

Franchise and Concession Review Committee Public Meeting
February 14, 2018

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PUBLIC MEETING
FRANCHISE and CONCESSION REVIEW COMMITTEE

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February 14, 2018
2:37 p.m.
22 Reade Street
New York, New York

Julia M. Speros
Court Reporter

Franchise and Concession Review Committee Public Meeting
February 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 Brooklyn:

Tonya Cantlo-Cockfield

Borough President of Manhattan:

Matthew Washington

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 and thank you all for being here. 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.

MS. CANTLO-COCKFIELD: Here.

THE CLERK: President, Borough of Manhattan.

1 MR. WASHINGTON: Here.

2 THE CLERK: President, Borough of
3 Queens.

4 MS. MARTINEZ-RUBIO: Here.

5 THE CLERK: President, Borough of
6 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 item
12 number 1: In the matter of the intent
13 to seek 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
22 operation of three landing slips at The
23 Battery, for the purposes of embarking
24 and 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 to
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 the March 14, 2018 FCRC
13 Public Meeting, which will take place in
14 the 14th Floor Auditorium at 2 Lafayette
15 Street, Manhattan at 2:30 p.m.

16 Any changes to this schedule, which
17 result in a Special Public Meeting being
18 scheduled prior to the March 14, 2018
19 FCRC Public Meeting, will be noticed in
20 the City Record and as required by
21 Section 104 of the Open Meetings Law.

22 MR. HATCH: Thanks.

23 Will the Clerk please call the
24 second Calendar item?

25 THE CLERK: New York City Department

1 of Parks and Recreation, Calendar item
2 number 2: In the matter of the intent
3 to seek Franchise and Concession Review
4 Committee approval to utilize a
5 different procedure, pursuant to Section
6 1-16 of the Concession Rules of the City
7 of New York, to authorize the New York
8 City Department of Parks and Recreation,
9 to negotiate a Sole Source License
10 Agreement with BRIC Arts/Media/Bklyn,
11 Inc., regarding the operation and
12 maintenance of a food, beverage, and
13 merchandise concession related to the
14 presentation of live events at the
15 Prospect Park Bandshell, in Brooklyn. A
16 proposed resolution was submitted
17 relative thereto, and the resolution is
18 calendared for adoption.

19 MR. HATCH: Would any member like to
20 make a statement or ask a question on
21 this matter?

22 MS. CONOVITZ: Yes. Thank you.

23 We very much appreciate the fine
24 work that BRIC Arts has provided to the
25 community and the residents of Brooklyn

1 and New York City over the past several
2 decades. We support to -- or intend to
3 support the proposal to negotiate an
4 agreement with BRIC Arts regarding the
5 food, beverage, and merchandise
6 concession related to the presentation
7 of live events at the Prospect Park
8 Bandshell.

9 We understand, from Parks, that BRIC
10 Arts maintenance responsibilities
11 associated with the Bandshell do not
12 overlap with the Prospect Park
13 Alliance's obligations under their
14 agreement with the City, and we request
15 that in the final agreement negotiated
16 between BRIC Arts and the City,
17 regarding food, beverage, and
18 merchandise concession at Prospect Park;
19 that they continue to ensure that BRIC
20 Arts permitted expenses are not for the
21 same services that any other entity is
22 required to provide under a separate
23 agreement with the City.

24 Thank you.

25 MR. HATCH: Thank you.

1 Any other statements?

2 (No response.)

3 MR. HATCH: Will a member please
4 make a motion to move this item?

5 MS. CANTOR: So moved.

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

8 MS. CANTLO-COCKFIELD: Second.

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

11 THE CLERK: Mayor.

12 MR. HATCH: Yes.

13 THE CLERK: Office of the Mayor.

14 MR. FURNAS: Yes.

15 THE CLERK: Comptroller.

16 MS. CONOVITZ: Yes.

17 THE CLERK: Corporation Counsel.

18 MS. CANTOR: Yes.

19 THE CLERK: Office of Management and
20 Budget.

21 MS. QUINTIAN: Yes.

22 THE CLERK: And on behalf of the
23 Borough President, President Borough of
24 Brooklyn.

25 MS. CANTLO-COCKFIELD: Yes.

1 THE CLERK: Calendar item number 2,
2 Resolution is adopted.

3 MR. HATCH: Will the Clerk please
4 call the third Calendar item?

5 THE CLERK: New York City Department
6 of Parks and Recreation, Calendar item
7 number 3: In the matter of the intent
8 to seek Franchise and Concession Review
9 Committee approval, pursuant to Section
10 1-05 of the Concession Rules of the City
11 of New York, to unanimously approve and
12 authorize the New York City Department
13 of Parks and Recreation, to utilize a
14 different procedure, pursuant to Section
15 1-16 of the Concession Rules of the City
16 of New York, to negotiate an amendment
17 to the existing license agreement with
18 Randall's Island Sports Foundation, now
19 known as Randall's Island Park Alliance,
20 Inc., and Island Tennis L.P. d/b/a
21 Sportime, now known as Sportime Clubs
22 LLC, for the construction, operation,
23 maintenance, and management of a
24 year-round tennis facility at Randall's
25 Island Park, in Manhattan.

1 Please be advised that at the
2 request of the agency, this item will be
3 held over to the March 14, 2018 FCRC
4 Public Meeting, which will take place in
5 the 14th Floor Auditorium at 2 Lafayette
6 Street, Manhattan at 2:30 p.m.

7 Any changes to this schedule, which
8 will result in a Special Public Meeting
9 being scheduled prior to the March 14,
10 2018 FCRC Public Meeting, will be
11 noticed in the City Record and as
12 required by Section 104 of the Open
13 Meetings Law.

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

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

22 (Time noted: 2:42 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 February, 2018.



Julia M. Speros

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PUBLIC MEETING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

WEDNESDAY, FEBRUARY 14, 2018 @ 2:30 P.M.

22 READE 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, February 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 PARKS AND RECREATION

No. 2: **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 negotiate a Sole Source License Agreement with BRIC Arts | Media | Bklyn, Inc. regarding the operation and maintenance of a food, beverage, and merchandise concession related to the presentation of live events at the Prospect Park Bandshell, Brooklyn.

**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.**