

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON TECHNOLOGY

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May 3, 2022

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B E F O R E: Jennifer Gutiérrez, Chairperson

COUNCIL MEMBERS:

Shaun Abreu

Robert F. Holden

Vickie Paladino

A P P E A R A N C E S

Michael McGrath, Chief Operating Office. DoITT
Tynia Richard, General Counsel, DoITT
Brett Sikoff, Senior Director, DoITT
Nick Colvin, CEO, CityBridge
Victoria Lamberth, Cofounder and Executive, ZenFi
Networks
Marsellette Davis
Laurie Hanin
Michael Santorelli
Albert Fox Cahn
Thomas Grech
Vladimir Sterlin
Angie Brown
Glen Bolofsky
Anthony Falleo
Adira Siman
Walter Puryear
Arturo Chang
Alex Roque
Peter Rescigno
Bruce Lincoln
Marcia Howell
Jessica Toledano

2 SERGEANT BIONDO: I'm going to start the
3 computer recording now. Please start the cloud,
4 please.

5 SERGEANT PEREZ: The cloud is rolling.

6 SERGEANT BIONDO: Thank you. Good morning,
7 and welcome to today's remote New York City Council
8 hearing for the Committee on Technology.

9 At this time, would all panelists please
10 turn on their videos for verification purposes?

11 To minimize disruptions upon speaking,
12 please place all electronic devices to vibrate or
13 silent mode.

14 If you'd like to submit testimony, please
15 send via email to testimony@council.nyc.gov. Again,
16 that is testimony@council.nyc.gov.

17 Thank you for your cooperation. Chair
18 Gutierrez, we are ready to begin.

19 CHAIRPERSON GUTIERREZ: Thank you. Thanks
20 everyone for attending today's hearing. Before I get
21 started, I just want to throw out that convening
22 today at 11 a.m., it's a part of the Women's Caucus,
23 and I love for those who can attend to please make it
24 in support of a position of the decision that was

2 leaked yesterday so I just want to plug that before
3 my opening statement.

4 Good morning. I am Council Member
5 Jennifer Gutierrez, and I am the Chair of the
6 Committee on Technology. I would like to welcome you
7 all to our hearing today. We're here to discuss the
8 LinkNYC program including the LinkNYC Network
9 rollout, the new agreement with CityBridge LLC, and
10 concerns from our constituents.

11 It's hard to imagine our daily
12 participation in modern society without a dependable
13 internet connection. As such, in 2014, New York City
14 reached a franchise agreement with CityBridge LLC and
15 launched the LinkNYC public/private partnership to
16 replace the city's old public pay phones with modern
17 LinkNYC kiosks that are equipped with cameras and
18 sensors to provide free high-speed wireless internet
19 service to New York City residents and visitors.
20 These efforts go toward minimizing the digital divide
21 and making New York a more modern city. In return,
22 CityBridge receives revenue from kiosk advertisements
23 and pays the city franchise fees. While the LinkNYC
24 program has the potential to ease inequity and deliver
25 better internet services for city residents,

2 imprudent expansion of such a program may in turn
3 threaten civil rights and exacerbate existing
4 inequities. It is no secret that the digital divide
5 is deeper along socioeconomic and neighborhood lines.
6 For instance, the oft high cost of internet access
7 contributes to the digital divide which bars many
8 from readily accessing the internet. Importantly, as
9 of today, about 1,870 LinkNYC kiosks are installed in
10 the city. However, the majority of these kiosks are
11 located in Lower Manhattan where more lucrative
12 advertising revenue incentivized the rollout. In
13 fact, more than 60 percent of all installed kiosks
14 are located in Manhattan. The rest of the LinkNYC
15 kiosks are scattered across the other boroughs,
16 meaning less than 40 percent of kiosks are
17 distributed across Queens, Brooklyn, the Bronx, and
18 Staten Island.

19 In responding to this inequitable rollout
20 of LinkNYC kiosks, we must be careful in expansion
21 from both equity and integrity standpoints. Without
22 the adequate safeguards and privacy policies in
23 place, New Yorkers and visitors face a potential
24 threat of a mass surveillance network of cameras,

2 sensors, and data collection that follows people
3 without their consent and without oversight.

4 Therefore, we should make sure that the
5 efforts to expand LinkNYC and correct for prior
6 inequities do not contribute to mass surveillance and
7 jeopardize privacy and the security of collected
8 data.

9 In March 2018, CityBridge stopped paying
10 franchise fees they owed per their original
11 agreement. In March 2020, DoITT testified that as of
12 that date CityBridge owed the city 75 million dollars
13 in revenue sharing programs. Had they continued with
14 the original agreement, CityBridge would have owed
15 the city approximately another 98 million dollars
16 between March 2020 and March 2022. However, in
17 response to the nonpayment, DoITT reached an approved
18 amended agreement with CityBridge in June 2021 which
19 worked out terms for repayment and future buildout of
20 LinkNYC kiosks.

21 This Committee looks forward to hearing
22 more about the new terms of this agreement with
23 CityBridge with the hopes of seeing a significant
24 step towards closing the digital divide in New York
25 City, namely by bringing internet to the people in

2 need without sacrificing their privacy. LinkNYC
3 program holds great potential for helping the city
4 ensure more equitable internet access for New Yorkers
5 and close its digital divide.

6 In closing, I would like to thank our
7 Tech Committee staff including Counsel Irene
8 Byhovsky, Policy Analyst Charles Kim, Data Analysts
9 Nicholas Montalbano and James Wu, and my Chief of
10 Staff Anna Bessendorf and Florentine from our Finance
11 Division.

12 I'd also like to recognize the Council
13 Members from the Committee who are present today. I
14 know we are joined by Council Member Shaun Abreu,
15 Council Member Bob Holden, Council Member Paladino. I
16 hope that that's everyone.

17 I will now turn it over to the Committee
18 Counsel, Irene, to go over some procedural items.

19 IRENE BYHOVSKY, MODERATOR: Thank you,
20 Chair Gutierrez. I'm Irene Byhovsky, the Counsel to
21 the Committee on Technology, and I will be moderating
22 this hearing today.

23 Before we begin, I would like to remind
24 everyone that you will be on mute until you are
25 called on to testify.

2 During the hearing, I will be calling on
3 panelists to testify. Please listen for your name to
4 be called. I will be periodically announcing who the
5 next panelists will be.

6 We will first be hearing testimonies from
7 the administration followed by testimonies from
8 franchisee, CityBridge, and testimonies from the
9 members of the public.

10 During the hearing, if Council Members
11 would like to ask questions of the administration or
12 a specific panelist, please use the Zoom raise hand
13 function, and I will call on you. We will be limiting
14 Council Member questions to 3 minutes.

15 I will next call representatives of the
16 administration to testify. We will be hearing
17 testimony from the Chief Operating Officer Michael
18 McGrath. Additionally General Counsel Tynia Richards
19 and Senior Director Brett Sikoff will be available to
20 answer any questions.

21 At this time, I will administer the
22 affirmation to each representative of the
23 administration. I will call on each of you
24 individually for a response so please raise your
25 right hands.

2 Do you affirm to tell the truth, the
3 whole truth, and nothing but the truth before this
4 Committee and to respond honestly to Council Member
5 questions? Michael McGrath.

6 CHIEF OPERATING OFFICER MCGRATH: I do.

7 IRENE BYHOVSKY, MODERATOR: Miss Richard.

8 GENERAL COUNSEL RICHARD: I do.

9 IRENE BYHOVSKY, MODERATOR: Mr. Sikoff.

10 SENIOR DIRECTOR SIKOFF: I do.

11 IRENE BYHOVSKY, MODERATOR: Thank you. Mr.
12 McGrath, you may begin your testimony.

13 CHIEF OPERATING OFFICER MCGRATH: Good
14 morning and thank you. Good morning, Chair Gutierrez
15 and Members of the City Council Committee on
16 Technology. My name is Michael McGrath, and I am the
17 Chief Operating Officer at the Office of Technology
18 Innovation. In my role, I oversee the office's
19 franchises and broadband portfolio. With me today is
20 Tynia Richard as noted a few moments ago, OTI's
21 General Counsel, and Brett Sikoff, Senior Director of
22 Mobile Telecom Franchises.

23 I thank you for the opportunity to
24 provide an update on LinkNYC. This is the city's
25 revenue-generating program that brings free high

2 speed wi-fi, free calling, mobile device charging,
3 and access to 9-1-1 and 311 all at no cost to
4 taxpayers. Over the last year, we've taken many
5 crucial steps to reinvigorate this important program,
6 and I'm pleased to share our progress and the many
7 exciting things to come.

8 LinkNYC is one of many initiatives that
9 support Mayor Adams' goal to bring broadband access
10 to historically underserved communities. We believe
11 not having reliable affordable access to broadband
12 severely limits large segments of the population from
13 fully participating in society. Internet access is
14 not a luxury but a necessity. The pandemic brought
15 the digital divide into focus, laying bare the gaps
16 in learning and productivity for those who did not
17 have the access at their fingertips. While this
18 program does not solve the digital divide alone, the
19 network itself in addition to the fiber and 5G
20 infrastructure that it will bring to neighborhoods
21 across the city is a huge step in the right
22 direction.

23 For those not familiar with the program,
24 LinkNYC launched in 2015, was originally conceived as
25 an innovative approach to replace the city's outdated

2 public pay telephone infrastructure while providing
3 free wi-fi as part of an overarching bill to help
4 close the digital divide. The city entered into a
5 nonexclusive franchise with the consortium,
6 CityBridge, to deploy LinkNYC kiosks citywide. The
7 franchise model allows the city to enter into
8 contracts with the companies to use the city's
9 rights-of-way, streets and sidewalks, in exchange for
10 fees. Thus, the LinkNYC program does not and has
11 never cost the city money. In fact, it has generated
12 over 108 million dollars to the city over the course
13 of the franchise so far.

14 Today, LinkNYC kiosks have become a
15 ubiquitous part of the city's streetscape physically
16 in that almost every PPT has been removed and
17 virtually as their services have impacted millions of
18 people. Over 10.7 million wi-fi subscribers have used
19 over 25,000 terabytes of data from the nearly 1,900
20 LinkNYC kiosks installed across the 5 boroughs.

21 The other services are also frequently
22 used. Over the last year, on average, New York City
23 residents and visitors have made 425,000 calls per
24 month and accessed Find Help, the app that connects
25

2 users to nearby social service, about 5,000 times per
3 month.

4 The impact of the LinkNYC network is so
5 much more than the direct services the kiosks
6 provide. According to CityBridge, about 1 million
7 miles of fiber have been invested in our streets
8 since the program began, and there is a planned
9 expansion of LinkNYC into new neighborhoods that have
10 been historically overlooked as it relates to fiber
11 infrastructure. This fiber does not simply enable the
12 wi-fi; it represents a huge investment in
13 infrastructure, again all at no cost to taxpayers,
14 for future broadband providers to lease. This lays
15 the groundwork for potential internet service
16 providers to bring in new residential broadband
17 options that are sorely needed.

18 One illustrative example of the potential
19 for the fiber is the buildout of what's known as
20 Gigabit Centers, which are community-based
21 organizations chosen in collaboration with Borough
22 Presidents to be outfitted with high-speed broadband
23 for the general public's use. The fiber is pulled
24 into the building to create an indoor wi-fi network.
25 Recently, we launched the first Gigabit Center at

2 Silicon Harlem in Manhattan. CityBridge has also
3 completed the outfitting of the Bronx's Gigabit
4 Center...

5 SERGEANT KOTOWSKI: Excuse me, sir. Excuse
6 me, sir. Apologies. I have to just pause your
7 testimony for a second. I just need to check on the
8 captions. I apologize for the interruption.
9 StenoCaptions, because they're running closed
10 captioning, is there a reason why your hand is
11 raised?

12 STENOCAPTIONS: Yes, I need the speakers
13 to please slow down so I can caption accurately.
14 Thank you.

15 SERGEANT KOTOWSKI: Okay. I appreciate
16 that. Thank you. Sir, if you could just speak a
17 little bit slower, I'd appreciate that.

18 CHIEF OPERATING OFFICER MCGRATH: Got it.

19 SERGEANT KOTOWSKI: Thank you. Sorry for
20 the interruption.

21 CHIEF OPERATING OFFICER MCGRATH: No
22 problem at all. Maybe I'll redo that one paragraph if
23 that's fine.

24 SERGEANT KOTOWSKI: Yeah, that's perfect.

2 CHIEF OPERATING OFFICER MCGRATH: Cool.

3 One illustrative example of the potential for the
4 fiber is the buildout of Gigabit Centers, which are
5 community-based organizations chosen in collaboration
6 with Borough Presidents to be outfitted with high-
7 speed broadband for the general public's use. The
8 fiber is pulled into the building to create an indoor
9 wi-fi network. Recently, we launched the first
10 Gigabit Center at Silicon Harlem in Manhattan.
11 CityBridge has also completed the outfitting of the
12 Bronx's Gigabit Center at the Andrew Freedman Home,
13 and we plan to locate at least one of these in each
14 borough.

15 In the coming months, the LinkNYC
16 franchise is bringing another long-term investment in
17 telecommunications infrastructure: 5G. The city is
18 committed to having the most up-to-date, equitably
19 distributed, highest quality telecommunications
20 infrastructure of any major city in the world, and
21 the new LinkNYC kiosk design, known as Link5G, is a
22 key component of that goal. 5G is ultimately the
23 network that will power mobile device connectivity
24 for years to come, and enabling its expansion is
25 essential. Link5G will be an important component of

the city's overall strategy to proliferate 5G access citywide.

Getting to this point has not been without challenges. The issues we have faced with CityBridge are well-documented. For several years, the program operated but was no longer expanding. Deployment, particularly in boroughs outside Manhattan, had stalled, and the company was unable to make revenue payments as required by the franchise agreement. We decided that the continued success of the program was important to the city, so we proposed an amendment that would re-structure the franchise and secure its viability in the future.

While a stable revenue model was important, delivering on LinkNYC's original promise of digital equity was paramount. This is why we committed to deploying 90% of all future LinkNYC kiosks above 96th Street in Manhattan and throughout the Bronx, Brooklyn, Staten Island, and Queens. Further, we identified 13 equity districts across all 5 boroughs that have required build minimums. These districts were chosen based on the lack of broadband options, lower median annual income, lack of existing

2 LinkNYC footprint, and high levels of pedestrian and
3 street traffic.

4 To keep the program running and expanding
5 it into these neighborhoods, a more realistic and
6 reliable revenue stream was necessary. Instead of
7 relying solely on the demand for advertising space
8 for revenue, we proposed a mixed financial model
9 including advertising and 5G cellular services. This
10 new approach would allow the proliferation of
11 LinkNYC's core services, while also bringing next-gen
12 cellular connectivity to underserved areas citywide.
13 I want to emphasize here that the revenue generated
14 by essentially renting out space on LinkNYC kiosks
15 for wireless companies to use for the propagation of
16 5G would be consistent and more future-proof.

17 The amendment to the LinkNYC franchise
18 that included these provisions was approved by the
19 Franchise and Concession Review Committee last June.
20 In order to fulfill the buildout and revenue targets
21 laid out in the new agreement, the LinkNYC kiosks
22 needed to be redesigned to accommodate 5G wireless
23 equipment. Thus, Link5G was conceived, providing for
24 multi-tenant, multi-technology wireless services. The
25 new design aims to maintain the aesthetic of both the

2 existing LinkNYC footprint and the approved 5G shroud
3 for pole tops. Once presented to the Public Design
4 Commission, the design was improved upon with
5 feedback from Commissioners. In December 2021, the
6 PDC approved the new Link5G design for deployment in
7 commercial and manufacturing districts.

8 With these important milestones behind
9 us, we are very focused on moving forward to fulfill
10 the digital equity promise that this program
11 originally presented. Once the amendment to the
12 franchise agreement was passed, we implemented a new
13 internal governance strategy and immediately got to
14 work laying out plans for deployment. We have since
15 installed LinkNYC kiosks in the original design in
16 several neighborhoods across the city, mostly in
17 places where LinkNYC buildout was a long time coming,
18 including Hunts Point and Inwood as example. We have
19 proposed dozens of new sites to Borough Presidents,
20 Community Boards, Council Members, and Business
21 Improvement Districts as part of our public outreach
22 process and are actively working with stakeholders to
23 identify sites that make sense within discrete
24 communities.

2 Upon PDC's approval of the Link5G design,
3 we started working with CityBridge to identify viable
4 sites once the units were ready for installation. By
5 the end of June, we aim to install and activate the
6 very first Link5G kiosk. Thereafter, Link5G kiosks
7 will be installed in neighborhoods across all 5
8 boroughs, ushering in a new era of connectivity that
9 will be available to New Yorkers in every corner of
10 our city.

11 I thank you for the opportunity to
12 highlight this important program for the Committee,
13 and I'm happy to answer Council Members' questions.

14 IRENE BYHOVSKY, MODERATOR: Mr. McGrath,
15 thank you very much for your testimony. I will now
16 turn over to questions from the Chair.

17 CHAIRPERSON GUTIERREZ: Thank you so much,
18 Mr. McGrath. My first question is related to the
19 contract that you made here according to the
20 amendments that were made. The first one is
21 CityBridge stopped paying their franchise fees in
22 March 2018. At our budget hearing in 2020,
23 Commissioner Tisch testified on behalf of DoITT "as
24 the new Commissioner of DoITT, I poise to take any
25 and all necessary actions against multiple breaches

2 of contracts to collect the money that the city is
3 owed." Further, it was stated that "I stand ready to
4 use the various tools at my disposal to ensure
5 CityBridge either fulfills its contractual
6 obligations or that the city collects the 100 million
7 dollars in security on the Link program that we
8 hold." What has been done to make sure that
9 CityBridge fulfills its contractual obligations and
10 why did the city choose to amend the agreement
11 instead of collecting security?

12 CHIEF OPERATING OFFICER MCGRATH: Relative
13 to the outstanding payments that CityBridge had with
14 the city under Amendment 3 of the contract, the 60
15 million dollars that was due to the city was put into
16 a schedule and the upfront payment for that was 25
17 million dollars, and, as of today, based on the
18 amendment, we are current and up-to-date in payments
19 from CityBridge. I hope that answers your question.

20 CHAIRPERSON GUTIERREZ: That was after the
21 amendment, but I guess the question is more or less I
22 think initially, before the agreement for an
23 amendment was made, what was the impetus to decide to
24 come to an agreement as opposed to collecting from
25 them immediately?

2 CHIEF OPERATING OFFICER MCGRATH: Okay.

3 CHAIRPERSON GUTIERREZ: Why did they get a
4 second chance essentially, and why did y'all work
5 with them for an amendment as opposed to making them
6 pay what they were supposed to pay?

7 CHIEF OPERATING OFFICER MCGRATH: Okay,
8 yes, thank you. I'll answer it this way, and, if we
9 need to talk more, sure. There were 1,800+ units out
10 there in the street, and to give up on what had
11 deployed already we felt was not a benefit to the
12 city. The usage statistics on the Links up to that
13 point and remain fairly significant so having 1,800
14 units go dark around the city and then having to
15 address that in that manner we felt was not a service
16 to the city and actually renegotiating the payments
17 and the go forward approach we felt was a better
18 strategy for the city, especially in light of the
19 inbound 5G technology, and we wanted to add to that
20 and propagate that throughout the city.

21 CHAIRPERSON GUTIERREZ: Thank you. That
22 answers that. Why did CityBridge stop paying?

23 CHIEF OPERATING OFFICER MCGRATH: The
24 payments from CityBridge had stopped in part due to
25 the, I'll call it the forecasted projections that

2 were in the original agreement, they were just not
3 realistic, and the ad revenues that they were getting
4 were not meeting those forecasts.

5 CHAIRPERSON GUTIERREZ: I do want to get
6 into their forecasting in a bit, but I do want to
7 make sure that I'm asking these questions directly.
8 They stopped paying because whatever they had
9 projected, they just didn't have the money to meet
10 what they were projecting?

11 CHIEF OPERATING OFFICER MCGRATH: Correct.

12 CHAIRPERSON GUTIERREZ: Having this
13 information, why have you agreed to receive on
14 average only 3 million dollars yearly from
15 CityBridge?

16 CHIEF OPERATING OFFICER MCGRATH: The new
17 forecast that we have in the agreement basically
18 stems from a review of what had occurred and review
19 of the realistic potential of what could occur in the
20 future, and those were the numbers that were
21 developed based on the projections of the buildout in
22 the future.

23 CHAIRPERSON GUTIERREZ: Okay. Thank you.
24 I'm sorry to take it back. The previous question
25 asking why you all chose to work with CityBridge on

2 that amendment, you said that the usage was
3 significant, there was 1,800+ units that were out,
4 and people were utilizing them. Was the implication
5 that if the city did not go into an agreement or did
6 not make an amendment to their contract, all of the
7 kiosks would've been rendered useless, like they
8 would've gone dead?

9 CHIEF OPERATING OFFICER MCGRATH: Yeah,
10 that's correct. The contract with CityBridge would've
11 ended and the ability to use the devices would turn
12 off.

13 CHAIRPERSON GUTIERREZ: Okay. It seems
14 like a hostage situation there. Okay. What will
15 happen at the end of the contract term, and what will
16 happen with the kiosks?

17 CHIEF OPERATING OFFICER MCGRATH: The hope
18 at this point, given that the process is started
19 again, is that we would continue to build through the
20 term of the program and then as we near the end of
21 the program, we would negotiate an extended term and...

22 CHAIRPERSON GUTIERREZ: With CityBridge
23 still?

24 CHIEF OPERATING OFFICER MCGRATH: Yes.
25 That's correct.

2 CHAIRPERSON GUTIERREZ: Okay. Let me just
3 make notes of all the questions I'm asking you. Okay,
4 according to page 9 of the amended agreement every 4
5 months CityBridge will provide to DoITT for review
6 and approval a periodic installation schedule and
7 buildout documentation. Has CityBridge provided any
8 since the execution of the latest amendment, and, if
9 yes, where can we access them?

10 CHIEF OPERATING OFFICER MCGRATH: The
11 answer is yes. We've worked very closely with
12 CityBridge since the amendment was signed. As far as
13 access to those, I believe, I'll take a note of that.
14 We can definitely get that information and provide it
15 to you. I just can't off the top of my head tell you
16 where to locate it at this specific moment, but it is
17 information that's available.

18 CHAIRPERSON GUTIERREZ: It's available?
19 Okay, and so would it be also available to the
20 public?

21 CHIEF OPERATING OFFICER MCGRATH: Yes.

22 CHAIRPERSON GUTIERREZ: Okay. Great.
23 CityBridge collects its revenue from selling ads on
24 LinkNYC kiosks. Are there any other streams of
25 income?

2 CHIEF OPERATING OFFICER MCGRATH: Yes.

3 There are other streams of income. There are a total
4 of 5. I'm sorry. I retract that. I looked at the
5 wrong piece of paper. In addition to the ad revenue
6 with the Link5G they'll be able to generate revenue
7 with leasing that space out to the carriers. Sorry
8 about that.

9 CHAIRPERSON GUTIERREZ: Aside just from
10 the profit from the ads, it's just leasing out to
11 carriers that they would have income generated from
12 this?

13 CHIEF OPERATING OFFICER MCGRATH: Yes,
14 correct. When we looked at the existing LinkNYC
15 kiosks, the sole source of income there was the ad
16 revenue, and, with the newer model that we've
17 designed, it's the ad revenue plus the addition of
18 the 5G within a tower, and that 5G space can be
19 rented by carriers to install their equipment and
20 that would be an additional stream of revenue on top
21 of the ads.

