20 Chair, we are ready to begin.

21 MS. STODDART: Good afternoon and
22 thank you all for being here. My name
23 is Allison Stoddart, Chair for the FCRC.

24 The Franchise and Concession Review
25 Committee Remote Public Meeting will now

In Re Public Meeting NYC - Mayor`s Office of Contract Services
(MOCS)

November 9, 2022

4

1 come to order.

2 Will the Clerk please call the roll?

3 THE CLERK: Mayor.

4 MS. STODDART: Allison Stoddart,
5 present.

6 THE CLERK: Office of the Mayor.

7 MR. AGARWAL: Rahul Agarwal,
8 present.

9 THE CLERK: Comptroller.

10 MR. KATSORHIS: John Katsorhis,
11 present.

12 THE CLERK: Corporation Counsel.

13 MS. SUTTON: Kenisha Sutton,
14 present.

15 THE CLERK: Office of Management and
16 Budget.

17 MS. QUINTIAN: Yvonne Quintian,
18 present.

19 THE CLERK: President, Borough of
20 the Bronx.

21 (No response.)

22 THE CLERK: Let the record reflect,
23 President, Borough of the Bronx, is not
24 present.

25 President, Borough of Brooklyn.

In Re Public Meeting NYC - Mayor`s Office of Contract Services
(MOCS)

November 9, 2022

5

1 MR. DOUGLAS: John Douglas, present.

2 THE CLERK: President, Borough of
3 Manhattan.

4 MS. VEST: Tomi Vest, present.

5 THE CLERK: President, Borough of
6 Queens.

7 MR. SWISHER: Allan Swisher,
8 present.

9 THE CLERK: President, Borough of
10 Staten Island.

11 MS. LEFKOWITZ: Lauren Lefkowitz,
12 present.

13 MS. STODDART: Will the Clerk please
14 call the first Calendar Item?

15 THE CLERK: New York City Department
16 of Health & Mental Hygiene, Calendar
17 Item number 1, in the matter of intent
18 to seek Franchise and Concession Review
19 Committee approval pursuant to Section
20 1-16 of the Concession Rules of the City
21 of New York, to utilize a different
22 procedure, to enter into an amendment to
23 the existing concession agreement with
24 OptumRx Discount Card Services, LLC, to
25 develop, operate, and administer the New

November 9, 2022

6

1 York City Drug Discount Card Program
2 available to all New York City
3 residents.

4 The amendment will extend the
5 expiration date of the concession
6 agreement from January 1, 2022 to June
7 30, 2023.

8 Please be advised that at the
9 request of the agency, this item will be
10 held over to the December 14, 2022 FCRC
11 Public Meeting.

12 Any change to the schedule, which
13 will result in a Public Meeting being
14 held remotely or scheduled prior to the
15 December 14, 2022 FCRC Public Meeting,
16 will be noted in The City Record and in
17 newspapers as required by Section 104 of
18 the Open Meetings Law.

19 MS. STODDART: Thank you.

20 Will the Clerk please call the
21 second Calendar Item?

22 THE CLERK: New York City Office of
23 Technology & Innovation, Calendar Item
24 number 2, in the matter of the intent to
25 seek Franchise and Concession Review

November 9, 2022

7

1 Committee approval of a proposed
2 information services franchise agreement
3 between the City of New York, by and
4 through its Department of Information
5 Technology and Telecommunications, now
6 known as the Office of Technology &
7 Innovation, and Annex Fiber, Inc., to
8 grant a nonexclusive franchise to
9 construct, install, use, operate, and/or
10 maintain wire, cable, and/or optical
11 fiber and associated equipment on, over,
12 and under the inalienable property of
13 the City for the provision of
14 information services.

15 The proposed franchise agreement has
16 a term lasting from notice of
17 commencement until June 26, 2032.

18 There is an option, at OTI's sole
19 discretion, for the Parties to extend
20 the agreement for up to a further
21 five-year period.

22 MS. STODDART: Is there a member who
23 wishes to make a statement or ask a
24 question on this matter?

25 (No response.)

