

Franchise and Concession Review Committee Public Hearing
September 11, 2018

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PUBLIC HEARING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

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2 Lafayette Street
New York, New York

September 11, 2018
2:30 p.m.

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APPEARANCES:

Mayor:
Peter Hatch

Clerk:
Stephanie Ruiz

Office of the Mayor:
Benjamin Furnas

Corporation Counsel:
Amrita Barth

Office of Management and Budget:
Yvonne Quintian

Comptroller:
Jennifer Conovitz

Borough President of Manhattan:
James Caras

Borough President of Brooklyn:
Tonya Cantlo-Cockfield

Borough President of the Bronx:
Mirtha Camille Sabio

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MR. HATCH: Good afternoon. The Public Hearing will now come to order. Will the clerk please call the roll?

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. BARTH: Here.

THE CLERK: Office of Management and Budget.

MS. QUINTIAN: Here.

THE CLERK: President, Borough of the Bronx.

MS. SABIO: Here.

THE CLERK: President, Borough of Brooklyn.

MS. CANTLO-COCKFIELD: Here.

THE CLERK: President, Borough of Manhattan.

MR. CARAS: Here.

THE CLERK: President, Borough of

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Queens.

(No response.)

THE CLERK: President, Borough of
Staten Island.

(No response.)

MR. HATCH: 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.

Will the clerk please call the first
calendar item?

THE CLERK: New York City Department
of Parks and Recreation, Calendar Item
No. 1: In the matter of the intent to
award as a concession for the
renovation, operation and maintenance of
a golf driving range, miniature golf
course, sports clubhouse and ancillary
facilities at Randall's Island Park,
Manhattan for an eighteen year term, to
Drive Shack Randall's Island LLC.

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Please be advised that in observance of the holiday this item will be held over to the September 14, 2018, FCRC Special Joint Public Hearing, which will take place in the 14th Floor Auditorium at 2 Lafayette Street, Manhattan at 2:30 p.m.

MR. HATCH: Will the clerk please call the second calendar item.

THE CLERK: New York City Department of Parks and Recreation, Calendar Item No. 2: In the matter of the intent to award as a concession for the installation, operation and management of an outdoor holiday market at Columbus Circle Plaza, Central Park, Manhattan, for a five-year term, to Urban Space Holdings, Inc.

Please be advised that in observance of the holiday this item will be held over to the September 14, 2018, FCRC Special Joint Public Hearing, which will take place in the 14th Floor Auditorium at 2 Lafayette Street, Manhattan at 2:30

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p.m.

MR. HATCH: 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.

See everyone on the 14th.

Thank you.

(Thereupon, the meeting was concluded at 2:38 p.m.)

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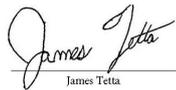
C E R T I F I C A T E
STATE OF NEW YORK)
: ss
COUNTY OF NASSAU)

I, JAMES A. TETTA, a Notary Public within
and for the State of New York, do hereby
certify:

That the witness whose examination is
hereinbefore set forth was duly sworn and that
such an examination is a true record of the
testimony given by such a witness.

I further certify that I am not related to
any of these parties to this action by blood or
marriage, and that I am not in any way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my
hand this 11th day of September, 2018.



James Tetta

11th 7:19	c 7:2,2	corporation 2:7 3:11	golf 4:21,21	maintenance 4:20
14th 5:6,24 6:9	calendar 4:15,17 5:10,12 (4)	counsel 2:7 3:11	good 3:2	make 6:4
accordance 4:11	call 3:4 4:14 5:10	county 7:5	hand 7:19	management 2:9 3:13 5:15
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amrita 2:8	circle 5:17	duly 7:11	hereunto 7:18	miniature 4:21
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blood 7:15	concludes 6:3	floor 5:6,24	jennifer 2:11	office 2:6,9 3:7,13 (4)
borough 2:12,13,15 3:16,19,22,25 4:4 (8)	conducted 4:10	forth 7:11	joint 5:5,23	
bronx 2:15 3:17	conovitz 2:11 3:10	franchise 1:4 4:8	lafayette 1:11 5:7,25	
brooklyn 2:13 3:20		furnas 2:6 3:8	llc 4:25	
budget 2:9 3:14		further 7:14	made 6:6	
		given 7:13		