22 CHAIRPERSON GUTIERREZ: Do you have a
23 sense of what that revenue could look like?

24 CHIEF OPERATING OFFICER MCGRATH: We have
25 our forecast for our minimal annual guarantees. I

2 think CityBridge would probably be able to provide
3 more information on the actual numbers.

4 CHAIRPERSON GUTIERREZ: Is the forecast
5 DoITT's or CityBridge? You can see why I'm
6 apprehensive about CityBridge's forecasting.

7 CHIEF OPERATING OFFICER MCGRATH: Yes, and
8 we anticipate the MMAG, the monthly minimum annual
9 guarantee, is a couple million dollars a month, and
10 that's what the forecast is for us and that's based
11 on a build schedule that aligns with CityBridge's
12 estimates.

13 CHAIRPERSON GUTIERREZ: Okay. About 2
14 million a month. Okay, thank you. My next question is
15 does the city permit data mining and push advertising
16 from the wi-fi while sharing the revenue with the
17 city?

18 CHIEF OPERATING OFFICER MCGRATH: That
19 answer is no.

20 CHAIRPERSON GUTIERREZ: No.

21 CHIEF OPERATING OFFICER MCGRATH: It does
22 not.

23 CHAIRPERSON GUTIERREZ: Okay. Let me just
24 check and see. Do any of the Council Members on the
25 call have any questions? If not, I will, oh, yes, let

2 me throw it over, Irene, do I throw it to you or can
3 we have Council Member Holden ask a question?

4 IRENE BYHOVSKY, MODERATOR: Absolutely.
5 Council Member Holden, you can begin your questions.

6 SERGENT-AT-ARMS: Starting time.

7 COUNCIL MEMBER HOLDEN: Thank you, Chair.
8 Thank you for your testimony. The public pay phones,
9 have they all been removed?

10 CHIEF OPERATING OFFICER MCGRATH: All but
11 2 at this point.

12 COUNCIL MEMBER HOLDEN: All but 2, okay.

13 CHIEF OPERATING OFFICER MCGRATH: Yeah.
14 We're right there.

15 COUNCIL MEMBER HOLDEN: How many of those
16 kiosks are working and providing wi-fi, and are any
17 of the units around the city not working?

18 CHIEF OPERATING OFFICER MCGRATH: There
19 are a small number that are in our maintenance
20 bucket, if you will, but there's currently 1,860 or
21 so that are up and operational.

22 COUNCIL MEMBER HOLDEN: Excuse me if I
23 missed this, because you maybe answered this
24 question, but I had to jump out for a second. Is
25 LinkNYC on target to complete the installation of the

2 2,761 Links, which was the number agreed to the
3 amendment? If not, how many will be installed by July
4 2022, at the end of the contract year 8?

5 CHIEF OPERATING OFFICER MCGRATH: We are
6 currently on schedule with the build year plan that
7 was laid out in the agreement. We hit the...

8 SERGEANT KOTOWSKI: Excuse me. Apologies
9 again. There's some technical issues that we need to
10 resolve on the backend. Sorry about the interruption.
11 We're just going to pause for a second if it's okay.
12 Thank you. Sorry about that. Timer was paused as
13 well.

14 COUNCIL MEMBER HOLDEN: Thank you.

15 SERGEANT KOTOWSKI: Again, folks, thanks
16 for your patience. We should be resuming in just a
17 moment.

18 We're just going to do a quick audio test
19 for ASL Livestream Services. If we could have
20 confirmation that audio is coming through properly?

21 CHIEF OPERATING OFFICER MCGRATH: Thank
22 you. Sorry about that. I didn't realize the
23 (INAUDIBLE) would ask you to unmute it. Yes, can you
24 hear me, okay?

2 SERGEANT KOTOWSKI: Yes, Mr. McGrath, just
3 give us one more moment. I'm just confirming that our
4 audio is in sync with our interpreters.

5 CHIEF OPERATING OFFICER MCGRATH: No
6 problem.

7 SERGEANT KOTOWSKI: We can resume.
8 Apologies for the delays. Just some technical issues
9 on the backend, but it seems like it's resolved.

10 SERGEANT-AT-ARMS: Hold one moment. I
11 don't think we are resolved yet with the ASL
12 interpretation room.

13 SERGEANT KOTOWSKI: Okay.

14 SERGEANT-AT-ARMS: We're still having an
15 issue playing the video.

16 SERGEANT KOTOWSKI: Okay. Once again,
17 folks, thank you for your patience. We should be
18 resuming in a moment.

19 It does look like we are streaming
20 properly now. If Committee Counsel would like to
21 restart.

22 IRENE BYHOVSKY, MODERATOR: Yeah, I think
23 we're all ready, and I believe we stopped with
24 Council Member Holden's question.

25 SERGEANT-AT-ARMS: Resuming timer.

2 COUNCIL MEMBER HOLDEN: Thank you. Mr.
3 McGrath, I don't know if you finished with the
4 question on the installation goals. Did you finish
5 that?

6 CHIEF OPERATING OFFICER MCGRATH: We could
7 just rehash it either way. I believe you asked if
8 they're on, essentially we are on target on our plans
9 to meet the build year schedule as laid out in the
10 agreement, Council Member, and at this point that's
11 our trajectory is to meet those numbers that were
12 laid out.

13 COUNCIL MEMBER HOLDEN: So 2,761 by 2022,
14 by July 2022?

15 CHIEF OPERATING OFFICER MCGRATH: I think
16 you might be off by a year there. That's build year
17 8, which is 2023. Build year 7, which is 2022, gets
18 us to 2,226, and that number is the number we're on
19 target for.

20 COUNCIL MEMBER HOLDEN: Okay. I'm sorry.

21 CHIEF OPERATING OFFICER MCGRATH: No, no,
22 no problem.

23 COUNCIL MEMBER HOLDEN: You said that the
24 kiosks will be installed in commercial and

2 manufacturing zones. What about mixed use areas that
3 include residential?

4 CHIEF OPERATING OFFICER MCGRATH: That's
5 approved as well.

6 COUNCIL MEMBER HOLDEN: You can have a
7 giant kiosk in front of your window let's say if you
8 live above a store?

9 CHIEF OPERATING OFFICER MCGRATH: You may
10 be aware and others may be aware, there are siting
11 criteria which we have to meet in order to place the
12 unit in a targeted area, and those items, amongst
13 many others, are on that list, and we try to avoid
14 that where we can based on those rules.

15 COUNCIL MEMBER HOLDEN: All right. What's
16 the height of these kiosks?

17 CHIEF OPERATING OFFICER MCGRATH: 32 feet.

18 COUNCIL MEMBER HOLDEN: 32 feet so that
19 could go up to probably a 3rd story window, right?

20 CHIEF OPERATING OFFICER MCGRATH: Correct.

21 COUNCIL MEMBER HOLDEN: Yeah. The siting
22 criteria will have to, again, you said it's going to
23 go before the Community Boards and Council Members. I
24 have a total of 4 kiosks in my entire district, both
25 on the edges. I think I have 2 on the edge on the

2 northern district north of the border and then I have
3 south. I didn't get any notification of any kiosks
4 being installed, obviously in Queens, which we don't
5 have that many.

6 CHIEF OPERATING OFFICER MCGRATH: Okay.

7 COUNCIL MEMBER HOLDEN: Is there a
8 schedule on Community Board notification, just
9 certain Community Boards are notified?

10 CHIEF OPERATING OFFICER MCGRATH: Yes. By
11 process that we have today, for any sites that go in
12 we do start with the Borough President's Office and
13 others as noted previously. The initial push from the
14 agreement was to address the equity districts first,
15 but we will get to every community district in the 5
16 boroughs. It's just using the equity districts first
17 to drive more into those areas that need it the most.

18 COUNCIL MEMBER HOLDEN: That need it the
19 most, okay?

20 SERGEANT-AT-ARMS: Time expired.

21 COUNCIL MEMBER HOLDEN: One other
22 question, Chair, if I may. We desperately need wi-fi
23 at bus shelters. Is there any way of combining the
24 two, either with the kiosks or just wi-fi for bus

2 shelters? Is there a plan on installing wi-fi at bus
3 shelters?

4 CHIEF OPERATING OFFICER MCGRATH: No. The
5 LinkNYC program is different from any bus structures
6 and any projects that are related to that.

7 COUNCIL MEMBER HOLDEN: No, but what I'm
8 saying is also the siting of these kiosks could be
9 located near a bus shelter or right at a bus shelter.
10 Is that possible?

11 CHIEF OPERATING OFFICER MCGRATH: No,
12 based on... Actually if I could pause for one second.
13 Brett Sikoff, who is with me, Senior Director for
14 Mobile Telecom, actually he's closer to that and can
15 answer better.

16 SENIOR DIRECTOR SIKOFF: Hi folks. Brett
17 Sikoff. Council Member, to answer your question,
18 there are siting criteria related to the proximity
19 between a Links structure and other advertising
20 structures and trees and other fire hydrants and
21 other types of things so, while there may be a Link
22 within line of sight of a bus shelter it would not be
23 located immediately adjacent to one, but it's very
24 likely that a Link within 30 to 50 feet away will

2 still provide the coverage to the folks who are
3 waiting at a bus shelter.

4 COUNCIL MEMBER HOLDEN: So if one was
5 located across the street from a bus shelter, you
6 would pick it up then.

7 SENIOR DIRECTOR SIKOFF: For sure, yeah.

8 COUNCIL MEMBER HOLDEN: Okay. Thank you,
9 Chair.

10 IRENE BYHOVSKY, MODERATOR: Thank you,
11 Council Member Holden. I'm turning it back to the
12 Chair for questions. Chair Gutierrez.

13 CHAIRPERSON GUTIERREZ: Thank you, Council
14 Member Holden. Those were great questions.

15 I wanted to ask about ZenFi Networks.
16 ZenFi Networks, a telecom infrastructure company,
17 agreed to invest 200 million dollars in CityBridge to
18 help restart the program as part of the larger 5G
19 buildout in New York. What is ZenFi Networks' role in
20 this project?

21 CHIEF OPERATING OFFICER MCGRATH: ZenFi
22 came out as a strategic investor in the program as
23 part of that period of time where we signed the new
24 agreement. They currently hold other franchises with
25 the city as a heads-up, most notably in mobile

2 telecommunications franchise, and, for that, they
3 bring to the table a lot of experience in the
4 industry and from the industry, and we believe that
5 that's a big boost to getting to where we need to get
6 to, especially with the onset of 5G in the design.

7 CHAIRPERSON GUTIERREZ: What do they
8 receive in return, besides broadening their
9 portfolio?

10 CHIEF OPERATING OFFICER MCGRATH: Maybe
11 I'm not understanding the question. What do they
12 receive from the city?

13 CHAIRPERSON GUTIERREZ: You said they were
14 a strategic partner. I'm just curious to know,
15 because it's a pretty sizeable amount of money to
16 invest in the project, so what are they getting out
17 of this?

18 CHIEF OPERATING OFFICER MCGRATH: Okay.

19 CHAIRPERSON GUTIERREZ: What is the
20 benefit to them in partnering for this?

21 CHIEF OPERATING OFFICER MCGRATH: Yeah.
22 First of all, the idea of adding 5G onto the pole is
23 part of where they can help us as we noted in terms
24 of properly getting 5G throughout the city,
25 especially to underserved areas, but the other pieces

2 of it that could be seen, there's a bigger fiber
3 footprint that would go out throughout the city as
4 well and so, with that, one of the benefits that
5 comes with the fiber footprint expanding through the
6 city, especially to the underserved areas and I keep
7 touching on that because it's key, is the eventual
8 ability to lease that out for home broadband which
9 then even helps those districts and neighborhoods
10 even more.

11 CHAIRPERSON GUTIERREZ: Thank you.

12 CHIEF OPERATING OFFICER MCGRATH: They'll
13 be able to sell that basically.

14 CHAIRPERSON GUTIERREZ: Okay. Do you have
15 a sense of what that timeline looks like, when they
16 would be able to sell home broadband?

17 CHIEF OPERATING OFFICER MCGRATH: No, not
18 right now.

19 CHAIRPERSON GUTIERREZ: I know that
20 they're testing it. I can direct this question to
21 them as well.

22 CHIEF OPERATING OFFICER MCGRATH: Okay.

23 CHAIRPERSON GUTIERREZ: Can you go into a
24 little bit of detail about what the agreement between
25 CityBridge and ZenFi Networks is, what it looks like?

2 CHIEF OPERATING OFFICER MCGRATH: That's a
3 contract between those entities, and I,
4 unfortunately, don't have information.

5 CHAIRPERSON GUTIERREZ: Okay. Do you know
6 who will have ownership over the franchise structure
7 at the end of the franchise period?

8 CHIEF OPERATING OFFICER MCGRATH:
9 CityBridge. I had to think for a quick sec there, but
10 it's CityBridge who owns the units and maintains
11 them.

12 CHAIRPERSON GUTIERREZ: Okay. Let me go
13 back to my order here. I'm just going to ask some
14 general questions, and it goes a little bit into what
15 Council Member Holden asked just about the
16 installation of the remaining kiosks. Can you share
17 with us what of that work is being prioritized? Right
18 now, we're halfway through the year. As I understand,
19 you are projected to meet your goal for installation
20 this year. Can you explain a little bit more about
21 like where we can expect these installations, and
22 then can you go into detail about where the remaining
23 installations will go in the following year?

24 CHIEF OPERATING OFFICER MCGRATH: Sure.
25 Absolutely. As noted earlier, the agreement that we

2 have in place today is to install 90 percent of them
3 above 96th Street and then the other 4 boroughs so
4 that is the goal to drive this into the areas that
5 need it most. Right now, the build year 6 is
6 complete, that ended December 31st, and we're in the
7 mix of build year 7. The goal for build year 5 was 50
8 units. The build year 7 was 310, and that is our
9 target right now which would put the total number of
10 structures 2,761 is the target give or take. I'm so
11 sorry. I did something earlier that I caught. 2,226
12 is the number that we're targeting for the end of
13 build year 7.

14 CHAIRPERSON GUTIERREZ: For this year?

15 CHIEF OPERATING OFFICER MCGRATH: Yes,
16 correct.

17 CHAIRPERSON GUTIERREZ: But the total was
18 2,761.

19 CHIEF OPERATING OFFICER MCGRATH: No, no.
20 I'm going to restate that. The total at the end of
21 the build year 7, the cumulative total at the end of
22 build year 7, will be 2,226 units as a target. The
23 number I gave you was the build year 8 number. I'm
24 sorry. I had it written down from an earlier...

2 CHAIRPERSON GUTIERREZ: No, no, no. That's
3 okay. I think it's important to know. We're in year 7
4 right now?

5 CHIEF OPERATING OFFICER MCGRATH: Yes,
6 correct.

7 CHAIRPERSON GUTIERREZ: So between this
8 year and next year potentially stated to install
9 close to 400-ish more kiosks?

10 CHIEF OPERATING OFFICER MCGRATH: Yes,
11 that's correct.

12 CHAIRPERSON GUTIERREZ: Okay. Can you just
13 repeat, you said at the top of the answer, 90 percent
14 of those remaining kiosks will be installed above
15 96th Street?

16 CHIEF OPERATING OFFICER MCGRATH: Yeah. In
17 the agreement, we have a target of 4,000 total over
18 all the build years. We're trying to get to a target
19 of 4,000. The units that we need to build to get to
20 that number, 90 percent of those will be installed
21 above 96th Street of Manhattan and in the other 4
22 boroughs.

23 CHAIRPERSON GUTIERREZ: I will be asking
24 at some point just a little bit more about where in
25 the boroughs. I think to Council Member Holden's

2 point he's got 4 in his district, and I think just
3 the equity of how they've been sited has not really
4 been existent so I'll ask those questions in a little
5 bit.

6 CHIEF OPERATING OFFICER MCGRATH: Okay.

7 CHAIRPERSON GUTIERREZ: I'm sorry. Just to
8 confirm, are any of the new kiosks, any of the ones
9 that you are slated to install this year or next
10 year, are they still replacing pay phones or are some
11 of these kiosks just going to be in different
12 locations now?

13 CHIEF OPERATING OFFICER MCGRATH: Yes. A
14 number of them do replace PPTs, pay phones, and there
15 are a few number of them in what we call green field
16 locations, new sites.

17 CHAIRPERSON GUTIERREZ: Okay. That means
18 no pay phones. Just a bare sidewalk.

19 CHIEF OPERATING OFFICER MCGRATH: Correct.

20 CHAIRPERSON GUTIERREZ: Okay. Thank you.
21 The kiosks that are installed and awaiting power
22 and/or fiber to be connected were installed at the
23 end of 2021, how long does it typically take for a
24 kiosk to be activated after installation is
25 completed?

2 CHIEF OPERATING OFFICER MCGRATH: From
3 installation to activation, I'll say 2 weeks. That's
4 right. I had to get through the process in my head
5 but 2 weeks about to activate.

6 CHAIRPERSON GUTIERREZ: Okay. Give me one
7 second. Some advocates have raised issues related to
8 data privacy and security. The city has the ability
9 to imbed privacy protections into the franchising
10 process. Instead, the franchise agreement states that
11 "the franchise retains ownership rights and all data
12 created in the course of providing the wi-fi services
13 to the extent that such data doesn't include
14 personally identifiable information." Given this
15 fact, why are privacy protections not addressed in
16 the latest amendment? Also, just remember to speak a
17 little slower for the interpretation. Thank you.

18 CHIEF OPERATING OFFICER MCGRATH: Sorry.
19 I'm not quite sure about that statement that the
20 policy doesn't exist. The agreement does have
21 policies written into it. They are enforceable. In
22 addition to that, the configuration and the setup, we
23 do not collect users' data at all.

24 CHAIRPERSON GUTIERREZ: I think this
25 question is specifically about the amendment. We

2 didn't come across an explicit emphasis of this so I
3 guess, is the assumption that we can incorporate the
4 privacy portion from the general contract into this
5 amendment?

6 CHIEF OPERATING OFFICER MCGRATH: There
7 you go. That's why maybe it's not visible and evident
8 there because it's already existent and we don't
9 restate it in the amendment. It's an amendment to the
10 original contract. The amendment is to the original
11 contract which has those policies in it, and we did
12 not change those.

13 CHAIRPERSON GUTIERREZ: Okay, but I think
14 it's worth emphasizing it in every single amendment
15 seeing as privacy and security concerns are a primary
16 concern for folks so I think I would love to further
17 discussion because I think it is valuable to include
18 in current amendment or future amendments, especially
19 when we're talking about data security.

20 CHIEF OPERATING OFFICER MCGRATH: Yes, I
21 will make a note of that, and, definitely, if we can
22 talk offline more about it.

23 CHAIRPERSON GUTIERREZ: Thank you.
24 Advocates suggested auditing the data collection by
25 LinkNYC. Are you open to such an audit?

2 CHIEF OPERATING OFFICER MCGRATH:

3 Actually, we did conduct an audit. The physical
4 audit, itself, just finished up, and we have a draft
5 report that's being reviewed internally right now for
6 finalization, and part of that was to assess those
7 areas.

8 CHAIRPERSON GUTIERREZ: Will the audit be
9 made public or accessible?

10 CHIEF OPERATING OFFICER MCGRATH: Yes, it
11 can be.

12 CHAIRPERSON GUTIERREZ: Okay. This one is
13 a little bit more specific about terminology, and,
14 again, I just want to make sure that I'm clear and
15 that folks are 100 percent clear. I think one of the
16 issues that I learned is that oftentimes definitions
17 are not made uniform and so what you think means
18 privacy on your end doesn't necessarily strike the
19 same meaning for everyday New Yorkers. According to
20 the initial agreement with CityBridge, the franchise
21 retained ownership rights and all data created in the
22 course of providing the wi-fi services to the extent
23 that such data doesn't include personally
24 identifiable information. The franchise retains no
25 ownership rights in personally identifiable

2 information. However, the term PII is not defined in
3 the agreement or its amendments. How do you define
4 PII for the purpose of the most recent agreement?

5 CHIEF OPERATING OFFICER MCGRATH: Sure.
6 That's a good question. What I'll do for this
7 question is I'm going to kick it over to my General
8 Counsel, Tynia Richard. Tynia, are you available to
9 help out?

10 GENERAL COUNSEL RICHARD: Okay. Thank you
11 for that question, Madam Chair. Yes, personally
12 identifying information is defined as set forth in
13 the city's Identifying Information Law, and so that
14 is the way we define it, and it's the standard to
15 which we're held.

16 CHAIRPERSON GUTIERREZ: I'm sorry. Can you
17 make that definition public? Can you share what that
18 definition is?

19 GENERAL COUNSEL RICHARD: Sure. It's in 2
20 Local Laws, but absolutely.

21 CHAIRPERSON GUTIERREZ: I'm sorry. Are you
22 going to share it or no?

23 GENERAL COUNSEL RICHARD: Okay. You'd like
24 me to do that right now?

2 CHAIRPERSON GUTIERREZ: Yeah. I think it
3 would just be helpful so that we're all...

4 GENERAL COUNSEL RICHARD: Okay. All right.

5 CHAIRPERSON GUTIERREZ: Is it lengthy? Is
6 that why you don't want to share?

7 GENERAL COUNSEL RICHARD: No, no, no. I'm
8 just not set up to do it so can you give me just a
9 little bit?

10 CHAIRPERSON GUTIERREZ: Okay. We can come
11 back.

12 GENERAL COUNSEL RICHARD: Just give me a
13 little bit of time and come back to me.

14 CHAIRPERSON GUTIERREZ: Yeah.

15 GENERAL COUNSEL RICHARD: Thank you.

16 CHAIRPERSON GUTIERREZ: Thank you. How
17 much revenue do you expect to receive from ISPs or
18 internet service providers that would participate in
19 the 5G rollout and use LinkNYC infrastructure?

20 CHIEF OPERATING OFFICER MCGRATH: From the
21 city's perspective, we have the payment schedule
22 that's built based on the rollout so nothing specific
23 to the service providers themselves. That's part of,
24 I guess, the cost of CityBridge running it, and the

2 revenue we stated is pre-stated in the forecast in the
3 agreement.

4 CHAIRPERSON GUTIERREZ: Have any telecom
5 companies agreed to install their 5G equipment in the
6 LinkNYC kiosks already?

7 CHIEF OPERATING OFFICER MCGRATH: Yes, we
8 have one set up already. None of our equipment is up
9 yet from a Link5G perspective. The first one we'll
10 see go up is June, but we do have somebody...

11 CHAIRPERSON GUTIERREZ: An agreement?

12 CHIEF OPERATING OFFICER MCGRATH: Yeah.

13 CHAIRPERSON GUTIERREZ: Okay, and you
14 can't share who that is yet?

15 CHIEF OPERATING OFFICER MCGRATH: I'll be
16 honest. I don't know if I can share, but I think I
17 can.

18 CHAIRPERSON GUTIERREZ: Just curious.

19 CHIEF OPERATING OFFICER MCGRATH:
20 CityBridge can answer that best. I'll probably kick
21 that over to them.

22 CHAIRPERSON GUTIERREZ: We can get

23 (INAUDIBLE) Thank you.

24 CHIEF OPERATING OFFICER MCGRATH: Sorry.

2 CHAIRPERSON GUTIERREZ: That's okay. What
3 is the best way to submit a complaint about LinkNYC,
4 and do you know how many complaints have been
5 received through each means of submitting a
6 complaint?

