

**PUBLIC MEETING**

**FRANCHISE AND CONCESSION REVIEW COMMITTEE**

**WEDNESDAY, DECEMBER 10, 2008 @ 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 HEARING. TDD USERS SHOULD CALL VERIZON RELAY SERVICE.

*Franchise and Concession Review Committee Public Meeting –  
Wednesday, December 10, 2008 @ 2:30PM*

**NEW YORK CITY DEPARTMENT OF PARKS & RECREATION**

**No. 1:** IN THE MATTER of the intent to seek Franchise & Concession Review Committee approval to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, to authorize the New York City Department of Parks & Recreation (“DOT”), to negotiate a Sole Source Concession Agreement (“Agreement”) with Queens Ballpark Company, L.L.C. (“QBC”), located at Citifield Stadium, Flushing, NY 11368, for the use of certain parking areas in Flushing Meadows-Corona Park in the Borough of Queens, for the provision of parking, primarily related to events at the new Citifield Stadium. The Agreement will provide for one (1) twenty-year term, commencing on or about April 1, 2009.

A proposed resolution was submitted, relative thereto.

**RESOLUTION FOR ADOPTION.**

**NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION ON BEHALF OF  
THE NEW YORK CITY DEPARTMENT OF SMALL BUSINESS SERVICES**

**No. 2:** IN THE MATTER of the intent to seek Franchise & Concession Review Committee approval 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 Small Business Services to enter into an Occupancy Permit with 2328 on Twelfth (“Fairway”). The Occupancy Permit will be for the use of a paved lot bordering Marginal Street between West 125<sup>th</sup> Street and West 132<sup>nd</sup> Street, in the Borough of Manhattan, for the purpose of the accessory parking for customers of the store located at Twelfth Avenue and 132<sup>nd</sup> Street and owned by Fairway. The Occupancy Permit will provide for a term of one (1) year, commencing upon written notice to proceed, with two (2) one-year renewal periods, exercisable at the City’s sole discretion. Compensation to the City will be as follows: a fee of \$27,500 for the Initial Period, \$28,325 for the First Renewal Period (if exercised), and \$29,174.75 for the Second Renewal Period (if exercised).

A proposed resolution was submitted, relative thereto.

**RESOLUTION FOR ADOPTION.**



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PUBLIC HEARING  
FRANCHISE AND CONCESSION REVIEW COMMITTEE  
22 READE STREET  
NEW YORK, NEW YORK  
WEDNESDAY, DECEMBER 10, 2008  
2:30 P.M.

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P R E S E N T :  
CAS HOLLOWAY,  
Chairperson, Office of the Mayor  
JASON OTANO,  
Brooklyn Borough President's Office  
VALERIE BUDZIK,  
Comptroller's Office  
ROBERT CASTELLANETE,  
Bronx Borough President's Office  
LEE COVINO,  
Staten Island Borough President's Office  
JOEY KOCH,  
Office of the Mayor  
SHARON CANTOR,  
Corporation Counsel  
MARK McMILLAN,  
Queens Borough President's Office  
YVONNE QUINTIAN,  
Office of Management and Budget  
JIMMY YAN,  
Manhattan Borough President's Office  
CHRISTIAN STOVER,  
Clerk

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P R O C E E D I N G S

(Time noted: 2:30 p.m.)

CHAIRPERSON HOLLOWAY: Good afternoon  
and thank you for being here. The Franchise and  
Concession Review Committee will now come to order.

Will the Clerk call the roll?

THE CLERK: Mayor?

MR. HOLLOWAY: Here.

THE CLERK: Office of the Mayor?

MS. KOCH: Here.

THE CLERK: Comptroller's Office?

MS. BUDZIK: Here.

THE CLERK: Corporation Counsel?

MS. CANTOR: Here.

THE CLERK: Office of Management and  
Budget?

MS. QUINTIAN: Here.

THE CLERK: Borough President of  
Manhattan?

(No response.)

Borough President of Brooklyn?

MR. OTANO: Here.

THE CLERK: Borough President of Queens?

MR. McMILLAN: Here.

THE CLERK: Borough President of Staten

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Island?

MR. COVINO: Here.

THE CLERK: Borough President of the  
Bronx?

MR. CASTELLANETE: Here.

CHAIRPERSON HOLLOWAY: Thank you very  
much.

Will the Clerk please call the calendar?

THE CLERK: New York City Department of  
Parks and Recreation, Number 1: In the matter of  
the intent to seek Franchise and Concession Review  
Committee approval to utilize a different  
procedure, pursuant to Section 1-16 of the  
concession rules of the City of New York, to  
authorize the New York City Department of Parks and  
Recreation to negotiate a sole source concession  
agreement with Queens Ballpark Company, LLC,  
located at Citifield Stadium, Flushing, NY, 11368,  
for the use of certain parking areas in Flushing  
Meadows Corona Park in the borough of Queens, for  
the provision of parking, primarily related to  
events at the new Citifield Stadium.

The agreement will provide for one  
22-year term, commencing on or about April 1, 2009.

