

Franchise & Concession Review Committee Public Meeting
January 13, 2021

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PUBLIC MEETING
FRANCHISE and CONCESSION REVIEW COMMITTEE MEETING
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Microsoft Teams/Telephonic
January 13, 2021
2:30 p.m.

- A P P E A R A N C E S:
- BESS CHIU, Mayor/Chair
 - GREGG ALLEYNE, Clerk
 - YVONNE QUINTIAN, Office of Management and Budget
 - BENJAMIN FURNAS, Office of the Mayor
 - AMRITA BARTH, Corporation Counsel
 - JOHN KATSORHIS, Comptroller
 - MIRTHA CAMILLE SABIO, Borough President of Bronx
 - TONYA CANTLO, Borough President of Brooklyn
 - ROSAURA MENDEZ, Borough President of Manhattan
 - ALLAN SWISHER, Borough President of Queens
 - LASHAY YOUNG, Borough President of Staten Island

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THE CLERK: Hello. This is Gregg Alleyne, Clerk for the FCRC. Today's meeting is being held by a Microsoft Teams conference call. And we ask that all attendees announce their names 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.

THE CHAIR: 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.

Will the Clerk please call the roll?

THE CLERK: Mayor?

THE CHAIR: Bess Chiu, here.

THE CLERK: Office of the Mayor?

MR. FURNAS: Ben Furnas, here.

THE CLERK: Comptroller?

MR. KATSORHIS: John Katsorhis, here.

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THE CLERK: Corporation Counsel?

MS. BARTH: Hi. It's Amrita Barth from the Corporation Counsel's office. I had to rejoin the meeting. I just got kicked off. I apologize.

THE CLERK: Thank you.

Office of Management and Budget?

MS. QUINTIAN: Yvonne Quintian, here.

THE CLERK: President, Borough of the Bronx?

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

THE CLERK: President, Borough of Brooklyn?

MS. CANTLO: Tonya Cantlo, here. Representing Brooklyn Borough President Eric Adams.

THE CLERK: President, Borough of Manhattan?

MS. MENDEZ: Rosaura Mendez, present. Representing Manhattan Borough President Gale Brewer.

THE CLERK: President, Borough of Queens?

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

THE CLERK: President, Borough of Staten Island?

MS. YOUNG: Lashay Young, here for Staten Island Borough President James Oddo.

THE CHAIR: Will the Clerk please call the first calendar item?

THE CLERK: New York City Department of Small Business Services, Calendar Item Number 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 enter into a non-exclusive, Sole Source Concession Agreement with Mattel, Inc. for the non-exclusive use of city-owned trademarks on merchandise.

The Concession Agreement will provide for a concession term beginning on the date that Mattel receives written notice from NYC and Company and terminating on December 31, 2022, with an option for the parties to renew

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the Concession Agreement on substantially the same terms and conditions for two years.

THE CHAIR: Is there a member who wishes to make a statement or ask a question on this matter?

(No response.)

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

MR. SWISHER: This is Allan Swisher. So moved.

THE CHAIR: Will another member please second the motion?

MS. QUINTIAN: Yvonne Quintian, second.

THE CHAIR: Will the Clerk please take the votes?

THE CLERK: Mayor?

THE CHAIR: Yes.

THE CLERK: Office of the Mayor?

MR. FURNAS: Ben Furnas, yes.

THE CLERK: Comptroller?

MR. KATSORHIS: John Katsorhis, yes.

THE CLERK: Corporation Counsel?

MS. BARTH: Amrita Barth, yes.

THE CLERK: Office of Management and

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Budget?

MS. QUINTIAN: Yvonne Quintian, yes.

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

MR. SWISHER: Allan Swisher, yes.

THE CLERK: Calendar Item Number 1, resolution is adopted.

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

THE CLERK: New York City Department of Small Business Services, Calendar Item Number 2: 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 non-exclusive, Sole Source Concession Agreement with Ten Three Graphics, LLC, for the non-exclusive use of city-owned trademarks on merchandise.

THE CHAIR: Is there a member who wishes to make a statement or ask a question on this matter?

(No response.)

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

MS. BARTH: Amrita Barth, so moved.

THE CHAIR: Will another member please second the motion?

MR. KATSORHIS: John Katsorhis, second.

THE CHAIR: Will the Clerk please take the votes?

THE CLERK: Mayor?

THE CHAIR: Bess Chiu, yes.

THE CLERK: Office of the Mayor?

MR. FURNAS: Ben Furnas, 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: Yvonne Quintian, yes.