7 CHIEF OPERATING OFFICER MCGRATH: The best
8 way to do that is through 311. We would (INAUDIBLE)
9 do that when necessary. We do have stats on the
10 number of complaints, and we do look at them
11 regularly. Just at my fingertips, I don't have them
12 right now, but I could take a note and get back to
13 you.

14 CHAIRPERSON GUTIERREZ: So 311 is the best
15 way for New Yorkers to file a complaint, but LinkNYC,
16 do they provide a pathway to submit a complaint?

17 CHIEF OPERATING OFFICER MCGRATH: Yes,
18 there's a help@link.nyc as another options.

19 CHAIRPERSON GUTIERREZ: Okay. You said you
20 don't have the numbers on hand of how many have been
21 filed through each pathway?

22 CHIEF OPERATING OFFICER MCGRATH: Not at
23 my fingertips, but the information is available, and
24 we can get it to you rather quickly.

2 CHAIRPERSON GUTIERREZ: Okay. Thank you.

3 My next question is about the actual kiosks. Is there
4 any proposal to replace any of the existing or the
5 old kiosks at this point?

6 CHIEF OPERATING OFFICER MCGRATH: At this
7 current time, that's not in our plans, but it is a
8 potential option.

9 CHAIRPERSON GUTIERREZ: Okay. Do you have
10 a sense of if and when you get there how you would
11 dispose of the old kiosks?

12 CHIEF OPERATING OFFICER MCGRATH: I have
13 not been through any reviews of the disposal process
14 at this point, but, given the governance that I tend
15 to bring to a program, especially one of this size,
16 we would definitely validate that.

17 CHAIRPERSON GUTIERREZ: This is a little
18 bit more specific about the existing sites of kiosks.
19 How many Link kiosks are located near NYCHA
20 developments, near homeless shelters? Let's start
21 there, if you can. I'll let you define what near is,
22 but I think we're all hoping for something reasonable
23 within distance from a NYCHA development.

24 CHIEF OPERATING OFFICER MCGRATH: That's a
25 pretty specific question about the nature of where

2 these are. Again, that's another stat I wouldn't have
3 off the top of my head but certainly could go
4 research it for you and get back to you without an
5 issue.

6 CHAIRPERSON GUTIERREZ: Irene, did you
7 mention that someone has a hand?

8 IRENE BYHOVSKY, MODERATOR: Yes. General
9 Counsel Richard, I saw your hand up.

10 GENERAL COUNSEL RICHARD: Yes. I wanted to
11 come back to the question regarding PII.

12 CHAIRPERSON GUTIERREZ: Yes, thank you.
13 Let me just pull mine up. Go for it.

14 GENERAL COUNSEL RICHARD: All right. Madam
15 Chair, I'm looking at the agreement, and this is the
16 original agreement, Section 4.4, and it was
17 unamended. The definition here is personally
18 identifiable information means any information which
19 personally identifies the person to whom such
20 information pertains. Personal identifiable
21 information includes name, address, phone number, fax
22 number, email address, financial profiles, biometric
23 information, medical profiles, Social Security
24 number, and credit card information. Personally
25 identifying information does not include information

2 that is collected or stored in a manner that no
3 longer reflects or references an individually
4 identifiable user.

5 Just to be clear, the agreement does say
6 that the franchisee will not collect any such
7 personally identifiable information concerning any
8 user except to the extent necessary for technical
9 management of the wi-fi system. Franchisees shall not
10 disclose personally identifiable information
11 concerning any user and shall maintain at all times
12 the best prevailing practices among public wi-fi
13 networks.

14 Then it goes on.

15 CHAIRPERSON GUTIERREZ: Thank you. I don't
16 know if this is a question for you, but the technical
17 management of the kiosks, would this be if someone
18 files a complaint with 311? Is this the instance
19 where PII would be accessed?

20 GENERAL COUNSEL RICHARD: When you say if
21 somebody files a complaint, would use personally
22 identifiable information? It would not be available
23 to us.

24 CHAIRPERSON GUTIERREZ: Yeah. I'm just
25 asking about the definition of PII, where it said it

2 would be utilized or accessed for technical
3 maintenance. I'm just curious, and, again, I don't
4 know if this is something that you can answer, but
5 technical maintenance, how does that look?

6 GENERAL COUNSEL RICHARD: Personally
7 identifiable information is anonymized at any point.
8 When they say that information is used for purpose of
9 servicing the Link, it would be anonymized.

10 CHAIRPERSON GUTIERREZ: Okay.

11 CHIEF OPERATING OFFICER MCGRATH: If
12 someone wants to connect their device to the Link via
13 wi-fi, for example, there may be steps they have to
14 follow where they provide an email address or
15 something along...

16 GENERAL COUNSEL RICHARD: Mike is much
17 better on the technical...

18 CHIEF OPERATING OFFICER MCGRATH: Sorry
19 about that.

20 CHAIRPERSON GUTIERREZ: No, no. That's
21 okay. I'm so sorry. I know that I asked the question
22 before, but you weren't able to answer the question
23 about kiosks near public housing, correct?

24 CHIEF OPERATING OFFICER MCGRATH: Correct.
25 We have the information, they're all laid out,

2 they're on maps, I just would have to go back and
3 quantify that for you. I just don't have the sort of
4 total at my fingertips here.

5 CHAIRPERSON GUTIERREZ: Okay. I'm also
6 raising this because I think that this is a valid
7 concern for New Yorkers. I know that you are still
8 siting the remaining kiosks for this year and next
9 year, but I think some consideration of proximity to
10 public housing is vital when we're talking about the
11 overall goal of kiosks so obviously you'll be working
12 that out with individual Members at Community Boards
13 but would just like to make that plug.

14 I'm assuming that you also don't have the
15 number of kiosks that are near homeless shelters,
16 correct?

17 CHIEF OPERATING OFFICER MCGRATH: Correct.
18 Just one other thing to point out is that the devices
19 themselves as they currently sit are in commercial
20 districts and manufacturing districts and so forth so
21 the number that might be near a NYCHA location
22 depending on where it's located and how it's
23 classified, I'd have to quantify that as I noted,
24 but, no, I just don't have that my fingertips, kind

2 of the cross-sections of the data (INAUDIBLE) so we
3 can get back to you on that for sure.

4 CHAIRPERSON GUTIERREZ: Yeah. I just want
5 to reemphasize, I think the kiosks being in
6 commercial districts, there's foot traffic to be
7 expected there so that makes sense, but I think I can
8 tell you just in my district the need for people
9 accessing these kiosks are not necessarily the foot
10 traffic on commercial districts. They are very much
11 near public housing developments, near shelters, like
12 Council Member Holden raised, near bus shelters so I
13 think it's...

14 CHIEF OPERATING OFFICER MCGRATH: Couldn't
15 agree more.

16 CHAIRPERSON GUTIERREZ: I would like to
17 explore more of the rubrics at some point as to where
18 the sitings are being with respect to the populations
19 that are in need of these kiosks.

20 CHIEF OPERATING OFFICER MCGRATH:
21 Absolutely. Couldn't agree more. The reason for the
22 90 percent being above 96th Street in the outer
23 boroughs and thinking deeper into the equity
24 districts themselves that have been classified,

2 that's the goal. We want to get this to the people
3 who need it the most.

4 CHAIRPERSON GUTIERREZ: If a community no
5 longer wishes to have a kiosk in a certain
6 neighborhood, what is the process they need to follow
7 for the removal of that kiosk?

8 CHIEF OPERATING OFFICER MCGRATH: I think
9 it would start with a submission to 311 as a request.
10 I can check with the team to see if there's anything
11 more specific relative to communications. Brett, do
12 you know offhand?

13 SENIOR DIRECTOR SIKOFF: Yeah. To the
14 extent that there's a concern about a particular Link
15 kiosk, we would certainly take a look at it, make
16 sure it was sited properly to begin with, and then,
17 if there's any extenuating circumstances, we'll take
18 that into consideration upon an in-depth analysis so,
19 yeah, we welcome any critiques or concerns of
20 particular Links.

21 CHAIRPERSON GUTIERREZ: How does LinkNYC
22 comply with the Americans with Disabilities Act, and
23 do you have features to aid those who are hard of
24 hearing, visually impaired, and other persons with
25 disabilities?

2 CHIEF OPERATING OFFICER MCGRATH: Yes, the
3 Link units themselves are ADA compliant. That's how
4 they were designed both from the height that you can
5 access the controls if you will and then just how
6 it's built and how to get around the unit.

7 CHAIRPERSON GUTIERREZ: Okay. Do you work
8 with Building Improvement Districts, or BIDs, and
9 local small businesses to give them the opportunity
10 to advertise on Links?

11 CHIEF OPERATING OFFICER MCGRATH: Yes,
12 that is an avenue for them to get word out about
13 themselves.

14 CHAIRPERSON GUTIERREZ: How can businesses
15 do that? How can they work with the city to take
16 advantage of LinkNYC advertising? What is the process
17 for them?

18 CHIEF OPERATING OFFICER MCGRATH: If you
19 want to advertise on the unit, I think the
20 communication path for that is through CityBridge and
21 so that doesn't come through us directly. I can get
22 information for you or CityBridge can provide it
23 hereafter.

24 CHAIRPERSON GUTIERREZ: According to
25 DoITT's internal presentation to our Committee, there

2 are 1,300 free advertising spots for small and local
3 businesses. Small businesses in order to apply for
4 this free advertisement, all they have to do is just
5 reach out to CityBridge?

6 CHIEF OPERATING OFFICER MCGRATH: Correct,
7 and they'll help them get that up and running.

8 CHAIRPERSON GUTIERREZ: Okay. The privacy
9 policy mentioned environmental sensors. Can you tell
10 us some more about the sensors presence in the
11 LinkNYC kiosks and what kind of sensors they are?

12 CHIEF OPERATING OFFICER MCGRATH: We do
13 not have environmental sensors in our units? We do?
14 Oh, sorry.

15 CHAIRPERSON GUTIERREZ: They're mentioned
16 in the privacy policy so I'm just curious what they
17 are and what kind of sensors they are.

18 CHIEF OPERATING OFFICER MCGRATH: Okay.
19 This particular question, I don't have the answer to
20 off the top of my head. CityBridge will for sure, and
21 I'll take a note of it as well in case we need to be
22 the ones who answer that after this is over. Sorry
23 about that.

24 CHAIRPERSON GUTIERREZ: Are kiosks
25 equipped with Bluetooth beacons?

2 CHIEF OPERATING OFFICER MCGRATH: They
3 have Bluetooth beacons in them, yes.

4 CHAIRPERSON GUTIERREZ: Are they
5 activated?

6 CHIEF OPERATING OFFICER MCGRATH: I
7 believe so, but I will doublecheck that for you.

8 CHAIRPERSON GUTIERREZ: Can you tell us
9 why these Bluetooth beacons are in the kiosks?

10 CHIEF OPERATING OFFICER MCGRATH: No, I
11 can't right now at this moment. I apologize, Chair
12 Gutierrez. I'll take a note and get back to you.

13 CHAIRPERSON GUTIERREZ: Love to follow up
14 with that.

15 CHIEF OPERATING OFFICER MCGRATH: Yeah,
16 definitely.

17 CHAIRPERSON GUTIERREZ: Okay. I may just
18 put a big old explanation point here. What are the
19 common obstacles in the process of installing or
20 maintaining LinkNYC kiosks?

21 CHIEF OPERATING OFFICER MCGRATH: I'm so
22 sorry. Could you repeat the question?

23 CHAIRPERSON GUTIERREZ: Sure. What are the
24 common obstacles in the process of installing or
25 maintaining LinkNYC kiosks?

2 CHIEF OPERATING OFFICER MCGRATH: Okay.
3 Some of the timelines and challenges we deal with are
4 just the approval processes, permits, installation of
5 power, things like that, some of the physical items
6 that we have to overcome to squeeze that time down
7 and try to get them installed as quickly as possible.
8 You can imagine, we have DOT for permitting, we have
9 Con Ed for permitting and power and so forth, and
10 that's where we find a lot of the challenges in terms
11 of timelines, but we do have relationships with them
12 and we work closely with them to try to expedite
13 where we can and to proceduralize some of those
14 requests.

15 CHAIRPERSON GUTIERREZ: So it's a permit
16 with DOT and permits with who else? I'm sorry.

17 CHIEF OPERATING OFFICER MCGRATH: Con Ed
18 for power.

19 CHAIRPERSON GUTIERREZ: Con Ed for power.

20 CHIEF OPERATING OFFICER MCGRATH: Then you
21 also have the running of fiber with folks like
22 Verizon and so forth who have conduit systems, and
23 that's where a lot of the challenges come in from a
24 timing perspective, and, as noted, we work with them
25 closely to try to shrink those times down to get

2 these out there as quickly as possible, especially
3 noting that we're trying to get them to underserved
4 areas.

5 CHAIRPERSON GUTIERREZ: Okay. Fantastic.
6 I've got some followup questions actually I'll
7 address with CityBridge. As far as the installation,
8 is DoITT responsible for requiring the permits?

9 CHIEF OPERATING OFFICER MCGRATH: No, we
10 are not.

11 CHAIRPERSON GUTIERREZ: Okay. So as far as
12 installation besides just the general approval, is it
13 just CityBridge that is in charge of the permit
14 approval and installation and so on and so forth?

15 CHIEF OPERATING OFFICER MCGRATH: Correct.
16 Yeah, they own the process of requesting permits that
17 they need and in following through on them. Again, if
18 it's something of an issue where the timing becomes a
19 problem, we try to help out and work with the
20 agencies and/or third parties to help that along.

21 CHAIRPERSON GUTIERREZ: Okay. I have a
22 couple more questions related to the design, and then
23 I will pass it off to you, our Moderator, for
24 additional questions.

2 Council Member Holden raised the size of
3 these new kiosks. Is the 32 feet tall just the space
4 above ground or is there any additional space
5 underground that we should know about?

6 CHIEF OPERATING OFFICER MCGRATH: It's
7 above ground. Everything is there. The foundational
8 items, of course, are underground, but that's not
9 part of the structure itself.

10 CHAIRPERSON GUTIERREZ: Everything's above
11 ground. Okay. Are the proposed structures expected to
12 withstand environmental factors like a Hurricane
13 Sandy for example? This is a relatively enormous
14 structure. I think you mentioned it's about 2 stories
15 so what can we expect as far as resiliency with these
16 kiosks?

17 CHIEF OPERATING OFFICER MCGRATH: Yes,
18 they should be resilient to all of those factors.
19 This was not, when we talk about how it was designed
20 and it who it was designed with, wireless providers,
21 equipment manufacturers, industry designers, things
22 like that, all of those items were taken into
23 consideration as we finalized the design and it's
24 reviewed by the PDC and their folks as well so that's
25 part of the review process as well within the city.

2 CHAIRPERSON GUTIERREZ: Thank you. Would
3 the new kiosks have cameras as well?

4 CHIEF OPERATING OFFICER MCGRATH: Yes,
5 they will have cameras.

6 CHAIRPERSON GUTIERREZ: How many cameras
7 will the new kiosks have?

8 CHIEF OPERATING OFFICER MCGRATH: Two.
9 Sorry. It could be 3, but 2 or 3. I'll verify for
10 you.

11 CHAIRPERSON GUTIERREZ: Okay. The existing
12 kiosks have 3 cameras, correct?

13 CHIEF OPERATING OFFICER MCGRATH: Correct.

14 CHAIRPERSON GUTIERREZ: Okay, and so the
15 new ones will also have 3. Can you just explain what
16 each camera is expected to do?

17 CHIEF OPERATING OFFICER MCGRATH: The
18 cameras are installed essentially for the issues with
19 vandalism. That's their only use case. If the unit is
20 vandalized multiple times, they may choose to turn
21 the cameras on to catch what's going on, and so
22 that's the use case for the cameras that are
23 installed on those units.

24 CHAIRPERSON GUTIERREZ: So each camera is
25 for surveillance of the kiosk only?

2 CHIEF OPERATING OFFICER MCGRATH: Not
3 necessarily surveillance, but it's used for purposes
4 of deterring and avoiding vandalism, right, so that's
5 the use case and why they're installed. Other than
6 that, they don't get used.

7 I'm sorry. There is a case where if
8 there's a valid subpoena that they could be used.

9 CHAIRPERSON GUTIERREZ: Okay.

10 CHIEF OPERATING OFFICER MCGRATH: Sorry
11 about that, yeah.

12 CHAIRPERSON GUTIERREZ: They could be used
13 by the PD?

14 CHIEF OPERATING OFFICER MCGRATH: Yeah,
15 correct. Law enforcement may have a valid subpoena
16 for the use of that camera on that particular device.
17 In that particular case, it would be turned on and
18 used.

19 CHAIRPERSON GUTIERREZ: Okay. How long are
20 you holding on to camera footage?

21 CHIEF OPERATING OFFICER MCGRATH: It's
22 kept for 7 days, and it is encrypted.

23 CHAIRPERSON GUTIERREZ: 7 days and
24 encrypted.

25 CHIEF OPERATING OFFICER MCGRATH: Yes.

2 CHAIRPERSON GUTIERREZ: Can you explain
3 what happens after the 7 days to the camera footage?

4 CHIEF OPERATING OFFICER MCGRATH: Yeah.
5 It's pretty simple. It just gets deleted from the
6 storage units that it's on.

7 CHAIRPERSON GUTIERREZ: Okay. My last
8 question before handing it over to our Moderator is
9 how are the 311 complaints about LinkNYC handled, and
10 what is the communication between LinkNYC and DOT
11 related to those 311 complaints?

12 CHIEF OPERATING OFFICER MCGRATH: 311
13 complaints get registered. They come in through the
14 franchise administration unit team and then they are
15 handled accordingly so depending on the type of issue
16 that's brought to us we'll route it to the proper
17 agency or third party, if you will, CityBridge being
18 one of them. If it's something related to DOT, we'd
19 relay it to them as well.

20 CHAIRPERSON GUTIERREZ: Do you believe
21 that CityBridge is being diligent about resolving
22 their 311 complaints in these instances?

23 CHIEF OPERATING OFFICER MCGRATH: Yes,
24 definitely. Like I said, we have a team of people
25 that track those complaints and follow up on them as

2 well so I think the system's pretty good in that
3 regard.

4 CHAIRPERSON GUTIERREZ: Okay. Thank you.

5 I'm going to pass it off to our Moderator (INAUDIBLE)

6 IRENE BYHOVSKY, MODERATOR: Thank you,
7 Chair Gutierrez. I see that Council Member Holden has
8 some questions. Council Member Holden.

9 SERGENT-AT-ARMS: Starting time.

10 COUNCIL MEMBER HOLDEN: Thank you. Thank
11 you so much again. Just a couple of more. Just
12 following up on the Chair's questions about the 32
13 feet. That's pretty high, 3 stories. Would that even
14 fit under an elevated train in most areas because my
15 district and the Chair's district we have elevated
16 trains? I think they're about 30 feet so was that
17 brought up at all?

18 CHIEF OPERATING OFFICER MCGRATH: I'll
19 bring in Brett, Chairman, just to help because he's
20 closer to that.

21 COUNCIL MEMBER HOLDEN: All right. There
22 he is again.

23 SENIOR DIRECTOR SIKOFF: Council Member,
24 how are you? To answer your question, these would
25 very likely not be sited underneath elevated trains

2 just as you wouldn't see typical street lights or
3 standard 30 to 32-foot street light under an elevated
4 train. Usually, they're shorter so it's important to
5 point the Link5G structures are comparable to the
6 height of a typical street light pole with a 5G or
7 even 4G antenna at the top of it. Very specifically
8 to your question, it would probably not be sited
9 under an elevated..

10 COUNCIL MEMBER HOLDEN: So it couldn't be
11 used in a lot of areas so that's why I'm curious as
12 to the 32 feet. Was that a magic number?

13 SENIOR DIRECTOR SIKOFF: It wouldn't go
14 directly underneath an elevated train but to the
15 extent that the sidewalk is set back, there's plenty
16 of tall street light poles that are just adjacent to
17 a train on either side so it could go there but
18 directly under it, no.

19 COUNCIL MEMBER HOLDEN: Just to follow up
20 on that, as you know, New York City street furniture
21 design is challenging to say the least and a mish-
22 mosh many times. You have different street light
23 designs, you have different furniture designs and so
24 forth, but has there been a discussion on combining
25 this? Philadelphia I believe or many other cities

2 combine the street lights with the kiosks. Has there
3 been any thought on that?

4 SENIOR DIRECTOR SIKOFF: This is really
5 another tool in the toolbox to deploy 5G. We have
6 designs for street light poles, there's already
7 attachments on buildings commonly found obviously,
8 and this Link5G is yet another tool there so what we
9 sought to do was collaborate with all the
10 stakeholders from the franchisees to the carriers to
11 industrial designers and equipment manufacturers to
12 come up with a unified design that incorporates all
13 the carriers' radio equipment and antennas inside one
14 structure so that everyone could go in the same
15 structure. We don't see a hodgepodge of different
16 telecom structures installed throughout the city. We
17 wanted it to be uniform. Think we had something that
18 looks really good, that smallest possible size
19 structure that gets to provide coverage for 4
20 carriers plus the wi-fi.

21 COUNCIL MEMBER HOLDEN: But a street
22 light, could that be put onto this?

23 SENIOR DIRECTOR SIKOFF: Conceivably it
24 could. We could look at the structural analysis to
25 see if that would do anything to the structure to see

2 if it would cause any degradation of the stability,
3 but, yeah, we could certainly look at that. I just
4 don't know, it would take up the space at the very
5 top where the antennas are being housed, but we could
6 take...

7 COUNCIL MEMBER HOLDEN: Other cities have
8 done that where they combine street furniture because
9 we have so many different designs, like I said, in
10 New York City, especially in more of the crowded
11 areas, that it just becomes overwhelming, and these
12 things are not small. They look like giant Q-tips, 32
13 feet high, and they're top-heavy so I'm just
14 wondering, and I haven't seen a design, I've seen it
15 in other cities, but I haven't seen a design in New
16 York City's version with any street light attached to
17 it to try to kill 2 birds with one stone, you try to
18 provide lighting...

19 SENIOR DIRECTOR SIKOFF: That's
20 essentially, yeah, I'm sorry.

21 COUNCIL MEMBER HOLDEN: Yeah.

22 SERGEANT-AT-ARMS: Time expired.

23 SENIOR DIRECTOR SIKOFF: That's
24 essentially what our mobile telecommunications
25 program seeks to do, right? We have existing

2 infrastructure and we attach the 4G and 5G equipment
3 on to it.

4 COUNCIL MEMBER HOLDEN: Right. Combine it.
5 Just one other, Chair, if I may, just a followup
6 because I've gotten a bunch of calls from
7 constituents so let's talk about public education.

8 There is a fear from some constituents
9 that 5G is harmful when it's installed too close to
10 residential. Is there any plan for a public education
11 to address that because people fear that this is
12 cancer-causing and so forth, you look on the internet
13 and you'll find all these articles, is there any
14 public education plan on this?