25 A proposed resolution was submitted  
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1 relative thereto.  
2 Resolution for adoption.  
3 CHAIRPERSON HOLLOWAY: Thank you.  
4 Moving forward, I note that the  
5 Manhattan Borough President is not present.  
6 Is there a member who wishes to make a  
7 statement or ask a question on this item?  
8 MS. BUDZIK: The Comptroller's Office  
9 would like to note about authorization for the sole  
10 source negotiation. These parking concessions are  
11 related to the facilities at the new Citifield,  
12 which are quite voluminous.  
13 If the agreements for the two parking  
14 concessions are negotiated, if we could have more  
15 time to review them than we typically get with the  
16 materials. If we could get the materials at least  
17 two weeks in advance, that would be good. I  
18 believe that the Law Department was willing to  
19 accommodate that.  
20 Thank you.  
21 CHAIRPERSON HOLLOWAY: Any other  
22 questions?  
23 MR. COVINO: Is this a typo? It says  
24 "DOT."  
25 THE CLERK: Yes, it is a typo.  
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1 CHAIRPERSON HOLLOWAY: Any other  
2 questions or comments?  
3 If not, is there a motion?  
4 MR. McMILLAN: Motion to approve.  
5 MS. QUINTIAN: Second.  
6 CHAIRPERSON HOLLOWAY: Will the Clerk  
7 call the vote?  
8 THE CLERK: Mayor?  
9 MR. HOLLOWAY: Yes.  
10 THE CLERK: Office of the Mayor?  
11 MS. KOCH: Yes.  
12 THE CLERK: Comptroller's Office?  
13 MS. BUDZIK: Yes.  
14 THE CLERK: Corporation Counsel?  
15 MS. CANTOR: Yes.  
16 THE CLERK: Office of Management and  
17 Budget?  
18 MS. QUINTIAN: Yes.  
19 THE CLERK: On behalf of the borough  
20 presidents, Borough President of Queens?  
21 MR. McMILLAN: Can we go off the record  
22 for a minute?  
23 (Discussion off the record.)  
24 THE CLERK: Regarding Calendar Item  
25 Number 1, on behalf of the borough of Queens?  
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1 MR. McMILLAN: Yes.  
2 THE CLERK: Calendar Item 1, resolution  
3 adopted.

4 CHAIRPERSON HOLLOWAY: Will the Clerk  
5 call the second calendar item?

6 THE CLERK: New York City Economic  
7 Development Corporation, on behalf of the New York  
8 City Department of Small Business Services, Number  
9 2: In the matter of the intent to seek Franchise  
10 and Concession Review Committee approval to utilize  
11 a different procedure, pursuant to Section 1-16 of  
12 the concession rules of the City of New York, for  
13 the New York City Department of Small Business  
14 Services to enter into an occupancy permit with  
15 2328 on Twelfth, Fairway.

16 The occupancy permit will be for the use  
17 of a paved lot bordering Marginal Street between  
18 West 125th Street and West 132nd Street, in the  
19 borough of Manhattan, for the purpose of the  
20 accessory parking for customers of the store  
21 located at 12th Avenue and 132nd Street and owned  
22 by Fairway.

23 The occupancy permit will provide for a  
24 term of one year, commencing upon written notice to  
25 proceed, with two 1-year renewal periods

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1 exercisable at the City's sole discretion.

2 Compensation to the City will be as  
3 follows: A fee of \$27,500 for the initial period;  
4 \$28,325 for the first renewal period, if exercised;  
5 and \$29,174.75 for the second renewal period.

6 A proposed resolution was submitted,  
7 relative thereto.

8 Resolution for adoption.

9 CHAIRPERSON HOLLOWAY: Before we move  
10 forward, I want to note for the record this  
11 concession is in Manhattan. The Manhattan Borough  
12 President's representative is not present today.  
13 We have spoken to their office to let them know we  
14 will proceed to a vote.

15 They asked that we arrange through the  
16 FCRC to brief their office on the concession, which  
17 we agreed to do.

18 So, having said that, is there any  
19 member who wishes to ask a question or make a  
20 statement on this item?

21 If not, is there a motion?

22 MR. CASTELLANETE: Motion.

23 MS. CANTOR: Second.

24 CHAIRPERSON HOLLOWAY: Will the Clerk  
25 please take the vote?

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1 THE CLERK: Mayor?

2 MR. HOLLOWAY: Yes.

3 THE CLERK: Office of the Mayor?

4 MS. KOCH: Yes.

5 THE CLERK: Comptroller's Office?

6 MS. BUDZIK: Yes.

7 THE CLERK: Corporation Counsel?

8 MS. CANTOR: Yes.

9 THE CLERK: Office of Management and  
10 Budget?  
11 MS. QUINTIAN: Yes.  
12 THE CLERK: On behalf of the borough  
13 presidents, Borough President of Manhattan?  
14 (No response.)  
15 Calendar Item Number 2, resolution  
16 adopted.  
17 That completes the calendar.  
18 CHAIRPERSON HOLLOWAY: That concludes  
19 the meeting.  
20 (Time noted: 3:00 p.m.)  
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1 C E R T I F I C A T I O N  
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3 I, Jeffrey Shapiro, a  
4 Shorthand Reporter and Notary Public, within and  
5 for the State of New York, do hereby certify that I  
6 reported the proceedings in the within-entitled  
7 matter, on Wednesday, December 10, 2008, at the  
8 offices of the NEW YORK CITY FRANCHISE AND  
9 CONCESSION REVIEW COMMITTEE, 22 Reade Street, New  
10 York, New York, and that this is an accurate  
11 transcription of these proceedings.

12 IN WITNESS WHEREOF, I have  
13 hereunto set my hand this \_\_\_\_\_ day of  
14 \_\_\_\_\_, 2008.

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17 JEFFREY SHAPIRO  
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