

Franchise and Concession Review Committee Public Meeting
November 14, 2018

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FRANCHISE & CONCESSION REVIEW COMMITTEE'S
PUBLIC MEETING
WEDNESDAY, NOVEMBER 14, 2018
2:30 P.M.
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22 Reade Street
New York, New York

FCRC PUBLIC HEARING/MEETING DESIGNEES

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- Mayor/Chair - Peter Hatch
- Office of the Mayor - Benjamin Furnas
- Corporation Counsel - Shanon Cantor, Amrita Barth
- Office of Management and Budget - Yvonne Quintian
- Comptroller - Jennifer Conovitz, Michael D'Ambrosio
- Bronx BP - Mirtha Camille Sabio
- Brooklyn BP - Tonya Cantlo-Cockfield,
- Manhattan BP - James Caras
- Queens BP - Allan Swisher
- Staten Island BP - Lashay Young
- The Clerk - Gemayel Jean-Paul

1 CHAIR: Good afternoon, and thank you for
2 being here. The Franchise and Concession
3 Review Committee's public meeting will now come
4 to order.

5 Will the Clerk please call the roll?

6 THE CLERK: Mayor?

7 CHAIR: Here.

8 THE CLERK: Office of the Mayor?

9 MR. FURNAS: Here.

10 THE CLERK: Comptroller?

11 MS. CONOVITZ: Here.

12 THE CLERK: Corporation Counsel?

13 MS. CANTOR: Here.

14 THE CLERK: Office of Management and
15 Budget?

16 MS. QUINTIAN: Here.

17 THE CLERK: President of the borough of
18 the Bronx?

19 MS. CAMILLE SABIO: Here.

20 THE CLERK: President of the borough of
21 Brooklyn?

22 MS. CANTLO-COCKFIELD: Here.

23 THE CLERK: President of the borough of
24 Manhattan?

25 MR. CARAS: Here.

1 THE CLERK: President of the borough of
2 Queens?

3 MR. SWISHER: Here.

4 THE CLERK: President of the borough of
5 Staten Island?

6 MS. YOUNG: Here.

7 CHAIR: Will the clerk please call the
8 first calendar item.

9 THE CLERK: New York City Department of
10 Parks and Recreation, Calendar item no. 1:

11 In the matter of the intent to seek
12 "Franchise and Concession Review Committee"
13 approval to utilize a different procedure,
14 pursuant to § section: 1-16 of the Concession
15 Rules of the City of New York, to negotiate a
16 sole source license agreement with the City
17 Parks Foundation for the naming rights of the
18 Summer Stage festival primarily based in
19 Central Park, Manhattan.

20 CHAIR: I believe there's a member who
21 wishes to make a statement.

22 MS. CONOVITZ: Yes. Thank you very much.
23 We recognize the importance of the festival,
24 Summer Stage, to the City and its residents,
25 and we really are grateful for -- for that

1 work.

2 We will approve of moving forward in
3 allowing funds to proceed with negotiating an
4 agreement with CPS for naming rights, but we
5 recommend that as part of this agreement
6 "Parks" require that CPS obtain appropriate
7 approval rights on behalf of the City with
8 regards to the naming entity and the name
9 itself as well as broad termination rights
10 should circumstances warrant. And the City,
11 um, would like to proceed with the naming.
12 Thank you.

13 CHAIR: Are there any other member's
14 questions or statements?

15 MR. CARAS: How will the Parks Conservancy
16 go about selecting someone?

17 And in that same question, what comes back
18 to us? Will the agreement that comes back to
19 us reflect who they've selected?

20 If not, will it reflect the terms of that
21 agreement; for example, that the City has, um,
22 the right to approve, um, the right to
23 terminate if, um -- the naming entity if that
24 entity does something wrong, just so that we
25 have an idea of what's coming back to us for

1 our vote.

2 MR. ABRAMSON: Hi. My name Phil Abramson
3 with the Parks Department. I'll be glad to
4 help address your questions.

5 Um, the process that the City Parks
6 Foundation will need to select the
7 naming-rights entity as well as the approval is
8 all subject to "Parks'" approval. So, this
9 vote would give us permission to negotiate with
10 CPS.

11 After we negotiate and come to a written
12 agreement, we would come back to the FCRC for a
13 step-2 vote. That would be the agreement
14 between "Parks" and CPS for naming rights.

15 And CPS would enter a separate
16 naming-rights agreement, um, abiding by the
17 terms of the processes set forth. And that
18 would be similar to a sublicense agreement that
19 we have with our other concessionaires.