15 SENIOR DIRECTOR SIKOFF: It's a good
16 question, and we could certainly look to some sort of
17 public campaign, but it's important to note that RF,
18 radio emissions, is solely relegated by the Federal
19 government. The city has no authority, not only New
20 York City but every city and state across the city
21 has no authority in this area. With that said, we do
22 include provisions in all of our telecommunications
23 franchise agreements, not just with CityBridge to
24 ensure that the franchisee does comply with the
25 maximum permissible levels of exposure related to

2 these attachments, and our franchise agreement even
3 goes a step further and offers periodic testing to
4 ensure that they maintain that compliance, but we'll
5 take a look at outreach (INAUDIBLE).

6 COUNCIL MEMBER HOLDEN: Just one other
7 thing I want to sneak in. The approval process, you
8 mentioned there's DOT, they're the ultimate, they're
9 the final say, right? They make the final call on
10 that?

11 SENIOR DIRECTOR SIKOFF: OTI has the
12 authority in terms of where these things are sited
13 and goes to that extensive siting criteria and review
14 process, but to the extent that approval is given to
15 the franchisee, they then have to go to the
16 Department of Transportation and pull a typical
17 construction permit, yeah.

18 COUNCIL MEMBER HOLDEN: So if DOT says no,
19 then it's no or can somebody override them, like you
20 said?

21 SENIOR DIRECTOR SIKOFF: If they say no,
22 it's typically for a reason that we'll take a look at
23 to see if maybe there's a capital construction
24 project going on or...

2 COUNCIL MEMBER HOLDEN: Where does the
3 Borough President, the Council Members, the Community
4 Board fit into the process of approval?

5 CHIEF OPERATING OFFICER MCGRATH: That's
6 upfront, Council Member. Once we work with CityBridge
7 to identify potential locations in different areas,
8 what we do is we take those maps and the list of the
9 intersections or blocks and then we send that over
10 and meet with the Borough President and the Council
11 Members in the districts and even the BIDs as
12 necessary so they get a review of where they're going
13 to be located. In some cases, they're fine with them,
14 and, in some cases, they've asked us to move them
15 around, and we're open to that discussion. That's why
16 we send that around. It's definitely a collaborative
17 effort that we try to do upfront.

18 COUNCIL MEMBER HOLDEN: Right. I mean
19 officially. I've seen this when I say to DOT I don't
20 like it here or it wouldn't work here because I know
21 the area, I know my district probably more than many
22 because I've been here all my life, 70 years, so I
23 know the district, I know what would go, and many
24 times I'm just disregarded. They just say no, we're
25 going to do it anyway. That's what I'm afraid of

2 here, that if I get pushback from the community and
3 the Community Board that we're just not advisory,
4 that we actually mean something, that if this is not
5 good here then you guys would honor that or at least
6 DOT would.

7 CHIEF OPERATING OFFICER MCGRATH: Yeah,
8 definitely. The siting sits with us at OTI so we will
9 definitely take a note and get in touch with you on
10 your area. Offline, I'd love to have a conversation
11 with you about what's there already and what the
12 plans are in the future. Absolutely. That's what we
13 want to do.

14 COUNCIL MEMBER HOLDEN: Okay. Thank you.
15 Sorry, Chair, for the extra time.

16 CHAIRPERSON GUTIERREZ: No worries. You
17 were the previous Chair so you have all of the
18 questions.

19 COUNCIL MEMBER HOLDEN: Okay, there is
20 some privilege? All right. Thank you.

21 CHAIRPERSON GUTIERREZ: I just have some
22 followup questions. I know that we want to wrap it
23 up. I just have some followup questions.

24 Regarding the challenges that you face,
25 you mentioned that there's, I think there's some

2 issues with permits, for example, with DOT, Con Ed,
3 who was the other one, Verizon for example, so I
4 bring that up because I do know that the CEO of
5 CityBridge was essentially quoted as saying that
6 there was huge bureaucracy working with the city and
7 that it was a huge challenge, and it was basically
8 the city's own incompetence for some of these
9 challenges. Can you speak to that a little bit more?
10 Is there more of the process that you can share with
11 us that would drive the CEO of CityBridge, Nick
12 Colvin, to make the statement about the city in this
13 way?

14 CHIEF OPERATING OFFICER MCGRATH: Okay,
15 and I understand the question. I'll answer it this
16 way. I got involved in this back in the springtime,
17 and I took over management oversight of the Franchise
18 Administration back in September. My history, my
19 experience, is mostly as large program manager,
20 program director, so I like to bring a certain level
21 of governance to these things as we move forward and
22 the first couple of things we did with both the
23 Franchise Administration Unit and CityBridge was talk
24 about that process in great detail. I wanted to go
25 through everything and understand every hop along the

2 way because the idea is to identify if there is a
3 delay in that process. To me, it's just math at this
4 point. If it's supposed to take, I'm making this
5 number up, 60 days to do something and it's taking
6 70, where's the choke point in the process? To call
7 them issues and to call it city bureaucracy, I don't
8 like to talk about it like that. It's a project, it's
9 a process, let's find the choke points in the
10 process, and let's address them. If it's a matter of
11 lack of resources or lack of prioritizations in
12 certain buckets of areas or maybe too many reviews we
13 find out in the process why we could find that out.
14 To me, it is what it is. Let's address it, and that's
15 the (INAUDIBLE) that we've taken and we work closely
16 with DOT to do that, we've worked closely with Con Ed
17 to do that, we look at this very constructively and
18 try to address the problems as they exist if they
19 exist. I'd just like to answer it that way.

20 CHAIRPERSON GUTIERREZ: Okay. Thank you. I
21 just also want to go back to the camera in the kiosks
22 question, about turning it over to law enforcement if
23 and when that happens and just holding it on tape for
24 7 days. I'm generally just concerned about that and
25 so can you just confirm the use of the cameras and

2 the footage being turned over to PD, is that
3 exclusively for vandalism of kiosks or are there any
4 scenarios where footage would be turned over to law
5 enforcement?

6 CHIEF OPERATING OFFICER MCGRATH: Right.
7 The vandalism piece is the actual use case for it. If
8 there's a valid subpoena as we noted before, we'll
9 hand video over accordingly, but there is also a
10 transparency report that is produced by CityBridge on
11 a regular basis that gives yourselves and the public,
12 myself, access to exactly what's going on in that
13 space.

14 CHAIRPERSON GUTIERREZ: Meaning what? If I
15 decide to look up a kiosk that's on a corner of a
16 street, what information is available to me?

17 CHIEF OPERATING OFFICER MCGRATH: The
18 transparency report would make available things like
19 data requests and responsive disclosures, and it's
20 all available on their website so any request that
21 would've come in for and related to that video would
22 be registered on their website for folks to see.

23 CHAIRPERSON GUTIERREZ: Okay. Are you able
24 to share, as far as the camera footage, how is it

2 being recorded? Essentially, like where are the
3 cameras located and kind of what is being recorded?

4 CHIEF OPERATING OFFICER MCGRATH: I'm
5 going to have Brett answer that question for me.
6 Thank you.

7 CHAIRPERSON GUTIERREZ: Thank you.

8 SENIOR DIRECTOR SIKOFF: There are 2
9 cameras located one on each side of the ad panel
10 screen and then one upfront, I believe, where the
11 digital display is for sign language interpretation.
12 That was what the intent there is. There's 3 cameras
13 in total, 1 on each side and 1 in the middle.

14 CHAIRPERSON GUTIERREZ: Do you have a
15 sense of like how far the reach is of the camera,
16 like how far into the street is footage being
17 recorded?

18 SENIOR DIRECTOR SIKOFF: Yeah. I don't
19 have that exact information, but CityBridge folks
20 would be best suited to answer I think.

21 CHAIRPERSON GUTIERREZ: Okay. As far as
22 turning over footage to law enforcement, are there
23 other examples of agencies where footage is being
24 turned over to them or can be subpoenaed?

2 SENIOR DIRECTOR SIKOFF: Not to my
3 knowledge, no.

4 CHAIRPERSON GUTIERREZ: Okay. Now that
5 you're here, I wanted to know if you can answer my
6 question about the Bluetooth beacons. Can you confirm
7 if those exist in the kiosks and what the reason for
8 them is?

9 SENIOR DIRECTOR SIKOFF: I think it's
10 intended to provide location information, almost like
11 a GPS kind of, to identify the location of the
12 device.

13 CHIEF OPERATING OFFICER MCGRATH: Yeah,
14 the franchise agreement, by the way just one-way
15 transmission of the beacon, right, so the Bluetooth
16 signal is one way. Basically, a user's mobile
17 application can make use of that information if
18 they're asked to opt in to use a location service on
19 that particular app. You're probably familiar with
20 it. Folks nowadays, you open an app and it says hey,
21 can we use your location services. You say yes, it
22 might choose to use that Bluetooth connection, again
23 a one-way connection, to verify location and provide
24 more accurate data or information.

2 CHAIRPERSON GUTIERREZ: So they are
3 activated in every kiosk?

4 CHIEF OPERATING OFFICER MCGRATH: Yes.
5 That's correct.

6 CHAIRPERSON GUTIERREZ: Can you just
7 elaborate on the location of the connected device?
8 That's the device that the user is bringing to the
9 kiosk to utilize or can you just confirm that?

10 CHIEF OPERATING OFFICER MCGRATH: Sure,
11 yes, that's correct. Everything from a cell phone to
12 a tablet to a laptop. If you were to connect to the
13 device and your application asks for you to opt in to
14 allow them to use location services, it may opt to
15 use that beacon signal as part of that process.

16 CHAIRPERSON GUTIERREZ: Okay, and that's
17 the only way that the beacon signal is utilized?

18 CHIEF OPERATING OFFICER MCGRATH: Correct.
19 It's termed as a one-way signal. It's not a two-way
20 transmission where it's trading information so to
21 speak back and forth, and it doesn't collect or store
22 any data. It's just literally for the user's location
23 services, and I know CityBridge can certainly speak a
24 little more in detail on this more so than I could,
25 but that's the summary of it.

2 CHAIRPERSON GUTIERREZ: Okay. I'll follow
3 up with them, but do you have a sense of why they
4 need the location of devices?

5 CHIEF OPERATING OFFICER MCGRATH: Again,
6 it's not so much about the location, it's more about
7 the application or the user opting into it, right so,
8 again, let's say you connect your cell phone and
9 you're trying to get directions somewhere and it may
10 say hey, can we use your location on your device and
11 your device may then turn around and say yes to that
12 beacon and allow it to get its location services.

13 CHAIRPERSON GUTIERREZ: Okay. I will be
14 following up with CityBridge on these questions. My
15 last question is just the locations of the cameras
16 you mentioned, the 2 on the side and then 1 in the
17 front. The new kiosks, will they have the cameras in
18 the same exact location?

19 CHIEF OPERATING OFFICER MCGRATH: The
20 intent is yes, yes.

21 CHAIRPERSON GUTIERREZ: The intent is?
22 Okay. I think I'm going to pass it off to our
23 Moderator. I have a lot more questions, but I'll pass
24 it off to you, Irene, for now.

2 IRENE BYHOVSKY, MODERATOR: Thank you,
3 Chair Gutierrez, and thank you, everyone. Thank you
4 for your testimony. At this time, I do not see any
5 questions from other Council Members. I want to say
6 that we have concluded administration testimony, and
7 now we will turn to the public testimony. We will be
8 calling panelists, and, once your name is called to
9 testify, our staff will unmute you and the Sergeant-
10 at-Arms will set the timer and you may begin.

11 Council Members will have opportunities
12 to ask questions after each testimony. Now I would
13 like to welcome Nick Colvin from CityBridge and
14 Victoria Lamberth from ZenFi to testify.

15 SERGENT-AT-ARMS: Starting time.

16 NICK COLVIN: Thank you, Council Members.
17 My name is Nick Colvin, and I am CEO of CityBridge,
18 the consortium of companies that manage and maintain
19 LinkNYC. I appreciate the opportunity to update you
20 on the program and its expansion to the new Link5G
21 kiosks.

22 We launched LinkNYC in 2015 with a firm
23 belief that digital connectivity is a fundamental
24 human right absolutely necessary to fully participate
25 and access opportunity in today's modern society.

2 Since then, we've held true to this mission,
3 providing free wi-fi to everyone in the 5 boroughs.
4 I'm proud to say we've facilitated over 3 billion wi-
5 fi sessions for more than 10 million subscribers.
6 LinkNYC wi-fi has truly become an essential resource
7 for New Yorkers. It is also an engine of economic
8 development, responsible for 447 million in labor
9 income and 846 million in economic activity in this
10 city since the program began.

11 Furthermore, this critical program
12 functions as a digital safety net for our
13 communities. Throughout the COVID-19 pandemic, 30
14 percent of our free wi-fi users reported having no
15 other means of accessing broadband. FindHelp, a
16 social services directed for jobs, housing, food, and
17 other programs, was accessed more than 10,000 times
18 per month, most frequently for food assistance, and
19 our public messaging screens displayed vital and
20 timely information regarding the city's response to
21 COVID and how to stay safe. At the same time, LinkNYC
22 has become an essential platform for civic
23 engagement, education, and content including
24 countless PSAs, public art exhibitions, local
25 information, and free advertising for more than 1,300

2 local small businesses. The shift to working and
3 schooling from home that was forced upon many New
4 Yorkers during the pandemic will persist into the
5 future. This change can be an enhancement to the
6 quality of life, bringing distant opportunities
7 within reach and giving individuals the flexibility
8 to balance personal, professional, and academic life
9 on their terms, but it is only available to those
10 with sufficient access. The fast equitable deployment
11 of 5G is essential to ensuring all New Yorkers have
12 access to the networks of the future. The city's
13 Office of Technology and Innovation has planned a
14 major expansion that will bring more service to more
15 neighborhoods, prioritizing the outer boroughs,
16 Manhattan above 96th Street, and communities that
17 lack internet access.

18 The new Link5G design provides necessary
19 infrastructure to support 5G and will enable faster
20 home internet. The buildout of fiberoptic cable
21 required to support this expansion will provide vital
22 infrastructure to these areas, and every Link5G will
23 be connected directly to new fiber backbone that
24 includes additional fiber that can be used by any
25 broadband service provider to deliver better in-home

2 internet. There is a profound need for better service
3 in residential neighborhoods and especially for
4 people who don't have the luxury to always be
5 connected. A recent third-party survey found
6 overwhelming support for Link5G in these areas, and
7 we are working with our partners at OTI and the
8 Public Design Commission to bring this program to
9 these communities.

10 Link5G can help close the digital divide
11 and make New York City's 5G deployment the most
12 equitable of any large city in America. We look
13 forward to continuing our partnership with the city
14 and to expand Link's reach and bring 5G to all 5
15 boroughs.

16 Thank you for the opportunity to be here
17 today, and I'm happy to take any questions.

18 IRENE BYHOVSKY, MODERATOR: Thank you, Mr.
19 Colvin, for your testimony. Miss Lamberth.

20 VICTORIA LAMBERTH: Hi. Members of the
21 City Council, my name is Victoria Lamberth, and I'm
22 cofounder and executive at ZenFi Networks, the
23 wireless infrastructure partner to CityBridge.

24 I am testifying today in support of
25 LinkNYC. My partners and I started ZenFi in Chinatown

2 in 2013, and we've since grown to be one of the
3 largest providers of wireless infrastructure in the
4 region. We build fiber networks, wireless sites, and
5 data centers to support service providers, wireless
6 carriers, and institutions. Our business model hinges
7 on the sharing of physical assets by multiple
8 carriers, which ultimately leads to better service
9 and increases competition to users. As a startup, we
10 won the contract to be the underlying fiber provider
11 to the LinkNYC. We won that contract because we
12 invented a customized conduit and fiber assembly
13 that's now being replicated nationally. This helps to
14 conserve congested underground conduit routes, a
15 necessity in New York. This innovative spirit lives
16 on today and was a driving force behind Link5G, which
17 we also expect will be replicated nationally. New
18 York should lead the country in tech innovation, and
19 this program is key to that leadership. While the
20 LinkNYC program and the original kiosks were
21 visionary and innovative in 2014, the city of New
22 York, and we agree, it's time for a second more
23 innovative phase. That phase is Link5G. Link5G will
24 enable the deployment of thousands of new kiosks, all
25 with the services New Yorkers know and love plus the

2 benefit of 5G. These structures will help bring New
3 York into the next generation of wireless technology
4 and in line with other major cities. This means
5 better cell service, faster data speeds, and the
6 potential for new and exciting internet capabilities.
7 We worked with the major wireless carriers to design
8 a structure that could accommodate their current and
9 future technology needs. As a result, our design has
10 been lab-tested by the carrier equipment
11 manufacturers and 2 of the big 4 are planning to take
12 part in initial deployments.

13 In addition to deploying new kiosks, our
14 200-million-dollar investment will enable deployment
15 of a million feet of new high-speed broadband fiber,
16 primarily focused outside Manhattan and in equity
17 districts identified by the city. This neutral fiber
18 infrastructure can be tapped by multiple providers in
19 line with the city's internet master plan. Over time,
20 this can enable additional providers to deliver more
21 competitive broadband services to homes and
22 institutions like libraries and NYCHA campuses. We're
23 very proud to be laying this next generation of fiber
24 and supporting the installation of Link kiosks, which

2 we believe will help address our city's digital
3 equity goals.

4 The success of this project and building
5 out 5G in New York is critical to us. We are the only
6 locally owned and operated wireless infrastructure
7 provider in New York City. Our team lives and works
8 in the tri-state area, and we take pride in this
9 project and our role in promoting digital equity. We
10 believe that community partnership is critical to our
11 success and our work has a direct and meaningful
12 impact on our neighbors, friends, and families.

13 I believe that Link5G is a success story
14 for our city. It's a story of innovation and
15 progress. It's a story I'm incredibly proud to be a
16 part of, and I hope you are too.

17 Thank you for your time today.

18 IRENE BYHOVSKY, MODERATOR: Thank you very
19 much, Miss Lamberth and Mr. Colvin, for your
20 testimonies, and now I'm turning it over to Chair
21 Gutierrez for questions.

22 CHAIRPERSON GUTIERREZ: Thank you. I just
23 want to clarify so that I can refer to you the
24 duration of the hearing. Are you all comfortable with
25 me referring to you by your first name?

2 NICK COLVIN: Yes, that's fine.

3 VICTORIA LAMBERTH: Sure, no problem.

4 CHAIRPERSON GUTIERREZ: Okay. Fantastic.

5 This question is for Nick at CityBridge. You
6 mentioned at the top of your testimony that
7 CityBridge is a consortium of several companies. Can
8 you share what those companies are?

9 NICK COLVIN: Sure. The consortium is
10 Intersection who is my employer, the advertising
11 partner, there's ZenFi who is represented by Victoria
12 here and they are our services partner, and then
13 Comark who is a financial investor, they're not an
14 operating member.

15 CHAIRPERSON GUTIERREZ: Okay. Of these, I
16 believe 4 partners you mentioned, do they have access
17 to the data collected by LinkNYC?

18 NICK COLVIN: No. To the extent that
19 there's data collected and their ability is none,
20 they do not have access.

21 CHAIRPERSON GUTIERREZ: Okay, and then
22 what about the, I'm going to ask this later again,
23 but just the piece about the Bluetooth beacons and
24 when the location is asked for, do they have access
25 to that information?

2 NICK COLVIN: No, and neither would
3 CityBridge. The way the beacons work, there's no data
4 transferred to the beacons or to CityBridge if
5 something were to use them, and I think it's
6 important to understand that, while we had planned to
7 use them for our own mobile apps, we don't have any
8 released. There was one I think that was a demo, but
9 they're not actually actively in use, and, if they
10 were, there would be no data transferred to us. It's
11 only used by the user's device to know where it is.
12 It doesn't send any data to CityBridge.

13 CHAIRPERSON GUTIERREZ: I'm sorry. Just to
14 confirm. You said the beacons are not in use or they
15 are in use?

16 NICK COLVIN: They're active, but they are
17 not actively being used by any applications.

18 CHAIRPERSON GUTIERREZ: Okay. Thank you.
19 What was your annual revenue from ads in 2018, 2019,
20 and 2020?

21 NICK COLVIN: Not sure if I have this
22 exactly off of the top of my head, but I will say in
23 2019 it was I believe it was approximately 60 to 70
24 million dollars, in that range. 2020 was
25 significantly lower than that, and the prior year was

2 lower but not substantially lower so 2020 being the
3 pandemic year, our revenues dropped more than 50
4 percent. That's data the city has, and we can share
5 that with you.

6 CHAIRPERSON GUTIERREZ: I believe I asked
7 this before, just want to confirm. Do you have an
8 alternative stream of revenue?

9 NICK COLVIN: With the renegotiation or
10 the restructuring of the agreement, there is the
11 opportunity in the future to lease space on the
12 Link5G kiosks to carriers, and this is through our
13 partner, ZenFi, and that would be an additional
14 revenue stream. That's not one that's been activated
15 yet as there are no kiosks deployed but will be in
16 the future.

17 CHAIRPERSON GUTIERREZ: Okay. Just back to
18 previous question about the revenue. I know you
19 shared (INAUDIBLE) and I know that we can access it,
20 but you said in 2019 it was around 60, 70 million and
21 then in 2020 it dropped significantly. However, in
22 2018, those are that the numbers that you don't have,
23 but that was also the year that CityBridge stopped
24 paying the city. Can you speak to, even if you don't
25 have the exact numbers, what that decision was?

2 NICK COLVIN: Just to be clear, I was not
3 running the program at that time, but, based on my
4 understanding and review of the financials back then,
5 essentially there was not sufficient revenue coming
6 in to pay for the operation of the system, which is
7 substantial, and also the deployments that were going
8 on at that time as well as paying the minimum annual
9 guarantee to the city so there was an agreement
10 entered into with the city to forebear on the
11 payments and hold those in abeyance while the
12 contract was renegotiated.

13 CHAIRPERSON GUTIERREZ: Okay. I'm going to
14 just ask some of the questions that I asked to Mr.
15 McGrath earlier. I just want to confirm. This one is
16 related to the current Link kiosks. They have 3
17 cameras as he confirmed. Are the new 5G kiosks, will
18 they also have the same amount of cameras, and is
19 there any reason that you can speak to why the
20 cameras are on the kiosks?

21 NICK COLVIN: Sure. The Link5G kiosks will
22 have either 1 or potentially 3 cameras, and that is
23 dependent on whether there are ad displays. The ad
24 display design is currently the same as the existing
25 kiosk. There is a camera above the ad display, again

2 for monitoring for vandalism, and there is a camera
3 in the tablet above the interface that is used only
4 for video relay services which provides
5 telecommunications to the deaf and hard of hearing.

6 CHAIRPERSON GUTIERREZ: Okay. Who will
7 have access to this footage?

8 NICK COLVIN: To the extent the cameras
9 are on, and generally speaking they are not turned on
10 unless there's a reason to investigate vandalism,
11 only CityBridge would have access and only the most
12 Senior Engineers. There's not general access. It's
13 automatically stored in an encrypted file share, and,
14 as Mr. McGrath mentioned, if there's a valid subpoena
15 that we receive for footage, if there happens to be
16 footage available which there typically is not as you
17 can see in our transparency reports, that would be
18 shared with whatever law enforcement agency issued
19 that subpoena, but, if you look at our transparency
20 reports, you can see that this very rarely happens,
21 and, in fact, last year there were 0 instances of
22 sharing video footage. In the prior year, there were
23 only 3.

2 CHAIRPERSON GUTIERREZ: Can you share what
3 are some examples of law enforcement agencies that
4 can subpoena for footage?

5 NICK COLVIN: Obviously the NYPD, District
6 Attorney's offices. I'm not personally familiar with
7 every possible law enforcement agency that might have
8 the ability to obtain a subpoena from the court.

