

Franchise & Concession Review Committee Public Meeting NYC -
Mayor`s Office of Contract Services (MOCS) (FCRC)
June 9, 2021

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PUBLIC MEETING
FRANCHISE AND CONCESSION REVIEW COMMITTEE

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Wednesday, June 9, 2021
2:36 p.m.

REMOTE PUBLIC MEETING
VIA MICROSOFT TEAM'S CONFERENCE CALL

Franchise & Concession Review Committee Public Meeting NYC -
Mayor`s Office of Contract Services (MOCS) (FCRC)
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2 APPEARANCES:

3 Mayor:
4 Bess Chiu

5 Clerk:
6 Gregg Alleyne
7 Alexandre Stamoulis (Alternate)

8 Office of the Mayor:
9 Julie Bero

10 Corporation Counsel:
11 Sharon Cantor
12 Amrita Barth

13 Office of Management and Budget:
14 Yvonne Quintian

15 Comptroller:
16 John Katsorhis

17 Borough President of Manhattan:
18 Rosie Mendez

19 Borough President of Brooklyn:
20 Tonya Cantlo-Cockfield

21 Borough President of the Bronx:
22 Mirtha Camille Sabio

23 Borough President of Queens:
24 Allan Swisher

25 Borough President of Staten Island:
Stephen Caracappa

Representative of DoITT:
Jessica Tisch

Franchise & Concession Review Committee Public Meeting NYC -
Mayor`s Office of Contract Services (MOCS) (FCRC)
June 9, 2021

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

(Chorus of "Yeses.")

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

Chair, we are ready to begin.

CHAIR CHIU: Good afternoon, and thank you all for being here. My name is Bess Chiu, Chair for the FCRC. The Franchise and Concession Review Committee remote public meeting will now come to order.

Franchise & Concession Review Committee Public Meeting NYC -
Mayor`s Office of Contract Services (MOCS) (FCRC)
June 9, 2021

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Will the Clerk please call the roll.

THE CLERK: Mayor?

CHAIR CHIU: Bess Chiu, here.

THE CLERK: Office of the Mayor?

MS. BERO: Julie Bero, present.

THE CLERK: Comptroller?

MR. KATSORHIS: John Katsorhis,
here.

THE CLERK: Corporation Counsel?

MS. CANTOR: Sharon Cantor, present
for Calendar Item 1.

MS. BARTH: Amrita Barth, present
for Calendar Item 2.

THE CLERK: Office of Management and
Budget.

MS. QUINTIAN: Yvonne Quintian,
present.

THE CLERK: President, Borough of
the Bronx?

MS. CAMILLE-SABIO: Mirtha
Camille-Sabio, for Ruben Diaz, present.

THE CLERK: President, Borough of
Brooklyn?

MS. CANTLO-COCKFIELD: Tonya

Franchise & Concession Review Committee Public Meeting NYC -
Mayor`s Office of Contract Services (MOCS) (FCRC)
June 9, 2021

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Cantlo-Cockfield, for Eric Adams, here.

THE CLERK: President, Borough of
Manhattan?

MS. MENDEZ: Rosie Mendez, for Gail
Brewer, present.

THE CLERK: President, Borough of
Queens?

MR. SWISHER: Allan Swisher, for
Donovan Richards, present.

THE CLERK: President, Borough of
Staten Island?

MR. CARACAPPA: Stephen Caracappa,
for James Oddo, present.

CHAIR CHIU: Will the clerk please
call the first calendar item?

THE CLERK: New York City Department
of Parks and Recreation, Calendar Item
No.1: In the matter of the intent to
seek Franchise and Concession Review
Committee approval to utilize a
different procedure, pursuant to Section
1-16 of the Concession Rules of the City
of New York, to negotiate a Sole Source
License Agreement with Statue Cruises,

Franchise & Concession Review Committee Public Meeting NYC -
Mayor`s Office of Contract Services (MOCS) (FCRC)
June 9, 2021

6

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2 LLC for the operation and maintenance of
3 two passenger ferries for the purpose of
4 embarking and discharging passengers on
5 a regular schedule between The Battery,
6 Liberty Island, and Ellis Island, and
7 for the purpose of embarking and
8 discharging passengers of vessels on
9 sightseeing cruises and other ferry
10 operations, which may include but are
11 not limited to, day and night charters
12 of vessels, owned, operated or chartered
13 by Statue Cruises, LLC at landing slips
14 and adjacent walkways located in The
15 Battery, Manhattan.

16 CHAIR CHIU: Is there a member who
17 wishes to make a statement or ask a
18 question on this matter?

19 (No response was given.)

20 CHAIR CHIU: If not, will a member
21 please make a motion to move this item?

22 MS. CANTOR: Sharon Cantor, I move
23 the item.

24 CHAIR CHIU: Will another member
25 please second the motion?

Franchise & Concession Review Committee Public Meeting NYC -
Mayor`s Office of Contract Services (MOCS) (FCRC)
June 9, 2021

7

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MS. BERO: Julie Bero, so moved.