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

MS. SABIO: Mirtha Camille Sabio, yes.

THE CLERK: Calendar Item Number 2, resolution is adopted.

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THE CHAIR: Will the Clerk please call the third calendar item?

THE CLERK: New York City Department of Information Technology and Telecommunications, Calendar Item Number 3: In the matter of the intent to seek Franchise and Concession Review Committee approval regarding a proposed amendment to a cable franchise agreement between the City of New York and Verizon New York, Inc. that will, among other things; 1, extend the term of the agreement for an additional three years; 2, require deployment of cable service at a minimum of 500,000 residential dwelling units not previously eligible for standard installation, with at least 125,000 of such units being in certain currently underserved community districts; and 3, require deployment of cable service to New York City Housing Authority residential dwelling units not previously eligible for cable service, pursuant to schedules in the amendment.

THE CHAIR: Is there a member who wishes to make a statement or ask a question

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on this matter?

MS. CANTLO: This is Tonya Cantlo from the Brooklyn Borough President's office. I have a statement on behalf of the Borough President.

It is taking way too long to close our digital divide. Everyday New Yorkers cannot understand how we are well into the 21st century, while still depending on 20th century infrastructure. Government has not exercised its full franchising and regulatory power to deliver on this most fundamental promise, and aspiring internet providers have not sufficiently stepped up to the plate to bridge communities that have been left behind. We must be clear that high-speed, high-quality broadband access is not a luxury good but a necessity for remote learning, working from home, and even getting an appointment for COVID-19 vaccine.

Three months ago, in response to startling revelations of our city's failure to ensure that every student can log into their classrooms and learn, particularly

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2 those in shelters and temporary housing, I
3 called on our major technology and internet
4 providers to go further in their community
5 benefits, including free broadband and
6 wireless service for all students in need. I
7 declared my intent to vote against any FCRC
8 Franchise Renewal that lacked a firm
9 timetable to close the digital divide and
10 commitment to greater assistance for families
11 struggling to connect to remote learning. I
12 communicated that intent in a subsequent
13 letter to our current internet franchisees,
14 and that intent was repeated at an FCRC
15 meeting a couple of days ago.

16 Unfortunately, while a recent agreement
17 with Verizon led to an announced expansion of
18 its broadband footprint, the moment we face
19 demands that they and all perspective
20 franchisees present a far more significant
21 build-out plan that has yet to be put
22 forward. A real recovery for our city
23 demands higher standards from all of us.

24 Because of this, as well as unresolved
25 concerns for protecting the public access

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programming of the organizations like BRIC, BronxNet, and Manhattan Neighborhood Network, MNN, I will not support this franchise renewal at this time. I hope that this sends a clear message on behalf of all New Yorkers who expects more. It is time for true universal internet guaranteed.

That concludes my statement on behalf of the Brooklyn Borough President.

THE CHAIR: Thank you. I believe there is another member who would like to make a statement or ask a question.

MR. KATSORHIS: Yes, I have a statement on behalf of the Comptroller.

This franchise amendment goes a long way towards serving previously underserved communities, including NYCHA residents. For that reason, Comptroller Stringer strongly apports the continuation of that work, and I am therefore voting in favor of the agreement. However, we must start working towards the next agreement to ensure the necessary investments in our community access organizations. The CAOs provide essential

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education, cultural and news programming and services to New Yorkers across the five boroughs.

Under this amendment, they will continue their critical work for another three years without increased support for capital and operating funds. In fact, operating funds have decreased sharply as cable companies move subscribers from cable TV to broadband for services that does not require cable companies to pay a fee to the City. Fewer cable TV subscribers means less revenue for the City and for the CAOs. The shift in subscriber trends will need to be thoroughly addressed in future agreements.

CAOs have stepped up during the pandemic to serve communities in even more ways and they must therefore be central in the discussion for the next franchise agreement, as well as in other conversations about how to adjust the public right-of-way fees to ensure fair and equitable path for the future. Thank you.

THE CHAIR: Thank you. Is there any

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other member who wishes to make a statement
or ask a question on this matter?

MR. SWISHER: This is Allan Swisher
from the Queens Borough President's office.
I'll just note that I have submitted a
written statement for the record. It does
echo several of the points that my colleagues
have made here at the FCRC meeting today.

The Queens Borough President Donavon
Richard is in support of this agreement today
because of the efforts that it would make to
close the digital divide that currently
plagues so many people in Queens and in the
City of New York. I do think that it's
important for us to point out that this
agreement was reached after Verizon
previously had failed to live up to the terms
of its agreement. So, it is incumbent upon
all of us to ensure that they, in fact, do
satisfy the terms of this agreement moving
forward.