20 MR. CARAS: So, the agreement that we
21 would vote on, would say that this is the
22 process that we have to follow?

23 MR. ABRAMSON: It would be -- it would
24 discuss the process that would be used by the
25 entity that we selected.

1 MR. CARAS: And would it include key
2 provisions like the parks that would like to
3 approve the --

4 MR. ABRAMSON: Absolutely, absolutely,
5 yes.

6 MR. CARAS: Okay. Thank you.

7 CHAIR: Any other questions or statements?
8 Then will a member please make a motion to move
9 this item.

10 MS. CANTOR: So moved.

11 CHAIR: Will another member please second?

12 MS. CANTLO-COCKFIELD: Second.

13 CHAIR: Will the clerk take the vote.

14 THE CLERK: Mayor?

15 CHAIR: Yes.

16 THE CLERK: Office of the Mayor?

17 MR. FURNAS: Yes.

18 THE CLERK: Corporation Counsel?

19 MS. CANTOR: Yes.

20 THE CLERK: Office of Management and
21 Budget?

22 MS. QUINTIAN: Yes.

23 THE CLERK: On behalf of the presidents,
24 President of the Borough of Manhattan?

25 MR. CARAS: Yes.

1 THE CLERK: Calendar item no. 1,
2 resolution is adopted.

3 CHAIR: Will the clerk please call the
4 second calendar item.

5 THE CLERK: New York City Department of
6 Transportation, calendar item no. 2:

7 In the matter of the intent to seek
8 "Franchise and Concession Review Committee"
9 approval to utilize a different procedure,
10 pursuant to §section: 1-16 of the Concession
11 Rules of the City of New York, to enter into a
12 sole source license agreement with the Fashion
13 Center District Management Association
14 Incorporated, doing business as: the Garment
15 District Alliance, to provide for the
16 operation, management, and maintenance of a
17 pedestrian plaza located at Broadway between
18 West 36th Street and West 41st Street in
19 Manhattan.

20 CHAIR: Does any member have any
21 statements or questions on this?

22 If not, will a member please make a motion
23 to move the item.

24 MR. CARAS: So moved.

25 CHAIR: Will another member please second

1 the motion.

2 MR. FURNAS: Second.

3 CHAIR: Will the clerk please take the
4 vote.

5 THE CLERK: Mayor?

6 CHAIR: Yes.

7 THE CLERK: Office of the Mayor?

8 MR. FURNAS: Yes.

9 THE CLERK: Comptroller?

10 MS. CONOVITZ: Yes.

11 THE CLERK: Corporation Counsel?

12 MS. CANTOR: Yes.

13 THE CLERK: Office of Management and
14 Budget?

15 MS. QUINTIAN: Yes.

16 THE CLERK: On behalf of the borough
17 presidents, President of the Borough of
18 Manhattan?

19 MR. CARAS: Yes.

20 THE CLERK: Calendar item no. 2,
21 resolution is adopted.

22 CHAIR: Will the clerk please call the
23 third calendar item.

24 THE CLERK: New York City Department of
25 Transportation, Calendar item no. 3:

1 In the matter of the intent to seek
2 "Franchise and Concession Review Committee"
3 approval to utilize a different procedure,
4 pursuant to §section: 1-16 of the Concession
5 Rules of the City of New York, to enter into a
6 sole source license agreement with
7 Flatiron/23rd Street Partnership District
8 Management Association Incorporated to provide
9 for the operation, management, and maintenance
10 of a pedestrian plaza located at Fifth Avenue
11 and Broadway between East 21st and West 26th
12 Streets in the borough of Manhattan.

13 CHAIR: Any statements or questions?

14 If not, will a member please make a motion
15 to move this item.

16 MR. SWISHER: So moved.

17 CHAIR: Will another member please second
18 the motion.

19 MR. CARAS: Second.

20 CHAIR: Will the clerk please call the
21 vote.

22 THE CLERK: Mayor?

23 CHAIR: Yes.

24 THE CLERK: Office the Mayor?

25 MR. FURNAS: Yes.

1 THE CLERK: Comptroller?

2 MS. CONOVITZ: Yes.

3 THE CLERK: Corporation Counsel?

4 MS. CANTOR: Yes.

5 THE CLERK: Office of Management and
6 Budget?

7 MS. QUINTIAN: Yes.

8 THE CLERK: On behalf of the borough
9 president, president of the borough of
10 Manhattan?

11 MR. CARAS: Yes.

12 THE CLERK: Calendar item no. 3,
13 resolution is adopted.

14 CHAIR: Will the clerk please call the
15 fourth calendar item.

16 THE CLERK: New York City Department of
17 Transportation, Calendar item no. 4:

18 In the matter of the intent to seek
19 "Franchise and Concession Review Committee"
20 approval to utilize a different procedure,
21 pursuant to §section: 1-16 of the Concession
22 Rules of the City of New York, to negotiate a
23 sole source license agreement with the
24 Meatpacking District Management Association
25 Incorporated to provide for the operation,

1 management, and maintenance of a pedestrian
2 plaza located at Ninth Avenue between
3 Gansevoort Street and West 15th Street in
4 Manhattan.

