

Franchise and Concession Review Committee Public Hearing
July 11, 2016

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PUBLIC HEARING
FRANCHISE and CONCESSION REVIEW COMMITTEE
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2 Lafayette Street, 14th Floor
New York, New York 10007

Monday, July 11th, 2016
2:46 p.m.

APPEARANCES:

- Mayor: Brittny Saunders
- Office of the Mayor: Benjamin Furnas
- Corporation Counsel: Sharon Cantor
- Office of Management and Budget: Jane Bayer
- Comptroller: Richard Friedman
- Bronx Borough President: Raymond Sanchez
- Brooklyn Borough President: Andrew Gounardes
- Manhattan Borough President: James Caras
- Queens Borough President: Angelina Martinez-Rubio
- Staten Island Borough President: James Shipp
- Department of Small Business Services: Andrew Schwartz
- Clerk: Stephanie Ruiz

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MS. SAUNDERS: Good afternoon.

The public hearing will now come to order.

Will the Clerk please call the
roll?

MS. RUIZ: Mayor.

MS. SAUNDERS: Here.

MS. RUIZ: Office of the Mayor.

MR. FURNAS: Here.

MS. RUIZ: Comptroller.

MR. FRIEDMAN: Here.

MS. RUIZ: Corporation Counsel.

MS. CANTOR: Here.

MS. RUIZ: Office of Management
and Budget.

MS. BAYER: Here.

MS. RUIZ: President, Borough of
the Bronx.

MR. SANCHEZ: Here.

MS. RUIZ: President, Borough of
Brooklyn.

MR. GOUNARDES: Present.

MS. RUIZ: President, Borough of
Manhattan.

MR. CARAS: Here.

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MS. RUIZ: President, Borough of
Queens.

MS. MARTINEZ-RUBIO: Here.

MS. RUIZ: President, Borough of
Staten Island.

MR. SHIPP: Here.

MS. SAUNDERS: Welcome to this
public hearing of the Franchise and
Concession Review Committee. The hearing
being conducted today has been publicly
advertised in accordance with the New York
City Charter and Concession Rules of the
City of New York.

We want to be sure that anyone
desiring to be heard has an opportunity to
do so. All persons wishing to speak must
fill out a request slip, which may be
obtained from the Clerk. Each speaker will
be allotted approximately three minutes.
When you testify, please state your name
and affiliation, if any. You may also
submit written testimony to the Clerk,
which will be made part of the record. Any
written submissions must be given to the

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Clerk before the close of the public hearing.

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 award as a concession the operation, renovation, and maintenance of an outdoor cafe at the Rotunda at West 79th Street in Riverside Park, Manhattan, for a potential 6-year term, to Boat Basin Partners, LLC.

MS. SAUNDERS: Does anyone wish to testify?

(No response.)

MS. SAUNDERS: If no one wishes to speak, 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 to authorize the

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2 New York City Economic Development
3 Corporation, or NYC EDC, on behalf of the
4 New York City Department of Small Business
5 Services, or DSBS, to utilize a different
6 procedure, pursuant to Section 1-16 of the
7 Concession Rules of the City of New York,
8 for DSBS to amend the concession agreement
9 between the City of New York, acting by and
10 through DSBS, and the FirstFlight
11 Heliports, LLC doing business as Saker
12 Aviation Services for the operation of the
13 Downtown Manhattan Heliport located at
14 6 East River Piers, New York, New York, in
15 the Borough of Manhattan.

16 MS. SAUNDERS: Andrew Schwartz
17 will read for the record minor changes made
18 to the amendment.

19 MR. SCHWARTZ: For the proposed
20 amendment to the concession agreement we
21 have a couple of minor edits.

22 On the second page, the first
23 whereas clause, after the words "different
24 procedure," we've added "for the New York
25 City Department of Small Business

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Services."

On the fourth page, in 3(f), we corrected the exhibit from "Exhibit L" to "Exhibit M," as in Mary.

That's it.

MS. SAUNDERS: Does anyone wish to testify?

MS. RUIZ: Yes. Robert Hullot, please come to the stand.

MR. HULLOT: Stand in back of the lectern?

MS. RUIZ: Yes.

MR. HULLOT: Hello. Can I be heard?

MULTIPLE SPEAKERS: Yes.