I also want to point out, as my
colleagues have, that this renewed agreement
doesn't include increased funding for cable

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access organizations. And we would hope that DOITT, the Mayor's Office, and my colleagues here would keep that in mind as we consider agreements moving forward. But with those caveats, we are in support of the amendments under consideration today.

THE CHAIR: Thank you. Is there any other member who wishes to make a statement or ask a question on this matter?

MS. SABIO: Yes. This is Mirtha Camille Sabio for the Bronx Borough President. I do want to make a brief statement to dovetail what my colleagues have said and put on the table, but also just to put our statement into the record.

Our most vulnerable communities have long been overlooked when it comes to providing equal access to internet and cable services. Nothing has made this digital divide more plain than the onset of this pandemic, which resulted in the closing of schools and work, and which dramatically changed the way we all work, learn, and live.

Today's action to extend the Verizon

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franchise, which will provide much-needed cable service to over a half million households and immediately outfits certain NYCHA developments on a schedule with the technological capabilities that they need and have been so desperately lacking in, is certainly a step in the right direction, no matter how belated it may be.

The City must not, however, let this be the first and only step. Swift action should be taken to provide this critical access to all underserved communities in all boroughs and all NYCHA developments throughout our great city. We must also look to better support our cable access organizations, as my colleague said, which serves as a lifeline of news, programming, critical information throughout all of these same communities.

Extending technological options to our urban deserts is a priority that must remain at the forefront of our collective minds. Thank you.

THE CHAIR: Thank you. Is there any other member who wishes to make a statement

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or ask a question on this matter?

(No response.)

THE CHAIR: All right. Will a member please make a motion to move this item?

>>: On behalf of the Manhattan Borough President, Bronx Borough President, Queens Borough President, and Staten Island Borough President, I make a motion.

THE CHAIR: Will another member please second the motion?

MS. BARTH: Amrita Barth, Law Department, second.

THE CHAIR: Will the Clerk please take the votes?

THE CLERK: Mayor?

THE CHAIR: Bess Chiu, yes.

THE CLERK: Office of the Mayor?

MR. FURNAS: Ben Furnas, 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?

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MS. QUINTIAN: Yvonne Quintian, yes.

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

>>: On behalf of the President of the Borough of Manhattan, Bronx, Queens, and Staten Island, yes.

THE CLERK: Calendar Item Number 3, resolution is adopted.

We ask the reporter to make the entire public meeting agenda, which was made publicly available and distributed at this meeting, part of the final record of this proceeding. That completes the calendar.

THE CHAIR: Thank you. Meeting adjourned.

(TIME NOTED: 2:51 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)

:SS

COUNTY OF QUEENS)

I, Sabrina Brown Stewart, a shorthand reporter within and for the State of New York, do hereby certify that the within is a true and accurate transcript of the statement taken on January 13, 2021.

I further certify that I am not related to any of the parties to this action by blood or by 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 13th day of January 2021.

