

Franchise and Concession Review Committee Public Meeting
March 14, 2018

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PUBLIC MEETING
FRANCHISE and CONCESSION REVIEW COMMITTEE

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March 14, 2018
2:52 p.m.
2 Lafayette Street
14th Floor Auditorium
New York, New York

Julia M. Speros
Court Reporter

Franchise and Concession Review Committee Public Meeting
March 14, 2018

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A P P E A R A N C E S :

Mayor:

Peter Hatch

Office of the Mayor:

Benjamin Furnas

Corporation Counsel:

Sharon Cantor

Office of Management and Budget:

Yvonne Quintian

Comptroller:

Jennifer Conovitz

Borough President of Manhattan:

James Caras

Borough President of Queens:

Angelina Martinez-Rubio

Borough President of Staten Island:

Lashay Young

Clerk:

Stephanie Ruiz

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PROCEEDINGS

MR. HATCH: Good afternoon. The Franchise and Concession Review Committee Public Meeting will now come to order.

Will the Clerk please call the role?

THE CLERK: Mayor.

MR. HATCH: Here.

THE CLERK: Office of the Mayor.

MR. FURNAS: Here.

THE CLERK: Comptroller.

MS. CONOVITZ: Here.

THE CLERK: Corporation Counsel.

MS. CANTOR: Here.

THE CLERK: Office of Management and Budget.

MS. QUINTIAN: Here.

THE CLERK: President, Borough of the Bronx.

(No response.)

THE CLERK: President, Borough of Brooklyn.

(No response.)

THE CLERK: President, Borough of Manhattan.

Franchise and Concession Review Committee Public Meeting
March 14, 2018

1 MR. CARAS: Here.

2 THE CLERK: President, Borough of
3 Queens.

4 MS. MARTINEZ-RUBIO: Here.

5 THE CLERK: And President, Borough
6 of Staten Island.

7 MS. YOUNG: Here.

8 MR. HATCH: Will the Clerk please
9 call the first Calendar item?

10 THE CLERK: New York City Department
11 of Parks and Recreation, Calendar number
12 1: In the matter of the intent to seek
13 Franchise and Concession Review
14 Committee approval to utilize a
15 different procedure, pursuant to Section
16 1-16 of the Concession Rules of the City
17 of New York, to authorize the New York
18 City Department of Parks and Recreation
19 to enter into an amendment to the
20 existing license agreement between Parks
21 and Statue Cruises LLC for the operation
22 of three landing slips at The Battery
23 for the purposes of embarking and
24 discharging passengers on a regular
25 schedule in the operation of passenger

1 ferries between The Battery and Liberty
2 and Ellis Islands, embarking and
3 discharging passengers of vessels on
4 sightseeing cruises and other ferry
5 operations, which may include but are
6 not limited to ferry service on
7 Governors Island, and day and night
8 charters of vessels, owned, operated, or
9 chartered by Statue Cruises LLC.

10 Please be advised that at the
11 request of the agency, this item will be
12 held over to a subsequent FCRC public
13 meeting.

14 MR. HATCH: Will the Clerk please
15 call the second Calendar item?

16 THE CLERK: New York City Department
17 of Small Business Services, Calendar
18 item number 2: In the matter of the
19 intent to seek Franchise and Concession
20 Review Committee approval authorizing
21 New York City Company, Inc. on behalf of
22 the New York City Department of Small
23 Business Services, or SBS, to utilize a
24 different procedure, pursuant to Section
25 1-16 of the Concession Rules of the City

1 of New York, for SBS to negotiate a
2 non-exclusive, Sole Source License
3 Agreement with Souvenir Avanti Inc. for
4 the non-exclusive use of city-owned
5 trademarks on merchandise.

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

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

12 (No response.)

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

15 MS. CANTOR: So moved.

16 MR. HATCH: Will another member
17 please second that motion?

18 MR. CARAS: Second.

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

21 THE CLERK: Mayor.

22 MR. HATCH: Yes.

23 THE CLERK: Office of the Mayor.

24 MR. FURNAS: Yes.

25 THE CLERK: Comptroller.

Franchise and Concession Review Committee Public Meeting
March 14, 2018

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1 MS. CONOVITZ: Yes.

