

Franchise and Concession Review Committee Public Meeting
April 13, 2016

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-----X
PUBLIC MEETING
FRANCHISE AND CONCESSION REVIEW COMMITTEE
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2 Lafayette Street
New York, New York 10007

Wednesday, April 13, 2016
3:19 p.m.

APPEARANCES:

Mayor: Peter Hatch
Office of the Mayor: Brittney Saunders
Corporation Counsel: Sharon Cantor
Office of Management and Budget: Yvonne Quintian
Comptroller: Richard Friedman
Brooklyn Borough President: Andrew Gounardes
Manhattan Borough President: James Caras
Staten Island Borough President: James Shipp
Clerk: Stephanie Ruiz

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Proceedings

MR. HATCH: Good afternoon and thank
you all for being here. The Franchise and
Concession Review Committee Public Hearing
will now come to order.

Will the Clerk please call the roll?

MS. RUIZ: Mayor.

MR. HATCH: Here.

MS. RUIZ: Office of the Mayor.

MS. SAUNDERS: Here.

MS. RUIZ: Comptroller.

MR. FRIEDMAN: Here.

MS. RUIZ: Corporation Counsel.

MS. CANTOR: Here.

MS. RUIZ: Office of Management and
Budget.

MS. QUINTIAN: Here.

MS. RUIZ: President, Borough of the
Bronx.

(No response.)

MS. RUIZ: President, Borough of
Brooklyn.

MR. GOUNARDES: Present.

MS. RUIZ: President, Borough of
Manhattan.

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MR. CARAS: Here.

MS. RUIZ: President, Borough of
Queens.

(No response.)

MS. RUIZ: President, Borough of
Staten Island.

MR. SHIPP: Here.

MR. HATCH: Will the Clerk please
call the first calendar item?

MS. RUIZ: New York City Department
of Parks and Recreation, Calendar Item
No. 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 enter into a
Sole Source Licence Agreement with City
Parks Foundation, Inc. for the operation
and maintenance of a food, beverage, and
merchandise concession related to the
presentation of live events at
SummerStage, Rumsey Playfield, Central

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Park, Manhattan, for a potential term of approximately seven years.

A proposed resolution was submitted relative thereto, and the resolution is calendared for adoption.

MR. HATCH: Is there a member who wishes to make a statement or ask a question on this item?

(No response.)

MR. HATCH: If not, will a member please make a motion to move this item?

MR. GOUNARDES: So moved.

MR. HATCH: Will another member please second the motion?

MR. FRIEDMAN: Second.

MR. HATCH: Will the Clerk please take the vote?

MS. RUIZ: Mayor.

MR. HATCH: Yes.

MS. RUIZ: Office of the Mayor.

MS. SAUNDERS: Yes.

MS. RUIZ: Comptroller.

MR. FRIEDMAN: Yes.

MS. RUIZ: Corporation Counsel.

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MS. CANTOR: Yes.

MS. RUIZ: Office of Management and
Budget.

MS. QUINTIAN: Yes.

MS. RUIZ: On behalf of the Borough
President, President, Borough of
Manhattan.

MR. CARAS: Yes.

MS. RUIZ: Calendar Item No. 1,
resolution is adopted.

MR. HATCH: Will the Clerk please
call the second calendar item?

MS. RUIZ: New York City Department
of Small Business Services, Calendar Item
No. 2: In the matter of the intent to
seek Franchise and Concession Review
Committee approval authorizing NYC &
Company, Inc., on behalf of the New York
City Department of Small Business Services
or SBS to utilize a different procedure,
pursuant to Section 1-16 of the Concession
Rules of the City of New York, for SBS to
negotiate a non-exclusive, Sole Source
License Agreement with Under Armour, Inc.

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for the non-exclusive use of city-owned
trademarks on merchandise.

A proposed resolution was submitted
relative thereto, and the resolution is
calendared for adoption.

MR. HATCH: Is there a member who
wishes to make a statement or ask a
question on this matter?

(No response.)

MR. HATCH: If not, will a member
please make a motion to move this item?

MR. GOUNARDES: So moved.

MR. HATCH: Will another member
please second the motion?

MR. CARAS: Second.

MR. HATCH: Will the Clerk please
take the vote?

MS. RUIZ: Mayor.

MR. HATCH: Yes.

MS. RUIZ: Office of the Mayor.

MS. SAUNDERS: Yes.

MS. RUIZ: Comptroller.

MR. FRIEDMAN: Yes.

MS. RUIZ: Corporation Counsel.

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2 MS. CANTOR: Yes.