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CHAIR CHIU: Will the clerk please
take the vote?

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THE CLERK: Mayor?

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CHAIR CHIU: Bess Chiu, yes.

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THE CLERK: Office of the Mayor?

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MS. BERO: Julie Bero, yes.

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THE CLERK: Comptroller?

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MR. KATSORHIS: John Katsorhis, yes.

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THE CLERK: Corporation Counsel?

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MS. CANTOR: Sharon Cantor, yes.

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THE CLERK: Office of Management and
Budget?

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MS. QUINTIAN: Yvonne Quintian, yes.

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THE CLERK: On behalf of the Borough
Presidents, President Borough of
Manhattan?

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MS. MENDEZ: Rosie Mendez, yes.

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THE CLERK: Calendar Item 1,
resolution is adopted.

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CHAIR CHIU: Will the Clerk please
call the second calendar item?

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THE CLERK: New York City Department
of Information Technology and

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Franchise & Concession Review Committee Public Meeting NYC -
Mayor`s Office of Contract Services (MOCS) (FCRC)
June 9, 2021

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2 Telecommunications, Calendar Item No.2:
3 In the matter of the intent to seek
4 Franchise and Concession Review
5 Committee approval regarding a proposed
6 third amendment to a public
7 communications structure franchise
8 agreement between the City of New York
9 and CityBridge, LLC, that will, among
10 other things, modify the rights and
11 responsibilities of the parties,
12 including, among other things: (1)
13 modification of construction,
14 installation, and siting requirements
15 applicable to CityBridge, (2) permitting
16 certain new and retrofit designs for
17 public communications structures,
18 subject to all required approvals,
19 including but not limited to, design
20 approval by the Public Design
21 Commission, (3) adding the installation
22 of mobile telecommunications equipment
23 as an ancillary service, subject to
24 requirements in the amendment, (4) the
25 removal of public pay telephones

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2 installed on or before April 30, 2014,
3 (5) modification of CityBridge's minimum
4 investment 3 commitments, (6)
5 modification of requirements regarding
6 compensation payable by CityBridge to
7 the City, and (7) modification to
8 advertising space available to the City
9 for its own use.

10 CHAIR CHIU: Is there a member who
11 wishes to make a statement or ask a
12 question on this matter?

13 MR. KATSORHIS: John Katsorhis from
14 the Comptroller's office. I'd like to
15 ask a question of DoITT, please.

16 CHAIR CHIU: Go ahead.

17 MR. KATSORHIS: DoITT mentions in
18 its responsibility determining
19 documentation that "CityBridge is facing
20 inability to make its required payments
21 and maintain its built out schedule due
22 to unanticipated financial challenges."

23 While this third amendment is
24 intended to address some of the issues,
25 DoITT's responsibility in determination

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2 also mentions the plan of withdrawing
3 from the consortium that makes up
4 CityBridge. In light of the departure
5 of this consortium, can DoITT please
6 confirm it still maintains its position
7 that CityBridge is a responsible
8 franchisee?

9 MS. TISCH: Jessica Tisch. I do.

10 MR. KATSORHIS: Thank you.

11 I have no further questions or
12 statements.

13 CHAIR CHIU: Do any other members
14 wish to make a statement or ask a
15 question on this matter?

16 MR. CARACAPPA: This is Stephen
17 Caracappa. I have a brief statement I'd
18 like to put on the record.

19 CHIEF CHIU: Go ahead.

20 MR. CARACAPPA: Thank you.

21 I'd like to thank my fellow FCRC
22 members for the time and opportunity.
23 With Staten Island set to the receive
24 the highest number of new Link
25 structures under this amendment, we want

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2 to express our opposition.

3 We strongly oppose this initiative,
4 and in this issue, (inaudible), in order
5 to select a qualified amendment.

6 (Inaudible) expansion contract by
7 reckless (inaudible) and then
8 threatening to take all current Links
9 offline, leaving the commission with
10 little choice but to vote in favor of
11 the amendment.

12 This sets poor precedent for the
13 city members and licensees,
14 fundamentally we all agree, and believe
15 in the project. And that a public
16 private partnership is the best way to
17 get there. CityBridge is not that
18 partner, and we need a new RP.

19 Thank you.

20 CHAIR CHIU: Is there any other
21 other members who wish to make a
22 statement or ask a question on this
23 matter?

24 MS. CANTLO-COCKFIELD: Yes, this is
25 Tonya Cantlo from the Borough Brooklyn's

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2 office. I'd like to make a statement.

3 CHAIR CHIU: Sure. Please go ahead.

4 MS. CANTLO-COCKFIELD: So the
5 primary focus of this renegotiated deal,
6 we are closing the digital divide in New
7 York City. Expanding LinkNYC to a full
8 5G cellular technology is welcome, but
9 it must expand access to all New Yorkers
10 in all five boroughs.

