

COPY

- - - - - X

PUBLIC MEETING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

- - - - - X

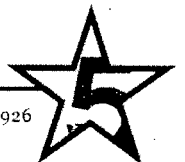
22 Reade Street
New York, New York

Monday, December 14, 2011

2:37 p.m.

APPEARANCES:

Mayor: Primary, Bill Heinzen
Office of the Mayor: 2nd Alternate, Brian Geller
Corporation Counsel: Primary, Sharon Cantor
Office of Management and Budget: Alternate, Sara Harris
Comptroller: Primary, Valerie Budzik
Bronx BP: Alternate, Tom Lucania
Brooklyn BP: Primary, Jason Otano
Manhattan BP: Primary, Jimmy Yan
Queens BP: Primary, Marc McMillan
Staten Island BP: Primary, Lee Covino
Clerk: Primary, Adam Buchanan



1 Franchise Concession and Review Committee

2 MR. HEINZEN: Good afternoon and thank
3 you all for being here. The Franchise and
4 Concession Review Committee Public Meeting
5 will now come to order. Will The Clerk please
6 call the roll.

7 MR. BUCHANAN: Mayor.

8 MR. HEINZEN: Here.

9 MR. BUCHANAN: Office of the Mayor.

10 MR. GELLER: Here.

11 MR. BUCHANAN: Comptroller.

12 MS. BUDZIK: Here.

13 MR. BUCHANAN: Corporation Counsel.

14 MS. CANTOR: Here.

15 MR. BUCHANAN: Office of Management and
16 Budget.

17 MS. HARRIS: Here.

18 MR. BUCHANAN: President, Borough of
19 the Bronx.

20 MR. LUCANIA: Here.

21 MR. BUCHANAN: President, Borough of
22 Brooklyn.

23 MR. OTANO: Here.

24 MR. BUCHANAN: President, Borough of
25 Manhattan.



1 Franchise Concession and Review Committee

2 MR. YAN: Here.

3 MR. BUCHANAN: President, Borough of
4 Queens.

5 MR. MCMILLAN: Here.

6 MR. BUCHANAN: President, Borough of
7 Staten Island.

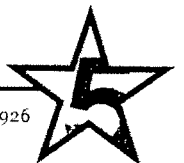
8 MR. COVINO: Here.

9 MR. HEINZEN: Welcome to this Public
10 Hearing of the Franchise and Concession Review
11 Committee. The hearing being conducted today
12 has been publicly advertised in accordance
13 with the New York City Charter.

14 We want to be sure anyone desiring to
15 be heard has the opportunity to do so. All
16 persons wishing to speak must fill out a
17 request slip, which may be obtained from the
18 Clerk. Each speaker will be allotted
19 approximately three minutes. When you
20 testify, we ask that you state your name and
21 affiliation, if any.

22 Adam, will you please call the first
23 calendar item.

24 MR. BUCHANAN: New York City Department
25 of Parks and Recreation, Calendar Item Number



1 Franchise Concession and Review Committee

2 1: In the matter of the intent to seek
3 Franchise and Concession Review Committee
4 approval to utilize a different procedure,
5 pursuant to Section 1-16 of the Concession
6 Rules of the City of New York, to authorize
7 the New York City Department of Parks and
8 Recreation, to negotiate an amendment to the
9 existing License Agreement with Island Tennis,
10 L.P. and Randall's Island Sports Foundation
11 for the construction, operation, maintenance
12 and management of the year-round tennis
13 facility at Randall's Island Park, Manhattan.
14 The Franchise and Concession Review Committee
15 will not vote on this item today and it will
16 be calendared again at some point in the
17 future.

18 MR. HEINZEN: Before we go to second
19 item I think the Comptroller wishes to make a
20 statement.

21 MS. BUDZIK: We would like to thank the
22 Mayor's Office for laying this item open. We
23 understand some of the surrounding community
24 boards had questions and concerns with the
25 Comptroller's Office and we appreciated having



1 Franchise Concession and Review Committee

2 this item laid over so there's more time to
3 answer these questions.