9 CHAIRPERSON GUTIERREZ: Can ICE provide a
10 subpoena for footage information?

11 NICK COLVIN: I'm sorry. I don't know the
12 answer to that question. That's more of a legal
13 question.

14 CHAIRPERSON GUTIERREZ: Okay. I'd love to
15 follow up.

16 NICK COLVIN: Just to be clear, law
17 enforcement can't just choose to ask us. They have to
18 get a valid legal order via subpoena so that's what's
19 required. We obviously don't have any say over who
20 that is.

21 CHAIRPERSON GUTIERREZ: No, no. I
22 understand. I think it would just be helpful to
23 understand examples of, I know you said that they are
24 very limited, but it would be helpful to understand

2 examples of when these subpoenas have been made and
3 when CityBridge...

4 NICK COLVIN: You can see, we report on
5 the agencies that have asked or maybe only those that
6 have received data. That's also in our transparency
7 reports on our website.

8 CHAIRPERSON GUTIERREZ: Thank you. My
9 following question is about the footage that you do
10 hold onto for 7 days. You said it's encrypted. Where
11 is it stored for those 7 days?

12 NICK COLVIN: It's stored in a private
13 file location on a private network that is encrypted,
14 and it's in an area that is not accessible to people
15 generally. It's a lockbox essentially, and only our
16 most Senior Engineer has the key to get into that
17 lockbox or has the ability to access that key.

18 CHAIRPERSON GUTIERREZ: Thank you. How
19 many sensors does a LinkNYC kiosk have?

20 NICK COLVIN: Off the top of my head, I
21 can't say, but I can say with certainty that there's
22 a small number of sensors primarily related to
23 temporary and ambient light, and these are used to
24 monitor the health of the structure so if we detect
25 an overtemp condition say on a computer we might turn

2 that computer off automatically, and the ambient
3 light sensor is used to adjust the brightness of the
4 display so that if it is nighttime and (INAUDIBLE)
5 dim so as not to disturb people around them and also
6 to conserve energy.

7 CHAIRPERSON GUTIERREZ: Okay. You can't
8 confirm how many sensors are on each of these kiosks?

9 NICK COLVIN: I can get back to you with
10 more precise data on there, but, like I said, as far
11 I know entirely temporary and ambient light sensor.
12 There may be a moisture sensor or something as well
13 to check for water penetration, but, again, these are
14 only in place to protect the structures and monitor
15 them for adverse conditions that need to be addressed
16 by repair or something like that.

17 CHAIRPERSON GUTIERREZ: Each kiosk would
18 have the same amount of sensors?

19 NICK COLVIN: That's correct.

20 CHAIRPERSON GUTIERREZ: Okay. Will the new
21 kiosks have sensors?

22 NICK COLVIN: They will have similarly
23 have thermal sensors as well as I believe, again, I
24 would have to check with engineering on all of the
25 sensors internal to the structure to monitor its

2 health and well-being, but that, again, is what the
3 sensors are being used for, is to monitor the health
4 and well-being of the structure as well as the
5 ambient light for the automated dimming of the
6 displays.

7 CHAIRPERSON GUTIERREZ: Okay. In these
8 instances where the sensors are being triggered, is
9 this data that's collected beyond the need to
10 maintain that kiosk?

11 NICK COLVIN: No.

12 CHAIRPERSON GUTIERREZ: Okay. Have you
13 ever considered providing users with a LinkNYC mobile
14 application?

15 NICK COLVIN: We have considered that.

16 CHAIRPERSON GUTIERREZ: What is the idea
17 that would be the use of this?

18 NICK COLVIN: The idea would be, I mean
19 there's 2 main use cases. One is to find a Link so
20 where can I get access, and the other is to provide
21 an easier way to gain encrypted access to the
22 network. You may not be familiar, there are 2 wi-fi
23 networks. There is what's called the public network,
24 which is an open wi-fi network like you might find in
25 a hotel or something, and it's an unencrypted wi-fi

2 connection, and then there is what's called the
3 private network, which is an encrypted connection and
4 getting access to that private network, while we try
5 to make it as easy as possible while still being
6 secure, it's not the easiest onboarding process for
7 your typical, maybe not very technically savvy user
8 so the most useful thing the application could do is
9 to make it easier to get a credential to join that
10 private network.

11 CHAIRPERSON GUTIERREZ: Right now, any
12 kiosk user has access to the public and the private
13 network?

14 NICK COLVIN: That's correct. Yeah.

15 CHAIRPERSON GUTIERREZ: What are the
16 incentives to utilize one over the other?

17 NICK COLVIN: I think it really is, it's
18 up to a personal user's preference. Some people would
19 rather access the public network, but really it's
20 about ease of joining the network. On the public
21 network, it is just very easy. We all have
22 experienced going on to a hotel wi-fi. You don't need
23 a password to join the network because it's not
24 encrypted. You just need to agree to terms and
25 conditions, and then you're allowed to use it. On the

2 private network, we need to somehow communicate to
3 you a password to encrypt your connection uniquely,
4 and that's where you get into some technical
5 challenges based on a user's capability so you can
6 join that private network, you can download a key
7 from our website if you want to access it, and we
8 encourage people to, but most people choose to use
9 the public wi-fi.

10 CHAIRPERSON GUTIERREZ: There are less
11 challenges to utilizing the public network. What is
12 the information that is asked for the private
13 network?

14 NICK COLVIN: It's the same, email
15 address.

16 CHAIRPERSON GUTIERREZ: You need an email
17 address to utilize both public and private?

18 NICK COLVIN: We ask for an email address
19 when you sign up, yes, and we don't validate that
20 address, but we do ask for it so if there are updates
21 to our terms and conditions or our privacy policy we
22 can notify you, and we occasionally email the server
23 to ask about service quality.

24 CHAIRPERSON GUTIERREZ: Okay. The scenario
25 could be, and I think is a very realistic scenario,

2 of the instance where someone wants to utilize the
3 kiosk to access internet but doesn't have an email.
4 How would someone be able to utilize either both the
5 public or the private, whether public is easier and
6 faster, how can someone access it if they don't have
7 an email?

8 NICK COLVIN: I guess one option would be
9 to put a fake email in. The other option would be to
10 contact our support desk who could facilitate getting
11 you a key, which has an anonymous email address, all
12 of them do, and we could try to walk you through
13 installing that key to access the private network.

14 CHAIRPERSON GUTIERREZ: If someone were to
15 create a fake email, though, doesn't something to
16 need to be accessed, aren't you all emailing them
17 something that they need to access to be able to use
18 the kiosks?

19 NICK COLVIN: We do, but we don't use that
20 a gateway to allow you access. You get access
21 provided you have entered something that looks like a
22 valid email address. We don't attach your email to
23 your device in any way, shape, or form. It's used
24 only to confirm that someone with this email address
25 has agreed to the terms of service and we can contact

2 them in case there are any updates to that. You are
3 intended to enter a real email address. Let me be
4 clear about that, but we don't tie it to a user or
5 their device in any way.

6 CHAIRPERSON GUTIERREZ: Okay. Again, their
7 email is just to make sure that they have the privacy
8 policy?

9 NICK COLVIN: Correct.

10 CHAIRPERSON GUTIERREZ: Okay. How often do
11 you update your privacy policy?

12 NICK COLVIN: Privacy policy has to be
13 approved by the city, and it was last updated I
14 believe in 2017.

15 CHAIRPERSON GUTIERREZ: The last time it
16 was updated was 2017?

17 NICK COLVIN: I believe so.

18 CHAIRPERSON GUTIERREZ: I understood from
19 DoITT that the policy will stay the same. Is that
20 correct?

21 NICK COLVIN: They have to approve it so,
22 if that's what they're saying, I'll go with what
23 they're saying.

24 CHAIRPERSON GUTIERREZ: Okay. I'm just
25 going to read you a piece from the privacy policy.

2 "By registering with us or otherwise affirmatively
3 indicating your consent, you consent to the practices
4 described in this privacy policy. If for any reason
5 you do not consent to these practices, please do not
6 use the services." This policy does not provide
7 people without choices. Would you consider changing
8 the policy to provide users with opt-in, opt-out
9 options?

10 NICK COLVIN: I'm not sure I understand
11 the question.

12 CHAIRPERSON GUTIERREZ: My question is
13 similar to my question about having email or not
14 having email. I'm concerned about people have access
15 to it so if people are opt out of the privacy policy
16 then they cannot utilize the kiosks is what I'm
17 interpreting from the privacy policy. There are
18 instances where if someone does not agree or consent
19 they can still continue to use the website or
20 continue to have access. My question to you is if you
21 there is a consideration to that portion of the
22 policy that would allow users to opt-in or opt-out of
23 consenting to the privacy policy while allowing them
24 to utilize the kiosks?

2 NICK COLVIN: I'm not sure I'm in a
3 position to answer that question as the city would
4 have to approve that change to the privacy policy,
5 and the privacy policy is intended to protect the
6 residents of New York so I can't really answer that I
7 don't think.

8 CHAIRPERSON GUTIERREZ: Okay. According to
9 the privacy policy, CityBridge may combine technical
10 information or non-personally identifiable
11 information about use of the services with similar
12 information about other users in an anonymized
13 manner. What is the goal of such a process?

14 NICK COLVIN: Not having written the
15 privacy policy, I don't know if I can speak to intent
16 per se, but I can say that we don't engage in that
17 practice at this time. Generally speaking in terms of
18 combining personally identifiable information with
19 non-personally identifiable information, we may look
20 at usage patterns, like the number of users on a
21 kiosk to understand if the network's healthy or
22 things like that so in that way data is combined, but
23 it's not any personal information.

2 CHAIRPERSON GUTIERREZ: Okay. Do you
3 believe it's possible to identify people by combining
4 technical information with other information?

5 NICK COLVIN: Are you asking me in the
6 abstract or about our network particularly?

7 CHAIRPERSON GUTIERREZ: About the network
8 particularly.

9 NICK COLVIN: No, I don't believe so based
10 on how we're operating the network.

11 CHAIRPERSON GUTIERREZ: Do you collect the
12 information? If someone is accessing a kiosk and they
13 have to enter their valid email or made up email, are
14 you collecting that information?

15 NICK COLVIN: On the wi-fi or on the kiosk
16 tablet itself?

17 CHAIRPERSON GUTIERREZ: On the wi-fi?

18 NICK COLVIN: We store the email, again
19 only for the purposes of communicating with the end
20 user, meaning like policy updates if there were any
21 as well as, again, we email occasionally customer
22 service essentially like how's it working for you
23 type email surveys.

24 CHAIRPERSON GUTIERREZ: Okay. According to
25 your privacy policy, CityBridge does not collect

2 information about the precise location. However,
3 CityBridge knows where it provides wi-fi services so
4 when a user uses the services, CityBridge can
5 determine your general location. The question is what
6 is the difference between precise location and
7 general location and how long do you store this data
8 for?

9 NICK COLVIN: First, to be clear, because
10 we don't combine the user data with the technical
11 information we actually can't say that a person is
12 there, but any device that connects to a network has
13 to communicate with that network so if you're within
14 a range of the wi-fi then for the duration of your
15 connection in theory there is a connection there and
16 there is an ability to know where a given hardware
17 address generally is because it has to be within
18 range of the wi-fi access point so you cannot, just
19 like you couldn't make a phone call from your home
20 without being there, you can't use a kiosk without
21 being connected to it so it's within range of the wi-
22 fi. In terms of precise location, I don't know if
23 there's a definition of precise location, but we
24 would only that you're within some hundreds of feet

2 of a kiosk, not you but your device, is within some
3 hundreds of feet of a kiosk.

4 CHAIRPERSON GUTIERREZ: Do you store this
5 information in those instances?

6 NICK COLVIN: No.

7 CHAIRPERSON GUTIERREZ: No. Okay.

8 According to your privacy policy, again, "we may
9 offer additional paid products and services." Can you
10 explain what paid products and services you those
11 are, what you're planning to provide?

12 NICK COLVIN: We don't currently have
13 plans to provide other paid products or services
14 other than obviously the access to the kiosks for the
15 carriers.

16 CHAIRPERSON GUTIERREZ: Okay, but it's in
17 the privacy policy. Is it in there for some future
18 use?

19 NICK COLVIN: I mean you could imagine use
20 cases. Again, I wasn't here for that. I didn't
21 negotiate that privacy policy, but you could imagine
22 uses such as maybe paying parking tickets or buying
23 theater tickets on the tablet or something like that,
24 but none of that has ever been done and we're not
25 currently planning to do that. Certainly, there's a

2 tablet there, and, in theory, you could offer other
3 services on it, but, again, there's no current plans
4 to do that.

5 CHAIRPERSON GUTIERREZ: I understand. I
6 don't know if you can speak to this, but, when the
7 privacy policy was drafted, do you know if there was
8 a consultation with the New York City Privacy
9 Officer?

10 NICK COLVIN: I do not know that off the
11 top of my head. I could probably look into it and I'm
12 sure our friends at OTI could as well. I know we
13 consulted with NYCLU and I believe there's another
14 privacy foundation whose name is escaping me, but,
15 yes, we have consulted with other privacy experts,
16 and I know the city did as well.

17 CHAIRPERSON GUTIERREZ: Okay. This is
18 another quote from the privacy policy. "Sometimes we
19 supplement, I can't pronounce that word.. Irene, can
20 you help me? I have no idea how to pronounce this
21 word.

22 IRENE BYHOVSKY, MODERATOR: Yeah.
23 Absolutely, Chair. "Sometimes we supplement
24 anonymized technical information we collect from you
25 with information collected by third parties. Third

2 parties might include advertising partners or other
3 providers that help us understand our users. We will
4 not share any information that is not anonymized with
5 any third parties for their own use." I just read the
6 quote from the privacy policy and now back to you.

7 CHAIRPERSON GUTIERREZ: Thank you so much,
8 Irene. Can you define the terms "sometimes" and
9 "supplement" from this portion of the privacy policy?

10 NICK COLVIN: I'm not going to try to give
11 us a dictionary definition of words here. I'm just
12 going to tell you that we don't do that. There is no
13 supplementing of data, there is no combining of data,
14 and there is no sharing of data.

15 CHAIRPERSON GUTIERREZ: That's fine. You
16 don't have to give me a dictionary definition. I
17 think it's in the policy so there's an intention
18 behind each of these words so we just want to clarify
19 what is, if and when, the use of sometimes versus all
20 the time and then the implication of the word
21 supplement in the privacy policy.

22 NICK COLVIN: Again, I'm sorry. I did not
23 draft the policy so I can't speak to the intent
24 there. I can just speak to what we do today.

2 CHAIRPERSON GUTIERREZ: You said you do
3 not share information collected by third parties?

4 NICK COLVIN: No. Let me be really clear,
5 I guess, beyond what's necessary to provide services.
6 For example, if someone emails us to ask a question
7 that goes to a ticketing system that's a third-party
8 software provider, but they're only allowed to use
9 that for the purposes of providing us with the
10 service, but there's no data about network usage
11 shared with anyone for their own reasons or for any
12 advertising purposes.

13 CHAIRPERSON GUTIERREZ: Okay. My next
14 question is about advertising. Can you share if they
15 are targeted, and, if they are, who do you target and
16 how do you identify those users?

17 NICK COLVIN: Advertisements are not
18 targeted to any individuals.

19 CHAIRPERSON GUTIERREZ: How are they
20 displayed? What is the process for where you have
21 them displayed? What is that process?

22 NICK COLVIN: In out-of-home when you're
23 selling advertisements, out-of-home being anywhere
24 like on street billboards, payphones, the client
25 generally chooses a location based on where that

2 screenage is in the world so if it's on Madison
3 Avenue the customer knows that there are lots of
4 high-end retail locations on Madison Avenue and
5 that's where they want to be, they want to be near
6 these high-end retail locations so that's the basis
7 for how these advertisements are sold, is the
8 location of the screen itself.

9 CHAIRPERSON GUTIERREZ: Okay, and that's
10 something that CityBridge does or is that something
11 that the advertising partner provides?

12 NICK COLVIN: Intersection is our
13 advertising partner, and they sell LinkNYC alongside
14 all of its other out-of-home portfolio so screens and
15 (INAUDIBLE) boards and things like that across the
16 country, and their clients choose what screens they
17 want their ads to play on and that's where they play.

18 CHAIRPERSON GUTIERREZ: According to your
19 privacy policy, the services may use cookies and
20 similar technologies to support the functionality of
21 its services. What are the similar technologies that
22 you are referring to?

23 NICK COLVIN: I'm sorry. Again, I'm not
24 sure what the intent was there, but we actually don't
25 even use cookies, and this would only apply to our

2 website, not to the wi-fi network so this would only
3 be relevant to our LinkNYC webpage, and, again, we
4 don't even use cookies there today.

5 CHAIRPERSON GUTIERREZ: Okay. My next
6 question is how many tourists are using LinkNYC, and
7 how many of them do you think are from the EU?

8 NICK COLVIN: I don't know that off the
9 top of my head. Based on prior user surveys that we
10 have done, historically, pre-pandemic, typically
11 about half of the users at any given time were
12 tourists. During the pandemic, we saw that usage fall
13 away as there were basically no tourists here, and
14 it's starting to return now. I think we asked only if
15 you were from the states or not in the survey so I'm
16 not sure if I can tell you even later how many were
17 from the EU, but I can say about 50 percent at any
18 given time were tourists.

19 CHAIRPERSON GUTIERREZ: You don't know
20 based on your survey so let me skip this question.

21 How many websites are owned and operated
22 by CityBridge?

23 NICK COLVIN: Only link.nyc.

24 CHAIRPERSON GUTIERREZ: Okay. I'm going to
25 just ask some questions pertaining to cybersecurity.

2 Who is currently responsible for cybersecurity for
3 the LinkNYC networks?

4 NICK COLVIN: In my organization, my head
5 of engineering would be responsible, but that is
6 generally, on the wi-fi network, our service partners
7 are accountable or responsible I should say for the
8 implementation of cybersecurity and all the security
9 measures on the network itself. We partner with
10 vendors such as ZenFi to provide the wi-fi services
11 so, while the accountability goes to my head of
12 engineering, the parties responsible for it are our
13 partners.

14 CHAIRPERSON GUTIERREZ: Okay. If LinkNYC
15 is compromised, would the intruder readily have
16 access to sensitive information?

17 NICK COLVIN: No.

18 CHAIRPERSON GUTIERREZ: Who, in your
19 opinion, would be liable..

20 NICK COLVIN: So...

21 CHAIRPERSON GUTIERREZ: Sorry.

22 NICK COLVIN: Sorry. Just to be clear
23 about that. The wi-fi network is completely separate
24 from any of the internal collection systems meaning,
25 and really we're talking about email addresses here,

2 so there's no ability to go from the wi-fi, which is
3 what an attacker would have access to to other
4 systems that are used to manage the kiosks or other
5 information.

6 CHAIRPERSON GUTIERREZ: If there is some
7 kind of a data breach, who, in your opinion, would be
8 liable?

9 NICK COLVIN: I'd have to ask which data.

10 CHAIRPERSON GUTIERREZ: I guess any
11 personal information. Again, this is only in a
12 scenario where it is compromised so any user's
13 personal information, email, or just like websites
14 that they may have visited while utilizing the wi-fi
15 network for example. Who, in your opinion, do you
16 think should be held liable or held responsible in
17 these instances?

18 NICK COLVIN: Speaking of in terms of our
19 collection of email addresses, we would be because we
20 are the ones that hold that. When users sign on, that
21 goes directly to our system and not anyone else, and
22 that goes into an encrypted database and the emails
23 are themselves encrypted within that database. We
24 protect them very carefully. I'm confident that
25 there's a very low probability anyone would want to

2 access, but, if they did, that would be our
3 responsibility.

4 In terms of other data breaches, I think
5 it would depend on the system and whoever the vender
6 is that manages that would be liable for that data
7 breach, but, to be clear, there is no monitoring of
8 web traffic or access by our users so there would be
9 no sort of leak of their usage information.

10 CHAIRPERSON GUTIERREZ: Is there a
11 scenario where you think the city would be liable for
12 any kind of data breach or technical glitch?

13 NICK COLVIN: Not that I am aware of
14 though I am not a lawyer so I kind of reserve the
15 right to say I might be wrong there, but not that I'm
16 aware of.

17 CHAIRPERSON GUTIERREZ: Okay. Great. What
18 is the average upload and download speed of LinkNYC
19 kiosks currently?

20 NICK COLVIN: The maximum possible is 1
21 gigabit per second. That's obviously shared. That's
22 up and down, bidirectional. There's a dedicated fiber
23 run to each kiosk. The theoretical maximum any user
24 could get is a gig up and down. Generally speaking,
25 user's device cannot actually support that speed so

2 typically, even the fastest iPhones can maybe get 500
3 or 600 megabits per second in terms of what they're
4 capable of utilizing, and I have seen that in the
5 streets. I do speed tests regularly. More typically,
6 you're going to see a few hundred megabits per second
7 because you're sharing the connection with several
8 other people at the same time.

9 CHAIRPERSON GUTIERREZ: Will the new 5G
10 kiosks have the same speed or will that change?

11 NICK COLVIN: Current plans are for them
12 to be the same speed. I can't say that it won't go up
13 in the future, but the current plan is the same
14 speed. Like I said, most consumer devices today can't
15 even utilize the gigabit that we're offering today so
16 we're still ahead of the curve in terms of what
17 devices people own, and, right now, the plan is for
18 the same quality of service to be provided at the
19 Link5G.

20 CHAIRPERSON GUTIERREZ: I do want to say I
21 believe, and this is something we can talk about
22 collectively, I do want to say that I think the
23 number of 311 complaints, I know that I asked Mr.
24 McGrath these questions, but I don't know how often
25 you're in tune with some of these 311 complaints, but

2 I do know that one of the chief complaints was speed
3 so would love to hear if there are instances, and
4 what these instances are, when you or your team are
5 reviewing these 311 complaints because I think, if I
6 remember correctly, this was one of the top
7 complaints was the speed of the kiosks.

8 The internet browsing capabilities on
9 kiosks were removed a couple of years ago due to
10 several concerns. Will the new kiosks have browsing
11 capabilities, and, if yes, will there be restrictions
12 on the content?

13 NICK COLVIN: The new kiosks will have
14 exactly the same functionality as the current kiosks
15 when it comes to LinkNYC services so the same human
16 interface with the same services offered.

17 CHAIRPERSON GUTIERREZ: So you won't be
18 able to browse unless they're utilizing a separate
19 device?

20 NICK COLVIN: I'm sorry. Utilizing a
21 separate device?

22 CHAIRPERSON GUTIERREZ: They'd have to log
23 into the wi-fi. They can't browse on the actual
24 kiosk?

25 NICK COLVIN: That's correct, yeah.

2 CHAIRPERSON GUTIERREZ: Is that specific
3 to the contract with the city, or is the reason for
4 that because that is a specific request by the city?

5 NICK COLVIN: I'm not sure the answer off
6 the top of my head. It's certainly not required by
7 our contract to provide internet access, like general
8 web browsing on the tablet, so we provide all of the
9 services required in the contract and more in the
10 case of video relay services and FindHelp and some of
11 those things that we provide access to so I know it's
12 not required that we provide it. Whether there is an
13 agreement to not provide, I'm not sure.

14 CHAIRPERSON GUTIERREZ: Okay. Thank you.
15 Can you share about the 5G kiosks, can you share a
16 little information about who will be installing them
17 and if you've already hired a vendor?