11 Whether it is access to telehealth
12 services, online education resources,
13 job training, job searching, or
14 real-time information regarding public
15 services, the digital divide has real
16 world consequences. According to the
17 New York State Internet Master Plan, 18
18 percent of New York City residents do
19 not have an access to a home or mobile
20 internet connection. This proposal, in
21 coordination with the recently announced
22 \$157,000,000 capital investment in
23 providing access will help to bring more
24 people to the positive side of the
25 divide.

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2 The COVID-19 pandemic has shown how
3 deeply this digital divide affects the
4 daily lives of every New York City
5 resident. The importance of access to
6 broadband technology is only going to
7 grow in the coming months and years.
8 Access to technology should no longer be
9 an area (inaudible), and expanding 5G
10 service is critical to reach that goal.

11 In the agreement there are sites in
12 Community Boards 4, 9, 12, 16, totaling
13 147. We are requesting kiosks in
14 Community Board 5, which is in East New
15 York, and Community Board 8, which is in
16 Canarsie.

17 Thank you.

18 CHAIR CHIU: Are there any other
19 members who wish to make a statement on
20 this matter?

21 MS. MENDEZ: Yes. This is Rosie
22 Mendez. I've had my hand raised, I
23 don't know if we're using that option.

24 MR. STAMOULIS: We have been trying
25 to correct that option.

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2 Please feel free to speak.

3 MS. MENDEZ: Thank you. We would
4 like (inaudible). The Bronx, Staten
5 Island, and Brooklyn Borough Presidents,
6 we recently raised the issue of how
7 these franchisees and this deal might
8 affect other franchisees in the city,
9 and we certainly have been dealing with
10 the bus shelters here in Manhattan, and
11 we've been trying to with (inaudible)
12 trying to get the shelters in the outer
13 boroughs, and the other boroughs.

14 We have some concerns about how this
15 might impact the public franchisees and
16 other agreements, and I know it's a
17 different agency, but the city really
18 needs to be looking at this as a whole.

19 We also hope that DoITT works with
20 all of the boroughs, and that we
21 understand the digital divide, but
22 working with different borough
23 presidents and the other elected
24 officials to ensure that boroughs get
25 the amount of towers that they need in

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those boroughs.

Thank you very much.

CHAIR CHIU: Are there any other members who wish to make a statement or ask a question on this matter?

MS. CAMILLE-SABIO: Yes, the Bronx Borough President's office wishes to make a statement.

CHAIR CHIU: Go ahead.

MS. CAMILLE-SABIO: We echo the concerns expressed by the representative of the Brooklyn Borough President.

The Bronx Borough President commends and appreciates the hard work and effort that is required in the transactions of the renegotiations in this matter. It is clear that amendment of the franchise is trying to land each side in a better position to ensure that every borough inches closer to a place of more digital access for all New Yorkers.

While this is laudable, on the other hand, however, the Bronx seems to be left behind, and expected to make due

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2 with apparently less. While we're happy
3 to be in representation in three of our
4 immediate districts, the current total
5 of committed kiosks slated for the Bronx
6 is lower than we expected, and in fact,
7 lower than any other borough in the
8 city.

9 Bronx Borough President Diaz hopes
10 that going forward, it will be
11 purposeful, strategic, and also
12 inclusive of other areas in the Bronx,
13 so that many more Bronx sites are
14 afforded the benefit of greater digital
15 access, and equity, and the delivery of
16 a (inaudible) pipeline that comes with
17 it.

18 Thank you.

19 CHAIR CHIU: Are there any other
20 members who wish to make a statement or
21 ask a question on this matter?

22 MR. SWISHER: This is Allan Swisher
23 from the Queens Borough President's
24 Office. It's not going to be redundant.
25 I think what my colleagues have stated,

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2 I share their concerns. But my office
3 is supportive of this amendment with
4 numerous benefits, because in the
5 digital divide in Queens, where many
6 communities have insufficient options
7 for reliable high speed internet access,
8 that affects both residents and small
9 businesses.

10 So there's a lot to like in this
11 amendment. I did want to mention that
12 the real reason we're here today to vote
13 on this (inaudible) CityBridge failed to
14 live up to its obligations under its
15 existing agreement. I also think the
16 message that they're sending to the
17 other franchise groups who are meeting
18 their obligations under their agreements
19 without any such breaks or concessions.

20 Overall, I want to thank the Chair
21 for working to find a buyable path
22 forward on this matter, and I think
23 there's a lot to like, not in the event
24 that, with respect, an issue divides.

25 CHAIR CHIU: Are there any other

Franchise & Concession Review Committee Public Meeting NYC -
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members who wish to make a statement or
ask a question on this matter?

(No response was given.)

CHAIR CHIU: Thank you for all of
your questions and your statements.

With that, will a member please make
a motion to move this item?

