

Franchise and Concession Review Committee Public Meeting  
May 8, 2019

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PUBLIC MEETING  
FRANCHISE AND CONCESSION REVIEW COMMITTEE  
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22 Reade Street, Spector Hall  
Wednesday, May 8, 2019  
2:42 p.m.

James Tetta  
Court Reporter

Franchise and Concession Review Committee Public Meeting  
May 8, 2019

1 APPEARANCES:

2 Mayor:  
Peter Hatch

3 Clerk:  
4 Gregg Alleyne

5 Office of the Mayor:  
Benjamin Furnas

6 Corporation Counsel:  
7 Sharon Cantor

8 Office of Management and Budget:  
Yvonne Quintian

9 Comptroller:  
10 Jennifer Conovitz

11 Borough President of Manhattan:  
Rosaura Mendez

12 Borough President of Brooklyn:  
13 Tonya Cantlo-Cockfield

14 Borough President of Queens:  
Allan Swisher

15 Borough President of Staten Island:  
16 Lashay Young

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Franchise and Concession Review Committee Public Meeting  
May 8, 2019

1 MR. HATCH: Good afternoon and thank  
2 you all for being here. The Franchise  
3 and Concession Review Committee Public  
4 Meeting will now come to order.

5 Will the clerk please call the roll?

6 THE CLERK: Mayor?

7 MR. HATCH: 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, Borough of  
18 the Bronx?

19 (No response.)

20 THE CLERK: Please let the record  
21 reflect that the President, Borough of  
22 the Bronx is not present.

23 President, Borough of Brooklyn?

24 MS. CANTLO-COCKFIELD: Here.

25 THE CLERK: President, Borough of

1 Manhattan?

2 MS. MENDEZ: Here.

3 THE CLERK: President, Borough of  
4 Queens?

5 MR. SWISHER: Here.

6 THE CLERK: President, Borough of  
7 Staten Island?

8 MS. YOUNG: Here.

9 MR. HATCH: Will the clerk please  
10 call the first calendar item?

11 THE CLERK: New York City Department  
12 of Citywide Administrative Services,  
13 Calendar Item Number 1: In the matter  
14 of the intent to award as a sole source  
15 concession the operation of dry boat  
16 storage, docking of no more than eight  
17 jet skis, and business accessory parking  
18 in the Borough of Brooklyn to Emmons  
19 Avenue Marina, LLC, for a retroactive  
20 three-year term commencing on April 15,  
21 2015.

22 Please be advised that at the  
23 request of the agency this item will be  
24 held over to the June 12, 2019 FCRC  
25 Public Meeting which will take place in

1 the Spector Hall of 22 Reade Street,  
2 Manhattan at 2:30 p.m. Any change to  
3 this schedule which will result in a  
4 public meeting being scheduled prior to  
5 the June 12th FCRC Public Meeting will  
6 be reflected in the City Record and in  
7 newspapers as required by Section 104 of  
8 the Open Meetings Law.

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

11 THE CLERK: New York City Department  
12 of Transportation, Calendar Item Number  
13 Two: In the matter of the intent to  
14 award as a concession a Sole Source  
15 License Agreement to the Meatpacking  
16 District Management Association Inc., to  
17 provide for the operation, management,  
18 and maintenance of pedestrian plazas  
19 located in the Borough of Manhattan, for  
20 a fifteen-year six-month term.

21 Please be advised that at the  
22 request of the agency this item will be  
23 held over to the June 12, 2019 FCRC  
24 Public Meeting which will take place in  
25 the Spector Hall of 22 Reade Street,

1 Manhattan at 2:30 p.m. Any change to  
2 this schedule which will result in a  
3 public meeting being scheduled prior to  
4 the June 12th FCRC Public Meeting will  
5 be reflected in the City Record and in  
6 newspapers as required by Section 104 of  
7 the Open Meetings Law.