18 NICK COLVIN: You mean the civil
19 contractors that might be doing the installation?

20 CHAIRPERSON GUTIERREZ: Yes.

21 NICK COLVIN: I know who those are
22 obviously. I'm not sure if I am permitted to say who
23 they are exactly, but they are New York City based
24 contractors who do a lot of work in the streets for
25 us and have since the beginning of the program and

2 for many, many other entities in New York City. I'm
3 certainly happy to follow up offline. I'm just not
4 certain of all the provisions in their contracts...

5 CHAIRPERSON GUTIERREZ: (INAUDIBLE)

6 NICK COLVIN: Yes.

7 CHAIRPERSON GUTIERREZ: Okay. Would you be
8 able to share if this vendor or these vendors utilize
9 unions and laborers to fulfill their staff?

10 NICK COLVIN: I believe all of them do,
11 but I know several definitely provide union labor,
12 and, in fact, I believe we have a union
13 representative who's maybe here to testify today if
14 they haven't run out of time.

15 CHAIRPERSON GUTIERREZ: Okay, fantastic.
16 Where are the kiosks made?

17 NICK COLVIN: I'd say they come from all
18 over the place.

19 CHAIRPERSON GUTIERREZ: Are they made in
20 the U.S.?

21 NICK COLVIN: Yes. Well, to be clear, like
22 everything, like some of the computer components are
23 going to come from overseas because that's where
24 they're made so there will be components that come

2 from all over, but they're certainly all put together
3 here.

4 CHAIRPERSON GUTIERREZ: Okay. I have a
5 couple more questions. Specific to these 5G kiosks
6 and equipment, does CityBridge inspect them for any
7 reason, or, once the contract with the vendor is
8 finalized, do they just have free reign to go ahead
9 and install? Is there any instance where CityBridge
10 is inspecting them, reviewing them before
11 installation?

12 NICK COLVIN: There is acceptance criteria
13 and acceptance testing that's done of kiosks when
14 they're received. It's not perhaps every single kiosk
15 because, when we're fully ramped up in deployment,
16 there's a large volume so it wouldn't be every single
17 one that's inspected but we do inspect them to ensure
18 as they come in they're in good working order and
19 then they're inspected once they are installed to
20 ensure that the installation has been done correctly
21 and to the appropriate standards and that the device
22 has been installed correctly and is functioning
23 completely before it's considered installed and sort
24 of ready to go. After installation, every site is

2 visited at least once per week for a visual cleaning
3 and inspection and maintenance activities.

4 CHAIRPERSON GUTIERREZ: Thank you. My last
5 question for you is what revenue do you expect to
6 receive from advertisements and the leasing of the 5G
7 space of the new kiosks?

8 NICK COLVIN: I hesitate to share
9 projections far into the future. We do expect there
10 to be modest growth every year so sort of forgetting
11 about 2020 and 2021 due to the pandemic we would
12 expect single digit growth to revenue, maybe low
13 double digit on the advertising side through the
14 course of the program, and then on the 5G and the
15 cellular side, that's not expected to be a large
16 revenue stream relative to the advertising, but, as
17 Mr. McGrath said, it is a consistent and long-term
18 revenue stream that can be used to fund the
19 deployment and justify that investment because,
20 unlike advertising, those contracts typically run for
21 10, 15 years.

22 CHAIRPERSON GUTIERREZ: Thank you. My next
23 question is for Victoria over at ZenFi. I'm hoping
24 that you can answer this. It's specific to the
25 agreement. Can you share a little bit more detail

2 about the agreement between CityBridge and ZenFi for
3 how long is the agreement good for and if there's any
4 printed information that we can learn from
5 (INAUDIBLE) about it?

6 VICTORIA LAMBERTH: Thank you. Sure, I'm
7 happy to answer any specific questions, but generally
8 speaking the relationship between CityBridge and
9 ZenFi, as I mentioned, we are responsible for the
10 deployment of the fiber associated with the kiosks as
11 they roll out and responsible for the management and
12 leasing of any space as it relates to 5G equipment
13 with CityBridge. Our contract runs in parallel with
14 the franchise agreement, and our requirements are to
15 maintain all of the provisions that are within the
16 franchise with CityBridge and to be in lockstep with
17 them.

18 CHAIRPERSON GUTIERREZ: Thank you. Based
19 on what Mr. McGrath shared also that the incentive is
20 to be able to provide this 5G network and that is, I
21 think, core to the work that you are all doing, but I
22 think what Nick just shared as far as the speed of
23 the current kiosks versus 5G, it sounds like the
24 speed will be the same. Is that correct? Did I
25 understand Nick correct?

2 NICK COLVIN: The speed of the wi-fi,
3 correct, at least initially is going to be the same.

4 CHAIRPERSON GUTIERREZ: Initially. Can I
5 understand what will be the benefit then of the 5G
6 kiosks if the speed will be the same?

7 VICTORIA LAMBERTH: Just to be clear. Is
8 that question for me? Would you like...

9 CHAIRPERSON GUTIERREZ: Yeah, that
10 question is for you. I just needed to make sure I
11 heard what I heard from Nick.

12 VICTORIA LAMBERTH: First of all, just
13 kind of to reiterate our general role and our general
14 business is we build underlying physical
15 infrastructure in support of others providing value-
16 added services so one of the key components of
17 LinkNYC and Link5G as we move forward is this
18 underlying fiber infrastructure that's pervasive
19 throughout the streets of New York and to the kiosks
20 themselves. Every kiosk receives dedicated new
21 neutral fiber infrastructure to it. That fiber
22 infrastructure is effectively limitless in terms of
23 the capacity it can handle. It's only limited by the
24 equipment that's on the end, and, today, we use up-
25 to-date wi-fi technology. As that technology evolves,

2 we'll continue to update that technology, and, as
3 Nick said, the speeds that users typically experience
4 are typically limited by the devices themselves, not
5 the access point that's transmitting that device so I
6 just kind of wanted to hammer home that point.

7 In terms of the benefit of Link5G
8 specifically, New York City has a challenge right now
9 deploying 5G infrastructure, and these new Link5G
10 kiosks are meant to be a piece of the puzzle to help
11 solve that infrastructure challenge, and, just from a
12 high level, 5G requires a lot more equipment deployed
13 closer to the user because it leverages high
14 frequencies that cover a short distance to deliver a
15 ton of capacity, and so in order to get that capacity
16 in a place like New York City, we need physical
17 locations to place this equipment. Today, those
18 locations have been limited to existing street poles,
19 which have their own challenges because, obviously,
20 that infrastructure is aging and wasn't initially
21 intended to be a solution for this 21st Century
22 technology that we have out here whereas the Link5Gs
23 were built specifically to handle this technology and
24 to handle future technology upgrades.

2 CHAIRPERSON GUTIERREZ: Adding 5G will not
3 necessarily improve services for New Yorkers in terms
4 of free internet, but it will provide another stream
5 of revenue for CityBridge?

6 VICTORIA LAMBERTH: I would say that the
7 free internet that comes from the wi-fi network
8 obviously is a benefit to anyone with a device and,
9 as you noted, with an email address, and the 5G
10 network, the improvements that we're going to see as
11 a city come from the ability for us to expand overall
12 mobile network opportunities for everyone across the
13 city, and the benefit of a structure like Link5G is
14 unlike some of the pole-top deployments that can only
15 handle one carrier or maybe two carriers at most. The
16 Link5G structure was intended to hold all carriers,
17 and so that should translate into more choice for New
18 Yorkers and better service as it relates to the
19 cellular network, but it's an improvement of the
20 cellular network across the city.

21 CHAIRPERSON GUTIERREZ: This is maybe for
22 both of you. I'm just concerned that the priority of
23 accessibility for the user, the priority of access
24 for the user is non-existent. It seems to me that the
25 priority seems to be more about investing in the

2 infrastructure that doesn't really provide a massive
3 upgrade and access for folks. I think at the top of
4 the call we did talk about the site locations and
5 where they are. I think that is like a gesture in the
6 right direction, but I'm concerned about the average
7 New Yorker using this device and whether that
8 experience will feel different, whether it will feel
9 better and faster, where I think a lot of the benefit
10 is happening on the backend and a lot of the benefit
11 is happening, for example, for CityBridge to be able
12 to comply with the amendment, so I'm concerned about
13 how that experience will change and how it will
14 translate to the average New Yorker trying to access
15 wi-fi or trying to utilize one of these kiosks.

16 VICTORIA LAMBERTH: I can make one comment
17 on that and then hand back to Nick. Just as it
18 relates to this next phase of the program and how we
19 look at siting, one of the benefits is when you're
20 looking to site wireless wi-fi radios across the
21 city, they work pretty similar to how we would site a
22 5G radio so to speak so we're looking to optimize
23 where we're putting these for the user experience
24 themselves and so that means that these structures
25 are going to be deployed in a manner where the free

2 wi-fi user experience is as seamless as possible and
3 in a manner that provides the most coverage to a
4 given area because that same distribution of the wi-
5 fi network is similar to how we would build a mobile
6 network so just to I guess ease some of those
7 concerns, those 2 items are aligned from a business
8 perspective along with deployment of the free wi-fi.
9 Nick, I'll hand it back to you for your comment.

10 NICK COLVIN: Sure. I think that's a
11 really great point, Victoria, regarding the
12 optimizing siting for cellular coverage also is
13 optimizing for wi-fi coverage and wireless service in
14 that regard. It's true that you hear us talking about
15 how these things are funded because the city isn't
16 paying for this and someone has to so there has to be
17 a revenue stream. That revenue stream needs to exist
18 and be enough to sustain the program to provide the
19 free services so I don't want to downplay that or
20 skirt that issue. It is important that there be a way
21 to fund the program. There's hundreds of millions of
22 dollars that ZenFi is putting in. CityBridge
23 investors have already deployed hundreds of millions
24 of dollars in the existing network, and something
25 needs to sustain that. With that said, in these areas

2 that we've committed to going to, one of the real
3 problems and why there isn't access is there is a
4 lack of underlying infrastructure, and it costs a lot
5 of money to deploy that underlying infrastructure.
6 There's a lack of fiber, and there's a real capacity
7 constraint on the wireless carriers' networks in
8 these areas. We see that in the internet master plan.
9 We've done our own surveys, and people really
10 complain of having poor quality of service in their
11 homes and so it's important that we don't downplay
12 the benefit of bringing this additional
13 infrastructure to these communities. While, of
14 course, there are some people who can't afford a
15 mobile data plan perhaps, they're going to benefit
16 from the free wi-fi, but the vast majority of people
17 are already paying for a service and they're getting
18 a poorer quality of service than they might if they
19 actually had a decent infrastructure deployed around
20 them.

21 CHAIRPERSON GUTIERREZ: Thank you. I
22 understand what you both are saying I think in the
23 long run of how we think about people's access to
24 internet, and I think that this is for all the
25 panelists, the concern continues to be kind of like

2 where the kiosks currently are. A lot of these folks
3 already have access to internet service providers,
4 and so I think, in conclusion, what I would like to
5 see would just be a much more detailed conversation
6 about the strategy around where these new kiosks will
7 go, the remaining kiosks, the 5G towers will go
8 because I think if the goal really is to bridge that
9 divide we really have to do that in earnest and not
10 necessarily where it's easiest but where it's the
11 most needed, and so I would love to continue this
12 conversation with the rollout of the remaining kiosks
13 in the outer boroughs, and I look forward to that
14 conversation. I'm going to pass it off to our
15 Moderator now to take the rest of the panelists'
16 comments.

17 IRENE BYHOVSKY, MODERATOR: Thank you,
18 Chair Gutierrez. Now we're going to hear our next
19 panelists, and our next panelists will be Miss Davis
20 and Laurie Hanin from Center for Hearing and
21 Communication.

22 I just want to mention that we might need
23 interpreters for the testimonies.

24 Miss Davis, are you ready to begin?
25

2 MARSELETTE DAVIS: Yes, hello. My name is
3 Marsellette Davis. I'm here in Manhattan. Thank you
4 for inviting me to be here.

5 After listening this morning, I realize
6 that many people here are new, and it seems that the
7 Committee has not received or transitioned from the
8 last team's work on this technology. It seems that
9 many people have not received the proper information
10 necessary from the prior team from the deaf
11 community. Since January 1st, no one has reached out
12 to us to see what's worked and what has not. Talking
13 about the policies, the internet, the cameras that
14 are set up, and all of these things were discussed
15 before 2022. Right now, the kiosks that are already
16 installed, there isn't enough transmission with New
17 York City with the deaf or the disabled people or
18 those who are impoverished who are using the kiosks.
19 I do agree with some of what has been discussed about
20 how technology, speed is to be improved, but the
21 technology itself and the transition really upsets me
22 because our work with LinkNYC had been done for over
23 10 years, and it seems that we're discussing things
24 that have already been discussed, and I feel like
25 we're back at square one and I'm wondering why that

2 is. I'm hoping that people from this Committee will
3 contact us in the deaf community and deaf
4 organizations because those communities are out on
5 the street trying to utilize the kiosks. Regarding
6 the policy that's already been updated back in 2020
7 for the next 3 years so where is that policy. What
8 happened to it? New York City has already told us
9 they're willing to work together with different
10 organizations to find their way to keep things
11 running by itself meaning we're responsible to find
12 people to work on the kiosks to maintain them so that
13 they can serve our New York City community at large.
14 It will include some costs even though half of the
15 people are tourists that are using the kiosks. In
16 regard to the deaf community, we're not able to
17 converse through 311. That's why we have ASL Direct.
18 ASL Direct has helped LinkNYC to serve the broader
19 community, and, yes, technology always will be
20 complicated, but, again, all of us together can work
21 together to make sure that technology is effective
22 for everyone, not just one. Now to LinkNYC and New
23 York City Council, how can we all work together to
24 allow this to run by itself, meaning to provide jobs
25 for deaf and disabled people through building the

2 LinkNYC or the kiosks? Looking for solutions, we have
3 them right here. We can reuse some of the products or
4 build new kiosks or parts of the kiosks here from
5 reusing the old ones, but, in terms of the fiber, New
6 York City people should be able to work together with
7 people who have the skills that are already
8 necessary, that already live here in New York. I'm
9 asking you to ask them to help you. We want to see
10 where the money goes, where is the labor from, and
11 what organizations can we all work together? To me,
12 there's a big difference between pre-pandemic, during
13 pandemic, and after pandemic. Before the pandemic, we
14 seemed to really work together to prepare ourselves
15 for crises and for the next advanced technology, but
16 right now where is that success? For new technology
17 to be built and provided, I don't know what we're
18 doing. Again, since January 1st, you all convened and
19 none of us have heard from you. Here we are in May
20 2022, and I'm excited that this is the right time for
21 us to be getting together. I want to remind everyone
22 to reach out to your people. We're all out here.
23 We're interested in what you're doing as it impacts
24 our lives. We want to work together to develop the
25 technology and to be successful and to have the

2 kiosks run by themselves. We want to be a partnership
3 in that. I know that the kiosks are being utilized by
4 the tourists, but also it should be for the residents
5 and everyone who comes to New York. Advertising
6 should be tailored to the people who utilize the
7 kiosks. Please don't forget about all the hard work
8 we've put together.

9 CHAIRPERSON GUTIERREZ: Thank you. I'm
10 sorry. Irene, do I comment now or?

11 IRENE BYHOVSKY, MODERATOR: Absolutely. I
12 was just making sure that Miss Davis finished her
13 testimony.

14 MARSELETTE DAVIS: Yes, Chair Gutierrez.

15 CHAIRPERSON GUTIERREZ: Thank you so much
16 for testifying, but I get the sense that you've been
17 in the movement and trying to increase accessibility
18 and serving your community for a long time so I
19 appreciate you sticking around for the entirety of
20 this hearing but the hearings before.

21 MARSELETTE DAVIS: Yes. I have been
22 involved in this project since its inception, since
23 2010, and I do see a big change, and I don't want
24 that to stop until everyone understands how it works.
25 I'm hoping that this will become a run-by-itself

2 endeavor, that it can be successfully run without
3 asking for more money, and that the kiosks will work
4 to their potential.

5 CHAIRPERSON GUTIERREZ: I agree. I think
6 that's why we're all here, and I think that's why we
7 constantly want to make it better and so I do
8 apologize that it seems like some of these questions
9 were repetitive. It's really for me since I'm new to
10 the Council and the Committee, but I do want to say
11 that I very much look forward to connecting with you
12 after this hearing, with you and other members of the
13 community so that we can really work collaboratively
14 with Link, with DoITT so that we can just make this
15 what you envisioned it and so that it can better
16 serve every single community. Thank you again, and we
17 will figure out how to follow up with you right after
18 so we can set some time to make this better.

19 MARSELETTE DAVIS: Yes, the police, the
20 firemen, everyone. Yes. I'm sorry. I'm repeating
21 myself, and I did interrupt you. Link has full
22 potential to link all of New York City employees,
23 firemen, policemen, anyone, and it's ready to be
24 universal for all because New York City is the
25 capital of all tourism so please don't worry about

2 what's going on outside of New York. We're ready for
3 advancement and we're ready to pass along all that we
4 have done. I just wanted to thank you and wrap up my
5 testimony.

6 CHAIRPERSON GUTIERREZ: Thank you for your
7 testimony. We will 100 percent be reaching out so
8 that we can sit down and kind of learn a little bit
9 more about what the concerns are and how we can
10 improve it. That's my goal, and I think that's all of
11 our goal, every partner that's on here. Thank you so
12 much for your testimony.

13 IRENE BYHOVSKY, MODERATOR: Thank you,
14 Chair. Miss Davis, I want to sincerely thank you for
15 your testimony, and I want to let you know that we as
16 a Committee have your contact information and we will
17 be contacting you in the future to discuss all your
18 concerns in detail.

19 Now I would like to turn to our next
20 panelist, and our next panelist is Laurie Hanin.

21 SERGENT-AT-ARMS: Starting time.

22 LAURIE HANIN: I was going to say good
23 morning but good afternoon, Members of the New York
24 City Council. It's been very interesting. My name is
25 Dr. Laurie Hanin. I'm the Executive Director at the

2 Center for Hearing and Communication in Downtown
3 Manhattan, or CHC. I'm proud to testify today on
4 behalf of CHC about the LinkNYC program. CHC is a
5 private, not-for-profit rehabilitation center for
6 people of all ages who have hearing loss. We were
7 established in 1910 and provide a wide range of
8 services including hearing testing, hearing aid
9 dispensing, speech and language therapy, educational
10 support, and mental health counseling. We're licensed
11 as an Article 28 Diagnostic and Treatment Center and
12 an Article 31 Outpatient Mental Health Clinic by the
13 State. We provide services to all regardless of
14 inability to pay predominantly New Yorkers.

15 We know that the LinkNYC program greatly
16 benefits businesses, workers, residents, and
17 tourists, and now we know firsthand how much it can
18 benefit non-profit organizations like CHC and, in
19 turn, the many New Yorkers who could benefit from our
20 services. Evidence shows that over 10 million New
21 Yorkers and visitors have used the free wi-fi network
22 provided by LinkNYC which has become a lifeline for
23 access to the internet, free nationwide calling, 911
24 emergency services, and city services. Access to the
25 internet is extremely important to the population we

2 serve as, for instance, texting has become such an
3 inclusive method of communication for people with
4 hearing loss. In addition to internet access, the
5 kiosks provide a video relay system which allows deaf
6 and hard-of-hearing New Yorkers and visitors the
7 ability to communicate with anyone, a great option
8 for those who may not have reliable internet access
9 at home.

10 Recently, CHC was given the opportunity
11 to have free-of-charge advertising on the LinkNYC
12 kiosks as part of the Link Local Program. This
13 opportunity is priceless to us because, while we
14 provide the highest quality of hearing healthcare to
15 our clients, we know that there are many more who
16 need our help that we have not reached. We have
17 essentially no budget for advertising, and being able
18 to relay our message to the millions of New Yorkers
19 who may pass by the screens is something we never
20 could've done on our own. Almost 1 million New York
21 adults have a hearing loss, and most do not seek
22 treatment for it. The attention given to hearing loss
23 and our campaign shown on the LinkNYC screens can go
24 a long way to bringing attention to this chronic
25 issue and help us reach more people in need of our

2 care. We're excited to see the program grown and
3 continue to expand the services provided for our city
4 and to help the communities that need it the most,
5 including the deaf and hard-of-hearing community.
6 Expanding the program to include 5G should help to
7 improve connectivity for all New Yorkers and
8 particularly those with hearing loss.

9 We're very glad that the city has been
10 able to join with CityBridge to continue to expand
11 this program, and we thank everybody involved for the
12 opportunity..

13 SERGEANT-AT-ARMS: Time expired.

14 LAURIE HANIN: We look forward to seeing
15 the programs continue and succeed.

16 IRENE BYHOVSKY, MODERATOR: Thank you very
17 much for your testimony.

18 LAURIE HANIN: Thank you.

19 IRENE BYHOVSKY, MODERATOR: I would like
20 to turn to Council Members who have questions, and I
21 do not see anyone who has questions right now so I
22 will move to our next panelist.

23 I want to mention that we ask to limit
24 your testimony to 3 minutes.

2 Our next panelists will be Michael
3 Santorelli and Albert Fox Cahn.

4 Mr. Santorelli.

5 SERGENT-AT-ARMS: Starting time.

6 MICHAEL SANTORELLI: I'm the Director of
7 the Advanced Communications Law and Policy Institute
8 at New York Law School. The ACLP has been actively
9 involved in broadband issues in New York City for the
10 past 17 years, and, during that time, we've had the
11 chance to work with numerous stakeholders in the
12 public, private, non-profit sectors on connectivity
13 challenges facing the city. The common thread across
14 all of that work is that the city for far too long
15 has underinvested in broadband adoption and digital
16 literacy issues, and the profound struggles of
17 LinkNYC, which have been chronicled extensively in
18 outlets like the city most recently, offer lessons
19 that can inform a more comprehensive broadband
20 strategy for the city going forward.

21 The first lesson is that broadband
22 adoption challenges cannot be solved simply by
23 increasing the supply of broadband. In a city where
24 broadband is already universally available, the focus
25 of policymakers and other stakeholders should be on

2 doing everything possible to bring more non-adopters
3 online by an available connection. Connecting the
4 unconnected is hard work because the reasons for non-
5 adoption are largely personal and vary widely from
6 community to community. Fortunately, the city is home
7 to a lot of great organizations that are helping to
8 connect the unconnected every day. If the city is
9 truly serious about closing the digital divide, then
10 it will provide those groups with more resources so
11 they can increase their reach and bring more people
12 online.

13 The second lesson is that New York City
14 does not have a broadband supply problem, broadband
15 abounds here, and for those who qualify there are
16 multiple options for free broadband service from
17 Charter, T-Mobile, and Verizon among others thanks to
18 federal subsidies available from the Affordable
19 Connectivity Program. In other words, the
20 affordability barrier has been substantially reduced,
21 if not eliminated, from any non-adopters in the city.
22 Is the city aware of these offerings? Does the city
23 have a strategy for maximizing participation in the
24 ACP? Is the city collecting data on ACP enrollment?
25 Is there a strategy for ensuring that those who are

2 availing themselves of these subsidies also have
3 access to digital literacy programming? These
4 questions deserve answers.