4 MR. HEINZEN: We look forward to that.
5 Just to make this clear to every one, the
6 first item is laid over. The Randall's Island
7 item is not being voted on today.

8 MR. YAN: I would reiterate, we share
9 the concerns of the Comptroller and we thank
10 the City, the Mayor's Office and Parks and
11 Randall's Island for deferring this issue to
12 allow for more discussion and community input.
13 So, thank you.

14 MR. HEINZEN: Any other member wish to
15 comment before we move on?

16 (No response.)

17 MR. HEINZEN: Will the The Clerk please
18 call the second calendar item.

19 MR. BUCHANAN: New York City Department
20 of Information Technology and
21 Telecommunications, Calendar Item Number 2: In
22 the matter of the Franchise and Concession
23 Review Committee approval of a proposed
24 franchise agreement by and between the City of
25 New York and Mobilite Investments II, LLC for



1 Franchise Concession and Review Committee
2 the provision of mobile telecommunications
3 services in the City of New York. A proposed
4 resolution was submitted relative thereto, and
5 the resolution is now for adoption.

6 MR. HEINZEN: Is there a member who
7 wishes to make a statement or ask a question
8 on this matter?

9 (No response.)

10 MR. HEINZEN: If not, may I please have
11 a motion to move this item?

12 MR. OTANO: So moved.

13 MR. HEINZEN: Will another member
14 second the motion?

15 MR. GELLER: Second.

16 MR. HEINZEN: Will the The Clerk please
17 take the vote.

18 MR. BUCHANAN: Mayor.

19 MR. HEINZEN: Yes.

20 MR. BUCHANAN: Office of the Mayor.

21 MR. GELLER: Yes.

22 MR. BUCHANAN: Comptroller.

23 MS. BUDZIK: Yes.

24 MR. BUCHANAN: Office of Management and
25 Budget.



1 Franchise Concession and Review Committee

2 MS. HARRIS: Yes.

3 MR. BUCHANAN: On behalf of the Borough
4 Presidents, President of Manhattan.

5 MR. YAN: Yes.

6 MR. BUCHANAN: Calendar item 2,
7 resolution is adopted.

8 MR. HEINZEN: Thank you. Will you
9 please call the third calendar item.

10 MR. BUCHANAN: New York City Department
11 of Information and Technology and
12 Telecommunications, Calendar Item Number 3: In
13 the matter of Franchise Concession and Review
14 Committee approval of a proposed franchise
15 agreement by and between the City of New York
16 and Xchange Telecom Corp. for the provision of
17 mobile telecommunications services in the City
18 of New York. A proposed resolution was
19 submitted relative thereto, and the resolution
20 is now for adoption.

21 MR. HEINZEN: Does any member wish to
22 make a statement?

23 (No response.)

24 MR. HEINZEN: If not, do I have a
25 motion to move?



1 Franchise Concession and Review Committee

2 MR. OTANO: So moved.

3 MR. MCMILLIAN: Second.

4 MR. HEINZEN: Adam, will you please
5 take the vote.

6 MR. BUCHANAN: Mayor.

7 MR. HEINZEN: Yes.

8 MR. BUCHANAN: Office of the Mayor.

9 MR. GELLER: Yes.

10 MR. BUCHANAN: Comptroller.

11 MS. BUDZIK: Yes.

12 MR. BUCHANAN: Corporation Counsel.

13 MS. CANTOR: Yes.

14 MR. BUCHANAN: Office of Management and
15 Budget.

16 MS. HARRIS: Yes.

17 MR. BUCHANAN: On behalf of the Borough
18 Presidents, President of Brooklyn.

19 MR. OTANO: Yes.

20 MR. BUCHANAN: The resolution is
21 adopted. We ask that the reporter make the
22 entire Public Meeting Agenda, which was made
23 publicly available and distributed at this
24 meeting, part of the final record of this
25 proceeding. That completes the calendar.