Sabrina Brown Stewart
Sabrina Brown Stewart

13th 18:18	allan 1:21 4:2 5:10 6:6 13:4 (5)	attendees 2:5	:10,13,14,17,19,22 ,24 4:3,4,7 6:4,5	call 2:5,7,10,19 4:8 6:9 8:2 (7)
20th 9:10	alleyne 1:13 2:3	authority 8:21	7:21,22 9:4,5 11:10 13:5,10	called 10:3
21st 9:9	also 13:23 14:15 15:15	available 17:12	14:12 16:6,7,8,8 17:3,4,6 (32)	camille 1:18 3:12 7:23 14:12 (4)
>> 16:6 17:5		avoid 2:9		
about 12:22	am 11:21 18:13,15	background 2:9	boroughs 12:4 15:13	can 9:24
access 9:18 10:25 11:24 14:2,19 15:12,16 (7)	amendment 8:9,23 11:16 12:5 (4)	barth 1:16 3:3,3 5:24,24 7:4,4,17,17 16:12,12,23,23 (13)	brewer 3:23	cannot 9:8
accurate 18:11	amendments 14:6	because 10:24 13:12	bric 11:2	cantlo 1:19 3:16,16 9:3,3 (5)
across 12:3	among 8:12	begin 2:13	bridge 9:16	caos 11:25 12:14,17
action 14:25 15:11 18:14	amrita 1:16 3:3 5:24 7:4,17 16:12,23 (7)	beginning 4:22	brief 14:13	capabilities 15:6
adams 3:18	announce 2:5	behalf 6:4 7:21 9:5 11:6,9,15 16:6 17:3,5 (9)	broadband 9:18 10:5,18 12:11 (4)	capital 12:8
additional 8:13	announced 10:17	behind 9:17	bronx 1:18 3:11,13 7:22 14:12 16:7 17:6 (7)	caveats 14:6
addressed 12:16	another 5:12 7:5 11:12 12:6 16:10 (5)	belated 15:9	bronxnet 11:3	central 12:19
adjourned 17:16	apologize 3:6	believe 11:11	brooklyn 1:19 3:15,17 9:4 11:10 (5)	century 9:10,11
adjust 12:22	appointment 9:21	ben 2:23 5:20 7:13 16:19 (4)	brown 18:8	certain 8:18 15:4
adopted 6:8 7:25 17:9	apports 11:20	benefits 10:5	budget 1:14 3:8 6:2 7:19 16:25 (5)	certainly 15:8
after 13:17	approval 4:14 6:15 8:8	benjamin 1:15	buildout 10:21	certify 18:10,13
afternoon 2:14	are 2:8,13 9:9 14:6 (4)	bess 1:12 2:15,21 7:11 16:17 (5)	business 4:11 6:12	chair 2:13,14,16,21 4:8 5:4,8,12,15,18 6:9,22 7:2,5,8,11 8:2,24 11:11 12:25 14:8 15:24 16:4,10,14,17 17:15 (27)
against 10:7	ask 2:5,8 5:5 6:23 8:25 11:13 13:3 14:10 16:2 17:10 (10)	better 15:15	c 1:11 18:2,2	changed 14:24
agenda 17:11	aspiring 9:14	between 8:10	cable 8:9,14,20,22 12:10,10,12,13 13:25 14:19 15:3,16 (12)	chiu 1:12 2:16,21 7:11 16:17 (5)
ago 9:22 10:15	assistance 10:10	blood 18:14	calendar 4:9,11 6:7,10,12 7:24 8:3,6 17:8,14 (10)	city 4:10,16 6:11,17 8:4,10,20 10:22 12:13,14 13:15 15:10,15 (13)
agreement 4:18,21 5:2 6:19 8:10,13 10:16 11:22,23 12:21 13:11,17,19,21,24 (15)		borough 1:18,19,20,21,22 3		
agreements 12:16 14:5				