2 THE CLERK: Corporation Counsel.

3 MS. CANTOR: Yes.

4 THE CLERK: Office of Management and
5 Budget.

6 MS. QUINTIAN: Yes.

7 THE CLERK: And on behalf of the
8 Borough Presidents, President Borough of
9 Staten Island.

10 MS. YOUNG: Yes.

11 THE CLERK: Calendar item number 2,
12 resolution is adopted.

13 MR. HATCH: Will the Clerk please
14 call the third Calendar item?

15 THE CLERK: New York City Department
16 of Parks and Recreation, Calendar item
17 number 3: In the matter of the intent
18 to seek Franchise and Concession Review
19 Committee approval, pursuant to Section
20 1-05 of the Concession Rules of the City
21 of New York, to unanimously approve and
22 authorize the New York City Department
23 of Parks and Recreation, to utilize a
24 different procedure, pursuant to Section
25 1-16 of the Concession Rules of the City

1 of New York, to negotiate an amendment
2 to the existing license agreement with
3 Randall's Island Sports Foundation, now
4 known as Randall's Island Park Alliance,
5 Inc., and Island Tennis L.P. d/b/a
6 Sportime, now known as Sportime Clubs
7 LLC, for the construction, operation,
8 maintenance, and management of a
9 year-round tennis facility at Randall's
10 Island Park, in Manhattan.

11 Please be advised that at the
12 request of the agency this item will be
13 held over to a subsequent FCRC public
14 meeting.

15 We ask that the reporter make the
16 entire Public Meeting Agenda, which was
17 made publicly available and distributed
18 at this meeting, part of the final
19 record of this proceeding.

20 That completes the Calendar.

21 MR. HATCH: Thank you. Meeting
22 adjourned.

23 (Time noted: 2:55 p.m.)
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CERTIFICATION

I, JULIA M. SPEROS, a Notary Public for and within the State of New York, do hereby certify:

That the witness whose testimony as herein set forth, was duly sworn by me; and that the within transcript is a true record of the testimony given by said witness.

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 14th day of March, 2018.



Julia M. Speros

14th 1:13 9:19	benjamin 2:5	4:2,5,8,10 5:14,16 6:19,21,23,25	distributed 8:17	held 5:12 8:13
action 9:14	between 4:20 5:1	7:2,4,7,11,13,15 (26)	duly 9:8	hereby 9:6
adjourned 8:22	blood 9:14	clubs 8:6	ellis 5:2	herein 9:8
adopted 7:12	borough 2:10,12,13	come 3:4	embarking 4:23 5:2	hereunto 9:18
adoption 6:8	3:18,21,24 4:2,5 7:8,8 (10)	committee 1:5 3:4 4:14 5:20 7:19 (5)	enter 4:19	inc 5:21 6:3 8:5
advised 5:10 8:11	bronx 3:19	company 5:21	entire 8:16	include 5:5
afternoon 3:2	brooklyn 3:22	completes 8:20	existing 4:20 8:2	intent 4:12 5:19 7:17
agency 5:11 8:12	budget 2:7 3:16 7:5	comptroller 2:9 3:11 6:25	facility 8:9	interested 9:16
agenda 8:16	business 5:17,23	concession 1:5 3:3 4:13,16 5:19,25 7:18,20,25 (9)	fcrc 5:12 8:13	into 4:19
agreement 4:20 6:3 8:2	c 2:2	concessions 1:5 3:3 4:13,16 5:19,25 7:18,20,25 (9)	ferries 5:1	island 2:13 4:6 5:7 7:9 8:3,4,5,10 (8)
alliance 8:4	calendar 4:9,11 5:15,17 7:11,14,16 8:20 (8)	conovitz 2:9 3:12 7:1	ferry 5:4,6	islands 5:2
am 9:12,15	calendared 6:8	construction 8:7	final 8:18	item 4:9 5:11,15,18 6:11,14 7:11,14,16 8:12 (10)
amendment 4:19 8:1	call 3:6 4:9 5:15 7:14 (4)	corporation 2:6 3:13 7:2	first 4:9	james 2:11
angelina 2:12	cantor 2:6 3:14 6:15 7:3 (4)	counsel 2:6 3:13 7:2	floor 1:13	jennifer 2:9
another 6:16	caras 2:11 4:1 6:18	court 1:20	forth 9:8	julia 1:20 9:4
approval 4:14 5:20 7:19	certification 9:2	cruises 4:21 5:4,9	foundation 8:3	known 8:4,6
approve 7:21	certify 9:6,12	day 5:7 9:19	franchise 1:5 3:3 4:13 5:19 7:18 (5)	lafayette 1:2
ask 6:10 8:15	chartered 5:9	dba 8:5	furnas 2:5 3:10 6:24	landing 4:22
auditorium 1:13	charters 5:8	department 4:10,18 5:16,22 7:15,22 (6)	further 9:12	lashay 2:14
authorize 4:17 7:22	city 4:10,16,18 5:16,21,22,25 7:15,20,22,25 (11)	different 4:15 5:24 7:24	given 9:10	liberty 5:1
authorizing 5:20	cityowned 6:4	discharging 4:24 5:3	good 3:2	license 4:20 6:2 8:2
available 8:17	clerk 2:15 3:6,7,9 ,11,13,15,18,21,24		governors 5:7	limited 5:6
avanti 6:3			hand 9:19	llc 4:21 5:9 8:7
battery 4:22 5:1			hatch 2:3 3:2,8 4:8 5:14 6:9,13,16,19,22 7:13 8:21 (12)	
behalf 5:21 7:7				