MR. HULLOT: Thank you for the opportunity to address your committee today. I am Dr. Robert Hullot-Kentor. I am a professor of philosophy, literature and the arts for the School of Visual Arts.

For the past fourteen years my family and I have lived on the Upper West Side of the city in the vicinity of the Hudson River Park under a barrage of

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helicopter traffic. After close study of the revised concession agreements, I find that the contract partly or entirely disables the public benefits that it purports to provide.

First, the potential public benefit of the 50-percent reduction in tourist flights, the centerpiece of the contract, is substantially impeded by the fact that the agreement gives the EDC the responsibility for appointing an impartial party to supervise this complex clause. The EDC is notoriously partial to the helicopter industry. It would not appoint anyone to fill the role of an impartial party unless that person were securely interdependent.

Second, this proposed benefit of the revisions clause that the helicopter corporation will do everything possible to mitigate noise in the missions through the research and the introduction of new technology is effectively meaningless. No tourist helicopter corporation will

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voluntarily complete the research or install new equipment in its helicopters as soon as equipment is proved commercially feasible without binding the strict public oversight which the contract shows in each and every clause.

Third, by making the EDC responsible for establishing an environmental monitoring system at the DMH the revised contract reduces the purported benefit to the (inaudible). EDC has no expertise for proving interests in environmental matters.

I skip to the last paragraph.

In my written testimony, I discuss the disablement of these benefits in detail and provide extensive suggestions for needed improvements to the contract. I conclude that written testimony, as I do now, is abstract by urging the Franchise Board in -- by urging the Franchise Board to reject the revised concession agreement in its entirety unless those areas of the agreement that I have just named that are

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2 potentially constructed that do represent a
3 degree of progress in this conflict are
4 protected from the agreements' systematic
5 loopholes by substantial further revision,
6 and most urgently, public oversight.

7 I respectfully thank the Committee
8 for hearing me today.

9 MS. SAUNDERS: Does anyone else
10 wish to testify?

11 MS. RUIZ: Albert Butzel.

12 MR. BUTZEL: My name is Al Butzel.
13 I'm an attorney and I appear here today on
14 behalf of Professor Hullot-Kentor and other
15 individuals who are severely and adversely
16 affected by the intrusive noise inflicted
17 on them by the tourist helicopters that
18 depart from the Downtown Manhattan
19 Heliport. The route the helicopters follow
20 severely impacts Battery Park, Hudson River
21 Park and Palisades Park, with hundreds of
22 thousands of park-goers forced to suffer
23 the grating, chopping, roaring noise these
24 machines generate. In addition, the same
25 offensive noise intrudes into the homes of

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tens, if not hundreds, of thousands of residents living near the heliport and along the tour path.

These tourist flights are made possible by a concession agreement the City has entered into and now seeks to amend. Bottom line, the agreement allows tourist helicopters to take off and land at the Downtown Heliport, and it is only because of the rights granted by the City that the tourist flights are made feasible and allowed to impose their noxious impacts on so many thousands of New Yorkers.

The amendments to the concession agreement would, among other things, extend the industry's right to continue these tourist flights an additional three years, at least to 2021. This is unacceptable for my clients. It also ought to be unacceptable to the City. Rather than extend the concession agreement, it should end it. Great cities such as Paris do not allow helicopters to fly overhead, recognizing how much the noise detracts

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1 from the quality of life. New York City
2 should follow that example, especially
3 because, despite the claims of DSBS, the
4 jobs dependent on the tourist flights,
5 those jobs are in fact minimal and the
6 supposed economic benefits are more than
7 offset by the damage done to the impacted
8 residents. The Committee should take the
9 first step in ending the flights by
10 rejecting the proposed changes. If it
11 doesn't, it should only improve the
12 amendments as they are modified. In this
13 regard, the amendments are severely
14 deficient because they lack any meaningful
15 mechanism for oversight and enforcement.
16 These failings derive in part from the fact
17 that the negotiating parties, EDC and the
18 helicopter industry, have a common interest
19 in continuing tourist flights, since they
20 both will derive substantial revenues for
21 these operations. And as Bob said, it's
22 long been sort of a (inaudible) with the
23 industry.
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25 In this context, the idea that EDC

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2 will retain an impartial party to determine
3 whether there have been violations due to
4 helicopters flying over land or piers is
5 suspect at the outset. But the more
6 glaring shortcoming is the lack of any
7 realistic mechanism for determining whether
8 violations have occurred. Unless the
9 impartial party is omnipresent up and down
10 the route, it will be in no position to
11 identify and verify the violations. What
12 is needed instead is a mechanism that will
13 allow private citizens to report violations
14 along satisfactory proof that they have
15 occurred. These could be in the form of
16 time-stamped videos, for example, which
17 could be submitted to the impartial party
18 to verify or reject. If the amendments are
19 to be approved, they should be subject to
20 adding such a procedure.