MS. BERO: Julie Bero, so moved.

CHAIR CHIU: Will another member
please second the motion?

UNNAMED MEMBER: So moved.

CHAIR CHIU: Will the clerk please
take the vote?

THE CLERK: Mayor?

CHAIR CHIU: Bess Chiu, yes.

THE CLERK: Office of the Mayor?

MS. BERO: Julie Bero, yes.

THE CLERK: Comptroller?

MR. KATSORHIS: John Katsorhis, yes.

THE CLERK: Corporation Counsel?

MS. BARTH: Amrita Barth, yes.

THE CLERK: Office of Management and
Budget?

MS. QUINTIAN: Yes.

Franchise & Concession Review Committee Public Meeting NYC -
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June 9, 2021

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2 THE CLERK: On behalf of the Borough
3 Presidents. President Borough of
4 Queens?

5 MR. SWISHER: Allan Swisher, yes,
6 but I would like the record to reflect
7 that the Staten Island Borough President
8 is not in support.

9 THE CLERK: Calendar Item 2,
10 resolution is adopted.

11 We ask that the reporter make the
12 entire Public Meeting Agenda, which was
13 made publicly available and distributed
14 at this meeting, part of the final
15 record of this proceeding. That
16 completes the calendar.

17 CHAIR CHIU: Thank you. Meeting
18 adjourned.

19 (Thereupon, the meeting was
20 concluded at 2:53 p.m.)
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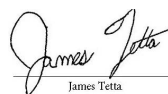
C E R T I F I C A T E
STATE OF NEW YORK)
: ss
COUNTY OF NASSAU)

I, JAMES A. TETTA, a Notary Public within
and for the State of New York, do hereby
certify:

That the witness whose examination is
hereinbefore set forth was duly sworn and that
such an examination is a true record of the
testimony given by such a witness.

I further certify that I am not related to
any of these parties to this action by blood or
marriage, and that I am not in any way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my
hand this 9th day of June, 2021.



James Tetta

**Franchise & Concession Review Committee Public Meeting NYC -
Mayor's Office of Contract Services (MOCS) (FCRC)**

June 9, 2021

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\$157000000 12:22	ahead 9:16 10:19 12:3 15:10 (4)	are 3:13,19 6:10 12:6 13:11,13,18 15:4 16:13,19 17:17,25 (12)	best 11:16	businesses 17:9
5g 12:8 13:9	alexandre 2:6		better 15:19	buyable 17:21
9th 20:19	allan 2:18 5:9 16:22 19:5 (4)	area 13:9	between 6:5 8:8	c 20:2,2
about 14:14	alleyne 2:5 3:3	areas 16:12	blood 20:15	calendar 4:12,14 5:16,18 7:20,23 8:2 19:9,16 (9)
access 12:9,11,19,23 13:5,8 15:22 16:15 17:7 (9)	also 10:2 14:19 16:11 17:15 (4)	ask 3:10,14 6:17 9:11,15 10:14 11:22 15:6 16:21 18:3 19:11 (11)	board 13:14,15	call 1:13 3:9,12,15 4:2 5:16 7:23 (7)
according 12:16	alternate 2:6	attendees 3:10	boards 13:12	camille 2:17
action 20:15	am 20:14,16	available 9:8 19:13	borough 2:13,15,16,18,19 4:19,23 5:3,7,11 7:16,17 11:25 14:5,22 15:8,13,14,20 16:7,9,23 19:2,3,7 (25)	camillesabio 4:21,22 15:7,11 (4)
adams 5:2	amendment 8:6,24 9:23 10:25 11:5,11 15:18 17:3,11 (9)	avoid 3:15	boroughs 12:10 14:13,13,20,24 15:2 (6)	can 3:5 10:5
adding 8:21	among 8:9,12	background 3:15	both 17:8	canarsie 13:16
address 9:24	amount 14:25	barth 2:9 4:13,13 18:22,22 (5)	breaks 17:19	cantlo 11:25
adjacent 6:14	amrita 2:9 4:13 18:22	battery 6:5,15	brewer 5:6	cantlockfield 2:15 4:25 5:2 11:24 12:4 (5)
adjourned 19:18	ancillary 8:23	because 17:4	brief 10:17	cantor 2:9 4:11,11 6:22,22 7:12,12 (7)
adopted 7:21 19:10	announce 3:10	before 3:3 9:2	bring 12:23	capital 12:22
advertising 9:8	announced 12:21	begin 3:19	broadband 13:6	caracappa 2:20 5:13,13 10:16,17,20 (6)
affect 14:8	another 6:24 18:10	behalf 7:16 19:2	bronx 2:16 4:20 14:4 15:7,14,24 16:5,9,12,13 (10)	cellular 12:8
affects 13:3 17:8	apparently 16:2	behind 15:25	brooklyn 2:15 4:24 14:5 15:13 (4)	certain 8:16
afforded 16:14	appearances 2:2	being 3:8,21	brooklyn's 11:25	certainly 14:9
afternoon 3:20	applicable 8:15	believe 11:14	budget 2:10 4:16 7:14 18:24 (4)	certify 20:9,14
agency 14:17	appreciates 15:15	benefit 16:14	built 9:21	chair 3:19,20,22 4:4 5:15 6:16,20,24 7:3,6,22 9:10,16 10:13 11:20 12:3
agenda 19:12	approval 5:21 8:5,20	benefits 17:4	bus 14:10	
agree 11:14	approvals 8:18	bero 2:7 4:6,6 7:2,2,8,8 18:9,9,18,18 (11)		
agreement 5:25 8:8 13:11 17:15 (4)	april 9:2	bess 2:4 3:22 4:4 7:6 18:16 (5)		
agreements 14:16 17:18				