<p>city's 9:23</p> <p>cityowned 4:19 6:20</p> <p>classrooms 9:25</p> <p>clear 9:17 11:6</p> <p>clerk 1:13 2:2,3,19,20,22,24 3:2,7,10,14,19,24 4:4,8,10 5:15,17,1 9,21,23,25 6:4,7,9,11 7:8,10,1 2,14,16,18,21,24 8:2,4 16:14,16,18, 20,22,24 17:3,8 (44)</p> <p>close 9:7 10:9 13:13</p> <p>closing 14:22</p> <p>colleague 15:17</p> <p>colleagues 13:8,24 14:3,14 (4)</p> <p>collective 15:22</p> <p>come 2:18</p> <p>comes 14:18</p> <p>commitee 1:4</p> <p>commitment 10:10</p> <p>committee 2:17 4:13 6:15 8:8 (4)</p> <p>communicated 10:12</p> <p>communities 9:16 11:18 12:18 14:17 15:13,19 (6)</p> <p>community 8:19</p>	<p>10:4 11:24</p> <p>companies 12:10,12</p> <p>company 4:24</p> <p>completes 17:14</p> <p>comptroller 1:17 2:24 5:21 7:14 11:15,19 16:20 (7)</p> <p>concerns 10:25</p> <p>concession 1:4 2:17 4:13,15,17,21,22 5:2 6:14,17,19 8:8 (12)</p> <p>concludes 11:9</p> <p>conditions 5:3</p> <p>conference 2:4</p> <p>conflict 2:12</p> <p>connect 10:11</p> <p>consider 14:4</p> <p>consideration 14:7</p> <p>continuation 11:20</p> <p>continue 12:6</p> <p>conversations 12:21</p> <p>corporation 1:16 3:2,4 5:23 7:16 16:22 (6)</p> <p>counsel 1:16 3:2 5:23 7:16 16:22 (5)</p> <p>counsel's 3:4</p>	<p>county 18:6</p> <p>couple 10:15</p> <p>covid19 9:21</p> <p>critical 12:6 15:12,18</p> <p>cultural 12:2</p> <p>current 10:13</p> <p>currently 8:18 13:13</p> <p>date 4:22</p> <p>day 18:18</p> <p>days 10:15</p> <p>december 4:24</p> <p>declared 10:7</p> <p>decreased 12:9</p> <p>deliver 9:13</p> <p>demands 10:19,23</p> <p>department 4:10 6:11 8:4 16:13 (4)</p> <p>depending 9:10</p> <p>deployment 8:14,20</p> <p>deserts 15:21</p> <p>desperately 15:7</p> <p>developments 15:5,14</p> <p>diaz 3:13</p> <p>different 4:14 6:15</p>	<p>digital 9:8 10:9 13:13 14:20 (4)</p> <p>direct 2:11</p> <p>direction 15:8</p> <p>discussion 12:20</p> <p>distributed 17:12</p> <p>districts 8:19</p> <p>divide 9:8 10:9 13:13 14:21 (4)</p> <p>does 12:11 13:7</p> <p>doesn't 13:25</p> <p>doitt 14:3</p> <p>donavon 13:10</p> <p>donovan 4:3</p> <p>dovetail 14:14</p> <p>dramatically 14:23</p> <p>during 2:10 12:17</p> <p>dwelling 8:15,21</p> <p>e 1:11,11 18:2,2 (4)</p> <p>each 2:6</p> <p>ease 2:7</p> <p>echo 13:8</p> <p>education 12:2</p> <p>efforts 13:12</p> <p>eligible 8:16,22</p> <p>ensure 9:24 11:23 12:23 13:20</p>	<p>(4)</p> <p>enter 4:16</p> <p>entire 17:10</p> <p>equal 14:19</p> <p>equitable 12:23</p> <p>eric 3:17</p> <p>essential 11:25</p> <p>even 9:20 12:18</p> <p>every 9:24</p> <p>everyday 9:8</p> <p>exercised 9:12</p> <p>expansion 10:17</p> <p>expects 11:7</p> <p>extend 8:12 14:25</p> <p>extending 15:20</p> <p>f 18:2</p> <p>face 10:18</p> <p>fact 12:8 13:20</p> <p>failed 13:18</p> <p>failure 9:23</p> <p>fair 12:23</p> <p>families 10:10</p> <p>far 10:20</p> <p>favor 11:21</p> <p>fcrc 2:3,16 10:7,14 13:9 (5)</p> <p>fee 12:12</p>
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fees 12:23	getting 9:20	hope 11:5 14:2	is 2:2,4,15 5:4,10 6:8,22 7:25 8:24	least 8:17
fewer 12:13	given 2:11	households 15:4	9:3,7,18 11:7,12 12:25 13:4,11,19	led 10:17
final 17:13	go 10:4	housing 8:21 10:2	14:8,11 15:7,21,24 17:9 18:10 (25)	left 9:16
firm 10:8	goes 11:16	how 9:9 12:22 15:9	island 1:22 4:5,7 16:8 17:7 (5)	less 12:13
first 4:9 15:11	good 2:14 9:19	however 11:22 15:10	item 4:9,11 5:9 6:7,10,12 7:3,24 8:3,6 16:5 17:8 (12)	let 15:10
five 12:3	got 3:5	i'll 13:6	its 9:12 10:18 13:19	letter 10:13
footprint 10:18	government 9:11	immediately 15:4	james 4:7	lifeline 15:17
forefront 15:22	graphics 6:19	important 13:16	january 1:7 18:12,18	like 11:2,12
forward 10:22 13:22 14:5	great 15:15	inc 4:18 8:11	john 1:17 2:25 5:22 7:7,15 16:21 (6)	live 13:18 14:24
franchise 1:4 2:16 4:13 6:14 8:7,10 10:8 11:4,16 12:20 15:2 (11)	greater 10:10	include 13:25	jr 3:13	llc 6:20
franchisees 10:13,20	gregg 1:13 2:2	including 10:5 11:18	just 3:5 13:6 14:15	log 9:24
franchising 9:12	guaranteed 11:8	increased 12:7 13:25	made 13:9 14:20 17:11	long 9:7 11:16 14:18
free 10:5	half 15:3	incumbent 13:19	keep 14:4	look 15:15
full 9:12	hand 18:18	information 8:5 15:18	katsorhis 1:17 2:25,25 5:22,22 7:7,7,15,15 11:14 16:21,21 (12)	luxury 9:18
fundamental 9:13	has 9:11 10:21 14:20	infrastructure 9:11	lacked 10:8	major 10:3
funding 13:25	held 2:4	installation 8:17	lacking 15:7	make 5:5,9 6:23 7:3 8:25 11:12 13:2,12 14:9,13 15:25 16:5,9 17:10 (14)
funds 12:8,9	hello 2:2	intent 4:12 6:13 8:7 10:7,12,14 (6)	lashay 1:22 4:6	management 1:14 3:8 5:25 7:18 16:24 (5)
furnas 1:15 2:23,23 5:20,20 7:13,13 16:19,19 (9)	here 2:15,21,23,25 3:9,12,16 4:6 13:9 14:4 (10)	interested 18:15	law 16:12	manhattan 1:20 3:20,22 11:3 16:6 17:4,6 (7)
further 10:4 18:13	hereby 18:10	internet 9:14 10:3,13 11:8 14:19 (5)	learn 9:25 14:24	many 13:14
future 12:16,24	hereunto 18:17	into 4:16 9:9,24 14:16 (4)	learning 9:19 10:11	marriage 18:15
gale 3:22	hi 3:3	investments 11:24	mattel 4:18,23	
	higher 10:23			
	highquality 9:18			
	highspeed 9:17			
	home 9:20			