21 EDC also reserves the right to cut
22 the number of permitted flights in the case
23 of frequent violations. This leaves it to
24 the fox to decide what to do to protect the
25 house. This deal is unconscionable. The

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amendments should only be approved if they're modified to require EDC to reduce the number of permitted flights when violations exceed the permitted numbers.

Finally, approval of the amendments is an action that requires compliance with the State Environmental Quality Review Act and the City's CEQR regulations, including, under the circumstances of this case where the duration of tourist flights is being extended for three years, the preparation of a full EIS. The failure to comply with the requirements of SEQRA and CEQR invalidates any approval that this Committee may be inclined to give.

Thank you.

MS. SAUNDERS: Will the Clerk please call the next person wishing to testify?

MS. RUIZ: Jeffrey Moskin.

MR. MOSKIN: My name is Jeffrey Moskin and I'm a trustee of the Riverside Park Conservancy.

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On a sunny pleasant day a few weeks ago during a walk in Riverside Park from 59th Street to 87th Street was continuous. At times, four tourist helicopters were in view chopping up and down the Hudson River. I've reached out to friends and neighbors, who I discovered were equally disturbed but did not have a voice or a plan of action about this. We have just begun to recognize all the park organizations, park users and residents from Brooklyn Heights to Hamilton Heights. This would include the Hudson River Park, Battery Park City Park, the High Line and the new park on the Brooklyn waterfront. We have also gotten energetic responses from residents of Lincoln Towers and many co-ops along the waterfront.

It is only by chance that we learned late last week of this hearing. You can be sure that if we had more time you would be hearing from many more people opposed to this concession. We understand that the Mayor has the authority to

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terminate this concession and we will continue to organize to urge that this lease not only not be extended, but rather than these frivolous, intrusive and (inaudible) flights being completely ended.

Thank you.

MS. SAUNDERS: Will the Clerk please call the next person wishing to testify?

MS. RUIZ: Diana Switaj.

MS. SWITAJ: Hello. My name is Diana Switaj. I'm representing Manhattan Community Board 1, where I'm director of planning and land use. Our district includes most of Manhattan south of Canal Street and the Brooklyn Bridge as well as Ellis Island, Governors Island and Liberty Island. CB 1 has long been concerned about the safety, quality of life and environmental issues from helicopters landing and taking off from the Downtown Manhattan Heliport at Pier 6 in our densely populated district which has some of the tallest buildings in the country. We are

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on the record by the passing of five resolutions on this issue since July 2011. We have testified often on this subject and have had numerous meetings with various agencies and elected officials over the years.

Helicopter traffic has lessened and conditions have improved since the initial concession agreement, most notably in relation to the moratorium on Sunday flights; however, the helicopter traffic is still by no means unobtrusive.

CB 1 commends the City for reaching this agreement, which is an important step in addressing the chronic quality-of-life issues related to the helicopter tourism industry. We reiterate the importance that the number of flights, air and noise quality monitoring be conducted by an independent third party, and requests that an air-quality-monitoring station be placed at the Downtown Manhattan Heliport.

We further request that the

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2 moratorium be expanded to include major
3 holidays that do not fall on Sunday, such
4 as this past 4th of July. Finally, CB 1
5 requests an update on what has been done
6 thus far regarding the monitoring of air
7 quality and requests that the City Council
8 share with us copies of the reports
9 containing flight counts and air quality
10 information.