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. HEINZEN: Okay, thank you. The meeting is adjourned.

(Time noted: 2:41 p.m.)



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

I, MICHAEL MCINTOSH, a shorthand reporter and Notary Public within and for the State of New York, do hereby certify:

That the witness(es) whose testimony is hereinbefore set forth was duly sworn by me, and the foregoing transcript is a true record of the testimony given by such witness(es).

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



MICHAEL MCINTOSH



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

E R R A T A

I wish to make the following changes, for the following reason:

PAGE LINE

----- CHANGE:-----

REASON:-----

----- CHANGE:-----

REASON:-----

----- CHANGE:-----

REASON:-----

----- CHANGE:-----

REASON:-----

----- CHANGE:-----

REASON:-----

----- CHANGE:-----

REASON:-----

----- CHANGE:-----

REASON:-----

----- CHANGE:-----

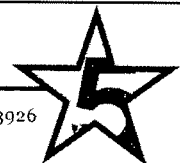
REASON:-----

WITNESS' SIGNATURE

DATE



<hr/> <p style="text-align: center;">1</p> <hr/> <p>1 4:2</p> <p>1-16 4:5</p> <p>14 1:10</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2 5:21 7:6</p> <p>2:37 1:11</p> <p>2:41 9:4</p> <p>2011 1:10</p> <p>22 1:7</p> <p>2nd 1:15</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p>3 7:12</p> <hr/> <p style="text-align: center;">A</p> <hr/> <p>accordance 3:12</p> <p>action 10:12</p> <p>Adam 1:20 3:22 8:4</p> <p>adjourned 9:3</p> <p>adopted 7:7 8:21</p> <p>adoption 6:5 7:20</p> <p>advertised 3:12</p> <p>affiliation 3:21</p> <p>afternoon 2:2</p> <p>Agenda 8:22</p> <p>agreement 4:9 5:24 7:15</p> <p>allotted 3:18</p> <p>allow 5:12</p> <p>Alternate 1:15,16,17</p> <p>am 10:11,13</p> <p>amendment 4:8</p> <p>answer 5:3</p> <p>anyone 3:14</p> <p>APPEARANCES 1:14</p> <p>appreciated 4:25</p> <p>approval 4:4 5:23 7:14</p> <p>approximately 3:19</p>	<p>authorize 4:6</p> <p>available 8:23</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>behalf 7:3 8:17</p> <p>Bill 1:15</p> <p>blood 10:12</p> <p>boards 4:24</p> <p>Borough 2:18,21,24 3:3,6 7:3 8:17</p> <p>BP 1:17,18,19</p> <p>Brian 1:15</p> <p>Bronx 1:17 2:19</p> <p>Brooklyn 1:18 2:22 8:18</p> <p>Buchanan 1:20 2:7,9,11,13,15,18,21,24 3:3,6,24 5:19 6:18,20,22,24 7:3,6,10 