8 MR. HATCH: Will the clerk please  
9 call the third calendar item?

10 THE CLERK: New York City Department  
11 of Transportation Item Number Three: In  
12 the matter of the intent to award as a  
13 concession of a Sole Source License  
14 Agreement to the 34th Street  
15 Partnership, Inc., to provide for the  
16 operation, management, and maintenance  
17 of a pedestrian plaza located on  
18 Broadway and 6th Avenue between West  
19 32nd and West 36th Streets, in the  
20 Borough of Manhattan.

21 The Partnership will be required to  
22 invest any revenue generated by this  
23 concession into the maintenance and/or  
24 repair, including reasonable  
25 administrative costs of the licensed

1 plaza. The license will provide for one  
2 one-year term, commencing upon written  
3 Notice to Proceed, which may be renewed  
4 for up to three additional five-year  
5 terms, exercisable at the sole  
6 discretion of DOT.

7 MR. HATCH: Is there a member who  
8 wishes to make a statement or ask a  
9 question on this matter?

10 MS. CONOVITZ: Thank you.

11 We recommend that DOT closely review  
12 the work of the 34th Street partnership  
13 insuring that internal controls are in  
14 place. Including that written contracts  
15 are in place with independent  
16 contractors, vendors, and event  
17 sponsors. And that DOT, otherwise call  
18 and monitor the management of  
19 maintenance of the pedestrian plaza.

20 MR. HATCH: Thank you.

21 Any other members?

22 (No response.)

23 MR. HATCH: If not, will a member  
24 please make a motion to move this item?

25 MS. CANTOR: So moved.

1 MR. HATCH: Will another member  
2 please second the motion?

3 MS. CANTLO-COCKFIELD: Second.

4 MR. HATCH: Will the clerk please  
5 take the vote?

6 THE CLERK: Mayor?

7 MR. HATCH: Yes.

8 THE CLERK: Office of the Mayor?

9 MR. FURNAS: Yes.

10 THE CLERK: Comptroller?

11 MS. CONOVITZ: Yes.

12 THE CLERK: Corporation Counsel?

13 MS. CANTOR: Yes.

14 THE CLERK: Office of Management and  
15 Budget?

16 MS. QUINTIAN: Yes.

17 THE CLERK: On behalf of the Borough  
18 Presidents, President Borough of  
19 Manhattan?

20 MS. MENDEZ: Yes.

21 THE CLERK: Calendar Item Number  
22 Three, resolution is adopted.

23 MR. HATCH: Will the clerk please  
24 call the fourth calendar item?

25 THE CLERK: New York City Department

1 of Transportation Calendar Item Number  
2 Four: In the matter of the intent to  
3 award as a concession a Sole Source  
4 License Agreement to the 34th Street  
5 Partnership, Inc., to provide for the  
6 operation, management, and maintenance  
7 of a pedestrian plaza located at West  
8 33rd Street between 7th Avenue and 8th  
9 Avenue, in the Borough of Manhattan.  
10 The Partnership will be required to  
11 invest any revenue generated by this  
12 concession into the maintenance and/or  
13 repair. Including reasonable  
14 administrative costs of the licensed  
15 plaza. The license will provide for one  
16 one-year term, commencing upon written  
17 Notice to Proceed, which may be renewed  
18 for up to three additional five-year  
19 terms, exercisable at the sole  
20 discretion of DOT.

21 MR. HATCH: Is there any member who  
22 wishes to make a statement or ask a  
23 question?

24 MS. CONOVITZ: Yes. Thank you.

25 I just want to reiterate our

1            recommendations, with respect to the  
2            other plaza is equally the same with  
3            respect as this plaza. And we, again,  
4            recommend that DOT closely review the  
5            work of the 34th Street partnership.

6            MR. HATCH: Thank you.

7            Any other questions or statements?

8            (No response.)

