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PUBLIC HEARING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

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June 7, 2021

2:32 p.m.

REMOTE PUBLIC HEARING

VIA MICROSOFT TEAMS CONFERENCE CALL

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

- Mayor: Alexis Blane
- Office of the Mayor: Julie Bero
- Corporation Counsel: Sharon Cantor, Calendar Item 1 and 2; Amrita Barth, Calendar Item 3
- Office of Management and Budget: Yvonne Quintian
- Comptroller: John Katsorhis
- Bronx Borough President: Mirtha Camille Sabio
- Brooklyn Borough President: Tonya Cantlo
- Manhattan Borough President: Rosaura Mendez
- Queens Borough President: Allan Swisher
- Staten Island Borough President: Stephen Caracappa
- Clerk: Gregg Alleyne

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

Can everyone hear me clearly?

(Chorus of "Yeses".)

THE CLERK: Today's hearing 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.

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

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Committee remote public hearing will  
now come to order.

Will the Clerk please call the  
roll.

THE CLERK: Mayor?

MS. BLANE: Present.

THE CLERK: Office of the Mayor?

MS. BERO: Present.

THE CLERK: Could  
each speaker --

MS. BERO: Sorry. Julie Bero,  
present.

THE CLERK: Comptroller.

MR. KATSORHIS: John Katsorhis,  
present.

THE CLERK: Corporation Counsel?

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

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

THE CLERK: Office of Management  
and Budget.

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

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present.

THE CLERK: President, Borough  
of the Bronx.

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

THE CLERK: President, Borough  
of Brooklyn?

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

THE CLERK: President, Borough  
of Manhattan?

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

THE CLERK: President, Borough  
of Queens.

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

THE CLERK: President, Borough  
of Staten Island?

MR. CARACAPPA: Stephen

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Caracappa for Staten Island Borough  
President, James Oddo.

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

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

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

MS. RICHARDS: Tynia Richards,  
from DoITT.

MS. TISCH: And Jessica Tisch  
from DoITT.

THE CLERK: Thank you.

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

We want to be sure that anyone

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

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

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

SPEAKER: Can you repeat that --

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

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

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

Will the Clerk please call the first calendar item.

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

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

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

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

(No response.)

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

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

(No response.)

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

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

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

In the matter of a public hearing on Agency Annual Concession

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

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

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

(No response.)

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

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

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

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

In the matter of a public hearing relative to a proposed third amendment to a public communications structure franchise agreement between the City of New York and CityBridge LLC that will, among other things, modify the rights and responsibilities of parties, including, among other things, modification of construction, installation and siting requirements applicable to CityBridge.

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

Three, adding the installation

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of mobile telecommunications equipment as an ancillary service subject to the requirements of the amendment.

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

Five, modification of CityBridge's minimum investment commitments.

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

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

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

(No response.)

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

MR. STAMOULIS: Pardon me, this

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

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

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

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

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

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

SPEAKER: Alex, just a point of

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

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

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

I want to thank the members

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

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

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

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of capital investment into the program.

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

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

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

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

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

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

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

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

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

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program and are eager to see its expansion as it continues to benefit the community.

Throughout the pandemic, Link NYC displayed vital public health information, providing New Yorkers with access to essential information regarding food, housing and government services. Additionally, Link NYC partnered with NYC Vaccine List to provide New Yorkers with up to date walking directions to the nearest vaccination location city-wide in an effort to provide greater access to vaccines.

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

THE CLERK: Ari Buchalter.

Please provide your full name and

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affiliation for the record.

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

THE CLERK: Sorry if I mispronounced your name.

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

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

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

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

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

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

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

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

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

MR. STAMOULIS: One minute remaining.

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

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

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

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

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

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

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

Tech:NYC and our members work

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

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

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

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of this amendment.

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

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

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

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

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

Can everyone hear me?

THE CLERK: Yes. Please proceed  
with your statement.

MR. STERLIN: Okay. Thank you.

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

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program continues to operate and serve our communities.

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

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

(Audio interruption.)

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

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Thank you to all, thank you to the members of the Franchise and Concession Review Committee.

THE CLERK: Thank you.

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

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

May I begin?

THE CLERK: Yes. Proceed.

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

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low or no cost.

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

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

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

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changes to the franchise agreement in order to ensure that the program continues to operate and serve our communities.

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

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

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

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

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witnessed how the Link NYC program has benefited our downtown Jamaica community.

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

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

(Audio interruption.)

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

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

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

THE CLERK: Thank you.

Does anyone else wish to testify on this calendar item?

(No response.)

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

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

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website, part of the final record of  
the proceeding.

This hearing is now closed.

Thank you.

(TIME NOTED: 3:01 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)

:SS

COUNTY OF SUFFOLK)

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

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

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

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

  
Elbia Merino

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