**Franchise & Concession Review Committee Public Meeting NYC -
Mayor's Office of Contract Services (MOCS) (FCRC)**

June 9, 2021

22

<p>13:18 15:4,10 16:19 17:20,25 18:5,10,13,16 19:17 (27)</p> <p>challenges 9:22</p> <p>chartered 6:12</p> <p>charters 6:11</p> <p>chief 10:19</p> <p>chiu 2:4 3:20,22 4:4,4 5:15 6:16,20,24 7:3,6,6,22 9:10,16 10:13,19 11:20 12:3 13:18 15:4,10 16:19 17:25 18:5,10,13,16,16 19:17 (30)</p> <p>choice 11:10</p> <p>chorus 3:7</p> <p>city 5:17,23 7:24 8:8 9:7,8 11:13 12:7,18 13:4 14:8,17 16:8 (13)</p> <p>citybridge 8:9,15 9:6,19 10:4,7 11:17 17:13 (8)</p> <p>citybridge's 9:3</p> <p>clear 15:18</p> <p>clearly 3:6</p> <p>clerk 2:5 3:2,3,8 4:2,3,5,7,10,15,19, 23 5:3,7,11,15,17 7:3,5,7,9,11,13,16, 20,22,24 18:13,15, 17,19,21,23 19:2,9 (35)</p> <p>closer 15:21</p>	<p>closing 12:6</p> <p>colleagues 16:25</p> <p>come 3:25</p> <p>comes 16:16</p> <p>coming 13:7</p> <p>commends 15:14</p> <p>commission 8:21 11:9</p> <p>commitments 9:4</p> <p>committed 16:5</p> <p>committee 1:4 3:24 5:21 8:5 (4)</p> <p>communications 8:7,17</p> <p>communities 17:6</p> <p>community 13:12,14,15</p> <p>compensation 9:6</p> <p>completes 19:16</p> <p>comptroller 2:12 4:7 7:9 18:19 (4)</p> <p>comptroller's 9:14</p> <p>concerns 14:14 15:12 17:2</p> <p>concession 1:4 3:23 5:20,23 8:4 (5)</p> <p>concessions 17:19</p> <p>concluded 19:20</p>	<p>conference 1:13 3:9</p> <p>confirm 3:5 10:6</p> <p>conflict 3:18</p> <p>connection 12:20</p> <p>consequences 12:16</p> <p>consortium 10:3,5</p> <p>construction 8:13</p> <p>contract 11:6</p> <p>coordination 12:21</p> <p>corporation 2:8 4:10 7:11 18:21 (4)</p> <p>correct 13:25</p> <p>counsel 2:8 4:10 7:11 18:21 (4)</p> <p>county 20:5</p> <p>covid19 13:2</p> <p>critical 13:10</p> <p>cruises 5:25 6:9,13</p> <p>current 11:8 16:4</p> <p>daily 13:4</p> <p>day 6:11 20:19</p> <p>deal 12:5 14:7</p> <p>dealing 14:9</p> <p>deeply 13:3</p>	<p>delivery 16:15</p> <p>department 5:17 7:24</p> <p>departure 10:4</p> <p>design 8:19,20</p> <p>designs 8:16</p> <p>determination 9:25</p> <p>determining 9:18</p> <p>diaz 4:22 16:9</p> <p>different 5:22 14:17,22</p> <p>digital 12:6,15 13:3 14:21 15:21 16:14 17:5 (7)</p> <p>direct 3:17</p> <p>discharging 6:4,8</p> <p>distributed 19:13</p> <p>districts 16:4</p> <p>divide 12:6,15,25 13:3 14:21 17:5 (6)</p> <p>divides 17:24</p> <p>documentation 9:19</p> <p>doitt 2:21 9:15,17 10:5 14:19 (5)</p> <p>doitt's 9:25</p> <p>donovan 5:10</p> <p>due 9:21 15:25</p> <p>duly 20:11</p>	<p>during 3:15</p> <p>e 20:2,2</p> <p>each 3:11 15:19</p> <p>ease 3:12</p> <p>east 13:14</p> <p>echo 15:11</p> <p>education 12:12</p> <p>effort 15:15</p> <p>elected 14:23</p> <p>ellis 6:6</p> <p>embarking 6:4,7</p> <p>ensure 14:24 15:20</p> <p>entire 19:12</p> <p>equipment 8:22</p> <p>equity 16:15</p> <p>eric 5:2</p> <p>event 17:23</p> <p>every 13:4 15:20</p> <p>everyone 3:5</p> <p>examination 20:10,12</p> <p>existing 17:15</p> <p>expand 12:9</p> <p>expanding 12:7 13:9</p> <p>expansion 11:6</p> <p>expected 15:25 16:6</p>
---	--	---	---	---