3 MS. RUIZ: Office of Management and
4 Budget.

5 MS. QUINTIAN: Yes.

6 MS. RUIZ: On behalf of the Borough
7 President, President, Borough of Brooklyn.

8 MR. GOUNARDES: Yes.

9 MS. RUIZ: Calendar Item No. 2,
10 resolution is adopted.

11 MR. HATCH: Will the Clerk please
12 call the third calendar item?

MS. RUIZ: New York City Department of Small Business Services, Calendar Item No. 3: In the matter of the intent to seek Franchise and Concession Review Committee approval authorizing NYC & Company, Inc., on behalf of the New York City Department of Small Business Services of SBS to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, for SBS to negotiate a non-exclusive, Sole Source License Agreement with Only NY Inc. for the non-exclusive use of city-owned

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Proceedings

trademarks on merchandise.

A proposed resolution was submitted relative thereto, and the resolution is calendared for adoption.

MR. HATCH: Is there a member who wishes to make a statement or ask a question on this matter?

(No response.)

MR. HATCH: If not, will a member please make a motion to move this item?

MR. GOUNARDES: Moved.

MR. HATCH: Will another member please second the motion?

MR. SHIPP: Second.

MR. HATCH: Will the Clerk please call the vote?

MS. RUIZ: Mayor.

MR. HATCH: Yes.

MS. RUIZ: Office of the Mayor.

MS. SAUNDERS: Yes.

MS. RUIZ: Comptroller.

MR. FRIEDMAN: Yes.

MS. RUIZ: Corporation Counsel.

MS. CANTOR: Yes.

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MS. RUIZ: Office of Management and
Budget.

MS. QUINTIAN: Yes.

MS. RUIZ: On behalf of the Borough
President, President, Borough of Staten
Island.

MR. SHIPP: Yes.

MS. RUIZ: Calendar Item No. 3,
resolution is adopted.

MR. HATCH: Will the Clerk please
call the fourth calendar item?

MS. RUIZ: New York City Department
of Small Business Services, Calendar Item
No. 4: 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 Economic
Development Corporation, on behalf of the
New York City Department of Small Business
Services or DSBS to negotiate an amendment
to the concession agreement between the
City of New York, acting by and through

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Proceedings

DSBS, and First Flight Heliports, LLC,
doing business as Saker Aviation Services
Inc., for the operation of the Downtown
Heliport located at 6 East River Piers,
New York, New York 10004, in the borough
of Manhattan.

A proposed resolution was submitted
relative thereto, and the resolution is
calendared for adoption.

MR. HATCH: Is there a member who
wishes to make a statement or ask a
question on this matter?

MR. CARAS: Manhattan makes a
statement, one of each.

I know there was an agreement made to
cut back on the number of tourist flights,
but it's her position, and it's been for a
long time, that we're opposed to these
tourist flights. And we get huge numbers
of complaints about these, so we won't be
supporting this today.

But also in discussions, we had asked
for the number of jobs related to the
tourist flights, and I don't think we ever

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received that. So if we could also
receive that information, we'd appreciate
it.

MR. HATCH: We'll get you those
numbers.

Is there another member who wishes to
make a statement or ask a question on this
matter?

(No response.)

MR. HATCH: If not, will a member
please make a motion to move this item?

MR. GOUNARDES: So moved.

MR. HATCH: Will another member
please second the motion?

MS. CANTOR: Second.

MR. HATCH: Will the Clerk please
take the vote?

MS. RUIZ: Mayor.

MR. HATCH: Yes.

MS. RUIZ: Office of the Mayor.

MS. SAUNDERS: Yes.

MS. RUIZ: Comptroller.

MR. FRIEDMAN: Yes.

MS. RUIZ: Corporation Counsel.

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MS. CANTOR: Yes.

MS. RUIZ: Office of Management and
Budget.

MS. QUINTIAN: Yes.

MS. RUIZ: On behalf of the Borough
President, President, Borough of
Manhattan.

MR. CARAS: No.

MS. RUIZ: Calendar Item No. 4,
resolution is adopted.

We ask the Reporter make the entire
Public Meeting Agenda, which was made
publicly available and distributed at this
meeting, part of the final record of this
proceeding.

That completes the calendar.

MR. HATCH: Thank you, meeting
adjourned.

(Time noted: 3:25 p.m.)

C E R T I F I C A T E

STATE OF NEW YORK)
) ss.:
COUNTY OF QUEENS)

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand
this 15th day of April 2016.