In Re Public Meeting NYC - Mayor`s Office of Contract Services
(MOCS)

November 9, 2022

8

1 MS. STODDART: If not, will a member
2 please make a motion to move this item?

3 MS. SUTTON: Kenisha Sutton, I move
4 this item.

5 MS. STODDART: Will another member
6 please second the motion?

7 MR. AGARWAL: Rahul Agarwal, second.

8 MS. STODDART: Will the Clerk please
9 take the vote?

10 THE CLERK: Mayor.

11 MS. STODDART: Allison Stoddart,
12 yes.

13 THE CLERK: Office of the Mayor.

14 MR. AGARWAL: Rahul Agarwal, yes.

15 THE CLERK: Comptroller.

16 MR. KATSORHIS: John Katsorhis, yes.

17 THE CLERK: Corporation Counsel.

18 MS. SUTTON: Kenisha Sutton, yes.

19 THE CLERK: Office of Management and
20 Budget.

21 MS. QUINTIAN: Yvonne Quintian, yes.

22 THE CLERK: President, Borough of
23 Manhattan.

24 MS. VEST: Tomi Vest, yes.

25 THE CLERK: Calendar Item number 2,

November 9, 2022

9

1 Resolution is adopted.

2 MS. STODDART: Will the Clerk please
3 call the third Calendar Item?

4 THE CLERK: New York City Office of
5 Technology & Innovation, Calendar Item
6 number 3, in the matter of the intent to
7 seek Franchise and Concession Review
8 Committee approval of a proposed
9 information services franchise agreement
10 between the City of New York, by and
11 through its Office of Technology &
12 Innovation, and Silicon Harlem, LLC, to
13 grant a nonexclusive franchise to
14 construct, install, use, operate, and/or
15 maintain wire, cable, and/or optical
16 fiber and associated equipment on, over,
17 and under the inalienable property of
18 the City for the provision of
19 information services.

20 The proposed franchise agreement has
21 a term lasting from notice of
22 commencement until June 26, 2032.

23 There is an option, at OTI's sole
24 discretion, for the parties to extend
25 the agreement for up to a further

In Re Public Meeting NYC - Mayor's Office of Contract Services
(MOCS)

November 9, 2022

10

1 five-year period.

2 MS. STODDART: Is there a member who
3 wishes to make a statement or ask a
4 question on this matter?

5 (No response.)

6 MS. STODDART: If not, will a member
7 please make a motion to move this item?

8 MS. SUTTON: Kenisha Sutton, I move
9 this item.

10 MS. STODDART: Will another member
11 please second the motion?

12 MR. AGARWAL: Rahul Agarwal, second.

13 MS. STODDART: Will the Clerk please
14 take the vote?

15 THE CLERK: Mayor.

16 MS. STODDART: Allison Stoddart,
17 yes.

18 THE CLERK: Office of the Mayor.

19 MR. AGARWAL: Rahul Agarwal, yes.

20 THE CLERK: Comptroller.

21 MR. KATSORHIS: John Katsorhis, yes.

22 THE CLERK: Corporation Counsel.

23 MS. SUTTON: Kenisha Sutton, yes.

24 THE CLERK: Office of Management and
25 Budget.

November 9, 2022

11

1 MS. QUINTIAN: Yvonne Quintian, yes.

2 THE CLERK: President, Borough of
3 Queens.

4 MR. SWISHER: Allan Swisher, yes.

5 THE CLERK: Calendar Item number 3,
6 Resolution is adopted.

7 MS. STODDART: Will the Clerk please
8 call the fourth Calendar Item?

9 THE CLERK: New York City Office of
10 Technology & Innovation, Calendar Item
11 number 4, in the matter of intent to
12 seek Franchise and Concession Review
13 Committee approval of a proposed
14 information services franchise agreement
15 between the City of New York, by and
16 through its Office of Technology &
17 Innovation, and United Federal Data of
18 New York, LLC, to grant a nonexclusive
19 franchise to construct, install, use,
20 operate, and/or maintain wire, cable,
21 and/or optical fiber and associated
22 equipment on, over, and under the
23 inalienable property of the City for the
24 provision of information services.

25 The proposed franchise agreement has

November 9, 2022

12

1 a term lasting from notice of
2 commencement until June 26, 2032.

3 There is an option, at OTI's sole
4 discretion, for the parties to extend
5 the agreement for up to a further
6 five-year period.

7 MS. STODDART: Is there a member who
8 wishes to make a statement or ask a
9 question on this matter?

10 (No response.)

11 MS. STODDART: If not, will a member
12 please make a motion to move this item?

13 MS. SUTTON: Kenisha Sutton, I move
14 this item.

15 MS. STODDART: Will another member
16 please second the motion?

17 MR. AGARWAL: Rahul Agarwal, second.

18 MS. STODDART: Will the Clerk please
19 take the vote?

20 THE CLERK: Before taking the vote,
21 I would just like to ask whoever
22 currently is un-muted with background
23 noise to please mute themselves. We are
24 getting some interference on the call.

25 (Complying.)