<p>matter 4:12 5:6 6:13,24 8:7 9:2 13:3 14:10 15:9 16:2 18:16 (11)</p> <p>may 15:9</p> <p>mayor 1:15 2:20,22 5:17,19 7:10,12 16:16,18 (9)</p> <p>mayor's 14:3</p> <p>mayorchair 1:12</p> <p>means 12:13</p> <p>meeting 1:3,4 2:3,18 3:5 10:15 13:9 17:11,13,15 (10)</p> <p>member 5:4,8,12 6:22 7:2,5 8:24 11:12 13:2 14:9 15:25 16:4,10 (13)</p> <p>mendez 1:20 3:21,21</p> <p>merchandise 4:20 6:21</p> <p>message 11:6</p> <p>microphone 2:9</p> <p>microsoft 1:6 2:4</p> <p>million 15:3</p> <p>mind 14:4</p> <p>minds 15:22</p> <p>minimum 8:15</p> <p>mirtha 1:18 3:12 7:23 14:11 (4)</p> <p>mn 11:4</p>	<p>moment 10:18</p> <p>months 9:22</p> <p>more 10:20 11:7 12:18 14:21 (4)</p> <p>most 9:13 14:17</p> <p>motion 5:9,13 7:3,6 16:5,9,11 (7)</p> <p>move 5:9 7:3 12:10 16:5 (4)</p> <p>moved 5:11 7:4</p> <p>moving 13:21 14:5</p> <p>ms 3:3,9,12,16,21 4:6 5:14,24 6:3 7:4,17,20,23 9:3 14:11 16:12,23 17:2 (18)</p> <p>muchneeded 15:2</p> <p>must 9:17 11:22 12:19 15:10,15,21 (6)</p> <p>mute 2:8</p> <p>my 2:15 10:7 11:9 13:8,23 14:3,14 15:16 18:17 (9)</p> <p>n 1:11</p> <p>name 2:15</p> <p>names 2:6</p> <p>necessary 11:24</p> <p>necessity 9:19</p> <p>need 10:6 12:15 15:6</p>	<p>negotiate 6:18</p> <p>neighborhood 11:3</p> <p>network 11:3</p> <p>new 4:10,16 6:11,17 8:4,10,11,20 9:8 11:6 12:3 13:15 18:4,9 (14)</p> <p>news 12:2 15:18</p> <p>next 11:23 12:20</p> <p>no 5:7 6:25 15:8 16:3 18:15 (5)</p> <p>noises 2:9</p> <p>nonexclusive 4:17,19 6:18,20 (4)</p> <p>note 13:6</p> <p>noted 17:17</p> <p>nothing 14:20</p> <p>notice 4:23</p> <p>now 2:18</p> <p>number 4:11 6:7,13 7:24 8:6 17:8 (6)</p> <p>nyc 4:23</p> <p>nycha 11:18 15:5,14</p> <p>oddo 4:7</p> <p>off 3:5</p> <p>office 1:14,15 2:22 3:4,8 5:19,25 7:12,18 9:4 13:5 14:3 16:18,24 (14)</p>	<p>one 2:10</p> <p>only 2:10 15:11</p> <p>onset 14:21</p> <p>operating 12:8,9</p> <p>option 4:25</p> <p>options 15:20</p> <p>order 2:18</p> <p>organizations 11:2,25 14:2 15:16 (4)</p> <p>other 8:12 12:21 13:2 14:9 15:25 (5)</p> <p>our 9:7,23 10:3,13,22 11:24 14:16,17 15:14,16,20,22 (12)</p> <p>out 13:16,23</p> <p>outcome 18:16</p> <p>outfits 15:4</p> <p>over 15:3</p> <p>overlooked 14:18</p> <p>p 1:11,11</p> <p>pandemic 12:18 14:22</p> <p>part 17:13</p> <p>particularly 9:25</p> <p>parties 4:25 18:14</p> <p>path 12:23</p> <p>pay 12:12</p>	<p>people 13:14</p> <p>person 2:10</p> <p>perspective 10:19</p> <p>plagues 13:14</p> <p>plain 14:21</p> <p>plan 10:21</p> <p>plate 9:15</p> <p>please 2:19 4:8 5:9,12,15 6:9 7:3,5,8 8:2 16:5,10,14 (13)</p> <p>pm 1:2 17:17</p> <p>point 13:16,23</p> <p>points 13:8</p> <p>power 9:13</p> <p>present 3:21 10:20</p> <p>president 1:18,19,20,21,22 3 :10,13,14,17,19,22 ,24 4:3,4,7 6:5 7:22 9:6 11:10 13:10 14:13 16:7,7,8,9 17:4,5 (27)</p> <p>president's 9:4 13:5</p> <p>presidents 6:5 7:22 17:4</p> <p>previously 8:16,22 11:17 13:18 (4)</p> <p>priority 15:21</p> <p>procedure 4:14</p>
---	---	---	--	---