8:6,8,10,12,14,17,20</p> <p>Budget 1:16 2:16 6:25 8:15</p> <p>Budzik 1:17 2:12 4:21 6:23 8:11</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>calendar 3:23,25 5:18,21 7:6,9,12 8:25</p> <p>calendared 4:16</p> <p>Cantor 1:16 2:14 8:13</p> <p>certify 10:5,11</p> <p>CHANGE 11:7,9,11,13,15,17,19,21</p> <p>changes 11:3</p> <p>Charter 3:13</p> <p>City 3:13,24 4:6,7 5:10,19,24 6:3 7:10,15,17</p> <p>clear 5:5</p> <p>Clerk 1:20 2:5 3:18 5:17 6:16</p> <p>comment 5:15</p>	<p>Committee 1:4 2:1,4 3:1,11 4:1,3,14 5:1,23 6:1 7:1,14 8:1</p> <p>community 4:23 5:12</p> <p>completes 8:25</p> <p>Comptroller 1:17 2:11 4:19 5:9 6:22 8:10</p> <p>Comptroller's 4:25</p> <p>concerns 4:24 5:9</p> <p>Concession 1:4 2:1,4 3:1,10 4:1,3,5,14 5:1,22 6:1 7:1,13 8:1</p> <p>conducted 3:11</p> <p>construction 4:11</p> <p>Corp 7:16</p> <p>Corporation 1:16 2:13 8:12</p> <p>Counsel 1:16 2:13 8:12</p> <p>Covino 1:19 3:8</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>DATE 11:24</p> <p>December 1:10</p> <p>deferring 5:11</p> <p>Department 3:24 4:7 5:19 7:10</p> <p>desiring 3:14</p> <p>different 4:4</p> <p>discussion 5:12</p> <p>distributed 8:23</p> <p>duly 10:7</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>entire 8:22</p> <p>existing 4:9</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>facility 4:13</p> <p>fill 3:16</p> <p>final 8:24</p> <p>first 3:22 5:6</p> <p>foregoing 10:8</p>	<p>forth 10:7</p> <p>forward 5:4</p> <p>Foundation 4:10</p> <p>franchise 1:4 2:1,3 3:1,10 4:1,3,14 5:1,22,24 6:1 7:1,13,14 8:1</p> <p>future 4:17</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>Geller 1:15 2:10 6:15,21 8:9</p> <p>given 10:9</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>Harris 1:16 2:17 7:2 8:16</p> <p>having 4:25</p> <p>heard 3:15</p> <p>hearing 3:10,11</p> <p>Heinzen 1:15 2:2,8 3:9 4:18 5:4,14,17 6:6,10,13,16,19 7:8,21,24 8:4,7 9:2</p> <p>hereby 10:5</p> <p>hereinbefore 10:7</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>II 5:25</p> <p>Information 5:20 7:11</p> <p>input 5:12</p> <p>intent 4:2</p> <p>interested 10:14</p> <p>Investments 5:25</p> <p>Island 1:19 3:7 4:9,10,13 5:6,11</p> <p>issue 5:11</p> <p>item 3:23,25 4:15,19,22 5:2,6,7,18,21 6:11 7:6,9,12</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>Jason 1:18</p>
--	---	---	--