NICOLE ELLIS

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<p style="text-align: center;">A</p> <p>acting (1) 9:25 action (1) 13:12 adjourned (1) 12:19 adopted (4) 5:11 7:10 9:10 12:11 adoption (4) 4:6 6:6 8:5 10:10 afternoon (1) 2:2 Agenda (1) 12:13 agreement (5) 3:20 5:25 7:24 9:24 10:16 amendment (1) 9:23 Andrew (1) 1:14 APPEARANCES (1) 1:8 appreciate (1) 11:3 approval (4) 3:15 5:18 7:17 9:17 approximately (1) 4:3 April (2) 1:6 13:16 Armour (1) 5:25 asked (1) 10:23 authorize (2) 3:18 9:20 authorizing (2) 5:18 7:17 available (1) 12:14 AVENUE (1) 1:23 Aviation (1) 10:3</p>	<p>Clerk (10) 1:17 2:6 3:9 4:17 5:12 6:17 7:11 8:16 9:11 11:17 come (1) 2:5 Committee (6) 1:3 2:4 3:15 5:18 7:17 9:17 Company (2) 5:19 7:18 complaints (1) 10:21 completes (1) 12:17 Comptroller (6) 1:13 2:11 4:23 6:23 8:22 11:23 concession (12) 1:3 2:4 3:14,17 3:23 5:17,22 7:16,21 9:16,19,24 Corporation (7) 1:11 2:13 4:25 6:25 8:24 9:21 11:25 Counsel (6) 1:11 2:13 4:25 6:25 8:24 11:25 COUNTY (1) 13:4 cut (1) 10:17</p>	<p style="text-align: center;">G</p> <p>Good (1) 2:2 Gounardes (7) 1:14 2:23 4:13 6:13 7:8 8:12 11:13</p> <p style="text-align: center;">H</p> <p>hand (1) 13:15 Hatch (29) 1:9 2:2,8 3:9 4:7,11,14 4:17,20 5:12 6:7,11,14,17,20 7:11 8:6,10,13,16,19 9:11 10:11 11:5,11,14,17,20 12:18 Hearing (1) 2:4 Heliport (1) 10:5 Heliports (1) 10:2 hereunto (1) 13:15 huge (1) 10:20</p>
<p style="text-align: center;">B</p> <p>back (1) 10:17 behalf (7) 5:6,19 7:6,18 9:5,21 12:6 beverage (1) 3:22 blood (1) 13:12 borough (17) 1:14,15,16 2:18,21 2:24 3:3,6 5:6,7 7:6,7 9:5,6 10:6 12:6,7 Brittney (1) 1:10 Bronx (1) 2:19 Brooklyn (3) 1:14 2:22 7:7 Budget (6) 1:12 2:16 5:4 7:4 9:3 12:4 business (7) 5:15,20 7:14,19 9:14 9:22 10:3</p>	<p style="text-align: center;">D</p> <p>day (1) 13:16 Department (8) 3:11,18 5:14,20 7:13,19 9:13,22 Development (1) 9:21 different (4) 3:15 5:21 7:20 9:17 discussions (1) 10:23 distributed (1) 12:14 doing (1) 10:3 Downtown (1) 10:4 DSBS (2) 9:23 10:2</p>	<p style="text-align: center;">I</p> <p>information (1) 11:3 intent (4) 3:13 5:16 7:15 9:15 interested (1) 13:13 Island (3) 1:16 3:7 9:7 item (17) 3:10,12 4:9,12 5:10,13,15 6:12 7:9,12,14 8:11 9:9,12,14 11:12 12:10</p>
<p style="text-align: center;">C</p> <p>C (2) 13:1,1 calendar (13) 3:10,12 5:10,13,15 7:9,12,14 9:9,12,14 12:10,17 calendared (4) 4:6 6:6 8:5 10:10 call (6) 2:6 3:10 5:13 7:12 8:17 9:12 Cantor (7) 1:11 2:14 5:2 7:2 8:25 11:16 12:2 Caras (6) 1:15 3:2 5:9 6:16 10:14 12:9 Central (1) 3:25 certify (2) 13:7,11 City (15) 3:11,17,18,20 5:14,20,23 7:13,19,22 9:13,19,20,22,25 city-owned (2) 6:2 7:25</p>	<p style="text-align: center;">E</p> <p>E (2) 13:1,1 East (1) 10:5 Economic (1) 9:20 ELLIS (2) 13:6,19 Email (1) 1:25 enter (1) 3:19 entire (1) 12:12 events (1) 3:24</p>	<p style="text-align: center;">J</p> <p>James (2) 1:15,16 jobs (1) 10:24</p>
	<p style="text-align: center;">F</p> <p>F (1) 13:1 FACSIMILE (1) 1:24 final (1) 12:15 first (2) 3:10 10:2 Flight (1) 10:2 flights (3) 10:17,20,25 food (1) 3:22 foregoing (1) 13:9 Foundation (1) 3:21 fourth (1) 9:12 Franchise (6) 1:3 2:3 3:14 5:17 7:16 9:16 Friedman (7) 1:13 2:12 4:16,24 6:24 8:23 11:24 further (1) 13:11</p>	<p style="text-align: center;">K</p> <p>know (1) 10:16</p> <p style="text-align: center;">L</p> <p>Lafayette (1) 1:4 Licence (1) 3:20 License (2) 5:25 7:24 live (1) 3:24 LLC (1) 10:2 located (1) 10:5 long (1) 10:19</p> <p style="text-align: center;">M</p> <p>maintenance (1) 3:22 MAMARONECK (2) 1:23,23 Management (6) 1:12 2:15 5:3 7:3 9:2 12:3 Manhattan (7) 1:15 2:25 4:2 5:8 10:7,14 12:8 marriage (1) 13:12 matter (10) 3:13 5:16 6:9 7:15 8:8 9:15 10:13 11:9 13:9,14 Mayor (12) 1:9,10 2:7,9 4:19,21 6:19,21 8:18,20 11:19,21 meeting (4) 1:2 12:13,15,18 member (13) 4:7,11,14 6:7,11,14 8:6,10,13 10:11 11:7,11,14</p>