11 Thank you.

12 MS. SAUNDERS: Will the Clerk call
13 the next person wishing to testify?

14 MS. RUIZ: Brian Tolbert.

15 MR. TOLBERT: Good afternoon. My
16 name is Brian Tolbert and I am the manager
17 of the Downtown Manhattan Heliport.

18 I have been managing heliports in
19 New York City for over 30 years, having
20 come into the industry after serving my
21 country in the United States Navy; however,
22 as the manager of the heliport, I also want
23 to recommend the FCRC that there are a
24 number of people who make their living in
25 this industry. Employment at the heliport

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2 exceeds 250 people with a large percentage
3 being minorities or women and many military
4 personnel like myself. We believe that the
5 negotiated reductions and revisions to the
6 tour helicopter program will provide
7 significant relief to constituents affected
8 by helicopter noise while preserving an
9 important part of the tourism industry and
10 supporting a vital piece of our
11 transportation infrastructure.

12 Many of the provisions of the
13 agreement have already gone into effect.
14 As of April 1st, Sunday tour flights are no
15 longer permitted. Saker Aviation, the
16 heliport operator no longer allows these
17 flights to be operated on Sundays. We have
18 instituted a tracking system for Saturdays
19 that lets operators know when they are
20 collectively getting close to their
21 300-flight cap on Saturdays. Activity for
22 Saturday will be reported for June with the
23 first report, monthly report, to the
24 Council, to be issued July 15th. A similar
25 system is in place for tracking monthly

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flights against the new 20-percent reduction in volume that went into affect June 1st. These statistics will also be included in the July report to the Council. We have also issued an RFP for the air-quality-monitoring program requesting that the qualified firms provide bids on the service and we anticipate selecting a winning bidder in the next coming week.

We will continue to work with elected officials and communities to minimize flight impact while supporting an industry which has an impact of around 30 million per year.

Thank you very much.

MR. CARAS: Can I ask one question?

MR. TOLBERT: Yes.

MR. CARAS: Do you have figures for the number of Saturday flights before the Sunday ban was implemented versus the average number of Saturday flights after?

MR. TOLBERT: We could supply it.

MR. CARAS: If you could get that

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to my office, the Manhattan Borough
President's Office, I'd appreciate it.

MS. SAUNDERS: Will the Clerk call
the next person who wishes to testify?

MS. RUIZ: Sam Goldstein.

MR. GOLDSTEIN: Thank you. My
name is Sam Goldstein and I represent the
Helicopter Tourism and Jobs Council.

I just want to briefly speak to
the concerns over the compliance of the
concession agreement. Our industry over
the last 20 years has made many concessions
in an effort to address noise-related
complaints made by our neighbors. Today,
air tours never go up or down the East
River, never cross the city, and in fact,
never fly over land. All tours adhere to a
strict flight route which keeps them over
water at all points. We understand the
effect the residents, communities, along
tour routes who are seeking relief in tour
play and believe that the agreement reached
within the concession is a reasonable
compromise. It significantly reduces the

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number of air tours while preserving an important part of the tourism industry and supporting a vital piece of our transportation infrastructure.

Thank you.

MS. SAUNDERS: Will the Clerk call the next person wishing to testify?

MS. RUIZ: Paul Leonard.

MR. LEONARD: Hello. I'm Paul Leonard. I'm here representing the New York City Council to read testimony from Council Members Carlos Menchaca, Helen Rosenthal and Margaret Chin.

As the proud sponsors of legislation to lighten the burden on our communities by eliminating the negative impact of tourist helicopters, we are submitting testimony today on the amended agreement between the New York City Economic Development Committee and the Downtown Manhattan Heliport operators of tourist helicopter rides.

We appreciate the efforts of NYC EDC and their commitment to reducing the

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onslaught of the noise and air pollution.

Yet, even with a 20-percent reduction effective on June 1st and a Sunday ban on tourist helicopter flights, our

constituents continue to live with tourist noise and pollution, as has been the case for years. These concerns were highlighted in the November 2015 City Council Committee on Environment Protection hearing.

Although today's hearing focuses on the technical aspects of an extension, we would like to express that we remain committed to ensuring accountability of all increased protections for our council districts.

We expect that the full agreement will continue to provide some relief to our residents through further reduction of flights, and that NYC EDC will continue to ensure compliance with all components of the agreement. We look forward to seeing regular reports from DMH after July 1, 2016 on the process, implementation, and monitoring of terms, as stipulated in the agreement. We also expect information

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about whether idling times for helicopters waiting to take off at DMH has been reduced, as promised.