In Re Public Meeting NYC - Mayor`s Office of Contract Services
(MOCS)

November 9, 2022

13

1 THE CLERK: All right. Thank you.

2 I am now taking the vote.

3 Mayor.

4 MS. STODDART: Allison Stoddart,

5 yes.

6 THE CLERK: Office of the Mayor.

7 MR. AGARWAL: Rahul Agarwal, yes.

8 THE CLERK: Comptroller.

9 MR. KATSORHIS: John Katsorhis, yes.

10 THE CLERK: Corporation Counsel.

11 MS. SUTTON: Kenisha Sutton, yes.

12 THE CLERK: Office of Management and
13 Budget.

14 MS. QUINTIAN: Yvonne Quintian, yes.

15 THE CLERK: President, Borough of
16 Staten Island.

17 MS. LEFKOWITZ: Lauren Lefkowitz,
18 yes.

19 THE CLERK: Calendar Item number 4,
20 Resolution is adopted.

21 MS. STODDART: Will the Clerk please
22 call the fifth Calendar Item?

23 THE CLERK: New York City Office of
24 Technology & Innovation, Calendar Item
25 number 5, in the matter of the intent to

November 9, 2022

14

1 seek Franchise and Concession Review
2 Committee approval of a proposed
3 information services franchise agreement
4 between the City of New York, by and
5 through its Office of Technology &
6 Innovation, and Virtue Media Visions
7 Network, LLC, to grant a nonexclusive
8 franchise to construct, install, use,
9 operate, and/or maintain wire, cable,
10 and/or optical fiber and associated
11 equipment on, over, and under the
12 inalienable property of the City for the
13 provision of information services.

14 The proposed franchise agreement has
15 a term lasting from notice of
16 commencement until June 26, 2032.

17 There is an option, at OTI's sole
18 discretion, for the parties to extend
19 the agreement for up to a further
20 five-year period.

21 MS. STODDART: Is there a member who
22 wishes to make a statement or ask a
23 question on this matter?

24 (No response.)

25 MS. STODDART: If not, will a member

In Re Public Meeting NYC - Mayor`s Office of Contract Services
(MOCS)

November 9, 2022

15

1 please make a motion to move this item?

2 MS. SUTTON: Kenisha Sutton, I move
3 this item.

4 MS. STODDART: Will another member
5 please second the motion?

6 MR. AGARWAL: Rahul Agarwal, second.

7 MS. STODDART: Will the Clerk please
8 take the vote?

9 THE CLERK: Mayor.

10 MS. STODDART: Allison Stoddart,
11 yes.

12 THE CLERK: Office of the Mayor.

13 MR. AGARWAL: Rahul Agarwal, yes.

14 THE CLERK: Comptroller.

15 MR. KATSORHIS: John Katsorhis, yes.

16 THE CLERK: Corporation Counsel.

17 MS. SUTTON: Kenisha Sutton, yes.

18 THE CLERK: Office of Management and
19 Budget.

20 MS. QUINTIAN: Yvonne Quintian, yes.

21 THE CLERK: President, Borough of
22 Brooklyn.

23 MR. DOUGLAS: John Douglas, yes.

24 THE CLERK: Calendar Item number 5,
25 Resolution is adopted.

November 9, 2022

16

1 MS. STODDART: Will the Clerk please
2 call the sixth Calendar Item?

3 THE CLERK: New York City Office of
4 Technology & Innovation, Calendar Item
5 number 6, in the matter of the intent to
6 seek Franchise and Concession Review
7 Committee approval of a proposed
8 acquisition of ZenFi Networks, LLC, in
9 its entirety, by BAI US HoldCo LLC.

10 ZenFi Networks, LLC is the holder of
11 an information services franchise
12 agreement with the City of New York
13 which grants a nonexclusive franchise to
14 construct, install, use, operate, and/or
15 maintain wire, cable, and/or optical
16 fiber and associated equipment on, over,
17 and under the inalienable property of
18 the City for the provision of
19 information services.

20 OTI has reviewed the proposed
21 transaction and the franchise agreement,
22 and has determined that FCRC approval is
23 required.

24 MS. STODDART: Is there a member who
25 wishes to make a statement or ask a

In Re Public Meeting NYC - Mayor`s Office of Contract Services
(MOCS)

November 9, 2022

17

1 question on this matter?

2 (No response.)