<p>Jimmy 1:18</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>L.P 4:10</p> <p>laid 5:2,6</p> <p>laying 4:22</p> <p>Lee 1:19</p> <p>License 4:9</p> <p>LINE 11:6</p> <p>LLC 5:25</p> <p>Lucania 1:17 2:20</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>maintenance 4:11</p> <p>management 1:16 2:15 4:12 6:24 8:14</p> <p>Manhattan 1:18 2:25 4:13 7:4</p> <p>Marc 1:19</p> <p>marriage 10:13</p> <p>matter 4:2 5:22 6:8 7:13 10:14</p> <p>may 3:17 6:10</p> <p>Mayor 1:15 2:7,9 6:18,20 8:6,8</p> <p>Mayor's 4:22 5:10</p> <p>MCINTOSH 10:3,19</p> <p>McMillan 1:19 3:5</p> <p>MCMILLIAN 8:3</p> <p>meeting 1:3 2:4 8:22,24 9:3</p> <p>member 5:14 6:6,13 7:21</p> <p>MICHAEL 10:3,19</p> <p>minutes 3:19</p> <p>mobile 6:2 7:17</p> <p>Mobilite 5:25</p> <p>Monday 1:10</p> <p>motion 6:11,14 7:25</p> <p>move 5:15 6:11 7:25</p> <p>moved 6:12 8:2</p>	<hr/> <p style="text-align: center;">N</p> <hr/> <p>negotiate 4:8</p> <p>Notary 10:4</p> <p>noted 9:4</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>obtained 3:17</p> <p>Office 1:15,16 2:9,15 4:22,25 5:10 6:20,24 8:8,14</p> <p>Okay 9:2</p> <p>open 4:22</p> <p>operation 4:11</p> <p>opportunity 3:15</p> <p>order 2:5</p> <p>Otano 1:18 2:23 6:12 8:2,19</p> <p>outcome 10:14</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>p.m 1:11 9:4</p> <p>PAGE 11:6</p> <p>Park 4:13</p> <p>Parks 3:25 4:7 5:10</p> <p>parties 10:12</p> <p>persons 3:16</p> <p>please 2:5 3:22 5:17 6:10,16 7:9 8:4</p> <p>point 4:16</p> <p>President 2:18,21,24 3:3,6 7:4 8:18</p> <p>Presidents 7:4 8:18</p> <p>Primary 1:15,16,17,18,19,20</p> <p>procedure 4:4</p> <p>proceeding 8:25</p> <p>proposed 5:23 6:3 7:14,18</p> <p>provision 6:2 7:16</p> <p>Public 1:3 2:4 3:9 8:22 10:4</p>	<p>publicly 3:12 8:23</p> <p>pursuant 4:5</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>Queens 1:19 3:4</p> <p>question 6:7</p> <p>questions 4:24 5:3</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>Randall's 4:10,13 5:6,11</p> <p>Reade 1:7</p> <p>reason 11:4,8,10,12,14,16,1 8,20,22</p> <p>record 8:24 10:9</p> <p>Recreation 3:25 4:8</p> <p>reiterate 5:8</p> <p>related 10:11</p> <p>relative 6:4 7:19</p> <p>reporter 8:21 10:4</p> <p>request 3:17</p> <p>resolution 6:4,5 7:7,18,19 8:20</p> <p>response 5:16 6:9 7:23</p> <p>Review 1:4 2:1,4 3:1,10 4:1,3,14 5:1,23 6:1 7:1,13 8:1</p> <p>roll 2:6</p> <p>Rules 4:6</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>Sara 1:16</p> <p>second 4:18 5:18 6:14,15 8:3</p> <p>Section 4:5</p> <p>seek 4:2</p> <p>services 6:3 7:17</p> <p>share 5:8</p> <p>Sharon 1:16</p> <p>shorthand 10:3</p> <p>SIGNATURE 11:24</p>	<p>slip 3:17</p> <p>speak 3:16</p> <p>speaker 3:18</p> <p>Sports 4:10</p> <p>state 3:20 10:5</p> <p>statement 4:20 6:7 7:22</p> <p>Staten 1:19 3:7</p> <p>Street 1:7</p> <p>submitted 6:4 7:19</p> <p>sure 3:14</p> <p>surrounding 4:23</p> <p>sworn 10:7</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>Technology 5:20 7:11</p> <p>Telecom 7:16</p> <p>telecommunications 5:21 6:2 7:12,17</p> <p>tennis 4:9,12</p> <p>testify 3:20</p> <p>testimony 10:6,9</p> <p>thank 2:2 4:21 5:9,13 7:8 9:2</p> <p>there's 5:2</p> <p>thereto 6:4 7:19</p> <p>third 7:9</p> <p>today 3:11 4:15 5:7</p> <p>Tom 1:17</p> <p>transcript 10:8</p> <p>true 10:8</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>understand 4:23</p> <p>utilize 4:4</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>Valerie 1:17</p> <p>vote 4:15 6:17 8:5</p> <p>voted 5:7</p>
--	--	---	---



W

Welcome 3:9

whose 10:6

wish 5:14 7:21 11:3

wishes 4:19 6:7

wishing 3:16

WITNESS 11:24

witness(es) 10:6,10

X

Xchange 7:16

Y

Yan 1:18 3:2 5:8 7:5

year-round 4:12

York 1:8 3:13,24 4:6,7

5:19,25 6:3

7:10,15,18 10:5