**Franchise & Concession Review Committee Public Meeting NYC -
Mayor's Office of Contract Services (MOCS) (FCRC)**

June 9, 2021

23

express 11:2	fundamentally 11:14	hereby 20:8	8:14,21	7:10 9:13 18:20 (5)
expressed 15:12	further 10:11 20:14	hereinbefore 20:11	installed 9:2	julie 2:7 4:6 7:2,8 18:9,18 (6)
f 20:2	gail 5:5	hereunto 20:18	insufficient 17:6	june 1:9 20:19
facing 9:19	get 3:4 11:17 14:12,24 (4)	high 17:7	intended 9:24	katsorhis 2:12 4:8,8 7:10,10 9:13,13,17 10:10 18:20,20 (11)
fact 16:6	given 3:17 6:19 18:4 20:13 (4)	highest 10:24	intent 5:19 8:3	kiosks 13:13 16:5
failed 17:13	go 9:16 10:19 12:3 15:10 (4)	home 12:19	interested 20:17	know 13:23 14:16
favor 11:10	goal 13:10	hope 14:19	internet 12:17,20 17:7	land 15:19
fcrc 3:3,22 10:21	going 13:6 16:10,24	hopes 16:9	investment 9:4 12:22	landing 6:13
feel 14:2	good 3:20	how 13:2 14:6,14	is 3:2,8,22 6:16 7:21 9:10,19,23 10:7,16 11:16,17,20,24 12:8,11 13:6,10,14,15,21 15:16,18,19,23 16:6,22 17:3 19:8,10 20:10,12 (32)	laudable 15:23
fellow 10:21	greater 16:14	however 15:24	island 2:19 5:12 6:6,6 10:23 14:5 19:7 (7)	leaving 11:9
ferries 6:3	gregg 2:5 3:2	i'd 3:5 9:14 10:17,21 12:2 (5)	issue 11:4 14:6 17:24	left 15:25
ferry 6:9	groups 17:17	i've 13:22	issues 9:24	less 16:2
final 19:14	grow 13:7	immediate 16:4	item 4:12,14 5:16,18 6:21,23 7:20,23 8:2 18:8 19:9 (11)	liberty 6:6
financial 9:22	hand 13:22 15:24 20:19	impact 14:15	its 9:9,18,20,21 10:6 17:14,14 (7)	license 5:25
find 17:21	happy 16:2	importance 13:5	james 5:14 20:7	licensees 11:13
first 5:16	hard 15:15	inability 9:20	jessica 2:21 10:9	light 10:4
five 12:10	has 12:15 13:2	inaudible 11:4,6,7 13:9 14:4,11 16:16 17:13 (8)	job 12:13,13	like 3:5 9:14 10:18,21 12:2 14:4 17:10,23 19:6 (9)
focus 12:5	hear 3:6	include 6:10	john 2:12 4:8	limited 6:11 8:19
forth 20:11	held 3:9	including 8:12,19		link 10:24
forward 16:10 17:22	hello 3:2	inclusive 16:12		linknyc 12:7
franchise 1:4 3:23 5:20 8:4,7 15:18 17:17 (7)	help 12:23	information 7:25 12:14		links 11:8
franchisee 10:8	here 3:21 4:4,9 5:2 14:10 17:12 (6)	initiative 11:3		little 11:10
franchisees 14:7,8,15		installation		
free 14:2				
full 12:7				