3 MS. STODDART: If not, will a member
4 please make a motion to move this item?

5 MS. SUTTON: Kenisha Sutton, I move
6 this item.

7 MS. STODDART: Will another member
8 please second the motion?

9 MR. AGARWAL: Rahul Agarwal, second.

10 MS. STODDART: Will the Clerk please
11 take the vote?

12 THE CLERK: Mayor.

13 MS. STODDART: Allison Stoddart,
14 yes.

15 THE CLERK: Office of the Mayor.

16 MR. AGARWAL: Rahul Agarwal, yes.

17 THE CLERK: Comptroller.

18 MR. KATSORHIS: John Katsorhis, yes.

19 THE CLERK: Corporation Counsel.

20 MS. SUTTON: Kenisha Sutton, yes.

21 THE CLERK: Office of Management and
22 Budget.

23 MS. QUINTIAN: Yvonne Quintian, yes.

24 THE CLERK: President, Borough of
25 Manhattan.

November 9, 2022

18

1 MS. VEST: Tomi Vest, yes.

2 THE CLERK: Calendar Item number 6,
3 Resolution is adopted.

4 MS. STODDART: Will the Clerk please
5 call the seventh Calendar Item?

6 THE CLERK: New York City Office of
7 Technology & Innovation, Calendar Item
8 number 7, in the matter of the intent to
9 seek Franchise and Concession Review
10 Committee approval of a proposed
11 acquisition of ZenFi Networks, LLC by
12 BAI US HoldCo LLC.

13 ZenFi Networks, LLC is the holder of
14 a mobile telecom franchise agreement
15 with the City of New York allowing the
16 installation, operation, maintenance of
17 equipment and facilities, including base
18 stations and access point facilities, on
19 City-owned street poles -- street light
20 poles, traffic light poles, and certain
21 privately-owned utility poles located on
22 the City streets;

23 And subject to necessary further
24 approvals, LinkNYC kiosks, bus stop
25 shelters, and automatic public toilets,

November 9, 2022

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1 all in connection with the provision of
2 mobile telecom services.

3 OTI has reviewed the proposed
4 transaction and the franchise agreement,
5 and has determined that FCRC approval is
6 required.

7 MS. STODDART: Is there a member who
8 wishes to make a statement or ask a
9 question on this matter?

10 (No response.)

11 MS. STODDART: If not, will a member
12 please make a motion to move this item?

13 MS. SUTTON: Kenisha Sutton, I move
14 this item.

15 MS. STODDART: Will another member
16 please second the motion?

17 MR. AGARWAL: Rahul Agarwal, second.

18 MS. STODDART: Will the Clerk please
19 take the vote?

20 THE CLERK: Mayor.

21 MS. STODDART: Allison Stoddart,
22 yes.

23 THE CLERK: Office of the Mayor.

24 MR. AGARWAL: Rahul Agarwal, yes.

25 THE CLERK: Comptroller.

In Re Public Meeting NYC - Mayor`s Office of Contract Services
(MOCS)

November 9, 2022

20

1 MR. KATSORHIS: John Katsorhis, yes.

2 THE CLERK: Corporation Counsel.

3 MS. SUTTON: Kenisha Sutton, yes.

4 THE CLERK: Office of Management and
5 Budget.

6 MS. QUINTIAN: Yvonne Quintian, yes.

7 THE CLERK: President, Borough of
8 Queens.

9 MR. SWISHER: Allan Swisher, yes.

10 THE CLERK: Calendar Item number 7,
11 Resolution is adopted.

12 We ask that the reporter make the
13 entire public meeting agenda, which was
14 made publicly available and distributed
15 at this meeting, part of the final
16 record of this proceeding.

17 That completes the Calendar.

18 MS. STODDART: Thank you, everyone.
19 Meeting is adjourned.

20 (Time noted: 2:51 p.m.)

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25

November 9, 2022

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CERTIFICATION

I, JULIA M. SPEROS, a Notary Public
for and within the State of New York, do
hereby certify:

That the witness whose testimony as
herein set forth, was duly sworn by me;
and that the within transcript is a true
record of the testimony given by said
witness.

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 9th day of November,
2022.