6:16	real 10:22	9:22 16:3 (4)	seek 4:12 6:14 8:7	standard 8:16
proceeding 17:14	reason 11:19	resulted 14:22	sends 11:5	standards 10:23
programming 11:2 12:2 15:18	receives 4:23	revelations 9:23	serve 12:18	start 11:22
promise 9:14	recent 10:16	revenue 12:14	serves 15:17	startling 9:23
proposed 8:9	record 2:6 13:7 14:16 17:13 (4)	review 1:4 2:17 4:13 6:14 8:8 (5)	service 8:14,20,22 10:6 15:3 (5)	state 18:4,9
protecting 10:25	recovery 10:22	richard 13:11	services 4:11 6:12 12:3,11 14:20 (5)	statement 5:5 6:23 8:25 9:5 11:9,13,14 13:2,7 14:9,14,16 15:25 18:11 (14)
provide 4:21 11:25 15:2,12 (4)	regarding 8:9	richards 4:3	servicing 11:17	staten 1:22 4:5,7 16:8 17:7 (5)
providers 9:14 10:4	regulatory 9:12	right 15:8 16:4	set 18:17	step 15:8,11
providing 14:19	rejoin 3:5	rightofway 12:22	several 13:8	stepped 9:15 12:17
public 1:3 2:17 10:25 12:22 17:11 (5)	related 18:13	roll 2:19	sharply 12:9	stewart 18:8
publicly 17:12	remain 15:21	rosaura 1:20 3:21	shelters 10:2	still 9:10
pursuant 4:15 6:16 8:23	remote 2:17 9:19 10:11	ruben 3:13	shift 12:15	stringer 11:19
put 10:21 14:15,16	renew 4:25	rules 4:16 6:17	shorthand 18:8	strongly 11:19
queens 1:21 3:25 4:2 6:5 13:5,10,14 16:7 17:6 18:6 (10)	renewal 10:8 11:5	s 1:11	should 2:10,12 15:11	struggling 10:11
question 5:5 6:23 8:25 11:13 13:3 14:10 16:2 (7)	renewed 13:24	sabio 1:18 3:12,12 7:23,23 14:11,12 (7)	signature 18:21	student 9:24
quintian 1:14 3:9,9 5:14,14 6:3,3 7:20,20 17:2,2 (11)	repeated 10:14	sabrina 18:8	significant 10:20	students 10:6
r 1:11 18:2	reporter 17:10 18:9	said 14:15 15:17	small 4:11 6:12	submitted 13:6
reached 13:17	representing 3:17,22	same 5:3 15:19	so 5:11 7:4 13:14,19 15:7 (5)	subscriber 12:15
ready 2:13	require 8:14,19 12:12	satisfy 13:21	sole 4:17 6:18	subscribers 12:10,13
	residential 8:15,21	schedule 15:5	source 4:17 6:18	subsequent 10:12
	residents 11:18	schedules 8:23	speak 2:7	substantially 5:2
	resolution 6:8 7:25 17:9	schools 14:23	speaking 2:8,11	such 8:17
	response 5:7 6:25	second 5:13,14 6:10 7:6,7 16:11,13 (7)	ss 18:5	sufficiently 9:15
		section 4:15 6:16		