5 The third lesson is that 5G is a valuable
6 on-ramp to the internet, and the city appears to
7 agree given its renegotiated deal with CityBridge.
8 Over the last few years, there's been significant
9 organic growth in both fixed and mobile 5G across the
10 city thanks to providers like T-Mobile and Starry
11 have injected additional competition into the local
12 market, but the city needs to do more to unlock
13 additional investment and deployment of 5G. The new
14 CityBridge deal might be helpful in this regard
15 providing additional locations for antennas, but,
16 given LinkNYC's track record for...

17 SERGEANT-AT-ARMS: Time expired.

18 MICHAEL SANTORELLI: Deployment, it might
19 be...

20 IRENE BYHOVSKY, MODERATOR: You can
21 summarize your testimony, Mr. Santorelli.

22 MICHAEL SANTORELLI: Okay, sure. Regarding
23 5G, the city should focus more on streamlining the
24 approvals process for accessing city-owned assets to
25 really speed 5G deployment.

2 The final lesson learned is about just
3 providing more oversight of city-led broadband
4 actions. The city's recent track record on broadband
5 projects and policymaking has been generally subpar.
6 The Council and the Committee are to be commended for
7 convening this hearing, and more hearings I think
8 could be helpful in shining a brighter light on these
9 issues and making sure that what the city is doing is
10 both inclusive and equitable across the city. Thank
11 you very much.

12 IRENE BYHOVSKY, MODERATOR: Thank you very
13 much for your testimony. We are moving to our next
14 panelist, and our next panelist is Albert Fox Cahn.

15 SERGENT-AT-ARMS: Starting time.

16 ALBERT FOX CAHN: Good afternoon. Thank
17 you so much, Chair Gutierrez, Members of the City
18 Council and staff. My name is Albert Fox Cahn, and
19 I'm the Executive Director of the Surveillance
20 Technology Oversight Project, a New York based
21 privacy non-profit. I'm also a visiting fellow at
22 Yale Law School's Information Society Project and a
23 practitioner-in-residence at NYU Law School.

24 I'm here to tell you that LinkNYC is a
25 devil's bargain. It is a bad idea that has been

2 implemented badly and where New Yorkers have been
3 forced to pick up the tab, and we should not conflate
4 the transformative impact that broad-based 5G
5 deployment and better access to wi-fi connectivity
6 will have with the clumsy, clunky, and dysfunctional
7 rollout of LinkNYC, a partnership that has
8 consistently failed to provide New Yorkers with the
9 economic returns that was promised but was a system
10 that was built on a flawed premise, the idea that we
11 should exchange our data and our privacy for free
12 internet access. We wouldn't accept if we were told
13 that we had to give away our private data in order to
14 get free fire service or to get access to public
15 education or to get access to healthcare, and that's
16 exactly what's happening now because we can't access
17 these vital services without internet connectivity.
18 You can't go to Zoom school without a reliable
19 internet connection. You can't use telemedicine. Yet,
20 we've created the setup where instead of investing in
21 public infrastructure that purely serves New Yorkers,
22 we are creating these partnerships that are serving
23 the bottom lines of private sector partners with a
24 terrible track record of protecting New Yorkers'
25 privacy. Contrary to what you've heard, this is a

2 vast surveillance apparatus because every one of
3 these cameras, it's not simply something that can be
4 used to look for vandalism, any time the NYPD wants
5 this data for any purpose, they can simply subpoena
6 it. They don't even need a warrant. The same goes for
7 other types of data laid out in the LinkNYC
8 transparency report such as IP data, subscriber data,
9 MAC address data, various forms of identifying
10 information. Imagine how much data could be collected
11 from a LinkNYC kiosk adjacent to a protest or
12 adjacent to a house of worship or a reproductive
13 healthcare facility. These are dangerous technologies
14 to deploy without proper safeguards, and this is a
15 company that has shown it cannot be trusted to
16 safeguard New Yorkers' information. Instead, we
17 should be investing in a true public sector
18 alternative where we're deploying technology that
19 simply delivers fast, reliable internet access and
20 investing in the technology that New Yorkers need to
21 access that rather than deploying these truly
22 dystopian monoliths that now dot New York. I think
23 that despite everything we've heard, there are much
24 better ways to get New Yorkers the internet access
25 they need.

2 SERGEANT-AT-ARMS: Time expired.

3 IRENE BYHOVSKY, MODERATOR: Thank you very
4 much for your testimony. Chair Gutierrez, I believe
5 you have some questions to the panelists?

6 CHAIRPERSON GUTIERREZ: Yes. Thank you so
7 much, all of you, for your testimonies. This first
8 question is for Albert, is that okay if I refer to
9 you by your first name?

10 ALBERT FOX CAHN: Yes, please.

11 CHAIRPERSON GUTIERREZ: Great. I love what
12 you said. Obviously, I think you come from a place of
13 being super knowledgeable and having great concerns.
14 Considering that I spent a significant amount of time
15 of my questions on the privacy policy, what does your
16 ideal privacy policy look like for the LinkNYC
17 program?

18 ALBERT FOX CAHN: For me, it's not so much
19 about the privacy policy but the data that's being
20 collected. There's so much information that's being
21 collected and retained that we don't actually need to
22 deliver these services. We don't need lengthy amounts
23 of IP data in order to deliver that. You can erase it
24 as soon as the session is over. Same goes for MAC
25 address data. With Bluetooth beacons, the answers you

2 were getting were preposterous. Yes, Bluetooth
3 beacons by their design are one direction, but
4 there's a second part to that equation. The
5 application on your phone is then transmitting the
6 information from that Bluetooth beacon to any number
7 of third-party data brokers that then capture that
8 data and resell it. What we've seen in the Bluetooth
9 beacon space, they can be a very powerful and
10 lucrative way to make money for advertising, and here
11 we're being assured, well, these Bluetooth beacons
12 are not being used in that way yet, but there's
13 nothing to stop a third party from using that data as
14 part of targeted advertising. I think we all know
15 that the idea that users are actually opting into
16 this sort of tracking, it's a legal fiction. No one
17 actually reads the fine print. No one actually
18 understands every place that their data goes, and,
19 when we hear that, it's a smokescreen.

20 CHAIRPERSON GUTIERREZ: I appreciate that.
21 I agree. I actually brought that up before where I
22 said the part of the, I think, the smoke show in your
23 words about the privacy is really a way to kind of
24 distract users, and I think that we should be making
25 more of an effort to not just simplify it but just

2 make the whole process easier so that people feel
3 more inclined to utilize it but also feel safe so I
4 really like your point about what is being done with
5 the data and what the turnaround to eliminate that
6 could be. We should be doing more to promote security
7 of the data that they have as opposed to the
8 opposite.

9 ALBERT FOX CAHN: Another issue with the
10 privacy policy is the reference to anonymized data.
11 We often see this in privacy policies where data that
12 is supposedly anonymized is stripped of identifiers,
13 but it often can be de-anonymized. It can oftentimes
14 be reassociated with individual user data so we have
15 to understand what specific anonymization protocol
16 are they using, how are they ensuring this data
17 cannot be reidentified, and what are the steps they
18 use to safeguard that. Similarly with the targeted
19 ads, we were told that those display advertisements
20 on the streets aren't targeted at individuals but we
21 didn't hear a definitive answer on whether aggregate
22 user data is being used to help target those ads and
23 where people are buying those outdoor advertisements.
24 I think there's a lot of additional details that are
25 needed on those terms and assurances.

2 CHAIRPERSON GUTIERREZ: Thank you so much.
3 I hear you. My next question is for Laurie. Is Laurie
4 still available? Laurie, are you here?

5 LAURIE HANIN: Yes, I am.

6 CHAIRPERSON GUTIERREZ: Hi, Laurie. Thank
7 you so much for your testimony and for your service
8 and what you're doing. As someone that's new to this
9 conversation, I know that you've been doing this
10 advocacy for a long time, can you share a little bit
11 about what the primary concerns to access for your
12 community have been regarding LinkNYC?

13 LAURIE HANIN: We haven't had any
14 complaints. The only people we've spoken to have been
15 in favor of it because if they didn't have internet
16 access (INAUDIBLE) then they had it. I can't say that
17 we've sought it out and that's something that we
18 could do. We have a newsletter that reaches a few
19 thousand of our constituents, and, if there's
20 information that the City Council would like to get,
21 we'd be happy to survey our own clients and see what
22 their use is. We see people who communicate orally
23 who don't use the relay and many who also do. We
24 haven't really had many complaints about it. That
25 doesn't mean they're not out there. If you'd like to

2 work with us on that, we're happy to reach out and
3 see how we could collaborate and get information for
4 you.

5 CHAIRPERSON GUTIERREZ: Absolutely. I
6 would. Just very quickly, do folks have any concerns
7 around the 5G upgrades at all?

8 LAURIE HANIN: No. I'm an audiologist by
9 degree so not even close to really understanding all
10 of the technology. I understand a little about the
11 speed. I think the connectivity is probably a little
12 more of an issue. If I understood right from what I
13 heard today, and it's questionable, it sounds like
14 the ability to just connect will be better with 5G.
15 It doesn't mean it will be quicker, and I know just
16 even trying to use my cell phone, I think I'm on 3G,
17 I'm a little old-fashioned, sometimes it's just hard
18 to connect and then once you do it's fine. It seems
19 as if the 5G maybe will be better. I know for the
20 video relay, it does really need a strong connection,
21 more so than the text so my guess is that down the
22 road that would make that stronger.

23 CHAIRPERSON GUTIERREZ: Thank you.

24 LAURIE HANIN: But I'm not an expert. I
25 could test your hearing, but...

2 CHAIRPERSON GUTIERREZ: No, no. I think
3 it's good for us to also just follow up after...

4 LAURIE HANIN: Sure, happy to.

5 CHAIRPERSON GUTIERREZ: Okay. Thank you.
6 Irene, those are my questions so far.

7 IRENE BYHOVSKY, MODERATOR: Thank you so
8 much. I want to thank all panelists for great
9 testimonies, and we're moving to the next panel. Our
10 next panel will be Thomas Grech from Queens Chamber
11 of Commerce, Vladimir Sterlin from Brooklyn Chamber
12 of Commerce, and Angie Brown from Fulton Building
13 Improvement District. We will start with Mr. Grech.

14 SERGENT-AT-ARMS: Starting time.

15 THOMAS GRECH: Thank you very much. Can
16 you guys hear me?

17 IRENE BYHOVSKY, MODERATOR: Yes,
18 absolutely. We can hear you, and I just want to
19 remind that we ask everyone to limit testimony to 3
20 minutes.

21 THOMAS GRECH: Absolutely. Thank you,
22 Members of the City Council. This is a really
23 important issue and worth the wait for 3 hours.
24 Truly, truly is. I'm here to testify on the LinkNYC
25 program which does play a vital role in our city's

2 economy. Again, my name is Thomas Grech, and I'm the
3 President and CEO of the Queens Chamber of Commerce.
4 If a city, Queens would be the 4th largest city in
5 America. The Queens Chamber has seen firsthand what
6 access to the internet means for our small
7 businesses, our local citizens, and for visitors
8 alike. Whether it's a small business using Link's
9 free wi-fi to connect their mobile payment system or
10 a tourist looking for the best place to eat or a
11 schoolkid trying to access their online classes,
12 Link's free wi-fi has been a gamechanger for many of
13 our communities in Queens. My only ask is that we're
14 able to deploy more kiosks with more of the services
15 they provide, the free wi-fi, the screens that
16 advertise our local businesses, and the tablets which
17 connect people to much-needed city services, things
18 like food pantries. I was very glad to hear there's
19 now a plan to deploy more kiosks with enhanced
20 services including 5G technology, and I hope the city
21 will act quickly to realize this potential. We look
22 forward to seeing this program's continued success
23 and expansion.

24 Thank you sincerely for the opportunity
25 to testify. Tom Grech.

2 IRENE BYHOVSKY, MODERATOR: Thank you very
3 much, Mr. Grech. We're moving to our next panelist,
4 and our next panelist is Vladimir Sterlin.

5 SERGENT-AT-ARMS: Starting time.

6 VLADIMIR STERLIN: Hi. Good afternoon. Can
7 everyone hear me?

8 IRENE BYHOVSKY, MODERATOR: Yes, we can
9 hear you.

10 VLADIMIR STERLIN: Okay. Thank you very
11 much. Members of the City Council, Chair Gutierrez
12 good afternoon. Once again, my name is Vladimir
13 Sterlin, Senior Director of Policy and Government
14 Affairs at the Brooklyn Chamber of Commerce, and it's
15 a pleasure today to testify on the LinkNYC program.
16 The Brooklyn Chamber of Commerce serves on the
17 frontlines of our city's economic recovery from the
18 COVID-19 pandemic, and our businesses need all the
19 help they can get. We've seen firsthand how Link
20 kiosks have become a critical piece of our city's
21 technological and economic infrastructure. The Links
22 provide free high-speed wi-fi that is accessible to
23 businesses, residents, and visitors alike. This free
24 wi-fi is critical to the success of our commercial
25 corridors and every business within them. We are

2 aware that the Link Local and (INAUDIBLE) Comeback
3 Campaigns have provided free advertising to over
4 1,400 small businesses in Brooklyn and across the
5 city of New York. The kiosks have also been a key
6 resource for pandemic-related information and
7 connections to city services. We're very glad that
8 the Link program is poised to continue with expanded
9 development of new and improved Link5G smart poles
10 which will further enhance the services Link provides
11 as well as our city's global competitiveness. This
12 program's continued operation and expansion with a
13 new design will undoubtedly be critical to the city's
14 economic recovery from this pandemic. We hope the
15 City Council will be a partner in this effort.

16 Thank you kindly for the opportunity to
17 testify. Thank you.

18 IRENE BYHOVSKY, MODERATOR: Thank you very
19 much for your testimony. Our next panelist is Angie
20 Brown.

21 SERGENT-AT-ARMS: Starting time.

22 ANGIE BROWN: Can you hear me now?

23 SERGENT-AT-ARMS: Yes.

24 ANGIE BROWN: Okay, great. Good afternoon,
25 Members of the City Council, Chair Gutierrez. My name

2 is Angie Brown, and I am the Assistant Director of
3 the FAB Fulton BID, Building Improvement District, in
4 Fort Greene and Clinton Hill, Brooklyn. Our mission
5 is to help the many businesses in our corridor
6 succeed and to keep our streets clean and safe for
7 the community. We've been very proud of our
8 partnership with CityBridge and the LinkNYC program
9 over the past several years where the Links in our
10 area regularly highlight BID happenings like our
11 annual signature Art 360 events, we have free outdoor
12 jazz concerts and family fun movie nights as well as
13 featuring our local small businesses through the Link
14 Local and Small Business (INAUDIBLE) Campaigns. These
15 partnership services are in addition to the critical
16 free wi-fi and access to city services that they
17 provide which are so helpful to our businesses, our
18 residents, and visitors alike. We're very glad to
19 have these kiosks in our corridor, and we hope that
20 many other communities can benefit from them the way
21 that we have. We look forward to many more years of
22 partnership with CityBridge and are grateful for the
23 opportunity to testify today. Thank you.

24 IRENE BYHOVSKY, MODERATOR: Thank you very
25 much for your testimony, all panelists, and I just

2 want to check with Chair Gutierrez if Chair or any
3 other Council Members have any questions.

4 CHAIRPERSON GUTIERREZ: Thank you. I just
5 want to thank the panelists for their testimony. For
6 Angie who is a BID Director or even Vladimir or
7 Thomas from the Chambers' perspective, do you know of
8 businesses that have been able to advertise using
9 LinkNYC and/or are you familiar with any of the local
10 businesses along those corridors where the kiosks
11 exist if they've been able to utilize it just to help
12 with operations of their business?

13 ANGIE BROWN: I'll go first. Yes, I do. I
14 know of several restaurants who have used them to
15 advertise specials to get the traffic flowing back
16 into their establishments, especially since the
17 pandemic. There have been a lot of ads lately of,
18 which I've appreciated because they caught me by
19 surprise because I don't think anyone consulted our
20 office, but I've seen the food pantries and the times
21 listed and the dates for people to find local food
22 when they're in need so I thought that was a good
23 community use.

24 CHAIRPERSON GUTIERREZ: Thank you.

2 VLADIMIR STERLIN: Very quickly, actually
3 this morning on my way into work I saw an
4 advertisement on Flatbush. As the prior speaker just
5 said, it was a restaurant that was trying to get
6 locals and some foreigners to come in and visit their
7 establishment.

8 CHAIRPERSON GUTIERREZ: Great. Thank you
9 both.

10 IRENE BYHOVSKY, MODERATOR: Thank you,
11 Chair, for your questions. I do not see any
12 additional questions from Council Members at this
13 time so we are moving to our next panelists. Our
14 panelists will be Julian Kline from Tech:NYC, Clayton
15 Banks from Silicon Harlem, Glen Bolofsky from
16 parkingtickets.com, and John Gault (phonetic) from
17 Find Help.

18 SERGENT-AT-ARMS: Starting time.

19 IRENE BYHOVSKY, MODERATOR: Julian Kline.
20 I do not see if we have Julian Kline right now so we
21 will move to Glen Bolofsky. Mr. Bolofsky.

22 SERGENT-AT-ARMS: Starting time.

23 IRENE BYHOVSKY, MODERATOR: Mr. Bolofsky.
24 I see Mr. Bolofsky on Zoom, but he's still muted. Mr.
25 Bolofsky, can you hear us?

2 GLEN BOLOFSKY: Good afternoon.

3 IRENE BYHOVSKY, MODERATOR: Good
4 afternoon, Mr. Bolofsky.

5 GLEN BOLOFSKY: Can you hear me?

6 IRENE BYHOVSKY, MODERATOR: Yes, we can
7 hear you.

8 GLEN BOLOFSKY: I just want to thank you
9 so much for having this meeting today. It's great to
10 see you and everyone on the Council and central staff
11 so we really greatly appreciate you organizing this
12 meeting today.

13 I'd like to point just a couple of things
14 that may or may not (INAUDIBLE). One, with technology
15 being so active, as City Council using Zoom today
16 which is fantastic, (INAUDIBLE) in the entire city
17 and, as far as we know, the entire state that
18 (INAUDIBLE) allow any remote hearings.

19 SERGENT-AT-ARMS: Mr. Bolofsky, excuse me.

20 GLEN BOLOFSKY: Yes?

21 SERGENT-AT-ARMS: Do you think you could
22 try to unplug and replug your mic in? It's coming off
23 with a lot of frequency.

24 GLEN BOLOFSKY: (INAUDIBLE)

25 SERGENT-AT-ARMS: Still a lot of feedback.

2 GLEN BOLOFSKY: (INAUDIBLE)

3 SERGENT-AT-ARMS: Okay, yeah, we'll pick
4 on you once you get back in. We'll go to the next
5 panelist, Irene.

6 GLEN BOLOFSKY: Thank you.

7 SERGENT-AT-ARMS: Thank you.

8 GLEN BOLOFSKY: I'll be right back.

9 IRENE BYHOVSKY, MODERATOR: You're
10 welcome. We'll get back to you, and we're going to
11 move to our next panelist, and I see that we have
12 Anthony Falleo.

13 SERGENT-AT-ARMS: Starting time.

14 ANTHONY FALLEO: Hello, everyone. Good
15 afternoon, Madam Chairwoman. Thank you so much for
16 the opportunity.

17 Just listening to everybody's reports, I
18 guess everyone sees this LinkNYC through their own
19 set of eyes. My name is Anthony Falleo. I'm the
20 Business Representative with Local 3. I'm responsible
21 for the men and women that work out in the street for
22 a number of our contractors that maintain, install,
23 and repair the fiber network, and we've been involved
24 with the 5G the last few years. Of course, just
25 before COVID, it really started to get rolled out,

2 and then COVID put a dent into it. So how does Local
3 3 view this through our set of eyes? It's definitely
4 a great employment opportunity for our members. A lot
5 of our families and their members are feeling the
6 impact of the inflation and the economy. As we move
7 forward out of this COVID economy and hopefully this
8 does not become the new normal, New York City can
9 once again start to move forward. I've been in
10 contact with a lot of the contractors outside of New
11 York, and they've completed the 5G in Chicago,
12 Atlanta, and now down in San Antonio so there's a
13 number of cities throughout the country that are
14 prepared for the next phase of the 5G and the
15 technology. This is vital for New York to be
16 considered in the running as a premier city, not just
17 in New York or the country but in the world. Again,
18 Local 3 is definitely in support of the LinkNYC
19 program.

20 Thank you very much, Madam Chairwoman.

21 IRENE BYHOVSKY, MODERATOR: Thank you very
22 much for your testimony. Chair, do you have any
23 questions to the panelists?

24 CHAIRPERSON GUTIERREZ: I do. Anthony, I
25 just have a quick question. Thank you so much for

2 your testimony and for representing the workers of
3 Local 3. Can you share how many workers are part of
4 the Local and how many of them are directly tied to
5 the 5G infrastructure project?

6 ANTHONY FALLEO: Sure. Local 3 represents
7 a little over 28,000 electrical workers through all
8 aspects, whether it's transit or street lighting for
9 the city or private contracts throughout the 5
10 boroughs, but, in particular, there's about 10,000
11 members that are in A construction, and that would be
12 companies like O'Kane Electric, Dola Electric,
13 Highland Electric. Those are some of the contractors
14 that have been working with the 5G and, in
15 particular, the LinkNYC. I would say probably about
16 close to 300 of our members installing the nodes, the
17 antennas, the coax, the fiber in the street as well
18 as the kiosks throughout the city over the last few
19 years have been affiliated with this project.

20 CHAIRPERSON GUTIERREZ: Thank you. Are you
21 able to share how many of your members are women
22 working on this project?

23 ANTHONY FALLEO: That I don't have the
24 specifics for. I'm sure I could probably get back to

2 you after I reach out to the contractors to find out
3 how many women are involved in construction.

4 CHAIRPERSON GUTIERREZ: Thank you. I would
5 love to learn that. Thank you.

6 IRENE BYHOVSKY, MODERATOR: Thank you for
7 your questions, Chair. I see that Miss Lamberth has
8 her hand up. Miss Lamberth.

9 VALERIE LAMBERTH: Yes, can you hear me?

10 IRENE BYHOVSKY, MODERATOR: Yes

11 VICTORIA LAMBERTH: Chairwoman, I just
12 wanted to add because I didn't catch this before, but
13 just so you know of the million feet of fiber that
14 was already laid for this project and the million
15 more that's planned to be laid, all of that was done
16 by Local 3 labor.

17 CHAIRPERSON GUTIERREZ: Awesome. Thank
18 you.

19 IRENE BYHOVSKY, MODERATOR: Chair, do you
20 have any additional questions?

21 CHAIRPERSON GUTIERREZ: No, but I see Glen
22 is back.

23 IRENE BYHOVSKY, MODERATOR: Should we then
24 move to his testimony?

25

2 GLEN BOLOFSKY: I hope you can hear me
3 well now.

4 IRENE BYHOVSKY, MODERATOR: Yes, we can
5 hear you much better.

6 SERGENT-AT-ARMS: Sounds great now.

7 GLEN BOLOFSKY: Okay. Thank you so much
8 for the opportunity. It's great to see you, Madam
9 Chairwoman. Jennifer, great to see you, and thank all
10 the Council central staff and Council Members and
11 everyone else who's here as panelists as well for
12 contributing to improve our city, which communication
13 is so important. The Zoom communication is terrific
14 because people can get things done safely. Remote
15 hearings are vital, and, as I was starting to say, I
16 don't know if anyone could hear me, of all the
17 agencies throughout the city and state, there's only
18 one lone agency, the New York City Parking Violations
19 Bureau, that I'm aware of that refuses to allow
20 remote hearings so if you're a senior citizen and you
21 can't get around so well or if you're a disabled
22 individual or just the average guy or average girl
23 who just wants to have a hearing on the record and
24 present your oral arguments, you are forced, required
25 to come in and do it live, face-to-face. They're

2 requiring live masks, etc. We'd like them to
3 implement the technology that we're all using, and we
4 would appreciate any help there because it's just
5 unfair to the public, putting a tremendous burden on
6 the public, especially now that, unfortunately, the
7 COVID is rising a little bit higher to the new level
8 announced yesterday.