9            MR. HATCH: If not, will a member  
10           please make a motion to move this item?

11           MS. CANTOR: So moved.

12           MR. HATCH: Will another member  
13           please second the motion?

14           MR. SWISHER: Second.

15           MR. HATCH: Will the clerk please  
16           take the vote?

17           THE CLERK: Mayor?

18           MR. HATCH: Yes.

19           THE CLERK: Office of the Mayor?

20           MR. FURNAS: Yes.

21           THE CLERK: Comptroller?

22           MS. CONOVITZ: Yes.

23           THE CLERK: Corporation Counsel?

24           MS. CANTOR: Yes.

25           THE CLERK: Office of Management and

1 Budget?

2 MS. QUINTIAN: Yes.

3 THE CLERK: On behalf of the borough  
4 presidents, President Borough of  
5 Manhattan?

6 MS. MENDEZ: Yes.

7 THE CLERK: Calendar item number  
8 four, resolution is adopted.

9 MR. HATCH: Will the clerk please  
10 call the fifth calendar item?

11 THE CLERK: New York City Department  
12 of Small Business Services Item Number  
13 Five: In the matter of the intent to  
14 seek Franchise and Concession Review  
15 Committee approval to utilize a  
16 different procedure to negotiate a sole  
17 source license agreement with Nike, Inc.  
18 for the non-exclusive use of city-owned  
19 trademarks on merchandise.

20 MR. HATCH: Is there a member who  
21 wishes to make a statement or ask a  
22 question on this matter?

23 (No response.)

24 MR. HATCH: If not, will a member  
25 please make a motion to move this item?

1 MS. CANTOR: So moved.

2 MR. HATCH: Will another member  
3 please second the motion?

4 MR. FURNAS: Second.

5 MR. HATCH: Will the clerk please  
6 take the vote?

7 THE CLERK: Mayor?

8 MR. HATCH: Yes.

9 THE CLERK: Office of the Mayor?

10 MR. FURNAS: Yes.

11 THE CLERK: Comptroller?

12 MS. CONOVITZ: Yes.

13 THE CLERK: Corporation Counsel?

14 MS. CANTOR: Yes.

15 THE CLERK: Office of Management and  
16 Budget?

17 MS. QUINTIAN: Yes.

18 THE CLERK: On behalf of the borough  
19 presidents, President Borough of Queens?

20 MR. SWISHER: Yes.

21 THE CLERK: Calendar item number  
22 five, resolution is adopted.

23 MR. HATCH: Will the clerk please  
24 call the sixth calendar item?

25 THE CLERK: New York City Department

1 of Small Business Services Item Number  
2 Six: In the matter of the intent to  
3 seek Franchise and Concession Review  
4 Committee approval to utilize a  
5 different procedure to negotiate a Sole  
6 Source Concession with the New York City  
7 Economic Development Corporation for the  
8 enhancement and activation of a portion  
9 of former streets consisting of sections  
10 of Fulton Street, Water Street, and  
11 Front Street, generally bounded by South  
12 Street, John Street, Water Street, Pearl  
13 Street, Beekman Street, located in the  
14 South Street Seaport Special District,  
15 Borough of Manhattan.

16 MR. HATCH: Is there a member who  
17 wishes to make a statement or ask a  
18 question on this matter?

19 (No response.)

20 MR. HATCH: If not, will a member  
21 please make a motion to move this item?

22 MS. CANTOR: So moved.

23 MR. HATCH: Will another member  
24 second the motion?

25 MS. MENDEZ: Second.

1 MR. HATCH: Will the clerk please  
2 take the vote?

3 THE CLERK: Mayor?

4 MR. HATCH: Yes.

5 THE CLERK: Office of the Mayor?

6 MR. FURNAS: Yes.

7 THE CLERK: Comptroller?

8 MS. CONOVITZ: Yes.

9 THE CLERK: Corporation Counsel?

10 MS. CANTOR: Yes.

11 THE CLERK: Office of Management and  
12 Budget?

13 MS. QUINTIAN: Yes.

14 THE CLERK: On behalf of the borough  
15 presidents, President Borough of  
16 Manhattan?

17 MS. MENDEZ: Yes.

18 THE CLERK: Calendar item number  
19 six, resolution is adopted.

20 We ask that the reporter make the  
21 entire public meeting agenda, which was  
22 made publicly available and distributed  
23 at this meeting, part of the final  
24 record of this proceeding. That  
25 completes the Calendar.