<p>support 11:4 12:7 13:11 14:6 15:16 (5)</p> <p>swift 15:11</p> <p>swisher 1:21 4:2,2 5:10,10 6:6,6 13:4,4 (9)</p> <p>t 18:2,2</p> <p>table 14:15</p> <p>take 5:15 7:8 16:14</p> <p>taken 15:12 18:11</p> <p>taking 9:7</p> <p>teams 2:4</p> <p>teamstelephonic 1:6</p> <p>technological 15:6,20</p> <p>technology 8:5 10:3</p> <p>telecommunicatio ns 8:6</p> <p>temporary 10:2</p> <p>ten 6:19</p> <p>term 4:22 8:12</p> <p>terminating 4:24</p> <p>terms 5:3 13:18,21</p> <p>than 14:21</p> <p>thank 2:14 3:7 11:11 12:24,25 14:8 15:23,24 17:15 (9)</p>	<p>their 2:6 9:25 10:4 12:6 (4)</p> <p>therefore 11:21 12:19</p> <p>these 15:19</p> <p>things 8:12</p> <p>think 13:15</p> <p>third 8:3</p> <p>thoroughly 12:16</p> <p>those 10:2 14:5</p> <p>three 6:19 8:13 9:22 12:7 (4)</p> <p>throughout 15:14,19</p> <p>time 2:6,11 11:5,7 17:17 (5)</p> <p>timetable 10:9</p> <p>today 13:9,11 14:7</p> <p>today's 2:3 14:25</p> <p>tonya 1:19 3:16 9:3</p> <p>too 9:7</p> <p>towards 11:17,23</p> <p>trademarks 4:19 6:21</p> <p>transcript 18:11</p> <p>transcription 2:7</p> <p>trends 12:15</p> <p>true 11:7 18:10</p> <p>tv 12:11,13</p>	<p>two 5:3</p> <p>under 12:5 14:7</p> <p>underserved 8:18 11:17 15:13</p> <p>understand 9:9</p> <p>unfortunately 10:16</p> <p>units 8:15,18,21</p> <p>universal 11:8</p> <p>unresolved 10:24</p> <p>up 9:15 12:17 13:18</p> <p>upon 13:19</p> <p>urban 15:21</p> <p>us 10:23 13:16,20</p> <p>use 4:19 6:20</p> <p>utilize 4:14 6:15</p> <p>vaccine 9:21</p> <p>verizon 8:11 10:17 13:17 14:25 (4)</p> <p>vote 10:7</p> <p>votes 5:16 7:9 16:15</p> <p>voting 11:21</p> <p>vulnerable 14:17</p> <p>want 13:23 14:13</p> <p>way 9:7 11:17 14:24 18:15 (4)</p> <p>ways 12:19</p>	<p>well 9:9 10:24 12:21</p> <p>what 14:14</p> <p>when 14:18</p> <p>whereof 18:17</p> <p>which 14:22,23 15:2,17 17:11 (5)</p> <p>while 9:10 10:16</p> <p>who 5:4 6:22 8:24 11:7,12 13:2 14:9 15:25 (8)</p> <p>will 2:11,18,19 4:8,21 5:8,12,15 6:9 7:2,5,8 8:2,11 11:4 12:5,15 15:2 16:4,10,14 (21)</p> <p>wireless 10:6</p> <p>wishes 5:5 6:23 8:25 13:2 14:9 15:25 (6)</p> <p>within 18:9,10</p> <p>without 12:7</p> <p>witness 18:17</p> <p>work 11:20 12:6 14:23,24 (4)</p> <p>working 9:20 11:22</p> <p>would 11:12 13:12 14:2,4 (4)</p> <p>written 4:23 13:7</p> <p>x 1:2,5</p> <p>years 5:3 8:13 12:7</p> <p>yes 5:18,20,22,24</p>	<p>6:3,6 7:11,13,15,1 7,20,23 11:14 14:11 16:17,19,21,23 17:2,7 (20)</p> <p>yet 10:21</p> <p>york 4:10,16 6:11,17 8:4,11,11,20 13:15 18:4,9 (11)</p> <p>yorkers 9:8 11:6 12:3</p> <p>young 1:22 4:6,6</p> <p>your 2:9</p> <p>yvonne 1:14 3:9 5:14 6:3 7:20 17:2 (6)</p> <p>251 17:17</p> <p>2021 1:7 18:12,18</p> <p>2022 4:25</p> <p>125000 8:17</p> <p>500000 8:15</p>
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