

PUBLIC MEETING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

WEDNESDAY, DECEMBER 9, 2009 @ 2:30 P.M.

22 READE STREET, MANHATTAN

NOTE: INDIVIDUALS REQUESTING SIGN LANGUAGE INTERPRETERS SHOULD CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES, 253 BROADWAY, 9TH FL., NEW YORK, NEW YORK, N.Y. 10007 (212) 788-7490, NO LATER THAN SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC MEETING. TDD USERS SHOULD CALL VERIZON RELAY SERVICE.

*Franchise and Concession Review Committee Public Meeting--
Wednesday, December 9, 2009 @ 2:30PM*

NEW YORK CITY DEPARTMENT OF PARKS & RECREATION

No. 1: IN THE MATTER of the intent to seek Franchise and Concession Review Committee approval to authorize the New York City Department of Parks and Recreation ("Parks") to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, to enter into a Sole Source License Agreement ("Agreement") with Cirque du Soleil America, Inc. ("Cirque") to operate, maintain and manage a Circus on Randall's Island Park, Manhattan ("Licensed Premises"). The Agreement will be between the City of New York acting by and through Parks, Randall's Island Sports Foundation, Inc. ("RISF") and Cirque. The term shall commence upon Cirque's receipt of written notice to proceed from Parks (Commencement Date) and shall terminate thereafter on July 9, 2010 (Termination Date). In the event that the end date of the Occupation Period is set by the parties at a date sooner than July 9, 2010, such date shall be deemed the Termination Date. The period of time from the Commencement Date to the Termination Date shall be the License Term ("Term"). Within the Term, Cirque shall have the right to occupy the Licensed Premises during the Occupation Period. Cirque shall pay a lump sum license fee of four hundred and forty thousand United States dollars (US \$440,000) for the occupation of the Licensed Premises and the presentation of no more than one hundred (100) performances of its Circus show entitled OVO. Cirque shall also pay a license fee of four thousand and four hundred United States dollars (US \$4,400) for every optional performance above one hundred (100) performances of its Circus show entitled OVO. Cirque is limited to a maximum of ten (10) optional performances, for a total of not more than one hundred and ten (110) total performances of its Circus OVO.

A proposed resolution was submitted relative thereto.

RESOLUTION FOR ADOPTION

NEW YORK CITY DEPARTMENT OF PARKS & RECREATION

No. 2: IN THE MATTER of the intent to seek Franchise and Concession Review Committee authorization to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, for the New York City Department of Parks & Recreation ("Parks") to negotiate a Sole Source Concession Agreement ("Concession Agreement") with 25th Street Art Partners, LLC to provide a connection to the High Line in exchange for monetary and non-monetary compensation to the City, including the construction (and/or otherwise making available) and maintenance of Americans with Disabilities Act ("ADA") compliant men's and women's public restrooms, a public staircase and a public elevator that leads to a connecting walkway that provides public access to the High Line. The Concession Agreement shall commence upon written notice to proceed and the term shall not exceed twenty (20) years.

A proposed resolution was submitted relative thereto.

RESOLUTION FOR ADOPTION

NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION

No. 3: **IN THE MATTER** of the intent to seek Franchise and Concession Review Committee authorization to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, for the New York City Department of Environmental Protection (“DEP”) to negotiate a Sole Source Concession Agreement (“Concession Agreement”) with Brooklyn Union Gas d/b/a National Grid (“National Grid”). The Concession Agreement shall be for the collection and treatment of digester gas from DEP’s Newtown Creek Water Pollution Control Plant (“Plant”), which treated gas will thereafter be injected directly into National Grid’s natural gas distribution system for sale to the public. The Concession Agreement shall commence upon written notice to proceed and the term shall not exceed twenty (20) years.

A proposed resolution was submitted relative thereto.

RESOLUTION FOR ADOPTION

NEW YORK CITY DEPARTMENT OF RECORDS & INFORMATION SERVICES

No. 4: **IN THE MATTER** of the intent to seek Franchise and Concession Review Committee authorization to utilize a different procedure, pursuant to section 1-16 of the Concession Rules of the City of New York, for the New York City Department of Records & Information Services (“DORIS”) to negotiate a Sole Source License Agreement (License Agreement) with Google Inc. to digitize and index 90,000 “tax” photographs of the Borough of Manhattan for their use in on-line mapping applications. DORIS will receive and retain the master digital files. The License Agreement will be granted for a term of approximately one (1) year with two (2) one-year renewal options, exercisable at the City’s sole discretion.

A proposed resolution was submitted relative thereto.

RESOLUTION FOR ADOPTION