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10007 (1) 1:5

10543 (1) 1:23

13 (1) 1:6

139 (1) 1:23

15th (1) 13:16

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2016 (2) 1:6 13:16

212 (1) 1:24

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381-2061 (1) 1:24

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953-3767 (1) 1:24

PUBLIC MEETING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

WEDNESDAY, APRIL 13, 2016 @ 2:30 P.M.

2 LAFAYETTE, NEW YORK, NY

NOTE: INDIVIDUALS REQUESTING SIGN LANGUAGE INTERPRETERS SHOULD CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES, 253 BROADWAY, 9TH FL., 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 Meeting
Wednesday, April 13, 2016 @ 2:30 P.M.*

NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION

No. 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 enter into a Sole Source License Agreement with City Parks Foundation, Inc. ("CPF") for operation and maintenance of a food, beverage, and merchandise concession related to the presentation of live events at SummerStage, Rumsey Playfield, Central Park, Manhattan, for a potential term of approximately seven (7) years. Compensation to the City will be as follows: In lieu of a license fee, CPF shall use any revenue it receives from the operation of this concession to offset the cost of free events at Rumsey Playfield and the cost of operation and maintenance of Rumsey Playfield.

**A proposed resolution was submitted relative thereto.
RESOLUTION FOR ADOPTION.**

NEW YORK CITY DEPARTMENT OF SMALL BUSINESS SERVICES

No. 2: **IN THE MATTER** of the intent to seek Franchise and Concession Review Committee approval authorizing NYC & Company, Inc., on behalf of the New York City Department of Small Business Services ("SBS") to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, for SBS to negotiate a non-exclusive, Sole Source License Agreement with Under Armour, Inc. ("Under Armour") for the non-exclusive use of city-owned trademarks on merchandise.

**A proposed resolution was submitted relative thereto.
RESOLUTION FOR ADOPTION.**

NEW YORK CITY DEPARTMENT OF SMALL BUSINESS SERVICES

No. 3: **IN THE MATTER** of the intent to seek Franchise and Concession Review Committee approval authorizing NYC & Company, Inc., on behalf of the New York City Department of Small Business Services (“SBS”) to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, for SBS to negotiate a non-exclusive, Sole Source License Agreement with Only NY Inc. (“Only NY”) for the non-exclusive use of city-owned trademarks on merchandise.

A proposed resolution was submitted relative thereto.
RESOLUTION FOR ADOPTION.

NEW YORK CITY DEPARTMENT OF SMALL BUSINESS SERVICES

No. 4: **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 Economic Development Corporation (“NYCEDC”), on behalf of the New York City Department of Small Business Services (“DSBS”) to negotiate an amendment to the concession agreement between the City of New York, acting by and through DSBS, and First Flight Heliports, LLC d/b/a Saker Aviation Services Inc. (“FirstFlight, Inc.”) for the operation of the Downtown Heliport located at 6 E River Piers, New York, NY 10004, in the borough of Manhattan. NYCEDC anticipates that the amendment would extend the term of the existing concession agreement through April 30, 2021 with two one year renewal options exercisable at the sole discretion of the City and establish minimum annual guarantee amounts payable for the extended years of the term.

A proposed resolution was submitted relative thereto.
RESOLUTION FOR ADOPTION.