Julia M. Speros

**In Re Public Meeting NYC - Mayor's Office of Contract Services
(MOCS)**

November 9, 2022		22		
& 5:16 6:23 7:6 9:5,11 11:10,16 13:24 14:5 16:4 18:7 (11)	allison 2:3 3:23 4:4 8:11 10:16 13:4 15:10 17:13 19:21 (9)	12:22	can 3:6	completes 20:17
9th 21:18	allowing 18:15	bai 16:9 18:12	card 5:24 6:1	complying 12:25
access 18:18	am 13:2 21:12,15	base 18:17	certain 18:20	comptroller 2:9 4:9 8:15 10:20 13:8 15:14 17:17 19:25 (8)
acquisition 16:8 18:11	amendment 5:22 6:4	before 3:4 12:20	certification 21:2	concession 5 3:24 5:18,20,23 6:5,25 9:7 11:12 14:1 16:6 18:9 (12)
action 21:14	andor 7:9,10 9:14,15 11:20,21 14:9,10 16:14,15 (10)	begin 3:20	certify 21:6,12	conference 3:9
adjourned 20:19	annex 7:7	being 3:8,22 6:13	chair 3:20,23	confirm 3:5
administer 5:25	announce 3:10	between 7:3 9:10 11:15 14:4 (4)	change 6:12	conflict 3:19
adopted 9:1 11:6 13:20 15:25 18:3 20:11 (6)	another 8:5 10:10 12:15 15:4 17:7 19:15 (6)	blood 21:14	city 5:15,20 6:1,2,16,22 7:3,13 9:4,10,18 11:9,15,23 13:23 14:4,12 16:3,12,18 18:6,15,22 (23)	connection 19:1
advised 6:8	approval 5:19 7:1 9:8 11:13 14:2 16:7,22 18:10 19:5 (9)	borough 2:10,12,13,15 4:19,23,25 5:2,5,9 8:22 11:2 13:15 15:21 17:24 20:7 (16)	cityowned 18:19	construct 7:9 9:14 11:19 14:8 16:14 (5)
afternoon 3:21	approvals 18:24	bronx 4:20,23	clearly 3:6	corporation 2:6 4:12 8:17 10:22 13:10 15:16 17:19 20:2 (8)
agarwal 2:5 4:7,7 8:7,7,14,14 10:12,12,19,19 12:17,17 13:7,7 15:6,6,13,13 17:9,9,16,16 19:17,17,24,24 (27)	are 3:14,20 12:23	brooklyn 2:10 4:25 15:22	clerk 2:17 3:2,3,8 4:2,3,6,9,12,15,19, 22 5:2,5,9,13,15 6:20,22 8:8,10,13, 15,17,19,22,25 9:2,4 10:13,15,18, 20,22,24 11:2,5,7,9 12:18,20 13:1,6,8, 10,12,15,19,21,23 15:7,9,12,14,16,18 ,21,24 16:1,3 17:1 0,12,15,17,19,21,2 4 18:2,4,6 19:18,20,23,25 20:2,4,7,10 (78)	counsel 2:6 4:12 8:17 10:22 13:10 15:16 17:19 20:2 (8)
agency 6:9	ask 3:10,14 7:23 10:3 12:8,21 14:22 16:25 19:8 20:12 (10)	budget 2:7 4:16 8:20 10:25 13:13 15:19 17:22 20:5 (8)	bus 18:24	court 19
agenda 20:13	associated 7:11 9:16 11:21 14:10 16:16 (5)	c 2:2	cable 7:10 9:15 11:20 14:9 16:15 (5)	currently 12:22
agreement 5:23 6:6 7:2,15,20 9:9,20,25 11:14,25 12:5 14:3,14,19 16:12,21 18:14 19:4 (18)	attendees 3:7,10	calendar 5:14,16 6:21,23 8:25 9:3,5 11:5,8,10 13:19,22,24 15:24 16:2,4 18:2,5,7 20:10,17 (21)	come 4:1	data 11:17
alex 3:2	automatic 18:25	call 3:9,12,16 4:2 5:14 6:20 9:3 11:8 12:24 13:22 16:2 18:5 (12)	commencement 7:17 9:22 12:2 14:16 (4)	date 6:5
alexandre 2:18	available 6:2 20:14		committee 5 3:25 5:19 7:1 9:8 11:13 14:2 16:7 18:10 (9)	day 21:18
allan 2:14 5:7 11:4 20:9 (4)	avoid 3:15			december 6:10,15
	background 3:16			department 5:15 7:4
				determined