lp 8:5	new 1:13,13 4:10,17,17	passenger 4:25	(4)	signature 9:23
made 8:17	5:16,21,22 6:1 7:15,21,22 8:1 9:5	passengers 4:24 5:3	regular 4:24	slips 4:22
maintenance 8:8	(14)	peter 2:3	related 9:13	small 5:17,22
make 6:10,14 8:15	night 5:7	please 3:6 4:8 5:10,14 6:14,17,19 7:13 8:11 (9)	relative 6:7	sole 6:2
management 2:7 3:15 7:4 8:8 (4)	no 3:20,23 6:12 9:15 (4)	pm 1:2 8:23	reporter 1:20 8:15	source 6:2
manhattan 2:10 3:25 8:10	nonexclusive 6:2,4	president 2:10,12,13 3:18,21,24 4:2,5 7:8 (9)	request 5:11 8:12	souvenir 6:3
march 1:11 9:19	notary 9:4	procedure 4:15 5:24 7:24	resolution 6:6,7 7:12	speros 1:20 9:4
marriage 9:15	noted 8:23	proceeding 8:19	response 3:20,23 6:12	sportime 8:6,6
martinezrubio 2:12 4:4	now 3:4 8:3,6	proceedings 3:1	review 1:5 3:3 4:13 5:20 7:18 (5)	sports 8:3
matter 4:12 5:18 7:17 9:17 (4)	number 4:11 5:18 7:11,17 (4)	presidents 7:8	role 3:6	state 9:5
may 5:5	office 2:4,7 3:9,15 6:23 7:4 (6)	procedure 4:15 5:24 7:24	ruiz 2:15	statement 6:10
mayor 2:3,4 3:7,9 6:21,23 (6)	operated 5:8	proceeding 8:19	rules 4:16 5:25 7:20,25 (4)	staten 2:13 4:6 7:9
meeting 1:4 3:4 5:13 8:14,16,18,21 (7)	operation 4:21,25 8:7	proceedings 3:1	said 9:10	statue 4:21 5:9
member 6:9,13,16	operations 5:5	proposed 6:6	sbs 5:23 6:1	stephanie 2:15
merchandise 6:5	order 3:5	public 1:4 3:4 5:12 8:13,16 9:4 (6)	schedule 4:25	street 1:2
motion 6:14,17	other 5:4	publicly 8:17	second 5:15 6:17,18	submitted 6:6
move 6:14	outcome 9:16	purposes 4:23	section 4:15 5:24 7:19,24 (4)	subsequent 5:12 8:13
moved 6:15	over 5:12 8:13	pursuant 4:15 5:24 7:19,24 (4)	seek 4:12 5:19 7:18	sworn 9:8
ms 3:12,14,17 4:4,7 6:15 7:1,3,6,10 (10)	owned 5:8	queens 2:12 4:3	service 5:6	take 6:20
my 9:19	p 2:2,2	question 6:11	services 5:17,23	tennis 8:5,9
negotiate 6:1 8:1	park 8:4,10	quintian 2:8 3:17 7:6	set 9:8,19	testimony 9:7,10
	parks 4:11,18,20 7:16,23 (5)	randall's 8:3,4,9	sharon 2:6	thank 8:21
	part 8:18	record 8:19 9:10	sightseeing 5:4	thereto 6:7
	parties 9:13	recreation 4:11,18 7:16,23		third 7:14
				three 4:22
				time 8:23