<p>operation 4:20 5:15</p> <p>order 3:3</p> <p>outcome 7:17</p> <p>outdoor 5:16</p> <p>over 5:4,22</p> <p>park 4:23 5:17</p> <p>parks 4:17 5:12</p> <p>part 6:7</p> <p>parties 7:15</p> <p>peter 2:3</p> <p>place 5:6,24</p> <p>plaza 5:17</p> <p>please 3:4 4:14 5:2,9,20 (5)</p> <p>pm 1:2 5:8 6:2,12 (4)</p> <p>president 2:12,13,15 3:16,19,22,25 4:4 (8)</p> <p>proceeding 6:8</p> <p>public 1:3 3:3 4:7 5:5,23 6:5 7:7 (7)</p> <p>publicly 4:10 6:6</p> <p>queens 4:2</p> <p>quintian 2:9 3:15</p> <p>randall's 4:23,25</p> <p>range 4:21</p> <p>record 6:8 7:12</p>	<p>recreation 4:17 5:12</p> <p>related 7:14</p> <p>renovation 4:20</p> <p>reporter 6:4</p> <p>response 4:3,6</p> <p>review 1:4 4:9</p> <p>roll 3:4</p> <p>ruiz 2:5</p> <p>rules 4:12</p> <p>sabio 2:15 3:18</p> <p>second 5:10</p> <p>see 6:9</p> <p>september 1:13 5:4,22 7:19 (4)</p> <p>set 7:11,18</p> <p>shack 4:25</p> <p>signature 7:23</p> <p>space 5:18</p> <p>special 5:5,23</p> <p>sports 4:22</p> <p>ss 7:4</p> <p>state 7:3,8</p> <p>staten 4:5</p> <p>stephanie 2:5</p> <p>street 1:11 5:7,25</p> <p>such 7:12,13</p> <p>sworn 7:11</p>	<p>take 5:6,24</p> <p>term 4:24 5:18</p> <p>testimony 7:13</p> <p>tetta 7:7</p> <p>thank 6:10</p> <p>thereupon 6:11</p> <p>these 7:15</p> <p>today 4:10</p> <p>today's 6:3</p> <p>tonya 2:14</p> <p>true 7:12</p> <p>urban 5:18</p> <p>way 7:16</p> <p>welcome 4:7</p> <p>whereof 7:18</p> <p>which 5:5,23 6:5</p> <p>whose 7:10</p> <p>will 3:3,4 4:14 5:3,5,9,21,23 (8)</p> <p>within 7:7</p> <p>witness 7:10,13,18</p> <p>x 1:2,5</p> <p>year 4:24</p> <p>york 1:11,11 4:12,13,16 5:11 7:3,8 (8)</p> <p>yvonne 2:9</p> <p>230 5:7,25</p>	<p>238 6:12</p> <p>2018 1:13 5:4,22 7:19 (4)</p>	
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PUBLIC HEARING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

TUESDAY, SEPTEMBER 11, 2018 @ 2:30 P.M.

2 LAFAYETTE STREET, NEW YORK, NY

NOTE: This location is accessible to individuals using wheelchairs or other mobility devices. For further information on accessibility or to make a request for accommodations, such as sign language interpretation services, please contact the Mayor's Office of Contract Services (MOCS) via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at (212) 788-0010. Any person requiring reasonable accommodation for the public hearing should contact MOCS at least three (3) business days in advance of the hearing to ensure availability. ☒

*Franchise and Concession Review Committee Joint Public Hearing
Tuesday, September 11, 2018 @ 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 for the renovation, operation and maintenance of a golf driving range, miniature golf course, sports clubhouse and ancillary facilities at Randall's Island Park, Manhattan for an eighteen (18) year term, to Drive Shack Randall's Island LLC. Compensation will be as follows: for each Interim Operating Year (as defined in the concession agreement), Drive Shack Randall's Island LLC shall pay a fee consisting of the higher of (i) a minimum annual fee (Interim Operating Year (as defined in the concession agreement) 1: \$425,000; Interim Operating Year 2: \$450,000; Interim Operating Year 3: \$475,000) vs. (ii) the sum of 40% of Annual Range Ball Gross Receipts + 15% of Annual Miniature Golf and Batting Cage Gross Receipts + 10% of Annual Other Gross Receipts); and for each Post-Construction Operating Year (as defined in the concession agreement) shall pay a fee consisting of the higher of (i) a minimum annual fee for the Post-Construction Operating Years (Year 1: \$850,000; Year 2: \$850,000; Year 3: \$850,000; Year 4: \$850,000; Year 5: \$850,000; Year 6: \$1,062,500; Year 7: \$1,062,500; Year 8: \$1,062,500; Year 9: \$1,062,500; Year 10: \$1,062,500; Year 11: \$1,328,125; Year 12: \$1,328,125; Year 13: \$1,328,125; Year 14: \$1,328,125; Year 15: \$1,328,125; Year 16*: \$1,660,156.25; Year 17*: \$1,660,156.25; Year 18*: \$1,660,156.25) vs. (ii) 4.5% of Gross Receipts.

*The Term (as defined in the concession agreement) of the concession shall be no more than 18 years. Post-Construction Operating Year 16 applies only if the Interim Operating Period (as defined in the concession agreement) is less than three years. Post-Construction Operating Year 17 applies only if the Interim Operation Period is less than two years. Post-Construction Operating Year 18 applies only if the Interim Operating Period is less than one year.

NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION

No. 2: **IN THE MATTER** of the intent to award as a concession for the installation, operation and management of an outdoor holiday market at Columbus Circle Plaza, Central Park, Manhattan, for a five (5) year term, to Urban Space Holdings, Inc. Compensation to the City will be as follows: for each year of the Permit, Urban Space Holdings, Inc. shall pay the City a fee consisting of: 2018: The greater of \$700,000 or the sum of 33% of Gross Receipts up to \$1,000,000 and 50% of Gross Receipts over \$1,000,000. 2019: The greater of \$710,500 or the sum of 33% of Gross Receipts up to \$1,000,000 and 50% of Gross Receipts over \$1,000,000. 2020: The greater of \$721,158 or the sum of 33% of Gross Receipts up to \$1,000,000 and 50% of Gross Receipts over \$1,000,000. 2021: The greater of \$731,975 or the sum of 33% of Gross Receipts up to \$1,000,000 and 50% of Gross Receipts over \$1,000,000. 2022: The greater of \$742,954 or the sum of 33% of Gross Receipts up to \$1,000,000 and 50% of Gross Receipts over \$1,000,000.