1 MR. HATCH: Thank you. Meeting  
2 adjourned.

3 (Time noted: 2:51 p.m.)  
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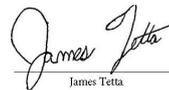
C E R T I F I C A T E  
STATE OF NEW YORK)  
: ss  
COUNTY OF NASSAU)

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 8th day of May, 2019.



James Tetta

<b>12th</b> 5:5 6:4	<b>andor</b> 6:23 9:12	<b>bronx</b> 3:18,22	,11,14,18 (56)	<b>department</b> 4:11 5:11 6:10 8:25 11:11 12:25 (6)
<b>32nd</b> 6:19	<b>another</b> 8:1 10:12 12:2 13:23 (4)	<b>brooklyn</b> 2:12 3:23 4:18	<b>closely</b> 7:11 10:4	<b>development</b> 13:7
<b>33rd</b> 9:8	<b>appearances</b> 2:1	<b>budget</b> 2:8 3:15 8:15 11:1 12:16 14:12 (6)	<b>come</b> 3:4	<b>different</b> 11:16 13:5
<b>34th</b> 6:14 7:12 9:4 10:5 (4)	<b>approval</b> 11:15 13:4	<b>business</b> 4:17 11:12 13:1	<b>commencing</b> 4:20 7:2 9:16	<b>discretion</b> 7:6 9:20
<b>36th</b> 6:19	<b>april</b> 4:20	<b>c</b> 16:1,1	<b>committee</b> 1:3 3:3 11:15 13:4 (4)	<b>distributed</b> 14:22
<b>6th</b> 6:18	<b>ask</b> 7:8 9:22 11:21 13:17 14:20 (5)	<b>calendar</b> 4:10,13 5:10,12 6:9 8:21,24 9:1 11:7,10 12:21,24 14:18,25 (14)	<b>completes</b> 14:25	<b>district</b> 5:16 13:14
<b>7th</b> 9:8	<b>association</b> 5:16	<b>call</b> 3:5 4:10 5:10 6:9 7:17 8:24 11:10 12:24 (8)	<b>comptroller</b> 2:9 3:10 8:10 10:21 12:11 14:7 (6)	<b>docking</b> 4:16
<b>8th</b> 9:8 16:18	<b>available</b> 14:22	<b>cantlocockfield</b> 2:13 3:24 8:3	<b>concession</b> 1:3 3:3 4:15 5:14 6:13,23 9:3,12 11:14 13:3,6 (11)	<b>dot</b> 7:6,11,17 9:20 10:4 (5)
<b>accessory</b> 4:17	<b>avenue</b> 4:19 6:18 9:8,9 (4)	<b>cantor</b> 2:7 3:13 7:25 8:13 10:11,24 12:1,14 13:22 14:10 (10)	<b>conovitz</b> 2:10 3:11 7:10 8:11 9:24 10:22 12:12 14:8 (8)	<b>dry</b> 4:15