**Franchise & Concession Review Committee Public Meeting NYC -
Mayor's Office of Contract Services (MOCS) (FCRC)**

June 9, 2021				
live 17:14	may 6:10	more 12:23 15:21 16:13	no2 8:2	13:18 14:8,13,16,23 15:4,23 16:7,12,19 17:17,25 (18)
lives 13:4	mayor 2:3,7 4:3,5 7:5,7 18:15,17 (8)	motion 6:21,25 18:8,11 (4)	noises 3:15	our 11:2 16:3
llc 6:2,13 8:9	me 3:6	move 6:21,22 18:8	notary 20:7	out 9:21
located 6:14	meeting 1:3,12 3:8,24 17:17 19:12,14,17,19 (9)	moved 7:2 18:9,12	now 3:24	outcome 20:17
longer 13:8	member 6:16,20,24 9:10 18:7,10,12 (7)	ms 4:6,11,13,17,21,25 5:5 6:22 7:2,8,12,15,19 10:9 11:24 12:4 13:21 14:3 15:7,11 18:9,18,22,25 (24)	number 10:24	outer 14:12
looking 14:18	members 10:13,22 11:13,21 13:19 15:5 16:20 18:2 (8)	much 15:3	obligations 17:14,18	overall 17:20
lot 17:10,23	mendez 2:14 5:5,5 7:19,19 13:21,22 14:3 (8)	must 12:9	oddo 5:14	own 9:9
lower 16:6,7	mention 17:11	mute 3:14	office 2:7,10 4:5,15 7:7,13 9:14 12:2 15:8 16:24 17:2 18:17,23 (13)	owned 6:12
made 19:13	mentions 9:17 10:2	my 3:21 10:21 13:22 16:25 17:2 20:18 (6)	officials 14:24	pandemic 13:2
maintain 9:21	message 17:16	name 3:11,21	offline 11:9	parks 5:18
maintains 10:6	microphone 3:14	nassau 20:5	one 3:16	part 19:14
maintenance 6:2	microsoft 1:13 3:9	need 11:18 14:25	online 12:12	parties 8:11 20:15
make 6:17,21 9:11,20 10:14 11:21 12:2 13:19 15:5,9,25 16:20 18:2,7 19:11 (15)	might 14:7,15	needs 14:18	only 3:16 13:6	partner 11:18
makes 10:3	minimum 9:3	negotiate 5:24	operated 6:12	partnership 11:16
management 2:10 4:15 7:13 18:23 (4)	mirtha 2:17 4:21	new 5:17,24 7:24 8:8,16 10:24 11:18 12:6,9,17,18 13:4,14 15:22 20:3,8 (16)	operation 6:2	passenger 6:3
manhattan 2:13 5:4 6:15 7:18 14:10 (5)	mobile 8:22 12:19	night 6:11	operations 6:10	passengers 6:4,8
many 16:13 17:5	modification 8:13 9:3,5,7 (4)	no 6:19 10:11 13:8 18:4 (4)	opportunity 10:22	path 17:21
marriage 20:16	modify 8:10	no1 5:19	oppose 11:3	pay 8:25
master 12:17	months 13:7		opposition 11:2	payable 9:6
matter 5:19 6:18 8:3 9:12 10:15 11:23 13:20 15:6,17 16:21 17:22 18:3 20:17 (13)			option 13:23,25	payments 9:20
			options 17:6	people 12:24
			order 3:25 11:4	percent 12:18
			other 6:9 8:10,12 10:13 11:20,21	permitting 8:15
				person 3:16

**Franchise & Concession Review Committee Public Meeting NYC -
Mayor's Office of Contract Services (MOCS) (FCRC)**

June 9, 2021

25

pipeline 16:16	proposed 8:5	receive 10:23	residents 12:18 17:8	seems 15:24
place 15:21	providing 12:23	recently 12:21 14:6	resolution 7:21 19:10	select 11:5
plan 10:2 12:17	public 1:3,12 3:24 8:6,17,20,25 11:15 12:14 14:15 19:12 20:7 (12)	reckless 11:7	resources 12:12	sending 17:16
please 4:2 5:15 6:21,25 7:3,22 9:15 10:5 12:3 14:2 18:7,11,13 (13)	publicly 19:13	record 3:11 10:18 19:6,15 20:12 (5)	respect 17:24	service 8:23 13:10
pm 1:2 19:20	purpose 6:3,7	recreation 5:18	response 6:19 18:4	services 12:12,15
poor 11:12	purposeful 16:11	redundant 16:24	responsibilities 8:11	set 10:23 20:11,18
position 10:6 15:20	pursuant 5:22	reflect 19:6	responsibility 9:18,25	sets 11:12
positive 12:24	put 10:18	regarding 8:5 9:5 12:14	responsible 10:7	share 17:2
precedent 11:12	qualified 11:5	regular 6:5	retrofit 8:16	sharon 2:9 4:11 6:22 7:12 (4)
present 4:6,11,13,18,22 5:6,10,14 (8)	queens 2:18 5:8 16:23 17:5 19:4 (5)	related 20:14	review 1:4 3:23 5:20 8:4 (4)	shelters 14:10,12
president 2:13,15,16,18,19 4:19,23 5:3,7,11 7:17 15:13,14 16:9 19:3,7 (16)	question 6:18 9:12,15 10:15 11:22 15:6 16:21 18:3 (8)	reliable 17:7	richards 5:10	should 3:16,17 13:8
president's 15:8 16:23	questions 10:11 18:6	remote 1:12 3:24	rights 8:10	shown 13:2
presidents 7:17 14:5,23 19:3 (4)	quintian 2:11 4:17,17 7:15,15 18:25 (6)	removal 8:25	roll 4:2	side 12:24 15:19
primary 12:5	r 20:2	renegotiated 12:5	rosie 2:14 5:5 7:19 13:21 (4)	sightseeing 6:9
private 11:16	raised 13:22 14:6	renegotiations 15:17	rp 11:18	signature 20:23
procedure 5:22	reach 13:10	reporter 19:11	rules 5:23	sites 13:11 16:13
proceeding 19:15	ready 3:19	representation 16:3	ruben 4:22	siting 8:14
proceedings 3:4	real 12:15 17:12	representative 2:21 15:12	sabio 2:17	slated 16:5
project 11:15	really 14:17	requesting 13:13	schedule 6:5 9:21	slips 6:13
proposal 12:20	realtime 12:14	required 8:18 9:20 15:16	searching 12:13	small 17:8
	reason 17:12	requirements 8:14,24 9:5	second 6:25 7:23 18:11	so 7:2 12:4 16:13 17:10 18:9,12 (6)
		resident 13:5	section 5:22	sole 5:24
			seek 5:20 8:3	some 9:24 14:14
				source 5:24