9 The second thing I'd like to just quickly
10 speak about, and I apologize for being a born-and-
11 bred New Yorker, speaking so quickly, parking signs.
12 On recent testimony by Councilwoman Mercedes Narcisse
13 out of Brooklyn, she testified on the Infrastructure
14 Committee for Transportation last week that she can't
15 read the signs at night. They're dark. I don't
16 understand in this day and age the parking signs have
17 to be metal. Why can't they be LED displays? Why
18 can't they be in every language? Why can't they be at
19 least in 2 languages? Why can't they be in your car,
20 on your dashboard, so you don't have to get out in
21 the cold and the rain and the freezing and, just like
22 EasyPass, just sync up when you're in that zone, tell
23 you what the rules are in multiple languages and
24 generate revenue. These are like mini-billboard
25 advertisements for AllState and Geico and every car

2 dealership in the New York Metro area and beyond.

3 That's my testimony today. Thank you so much.

4 IRENE BYHOVSKY, MODERATOR: Thank you very
5 much for your testimony. Chair Gutierrez, do you have
6 any questions?

7 CHAIRPERSON GUTIERREZ: Glen, thank you so
8 much. We'll surely capture all of that, and I think
9 kind of take a little bit of that testimony to share
10 with some of my Colleagues on other Committees, and
11 don't ever apologize for being a born-and-bred New
12 Yorker.

13 GLEN BOLOFSKY: Just being fast, fast,
14 fast.

15 CHAIRPERSON GUTIERREZ: Thank you.

16 GLEN BOLOFSKY: I'm proud. Thank you so
17 much.

18 CHAIRPERSON GUTIERREZ: Of course. Thanks,
19 Irene.

20 IRENE BYHOVSKY, MODERATOR: Sure. We're
21 moving on to our next panelists, and our next
22 panelists will be Adira Siman, Walter Puryear, Arturo
23 Chang, and Alex Roque.

24 SERGENT-AT-ARMS: Starting time.

25 ADIRA SIMAN: Hi. Can you hear me?

2 IRENE BYHOVSKY, MODERATOR: Yes, we can
3 hear you.

4 ADIRA SIMAN: Great. Thank you, Chair and
5 Members of the Committee for the opportunity to
6 testify on LinkNYC. The Partnership for New York City
7 represents private sector employers of more than 1
8 million New Yorkers. We work together with
9 government, labor, and the nonprofit sector to
10 maintain the city's position as the preeminent global
11 center of commerce, innovation, and economic
12 opportunity. The Partnership supports the city's
13 continuation of its contract with LinkNYC to help
14 achieve universal internet access and to accelerate
15 the rollout of 5G technology. The planned expansion
16 of the Link kiosks promises to be the fastest and
17 lowest cost option to achieve these goals. LinkNYC
18 offers the largest free municipal wi-fi network in
19 the United States and has provided internet and other
20 services to more than 10 million users since its
21 inception. We appreciate that the startup of this
22 innovative system had some glitches, but those have
23 been addressed and we feel confident that LinkNYC is
24 well-prepared to carry out the next phase of
25 development. The new Link5G kiosks are designed to

2 support the expanded internet needs of the post-
3 pandemic digital economy. New York City is behind
4 competitor cities in the development of 5G
5 infrastructure. 5G offers faster cellular service and
6 data speeds that are necessary to keep pace with the
7 demands of business, education, healthcare, and
8 online entertainment. The new kiosks have poles that
9 are high enough to provide good service and
10 accommodate multiple carriers, ensuring that New
11 Yorkers have the most options for service at the
12 lowest possible cost. We look forward to the
13 continued expansion of the LinkNYC program. Thank
14 you.

15 IRENE BYHOVSKY, MODERATOR: Thank you for
16 your testimony. Let's move on to our next panelist.
17 Our next panelist is Walter Puryear.

18 SERGENT-AT-ARMS: Starting time.

19 WALTER PURYEAR: Can you hear me? You
20 can't see me very well.

21 IRENE BYHOVSKY, MODERATOR: Yes, we can
22 hear you.

23 WALTER PURYEAR: My name is Walter
24 Puryear, and I'm the Senior Director of the Andrew
25 Freeman Home in the South Bronx. We're a community-

2 based organization in a historic building with the
3 mission of extending economic, cultural, and social
4 opportunities to local residents. We have an
5 (INAUDIBLE) a small incubator, a pre-K, and daycare
6 services. We also do digital workforce development
7 with our partner, Knowledge House, digital community
8 services for seniors in the community of District 4,
9 and community food service and digital literacy.
10 We're proud to be partnering with LinkNYC to launch
11 the second of the five planned Giga Centers at the
12 Andrew Freeman Home. This will follow the launch at
13 the Silicon Harlem space, and what this means is that
14 ZenFi will be connecting our building to free high-
15 speed broadband fiber, and we will be able to offer
16 free internet services to the community we serve. It
17 will also provide improved access for the local
18 community as far as local information regarding
19 cultural events, youth activities, and crime, improve
20 connectivity which can enhance job opportunities and
21 entrepreneurship for Community District 4 in the
22 Bronx, and greater connectivity and services to
23 families that utilize our daycare. Our daycare served
24 220 children up until the pandemic, and we hope to
25 return to those numbers. The partnership is the

2 result of productive conversations with ZenFi and
3 community groups as well as DreamYard and Bronx
4 Community Foundation. We're grateful for ZenFi's
5 incredible partnership, for the city support for the
6 LinkNYC program.

7 IRENE BYHOVSKY, MODERATOR: Thank you for
8 your testimony. Our next panelist is Arturo Chang.

9 SERGENT-AT-ARMS: Starting time.

10 ARTURO CHANG: Thank you. Good afternoon.
11 Can you hear me?

12 IRENE BYHOVSKY, MODERATOR: Yes, we can
13 hear you.

14 ARTURO CHANG: Thank you. Good afternoon,
15 Chair Gutierrez and Members of the New York Council.
16 My name is Arturo Chang, and I am Director and Senior
17 Counsel of State Government Affairs at the Wireless
18 Infrastructure Association, or WIA. We represent the
19 companies that design, manage, build, and operate
20 wireless infrastructure in the United States and
21 across the world. I'm here today to testify on the
22 LinkNYC program and its tremendous capacity and
23 capabilities to enhance the life of New Yorkers. I'm
24 going to keep my testimony short given everybody's
25 time. New York is facing many of the challenges that

2 I'm working with legislators across the country on
3 which is you need to have access to connectivity, you
4 need to have access to increased infrastructure, and
5 there's a lot of that going on. New York City has the
6 unique challenge, of course, being not only the
7 density of the city but the capacity and the
8 tremendous need for wireless connectivity. To that
9 end, one of the biggest questions, one of the first
10 questions the wireless industry receives is how
11 quickly can it be deployed and how many antennas can
12 you put in one particular area, in a box or 2. The
13 Link5G, the revised one, is revolutionary in my view.
14 I have not seen a single point of contact to install
15 all these antennas and equipment. I know there was an
16 earlier discussion about how to proliferate the
17 wireless infrastructure and what are the options. On
18 the one hand, many cities do not have this new
19 infrastructure that is available in New York City,
20 and so what you may have is the additional need to
21 install equipment on poles, on bus stations and so
22 forth whereas this new Link5G structure is unique in
23 its ability to provide wireless but also 5G services
24 to the city. As many of us know, COVID has normalized
25 many activities that we now take for granted from

2 telehealth, virtual learning, remote learning,
3 staying connected with friends and family, public
4 safety, and so forth, and there really is a high need
5 of capacity and connectivity. Let me just take a
6 quick minute to distinguish them both because a lot
7 of times we get questions about why do I need this
8 equipment if I have 5 bars on my phone all the time.
9 Having coverage on your phone means very little
10 unless you have capacity. There are 2 distinct
11 things. You may have 5 bars on your phone, but, if
12 the pipes are very clogged, then you have the
13 situation where photos can't get through, you can't
14 access the internet. A lot of the times you may have
15 your phone with full coverage and you have no ability
16 to do anything, and that's an issue with capacity.
17 This is where 5G comes into the picture. This is
18 where the Link5G structure comes into place. We're in
19 support of this technology that will really change
20 and enhance the life of New Yorkers.

21 Thank you for your time and happy to
22 answer any questions.

23 IRENE BYHOVSKY, MODERATOR: Thank you so
24 much. Our next panelist is Alex Roque.

25 SERGENT-AT-ARMS: Starting time.

2 ALEX ROQUE: Hi there. My name is Alex
3 Roque. I'm the President and Executive Director of
4 the Ali Forney Center. The Ali Forney Center was
5 founded in 2002 and provides services to lesbian,
6 gay, bisexual, and transgender young people who are
7 kicked out of their homes. Every year, we see almost
8 2,000 young people between the ages of 16 and 24 who
9 have been rejected by their families. We provide
10 emergency and transitional housing across New York
11 City as well as access to healthcare, medical
12 services, vocation or educational services throughout
13 our 18 sites. Our goal is to get our young people off
14 the streets and living independently. For our clients
15 and for many New Yorkers, their cell phone is a
16 critical component of their survival. Having access
17 to reliable, fast cellular services and free and
18 reliable wi-fi is of the utmost importance for the
19 safety and security of our clients. LinkNYC provides
20 an important utility for our clients by offering free
21 fast wi-fi throughout the city, free wi-fi that is
22 hard to come by, particularly for some of our clients
23 who do not feel comfortable or welcome in some public
24 indoor spaces. In addition to the wi-fi, Link
25 provides free national calling, 911, access to

critical city services. These offerings need to be made available throughout the city, which is why I'm supportive not only of the current program but an expansion to the program to more neighborhoods. In December 2021, I spoke in support of LinkNYC and Link5G. The technology Link5G enables will have an immediate positive impact on our clients and the communities within they live. In many of the areas where our clients live, cellular service is substandard at best. The new Link5G kiosk will help improve cellular networks across the city while simultaneously expanding neighborhoods who have access to existing services that Link provides. This program and the structures are not just nice to have; they are a necessity for our clients, and they need to be deployed equitably throughout the city, both where we work and where we live. This is essential, and access to public spaces like restrooms, water fountains, and subway stations, these kiosks are a lifeline. Like I said earlier, our clients do not feel safe in many spaces. These kiosks offer them an independent safe space to connect to services and access which is very limited for marginalized

2 populations, especially those who are marginalized
3 within marginalized communities.

4 Thank you so much for your time today and
5 for your work to help improve our city's
6 communication.

7 IRENE BYHOVSKY, MODERATOR: Thank you.
8 Thank you, all panelists, and thank you, Mr. Roque,
9 and I apologize for mispronouncing your last name.

10 I do not see any questions from Council
11 Members at this point, and we're moving to our final
12 panel. Our panelists will be Peter Rescigno, Bruce
13 Lincoln, Marcia Howell, Jessica Toledano, and
14 (INAUDIBLE) I apologize if I mispronounced any names.

15 SERGENT-AT-ARMS: Starting time.

16 PETER RESCIGNO: Good afternoon. My name
17 is Peter Rescigno, and I'm with the New York
18 Electrical Contractors Association, New York City's
19 leading trade association of unionized electrical
20 contractors. On behalf of the 200 electrical
21 contractors associated with New York Electrical
22 Contractors Association and the 10,000 Local 3 IBW
23 electricians employed by NYECA contractors, thank you
24 for the opportunity to testify in support of the
25 LinkNYC's program. New Yorkers are familiar with

2 LinkNYC kiosks that have popped up all over New York
3 City. As a result, New Yorkers are benefitting from
4 free public wi-fi, the ability to make phone calls or
5 charge their phones, access emergency services and
6 information such as the weather, news, and much more.
7 LinkNYC has grown to become the world's largest and
8 fastest free public wi-fi network with over 10
9 million users on over 2,000 kiosks.

10 Perhaps what is less know about LinkNYC
11 is the infrastructure needed to support it and how it
12 is built. Members of New York Electrical and the men
13 and women of Local 3 they employ are running the
14 fiber infrastructure through the manholes across the
15 city to tie the kiosks in every single day. Nearly 1
16 million feet of new fiber infrastructure was
17 installed in the first phase of this project. The
18 CityBridge consortium including its new partner,
19 ZenFi, estimate that the next phase will double that
20 fiber footprint. With more fiber installation, new
21 kiosks can be installed, connecting even more people
22 to the benefits of LinkNYC. Aside from the benefits
23 of an expanded network, LinkNYC has been a massive
24 driver of economic output and job creation for many
25 New Yorkers. New York electrical contractors through

2 a collective bargaining agreement with Local 3 pay
3 living wages for the thousands of hours of work that
4 have been performed and will be performed under this
5 program. As I mentioned before, the promise of phase
6 2 of this project will require New York electrical
7 contractors to place, splice, test, and maintain more
8 fiberoptic cable, install more kiosks, employ more
9 electricians, pay more wages, and connect more
10 people, especially the people living in the
11 underserved communities across the Bronx, Brooklyn,
12 Queens, Staten Island, and Upper Manhattan.

13 In addition to the expanded fiber
14 infrastructure, the next phase of LinkNYC will
15 include the installation of Link5Gs. The deployment
16 of small cells across New York City has provided a
17 significant amount of work since 2008. Over the past
18 2 years, there has been a slowdown in the small cell
19 deployments due to a shortage of 5G suitable siting
20 locations. This has impacted our contractors, not
21 just in deployment of these nodes but also in the
22 deployment of new fiber infrastructure. Link5G would
23 provide a much needed opening of supply for the
24 carriers, which would translate to significant work
25 opportunity for our contractors.

2 In closing, the possibilities of LinkNYC
3 are endless. In addition to the critical service
4 provided by the kiosks, the fiber infrastructure
5 being laid now can be used in the future to bring
6 additional broadband options to homes as part of a
7 growing 5G network. 5G is here, and this cutting edge
8 technology will keep our city competitive, our people
9 connected, our children learning, and our
10 electricians working.

11 SERGEANT-AT-ARMS: Time expired.

12 PETER RESCIGNO: Thank you for the
13 opportunity to present.

14 IRENE BYHOVSKY, MODERATOR: Thank you very
15 much for your testimony. Our next panelist will be
16 Bruce Lincoln followed by Marcia Howell.

17 SERGENT-AT-ARMS: Starting time.

18 BRUCE LINCOLN: Good afternoon, Madam
19 Chair. It's an honor to present this testimony and
20 endorsement of ZenFi's Link5G platform. My name is
21 Bruce Lincoln, and I had the honor of addressing this
22 esteemed body when we were supporting the adoption
23 and dissemination of the LinkNYC program. At that
24 time, I was a member of Mayor de Blasio's Broadband
25 Advisory Committee, and, currently, I'm a Senior

2 Fellow at the Columbia Institute for Tele-
3 Information. The purpose of my testimony at this
4 juncture is to emphasize the critical importance of
5 the public dissemination of Link5G kiosks as
6 developed by ZenFi. I believe that you are all
7 familiar with, of course, the longstanding problem of
8 the digital divide, where there are those who do not
9 have access to the benefits of broadband access and
10 the opportunities associated with digital inclusion.
11 I have been involved since the '90s with the
12 amelioration of the digital divide, and I can with
13 firsthand experience and expertise speak to how after
14 so many well-intentioned efforts the ZenFi
15 technological solution represents the best of breed
16 innovation that has to do with the addressing the
17 issue of providing the populace with free gigabit
18 speed broadband internet access in a public space. We
19 have all heard the adage of how form follows
20 function. In this unique case, what exemplifies
21 ZenFi's solution is that function drove form. The
22 Link5G kiosk provides not only an expanded radius as
23 far as the individual being able to pick up access to
24 an open broadband network as they are walking by, but
25 the structure itself allows the major carriers to

2 piggyback on the Link which serves as a neutral host
3 for them to place their equipment. This is a triple
4 win. The public citizen gains access to high-speed
5 broadband for free, the carriers get access to the
6 edge network allowing them to get closer to the user,
7 thus achieving true 5G, and the city accomplishes its
8 goal of bringing free gigabit broadband to
9 communities.

10 More so, the Link5G infrastructure and
11 functionality achieves what is the only way in which
12 the public digital divide can be ameliorated. It
13 combines state-of-the-art engineering with the kind
14 of resources to deliver a sustainable solution. I can
15 personally attest that ZenFi spent countless hours
16 with community stakeholders learning about the
17 particular needs of underserved communities and their
18 design and dissemination strategy takes these
19 (INAUDIBLE) into consideration.

20 As a long-term technology professional
21 and member of the Harlem community, I strongly
22 support this proposed design and urge the City
23 Council to support it as well. Thank you for your
24 kind consideration of my testimony on this important
25 issue.

2 IRENE BYHOVSKY, MODERATOR: Thank you very
3 much for your testimony. Our next speaker is Marcia
4 Howell.

5 SERGENT-AT-ARMS: Starting time.

6 MARCIA HOWELL: Hello. My name is Marcia
7 Lorente Howell, and thank you so much for hearing my
8 testimony, Members of the City Council. I know I'm
9 towards the end so I'll be short, but I'm an artist
10 and I participated on the Art On Link Program, and I
11 just wanted to say it was a wonderful experience. I
12 found out about it kind of the same way I find out
13 about art that I love. I just walk around the city
14 and saw some beautiful art displayed and then went
15 online and found out you have this program. In the
16 month of April, about 10 of my paintings, I paint my
17 walks around the city with my dog, Elvis, so my
18 Walking Elvis series was displayed across the city,
19 and I saw immediate response on traffic to my
20 website, I have sold some artwork, and I have
21 recommended it to all of my artist colleagues and
22 friends. I should also note that I started selling my
23 artwork about 5 years ago. I have a career in
24 advertising prior to that so I'm very well aware of
25 the value of what I got. I could never afford,

2 obviously, to advertise my art in such way, and, for
3 that reason too, I actually started my own art
4 gallery. I organize pop-up shows in the Lower East
5 Side for women artists. The next one is in May, and
6 also through Art On Link there's the feature where
7 you can apply as a local business. You probably all
8 know this, but I did not know that as just a member
9 of the community, to advertise the fact that we're
10 hosting an all-women art show in the Lower East Side
11 on May 18th under Surfergirl Gallery which is the
12 name of my gallery. I just wanted to commend you for
13 these efforts and also encourage and support any
14 initiatives to continue to use this space to promote
15 communities, promote business, promote local small
16 business, and promote diversity because I'm a Latina
17 artist. It is harder to get represented, to get
18 space, to get gallery representation, and the fact
19 that my art was displayed in such beautiful way
20 across the city was just kind of a dream come true
21 and something that I could've never dreamt of. Thank
22 you so much for all the work that you're doing and
23 much appreciate your time. Thank you.

24 IRENE BYHOVSKY, MODERATOR: Thank you very
25 much. Our next speaker is Jessica Toledana.

2 SERGENT-AT-ARMS: Starting time.

3 JESSICA TOLEDANO: Hi. It's Jessica
4 Toledano. Thank you, Madam Chair, the Council, and
5 members of the staff for having us here today. I'm
6 testifying as the Executive Director of FYI. We're a
7 nonprofit media agency based here in New York. We
8 work almost exclusively with nonprofit clients. We do
9 really 3 things. We do creative for nonprofits at a
10 very discounted rate. We run our own out-of-home PSA
11 network here in New York and nationally with 1.2
12 million impressions in nonprofit spaces here in New
13 York that's offered free to any nonprofit, and,
14 nationally, we have 23 million impressions offered
15 free to any nonprofit in the nation. We also work
16 with many artists on many discounted campaigns for
17 nonprofits. We negotiate media buys at discounted and
18 donated rates for nonprofits here in New York and
19 nationally. LinkNYC serves a critical role for many
20 nonprofits here in New York. There is an
21 informational inequity all over our country, and
22 that's become a very serious problem in the time of
23 misinformation and disinformation in this country. Of
24 the 285 billion dollars spent in the advertising
25 space, only 2 percent of those dollars are for

2 nonprofits. Nonprofits are left to figure it out to
3 try to get their messages to disenfranchised and
4 marginalized communities, and LinkNYC provides a
5 vital service to these nonprofits by giving them
6 thousands of dollars of donated advertising space in
7 New York City, as we're all aware the most expensive
8 media market in our nation. Right now, you can go
9 over to the South Bronx and see that we worked with
10 Bronx Healthy Start on a breastfeeding campaign that
11 promotes breastfeeding for women because the rate of
12 breastfeeding apparently, according to Bronx Healthy
13 Start, goes from 99 percent in the hospital to 23
14 percent when they leave the hospital so they want to
15 promote breastfeeding as a community activity and
16 that women should be encouraged, parents should be
17 encouraged, families should be encouraged to promote
18 breastfeeding. We also did a critical and important
19 vaccine campaign with Bronx Health Reach, also in the
20 South Bronx. LinkNYC gave us 100 donated screens
21 which was incredibly generous, and we were able to
22 run the very important targeted campaign to people
23 who are not yet vaccinated. This is just 2 of many of
24 the campaigns they've helped us on. I am deeply
25 appreciative...

2 SERGEANT-AT-ARMS: Time expired.

3 MARCIA HOWELL: To them, and I just want
4 to thank everyone for your time. I hope that we
5 continue to expand the network here in New York.
6 There are many areas, parts of Queens, that I think
7 it would be critically important to be able to get
8 PSAs and information out to nonprofits who are
9 generally being silenced in the public square. Thank
10 you.

11 IRENE BYHOVSKY, MODERATOR: Thank you very
12 much for your testimony, and I want to thank everyone
13 who testified today for their valuable testimonies.

14 If we have missed anyone who has
15 registered to testify today and has yet to be called,
16 please use the Zoom raise hand function, and I will
17 call on you in the order you have raised your hand. I
18 don't see anyone right now.

19 I will turn over to Chair Gutierrez for
20 any closing remarks and to adjourn the hearing.

21 CHAIRPERSON GUTIERREZ: Thank you, Irene.
22 Thank you to every single panelist today. I want to
23 give just a special thank you to CityBridge and ZenFi
24 for sticking around for the duration of the marathon
25 hearing today and obviously any representative that's

2 still on from DoITT and, of course, to our very
3 patient panelists. The goal of this conversation is
4 obviously to continue to improve the service and to
5 create spaces for conversations around equity and
6 access for every single New Yorker so I thoroughly
7 appreciate your participation today. I want to shout
8 out my Committee for an awesome job in preparation.
9 That is all. If I can make a plug for today at 5
10 o'clock, Foley Square, come out if anyone is able to
11 to show your support, please do so. Thank you. Irene,
12 thank you.

13 IRENE BYHOVSKY, MODERATOR: Thank you,
14 Chair.

15 SERGEANT-AT-ARMS: I will end livestream.

16 IRENE BYHOVSKY, MODERATOR: Yes, the
17 hearing is adjourned.

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date July 6, 2022