**In Re Public Meeting NYC - Mayor`s Office of Contract Services
(MOCS)**

November 9, 2022				23
16:22 19:5 develop 5:25 different 5:21 direct 3:18 discount 5:24 6:1 discretion 7:19 9:24 12:4 14:18 (4) distributed 20:14 douglas 2:11 5:1,1 15:23,23 (5) drug 6:1 duly 21:8 during 3:16 e 2:2,2 each 3:11 ease 3:12 enter 5:22 entire 20:13 entirety 16:9 equipment 7:11 9:16 11:22 14:11 16:16 18:17 (6) everyone 3:6 20:18 existing 5:23 expiration 6:5 extend 6:4 7:19 9:24 12:4 14:18 (5) facilities	18:17,18 ferc 3:3,23 6:10,15 16:22 19:5 (6) federal 11:17 fiber 7:7,11 9:16 11:21 14:10 16:16 (6) fifth 13:22 final 20:15 first 5:14 fiveyear 7:21 10:1 12:6 14:20 (4) forth 21:8 fourth 11:8 franchise 5 3:24 5:18 6:25 7:2,8,15 9:7,9,13,20 11:12,14,19,25 14:1,3,8,14 16:6,11,13,21 18:9,14 19:4 (26) further 7:20 9:25 12:5 14:19 18:23 21:12 (6) get 3:4 getting 12:24 given 3:18 21:10 good 3:21 grant 7:8 9:13 11:18 14:7 (4) grants 16:13 hand 21:18	harlem 9:12 has 7:15 9:20 11:25 14:14 16:20,22 19:3,5 (8) health 5:16 hear 3:6 held 3:9 6:10,14 hello 3:2 here 3:22 hereby 21:6 herein 21:8 hereunto 21:17 holdco 16:9 18:12 holder 16:10 18:13 hygiene 5:16 i'd 3:5 inalienable 7:12 9:17 11:23 14:12 16:17 (5) inc 7:7 including 18:17 information 7:2,4,14 9:9,19 11:14,24 14:3,13 16:11,19 (11) innovation 6:23 7:7 9:5,12 11:10,17 13:24 14:6 16:4 18:7 (10) install 7:9 9:14	11:19 14:8 16:14 (5) installation 18:16 intent 5:17 6:24 9:6 11:11 13:25 16:5 18:8 (7) interested 21:15 interference 12:24 into 5:22 is 3:2,8,23 4:23 7:18,22 9:1,23 10:2 11:6 12:3,7,22 13:20 14:17,21 15:25 16:10,22,24 18:3,13 19:5,7 20:11,19 21:9 (27) island 2:15 5:10 13:16 item 5:14,17 6:9,21,23 8:2,4,25 9:3,5 10:7,9 11:5,8,10 12:12,14 13:19,22,24 15:1,3,24 16:2,4 17:4,6 18:2,5,7 19:12,14 20:10 (33) its 7:4 9:11 11:16 14:5 16:9 (5) january 6:6 john 2:9,11 4:10 5:1 8:16 10:21 13:9 15:15,23 17:18 20:1 (11) julia 19 21:4 june 6:6 7:17 9:22 12:2 14:16 (5)	just 12:21 katsorhis 2:9 4:10,10 8:16,16 10:21,21 13:9,9 15:15,15 17:18,18 20:1,1 (15) kenisha 2:6 4:13 8:3,18 10:8,23 12:13 13:11 15:2,17 17:5,20 19:13 20:3 (14) kiosks 18:24 known 7:6 lasting 7:16 9:21 12:1 14:15 (4) lauren 2:15 5:11 13:17 law 6:18 lefkowitz 2:15 5:11,11 13:17,17 (5) let 4:22 light 18:19,20 like 3:5 12:21 linknyc 18:24 llc 5:24 9:12 11:18 14:7 16:8,9,10 18:11,12,13 (10) located 18:21 m 19 21:4 made 20:14 maintain 7:10 9:15 11:20 14:9 16:15 (5)