**Franchise & Concession Review Committee Public Meeting NYC -
Mayor's Office of Contract Services (MOCS) (FCRC)**

June 9, 2021				
space 9:8	support 19:8	things 8:10,12	understand 14:21	11:21 13:19 15:5 16:20 17:17 18:2 (8)
speak 3:12 14:2	supportive 17:3	think 16:25 17:15,22	unnamed 18:12	whole 14:18
speaking 3:13,16	sure 12:3	third 8:6 9:23	up 10:3 17:14	whose 20:10
speed 17:7	swisher 2:18 5:9,9 16:22,22 19:5,5 (7)	those 15:2	use 9:9	will 3:17,24 4:2 5:15 6:20,24 7:3,22 8:9 12:23 16:10 18:7,10,13 (14)
ss 20:4	sworn 20:11	threatening 11:8	using 13:23	wish 10:14 11:21 13:19 15:5 16:20 18:2 (6)
stamoulis 2:6 13:24	t 20:2,2	three 16:3	utilize 5:21	wishes 6:17 9:11 15:8
started 3:4	take 7:4 11:8 18:14	time 3:11,17 10:22	very 15:3	withdrawing 10:2
state 12:17 20:3,8	team's 1:13	tisch 2:21 10:9,9	vessels 6:8,12	within 20:7
stated 16:25	teams 3:9	today 17:12	via 1:13 3:9	without 17:19
statement 6:17 9:11 10:14,17 11:22 12:2 13:19 15:5,9 16:20 18:2 (11)	technology 7:25 12:8 13:6,8 (4)	today's 3:8	vote 7:4 11:10 17:12 18:14 (4)	witness 20:10,13,18
statements 10:12 18:6	telecommunication 8:2,22	today's 3:4	walkways 6:14	work 15:15
staten 2:19 5:12 10:23 14:4 19:7 (5)	telehealth 12:11	tonya 2:15 4:25 11:25	want 10:25 17:11,20	working 14:22 17:21
statue 5:25 6:13	telephones 8:25	total 16:4	way 11:16 20:16	works 14:19
stephen 2:20 5:13 10:16	testimony 20:13	totaling 13:12	we're 13:23 16:2 17:12	world 12:16
still 10:6	tetta 20:7	towers 14:25	we've 14:11	would 14:3 19:6
strategic 16:11	than 16:6,7	training 12:13	wednesday 1:9	x 1:2,5
strongly 11:3	thank 3:21 10:10,20,21 11:19 13:17 14:3 15:3 16:18 17:20 18:5 19:17 (12)	transactions 15:16	welcome 12:8	years 13:7
structure 8:7	their 3:11 17:2,18,18 (4)	transcription 3:13	what 16:25	yes 7:6,8,10,12,15,19 11:24 13:21 15:7 18:16,18,20,22,25 19:5 (15)
structures 8:17 10:25	there's 17:10,23	true 20:12	where 17:5	yeses 3:7
subject 8:18,23	thereupon 19:19	trying 13:24 14:11,12 15:19 (4)	whereof 20:18	
such 17:19 20:12,13	these 14:7 20:15	two 6:3	whether 12:11	
	they're 17:16	unanticipated 9:22	which 6:10 13:14,15 19:12 (4)	
		under 10:25 17:14,18	while 9:23 15:23 16:2	
			who 6:16 9:10	

Franchise & Concession Review Committee Public Meeting NYC -
Mayor`s Office of Contract Services (MOCS) (FCRC)

June 9, 2021

27

york 5:17,24 7:24
8:8 12:7,17,18
13:4,15 20:3,8
(11)

yorkers 12:9
15:22

your 3:14 18:6,6

yvonne 2:11 4:17
7:15

253 19:20

2014 9:2

2021 1:9 20:19