<p>trademarks 6:5</p> <p>transcript 9:9</p> <p>true 9:9</p> <p>unanimously 7:21</p> <p>use 6:4</p> <p>utilize 4:14 5:23 7:23</p> <p>vessels 5:3,8</p> <p>vote 6:20</p> <p>way 9:15</p> <p>whereof 9:18</p> <p>which 5:5 8:16</p> <p>who 6:9</p> <p>whose 9:7</p> <p>will 3:4,6 4:8 5:11,14 6:13,16,19 7:13 8:12 (10)</p> <p>wishes 6:10</p> <p>within 9:5,9</p> <p>witness 9:7,11,18</p> <p>x 1:2,7</p> <p>yearround 8:9</p> <p>yes 6:22,24 7:1,3,6,10 (6)</p> <p>york 1:13,13 4:10,17,17 5:16,21,22 6:1 7:15,21,22 8:1 9:5 (14)</p> <p>young 2:14 4:7 7:10</p>	<p>yvonne 2:8</p> <p>255 8:23</p> <p>2018 1:11 9:20</p>			
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PUBLIC MEETING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

WEDNESDAY, MARCH 14, 2018 @ 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, 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, March 14, 2018 @ 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 (Parks) to enter into an amendment to the existing license agreement between Parks and Statue Cruises, LLC ("Licensee") for the operation of three landing slips at The Battery for the purposes of embarking and discharging passengers on a regular schedule in the operation of passenger ferries between The Battery and Liberty and Ellis Islands, embarking and discharging passengers of vessels on sightseeing cruises and other ferry operations, which may include but are not limited to ferry service to Governors Island, and day and night charters of vessels, owned, operated or chartered by Licensee. The amendment, among other things, extends the agreement through September 30, 2019; with two (2) one (1)-year renewal options to be exercised at the sole discretion of Parks. Compensation to the City will be as follows: Licensee shall pay to the City license fees consisting of the greater of a guaranteed minimum annual fee versus a percentage of gross receipts. (January 1, 2018 – December 31, 2018): \$2,500,000 vs. 8.5%; (January 1, 2019 – September 30, 2019): \$1,875,000 vs. 8.5%; First Option Year (October 1, 2019 – September 30, 2020): \$2,500,000 vs. 8.5%; Second Option Year (October 1, 2020 – September 30, 2021): \$2,500,000 vs. 8.5%.

**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 (“FCRC”) 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 Souvenir Avanti Inc. 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 PARKS AND RECREATION

No. 3: **IN THE MATTER** of the intent to seek Franchise and Concession Review Committee, pursuant to Section 1-05 of the Concession Rules of the City of New York, to unanimously approve and authorize the New York City Department of Parks and Recreation, to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, to negotiate an amendment to the existing license agreement with Randall’s Island Sports Foundation, now known as Randall’s Island Park Alliance, Inc., and Island Tennis L.P. d/b/a Sportime, now known as Sportime Clubs LLC for the construction, operation, maintenance and management of a year-round tennis facility at Randall’s Island Park, Manhattan (“Licensed Premises”). Parks anticipates that, among other things, the amendment would expand the Licensed Premises to include the construction of ten (10) additional fullsize tennis courts adjacent to the current Licensed Premises and extend the term of the agreement for twenty-five (25) years from the date the expanded facility opens.

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