<b>action</b> 16:14	<b>award</b> 4:14 5:14 6:12 9:3 (4)	<b>certify</b> 16:8,13	<b>consisting</b> 13:9	<b>duly</b> 16:10
<b>activation</b> 13:8	<b>beekman</b> 13:13	<b>change</b> 5:2 6:1	<b>contractors</b> 7:16	<b>economic</b> 13:7
<b>additional</b> 7:4 9:18	<b>behalf</b> 8:17 11:3 12:18 14:14 (4)	<b>city</b> 4:11 5:6,11 6:5,10 8:25 11:11 12:25 13:6 (9)	<b>contracts</b> 7:14	<b>eight</b> 4:16
<b>adjourned</b> 15:2	<b>being</b> 3:2 5:4 6:3	<b>cityowned</b> 11:18	<b>controls</b> 7:13	<b>emmons</b> 4:18
<b>administrative</b> 4:12 6:25 9:14	<b>benjamin</b> 2:5	<b>citywide</b> 4:12	<b>corporation</b> 2:6 3:12 8:12 10:23 12:13 13:7 14:9 (7)	<b>enhancement</b> 13:8
<b>adopted</b> 8:22 11:8 12:22 14:19 (4)	<b>between</b> 6:18 9:8	<b>clerk</b> 2:3 3:5,6,8, 10,12,14,17,20,25 4:3,6,9,11 5:9,11 6:8,10 8:4,6,8,10,1 2,14,17,21,23,25 1 0:15,17,19,21,23,2 5 11:3,7,9,11 12:5, 7,9,11,13,15,18,21 ,23,25 14:1,3,5,7,9	<b>costs</b> 6:25 9:14	<b>entire</b> 14:21
<b>advised</b> 4:22 5:21	<b>blood</b> 16:14		<b>contracts</b> 7:14	<b>equally</b> 10:2
<b>afternoon</b> 3:1	<b>boat</b> 4:15		<b>controls</b> 7:13	<b>event</b> 7:16
<b>again</b> 10:3	<b>borough</b> 2:11,12,14,15 3:17,21,23,25 4:3,6,18 5:19 6:20 8:17,18 9:9 11:3,4 12:18,19 13:15 14:14,15 (23)		<b>costs</b> 6:25 9:14	<b>examination</b> 16:9,11
<b>agency</b> 4:23 5:22	<b>bounded</b> 13:11		<b>counsel</b> 2:6 3:12 8:12 10:23 12:13 14:9 (6)	<b>exercisable</b> 7:5 9:19
<b>agenda</b> 14:21	<b>broadway</b> 6:18		<b>county</b> 16:4	<b>fcrc</b> 4:24 5:5,23 6:4 (4)
<b>agreement</b> 5:15 6:14 9:4 11:17 (4)			<b>court</b> 1:23	<b>fifteenyear</b> 5:20
<b>allan</b> 2:14			<b>day</b> 16:18	
<b>alleyne</b> 2:4				
<b>am</b> 16:13,15				