If the terms of the agreement are not met, we fully expect NYC EDC to implement further flight reductions and a cessation of the concession agreement when appropriate. If these efforts are not sufficient, we will pursue a full ban on tourist helicopter flights through legislation.

Thank you for your attention to this matter.

MS. SAUNDERS: Will the Clerk call the next person wishing to testify?

MS. RUIZ: John Dellaportas.

MR. DELLAPORTAS: Hello. My name is John Dellaportas. I'm a 22-year Battery Park City resident and President of Stop the Chop NY NJ. I'm here on behalf of the 5,000 members of our organization to speak against the proposed extension and in favor of an outright ban on all nonessential helicopter traffic over New York. I assume

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this committee is just some sort of rubber stamp so I'm going to focus primarily just on a couple pragmatic considerations the committee should take in mind.

Number one, there's never been an environmental review done of this. There was an environmental review done of the initial contract. There was an environmental assessment which didn't analyze anything at all. There has to be a new environmental review done before you do it. If you don't do it now, a federal judge is going to make you do it in a year; so better just to put this contract on hold, have it properly done environmentally. The situation's changed dramatically from 2008 or whenever this contract was first signed and we have environmental laws here. The Mayor pretends to be an environmental mayor and he should actually try to do it.

Now, we understand that the Mayor in this case has taken a large cash envelope from the helicopter industry and

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2 is going to sign this even though it's the
3 state's most-polluting industry. We also
4 know that there are federal prosecutors and
5 federal investigators swarming all over
6 this contract and I would counsel the
7 Committee that anyone with its dirty
8 fingerprints on this contract is going to
9 look bad, and it's good to take a breather.
10 This contract is basically seeking to
11 extend into the next mayoral term. The
12 next mayoral term is not going to have
13 Mayor de Blasio. Mayor de Blasio will
14 either be voted out of office or he'll be
15 in federal prison, but he's not going to be
16 there. And the next guy who's going to be
17 there is going to want to know how this
18 horrible, polluting, destructive, corrupt
19 contract got approved. So, again, I think
20 we would all benefit by just taking a
21 breather. We didn't all share in the booty
22 that the Mayor got, so none of us got any
23 money out of this thing. Take a breather,
24 take a look, and analyze the environmental
25 impact of this. And see is this is really

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the best for the community, see what exactly is the benefit of this. We're not aware of any.

The document, by the way, which you've circulated, is a sham. You say it requires the operators, among other things, the cessation of tourist flights over Governors Island and Staten Island. That was in the old contract. You don't give someone an extension for complying with the old contract. So this sort of deceptiveness is really troublesome. You know, so in any event, if they didn't comply with the old contract and they're still flying over Governors Island, the proper answer is to cancel the old contract, not to give them an extension of an additional four years no matter how much money they've given the Mayor.

So again, we would counsel the City, stay away from this thing. There are federal investigators all over this thing and nobody should want to be within a thousand miles of this contract. It's a

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real stinker.

Thank you.

MS. SAUNDERS: Will the Clerk call the next person wishing to testify?

MS. RUIZ: Gerald Lynas.

MR. LYNAS: Good afternoon. My name is Gerald Lynas and I'm the author of several books about New York, including books about two of our parks.

My most recent book is about Riverside Park. And in order to write it, I've spent many years in the park photographing the park and photographing helicopters, sometimes four at a time with one wide-angle lens, a normal lens. I'm also the father and the grandfather of three children and three grandchildren, many of whom have spent their lives in the park, suffering unknowable and unknown consequence of noise and air pollution.

Also, although I am not a veteran and I have a great sympathy for the veterans and the jobs that they might lose, I'm very sympathetic to veterans who might

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2 have PTSD. When I hear a helicopter, I
3 think about Vietnam. When I hear a
4 helicopter, I think about what I'm
5 breathing and I'm also thinking about the
6 wildlife which are disturbed by these
7 noises. I also live close enough to
8 Riverside Park that the first thing I hear
9 in the morning at 7:00 is a helicopter.
10 And then I hear another one at 7:05 and
11 7:10 and 7:20, 7:30, and I hear them all
12 day long. I work at home and these are
13 driving me crazy. I've lived in Manhattan
14 for 51 years. I'm an environmentalist. I
15 admit it. This is wrong. It's wrong for
16 our children who are innocent, have no say
17 in the matter, it's wrong for the birds and
18 the wildlife who are trying to nest in a
19 place that was designed for peace and
20 quiet. There isn't any. The West Side
21 Highway is loud enough. It's almost
22 impossible to suppress that noise from your
23 consciousness, but it's constant so your
24 brain can turn it off. But a helicopter is
25 an intrusion, a periodic intrusion.