**In Re Public Meeting NYC - Mayor`s Office of Contract Services
(MOCS)**

November 9, 2022				24
maintenance 18:16	microsoft 13 3:9	no 4:21 7:25 10:5 12:10 14:24 17:2 19:10 21:15 (8)	11:21 14:10 16:15 (5)	president 2:10,12,13,15 4:19,23,25 5:2,5,9 8:22 11:2 13:15 15:21 17:24 20:7 (16)
make 7:23 8:2 10:3,7 12:8,12 14:22 15:1 16:25 17:4 19:8,12 20:12 (13)	mobile 18:14 19:2	noise 12:23	option 7:18 9:23 12:3 14:17 (4)	prior 6:14
management 2:7 4:15 8:19 10:24 13:12 15:18 17:21 20:4 (8)	motion 8:2,6 10:7,11 12:12,16 15:1,5 17:4,8 19:12,16 (12)	noises 3:16	optumrx 5:24	privatelyowned 18:21
manhattan 2:12 5:3 8:23 17:25 (4)	move 8:2,3 10:7,8 12:12,13 15:1,2 17:4,5 19:12,13 (12)	nonexclusive 7:8 9:13 11:18 14:7 16:13 (5)	order 4:1	procedure 5:22
marriage 21:14	ms 3:21 4:4,13,17 5:4,11,13 6:19 7:22 8:1,3,5,8,11,1 8,21,24 9:2 10:2,6, 8,10,13,16,23 11:1,7 12:7,11,13,15,18 13:4,11,14,17,21 14:21,25 15:2,4,7,10,17,20 16:1,24 17:3,5,7,1 0,13,20,23 18:1,4 19:7,11,13,15,18,2 1 20:3,6,18 (65)	notary 21:4	oti 16:20 19:3	proceeding 3:5 20:16
matter 5:17 6:24 7:24 9:6 10:4 11:11 12:9 13:25 14:23 16:5 17:1 18:8 19:9 21:16 (14)	mute 3:15 12:23	noticed 6:16 20:20	outcome 21:15	proceedings 3:1
mayor 2:3,4 4:3,6 8:10,13 10:15,18 13:3,6 15:9,12 17:12,15 19:20,23 (16)	my 3:22 21:18	notice 7:16 9:21 12:1 14:15 (4)	over 6:10 7:11 9:16 11:22 14:11 16:16 (6)	program 6:1
media 14:6	n 2:2	november 11 21:18	p 2:2,2	property 7:12 9:17 11:23 14:12 16:17 (5)
meeting 4 3:8,25 6:11,13,15 20:13,15,19 (9)	name 3:11,22	now 3:25 7:5 13:2	part 20:15	proposed 7:1,15 9:8,20 11:13,25 14:2,14 16:7,20 18:10 19:3 (12)
meetings 6:18	necessary 18:23	number 5:17 6:24 8:25 9:6 11:5,11 13:19,25 15:24 16:5 18:2,8 20:10 (13)	parties 7:19 9:24 12:4 14:18 21:13 (5)	provision 7:13 9:18 11:24 14:13 16:18 19:1 (6)
member 7:22 8:1,5 10:2,6,10 12:7,11,15 14:21,25 15:4 16:24 17:3,7 19:7,11,15 (18)	network 14:7	office 2:4,7 4:6,15 6:22 7:6 8:13,19 9:4,11 10:18,24 11:9,16 13:6,12,23 14:5 15:12,18 16:3 17:15,21 18:6 19:23 20:4 (26)	period 7:21 10:1 12:6 14:20 (4)	public 4 3:25 6:11,13,15 18:25 20:13 21:4 (8)
mental 5:16	networks 16:8,10 18:11,13 (4)	one 3:17	person 3:17	publicly 20:14
microphone 3:15	new 5:15,21,25 6:2,22 7:3 9:4,10 11:9,15,18 13:23 14:4 16:3,12 18:6,15 21:5 (18)	only 3:17	please 4:2 5:13 6:8,20 8:2,6,8 9:2 10:7,11,13 11:7 12:12,16,18,23 13:21 15:1,5,7 16:1 17:4,8,10 18:4 19:12,16,18 (28)	pursuant 5:19
	newspapers 6:17	open 6:18	pm 2 20:20	queens 2:13 5:6 11:3 20:8 (4)
		operate 5:25 7:9 9:14 11:20 14:9 16:14 (6)	point 18:18	question 7:24 10:4 12:9 14:23 17:1 19:9 (6)
		operation 18:16	poles 18:19,20,20,21 (4)	quintian 2:8 4:17,17 8:21,21 11:1,1 13:14,14 15:20,20 17:23,23
		optical 7:10 9:15	present 4:5,8,11,14,18,24 5:1,4,8,12 (10)	