5 CHAIR: Any statements or questions?

6 If not, will a member please make a motion
7 to move the items.

8 MS. YOUNG: So moved.

9 CHAIR: Will another member please second.

10 MR. FURNAS: Second.

11 CHAIR: Will the clerk please take the
12 vote.

13 THE CLERK: Mayor?

14 CHAIR: Yes.

15 THE CLERK: Office of the Mayor?

16 MR. FURNAS: Yes.

17 THE CLERK: Comptroller?

18 MS. CONOVITZ: Yes.

19 THE CLERK: Corporation Counsel?

20 MS. CANTOR: Yes.

21 THE CLERK: Office of Management and
22 Budget?

23 MS. QUINTIAN: Yes.

24 THE CLERK: On behalf of the president,
25 president of the borough of Manhattan.

1 MR. CARAS: Yes.

2 THE CLERK: Calendar item no. 4,
3 resolution is adopted.

4 We ask that the reporter make the entire
5 public meeting agenda, which was made publicly
6 available and issued at this meeting, part of
7 the final record of this proceeding. That
8 completes the calendar. Thank you.

9 Meeting adjourned.

10 (Time noted: 2:45 p.m.)

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CERTIFICATE OF NOTARY

STATE OF NEW YORK)

COUNTY OF BRONX)

I, Curtis Williams, a Stenotype Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify that the within FCRC public meeting, was held before me, and I faithfully and impartially recorded stenographically the questions, answers, and colloquy.

I further certify that after said examination was recorded stenographically by me, it was reduced to typewriting under my supervision, and I hereby submit that the within contents of said examination are true and accurate to the best of my ability.

I further certify that I am not a relative nor an attorney for any of the parties connected with the aforesaid examination, nor am I otherwise interested in the testimony of the witness.


Curtis Williams

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PUBLIC MEETING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

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

22 READE 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 meeting should contact MOCS at least three (3) business days in advance of the meeting to ensure availability. 

*Franchise and Concession Review Committee Public Meeting
Wednesday, November 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 negotiate a Sole Source License Agreement with City Parks Foundation for the naming rights of the SummerStage festival, primarily based in Central Park, Manhattan. Be it further resolved, that Parks shall submit the Agreement it proposes to enter into with City Parks Foundation to the Franchise and Concession Review Committee for approval.

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

NEW YORK CITY DEPARTMENT OF TRANSPORTATION

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 enter into a Sole Source License Agreement ("Agreement") with the Fashion Center District Management Association, Inc., doing business as the Garment District Alliance ("GDA"), to provide for the operation, management, and maintenance of a pedestrian plaza located at Broadway between West 36th Street and West 41st Street in Manhattan ("Licensed Plaza"), including through DOT-approved events, sponsorships, and subconcessions, including but not limited to providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that promotes the neighborhood or GDA, and other similar merchandise within the Licensed Plaza. Subconcessions would be awarded based on solicitations issued by GDA in the basic form of a Request for Proposals or Request for Bids, subject to DOT's prior written approval of both solicitation and award. The Agreement provides for one (1) six-month term, commencing upon

written Notice to Proceed, with up to three (3) five-year renewal options, exercisable at the sole discretion of DOT. GDA will be required to invest any revenue generated by this concession into the maintenance and/or repair, including reasonable administrative costs, of the Licensed Plaza. Manhattan.

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

NEW YORK CITY DEPARTMENT OF TRANSPORTATION

No. 3: **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 enter into a Sole Source License Agreement (“Agreement”) with the Flatiron/23rd Street Partnership District Management Association, Inc. (“Flatiron BID”) to provide for the operation, management, and maintenance of a pedestrian plaza located at 5th Avenue and Broadway between East 21st and West 26th Streets, in the borough of Manhattan (“Licensed Plaza”), including through DOT-approved events, sponsorships, and subconcessions, including but not limited to providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that promotes the neighborhood or Flatiron BID, and other similar merchandise within the Licensed Plaza. Subconcessions would be awarded based on solicitations issued by Flatiron BID in the basic form of a Request for Proposals or Request for Bids, subject to DOT’s prior written approval of both solicitation and award. The Agreement provides for one (1) six-month term, commencing upon written Notice to Proceed, with up to three (3) five-year renewal options, exercisable at the sole discretion of DOT. Flatiron BID will be required to invest any revenue generated by this concession into the maintenance and/or repair, including reasonable administrative costs, of the Licensed Plaza.

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

NEW YORK CITY DEPARTMENT OF TRANSPORTATION

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 negotiate a Sole Source License Agreement (“Agreement”) with the Meatpacking District Management Association, Inc., (“Meatpacking BID”) to provide for the operation, management and maintenance of a pedestrian plaza located at 9th Avenue between Gansevoort Street and West 15th Street in Manhattan (“Licensed Plaza”), including through DOT-approved events, sponsorships, and subconcessions, including but not limited to providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that promotes the neighborhood or Meatpacking BID, and other similar merchandise within the Licensed Plaza. Subconcessions would be awarded based on solicitations issued by Meatpacking BID in the basic

form of Request for Proposals or Request for Bids, subject to DOT's prior written approval of both solicitation and award. Be it further resolved that DOT shall submit the Agreement it proposes to enter into with Meatpacking BID to the FCRC for approval.

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