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They're very loud. And in Riverside Park, there's a special case because the sound comes off of the river and bounces off of the buildings on West End Avenue and Riverside Drive and bounces back into the park. So you're getting a double whammy. It's as if two helicopters were there going north and south.

And I also want to mention that there are many other choppers in the sky. There are commuters that go from airport to airport, there are the media, there are the news, there are the special events. Sometimes there are helicopters hovering for a long time just because there was a traffic accident or because there's a concert. This is an invasion that we should not suffer. This is wrong.

And I'm sorry about the loss of jobs. I empathize. But please. My children, I'm the only spokesperson for them and the thousands of other children that enjoy what's left of the quiet and peace of our parks. Thank you so much.

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Proceedings

MS. SAUNDERS: Will the Clerk call the next person wishing to testify?

MS. RUIZ: Written testimony was submitted by Congressman Jerrold Nadler and State Senator Daniel Squadron. The written testimony will be distributed to the FCRC.

MS. SAUNDERS: If no one else wishes to speak, that concludes today's hearing.

We ask that the reporter make the entire public hearing Agenda, which was made publicly available and distributed at this hearing, part of the final record of the proceeding. The hearing is now closed. Thank you.

(Time noted: 3:17 p.m.)

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CERTIFICATE

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

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

I reported the proceedings in the
within-entitled matter, and that the within
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 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 19th day of July,
2016.


DANIELLE CAVANAGH

**Franchise and Concession Review Committee Public Hearing
July 11, 2016**

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PUBLIC HEARING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

MONDAY, JULY 11, 2016 @ 2:30 P.M.

2 LAFAYETTE STREET, NEW YORK, NY

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 Joint Public Hearing
Monday, July 11, 2016 @ 2:30 P.M.*

NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION

No. 1: **IN THE MATTER** of the intent to award as a concession the operation, renovation, and maintenance of an outdoor café at the Rotunda at West 79th Street in Riverside Park, Manhattan ("Licensed Premises"), for a potential six (6) year term, to Boat Basin Partners, LLC. Compensation to the City will be as follows: for each operating year, Boat Basin Partners, LLC shall pay to the City license fees consisting of the greater of a guaranteed minimum annual fee versus a percentage of gross receipts (Year 1: \$560,000 vs. 14%; Year 2: \$577,500 vs. 15%; Year 3: \$600,000 vs. 15%; Year 4: \$648,000 vs. 16%; Year 5: 648,000 vs. 16%; Year 6: \$656,000 vs. 16%).

NEW YORK CITY DEPARTMENT OF SMALL BUSINESS SERVICES

No. 2: **IN THE MATTER** of the intent to seek Franchise and Concession Review Committee ("FCRC") approval to authorize the New York City Economic Development Corporation ("NYCEDC"), on behalf of the New York City Department of Small Business Services ("DSBS"), to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, for DSBS to amend the concession agreement between the City of New York, acting by and through DSBS, and FirstFlight Heliports, LLC d/b/a Saker Aviation Services ("Operator") for the operation of the Downtown Manhattan Heliport located at 6 E. River Piers, New York, New York, in the borough of Manhattan. The amendment (i) extends the expiration date of the concession agreement through April 30, 2021 with two (2) one (1) year renewal options exercisable at the sole discretion of the City and (ii) establishes new minimum annual guarantee amounts for (a) Years 8, 9, and 10 and (b) the extended term of the concession agreement. Operator will pay the following minimum annual guarantee amounts: Year 8: \$1,148,511; Year 9: \$814,855.02; Year 10: \$848,098.00; Extended Operating Year 1: \$882,870.02; Extended Operating Year 2: \$919,068.00; Extended Operating Year 3: \$956,749.00; Option Year 1: \$995,976.00; Option Year 2: \$1,036,811.00. The amended concession agreement will also (i) reduce the maximum number of tourist flights allowed, (ii) require the cessation of