**In Re Public Meeting NYC - Mayor's Office of Contract Services
(MOCS)**

November 9, 2022				25
20:6,6 (15)	right 13:1	speros 19 21:4	sworn 21:8	16:21 19:4
r 2:2	roll 4:2	stamoulis 2:18 3:3	take 8:9 10:14 12:19 15:8 17:11 19:19 (6)	transcript 21:9
rahul 2:5 4:7 8:7,14 10:12,19 12:17 13:7 15:6,13 17:9,16 19:17,24 (14)	rules 5:20	started 3:4	taking 12:20 13:2	transcription 3:13
ready 3:20	s 2:2	state 21:5	teams 13 3:9	true 21:9
record 3:11 4:22 6:16 20:16 21:10 (5)	said 21:10	statement 7:23 10:3 12:8 14:22 16:25 19:8 (6)	technology 6:23 7:5,6 9:5,11 11:10,16 13:24 14:5 16:4 18:7 (11)	under 7:12 9:17 11:22 14:11 16:17 (5)
reflect 4:22	schedule 6:12	staten 2:15 5:10 13:16	telecom 18:14 19:2	united 11:17
related 21:13	scheduled 6:14	stations 18:18	telecommunicatio ns 7:5	unmuted 12:22
remote 4 3:25	second 6:21 8:6,7 10:11,12 12:16,17 15:5,6 17:8,9 19:16,17 (13)	stoddart 2:3 3:21,23 4:4,4 5:13 6:19 7:22 8:1,5,8,11,11 9:2 10:2,6,10,13,16,16 11:7 12:7,11,15,18 13:4,4,21 14:21,25 15:4,7,10,10 16:1,24 17:3,7,10,13,13 18:4 19:7,11,15,18 ,21,21 20:18 (49)	term 7:16 9:21 12:1 14:15 (4)	up 7:20 9:25 12:5 14:19 (4)
remotely 12 6:14	section 5:19 6:17	stop 18:24	testimony 21:7,10	us 16:9 18:12
reporter 19 20:12	seek 5:18 6:25 9:7 11:12 14:1 16:6 18:9 (7)	street 18:19,19	thank 3:22 6:19 13:1 20:18 (4)	use 7:9 9:14 11:19 14:8 16:14 (5)
request 6:9	services 5:24 7:2,14 9:9,19 11:14,24 14:3,13 16:11,19 19:2 (12)	streets 18:22	their 3:11	utility 18:21
required 6:17 16:23 19:6	set 21:8,18	subject 18:23	themselves 12:23	utilize 5:21
residents 6:3	seventh 18:5	sutton 2:6 4:13,13 8:3,3,18,18 10:8,8,23,23 12:13,13 13:11,11 15:2,2,17,17 17:5,5,20,20 19:13,13 20:3,3 (27)	third 9:3	vest 2:12 5:4,4 8:24,24 18:1,1 (7)
resolution 9:1 11:6 13:20 15:25 18:3 20:11 (6)	shelters 18:25	swisher 2:14 5:7,7 11:4,4 20:9,9 (7)	through 7:4 9:11 11:16 14:5 (4)	via 12 3:9
responded 3:7	should 3:17,19		time 3:11,18 20:20	virtue 14:6
response 4:21 7:25 10:5 12:10 14:24 17:2 19:10 (7)	signature 21:22		today's 3:4,8	visions 14:6
result 6:13	silicon 9:12		toilets 18:25	vote 8:9 10:14 12:19,20 13:2 15:8 17:11 19:19 (8)
review 5 3:24 5:18 6:25 9:7 11:12 14:1 16:6 18:9 (9)	sixth 16:2		tomi 2:12 5:4 8:24 18:1 (4)	way 21:15
reviewed 16:20 19:3	sole 7:18 9:23 12:3 14:17 (4)		traffic 18:20	whereof 21:17
	some 12:24		transaction	which 6:12 16:13 20:13
	speak 3:12			
	speaking 3:14,17			

**In Re Public Meeting NYC - Mayor`s Office of Contract Services
(MOCS)**

November 9, 2022

26

<p>who 7:22 10:2 12:7 14:21 16:24 19:7 (6)</p> <p>whoever 12:21</p> <p>whose 21:7</p> <p>will 3:18,25 4:2 5:13 6:4,9,13,16,20 8:1,5,8 9:2 10:6,10,13 11:7 12:11,15,18 13:21 14:25 15:4,7 16:1 17:3,7,10 18:4 19:11,15,18 (32)</p> <p>wire 7:10 9:15 11:20 14:9 16:15 (5)</p> <p>wishes 7:23 10:3 12:8 14:22 16:25 19:8 (6)</p> <p>within 21:5,9</p> <p>witness 21:7,11,17</p> <p>would 12:21</p> <p>x 2,7</p> <p>yes 3:7 8:12,14,1 6,18,21,24 10:17,19,21,23 11:1,4 13:5,7,9,11,14,18 15:11,13,15,17,20, 23 17:14,16,18,20,23 18:1 19:22,24 20:1,3,6,9 (37)</p> <p>york 5:15,21 6:1,2,22 7:3 9:4,10 11:9,15,18 13:23 14:4 16:3,12 18:6,15 21:5 (18)</p>	<p>your 3:15</p> <p>yvonne 2:8 4:17 8:21 11:1 13:14 15:20 17:23 20:6 (8)</p> <p>zenfi 16:8,10 18:11,13 (4)</p> <p>251 20:20</p> <p>2022 11 6:6,10,15 21:19 (5)</p> <p>2023 6:7</p> <p>2032 7:17 9:22 12:2 14:16 (4)</p>			
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