<b>fifth</b> 11:10	13:16,20,23 14:1,4 15:1 (32)	<b>june</b> 4:24 5:5,23 6:4 (4)	<b>may</b> 1:8 7:3 9:17 16:18 (4)	14:8,10,13,17 (29)
<b>final</b> 14:23	<b>hearing</b> 1:2	<b>just</b> 9:25	<b>mayor</b> 2:2,5 3:6,8 8:6,8 10:17,19 12:7,9 14:3,5 (12)	<b>my</b> 16:17
<b>first</b> 4:10	<b>held</b> 4:24 5:23	<b>lashay</b> 2:16	<b>meatpacking</b> 5:15	<b>nassau</b> 16:4
<b>five</b> 11:13 12:22	<b>hereby</b> 16:7	<b>law</b> 5:8 6:7	<b>meeting</b> 3:4 4:25 5:4,5,24 6:3,4 14:21,23 15:1 (10)	<b>negotiate</b> 11:16 13:5
<b>fiveyear</b> 7:4 9:18	<b>hereinbefore</b> 16:10	<b>let</b> 3:20	<b>meetings</b> 5:8 6:7	<b>new</b> 4:11 5:11 6:10 8:25 11:11 12:25 13:6 16:2,7 (9)
<b>former</b> 13:9	<b>hereunto</b> 16:17	<b>license</b> 5:15 6:13 7:1 9:4,15 11:17 (6)	<b>member</b> 7:7,23 8:1 9:21 10:9,12 11:20,24 12:2 13:16,20,23 (12)	<b>newspapers</b> 5:7 6:6
<b>forth</b> 16:10	<b>inc</b> 5:16 6:15 9:5 11:17 (4)	<b>licensed</b> 6:25 9:14	<b>members</b> 7:21	<b>nike</b> 11:17
<b>four</b> 9:2 11:8	<b>including</b> 6:24 7:14 9:13	<b>llc</b> 4:19	<b>mendez</b> 2:11 4:2 8:20 11:6 13:25 14:17 (6)	<b>no</b> 3:19 4:16 7:22 10:8 11:23 13:19 (6)
<b>fourth</b> 8:24	<b>independent</b> 7:15	<b>located</b> 5:19 6:17 9:7 13:13 (4)	<b>merchandise</b> 11:19	<b>nonexclusive</b> 11:18
<b>franchise</b> 1:3 3:2 11:14 13:3 (4)	<b>insuring</b> 7:13	<b>made</b> 14:22	<b>monitor</b> 7:18	<b>notary</b> 16:6
<b>front</b> 13:11	<b>intent</b> 4:14 5:13 6:12 9:2 11:13 13:2 (6)	<b>maintenance</b> 5:18 6:16,23 7:19 9:6,12 (6)	<b>more</b> 4:16	<b>noted</b> 15:3
<b>fulton</b> 13:10	<b>interested</b> 16:16	<b>make</b> 7:8,24 9:22 10:10 11:21,25 13:17,21 14:20 (9)	<b>motion</b> 7:24 8:2 10:10,13 11:25 12:3 13:21,24 (8)	<b>notice</b> 7:3 9:17
<b>furnas</b> 2:5 3:9 8:9 10:20 12:4,10 14:6 (7)	<b>internal</b> 7:13	<b>management</b> 2:8 3:14 5:16,17 6:16 7:18 8:14 9:6 10:25 12:15 14:11 (11)	<b>move</b> 7:24 10:10 11:25 13:21 (4)	<b>now</b> 3:4
<b>further</b> 16:13	<b>into</b> 6:23 9:12	<b>manhattan</b> 2:11 4:1 5:2,19 6:1,20 8:19 9:9 11:5 13:15 14:16 (11)	<b>moved</b> 7:25 10:11 12:1 13:22 (4)	<b>number</b> 4:13 5:12 6:11 8:21 9:1 11:7,12 12:21 13:1 14:18 (10)
<b>generally</b> 13:11	<b>invest</b> 6:22 9:11	<b>marina</b> 4:19	<b>ms</b> 3:11,13,16,24 4:2,8 7:10,25 8:3,11,13,16,20 9:24 10:11,22,24 11:2,6 12:1,12,14,17 13:22,25	<b>office</b> 2:5,8 3:8,14 8:8,14 10:19,25 12:9,15 14:5,11 (12)
<b>generated</b> 6:22 9:11	<b>island</b> 2:15 4:7	<b>marriage</b> 16:15		<b>one</b> 7:1 9:15
<b>given</b> 16:12	<b>item</b> 4:10,13,23 5:10,12,22 6:9,11 7:24 8:21,24 9:1 10:10 11:7,10,12,25 12:21,24 13:1,21 14:18 (22)	<b>matter</b> 4:13 5:13 6:12 7:9 9:2 11:13,22 13:2,18 16:16 (10)		<b>oneyear</b> 7:2 9:16
<b>good</b> 3:1	<b>james</b> 1:23 16:6			<b>open</b> 5:8 6:7
<b>gregg</b> 2:4	<b>jennifer</b> 2:10			<b>operation</b> 4:15 5:17 6:16 9:6 (4)
<b>hall</b> 1:22 5:1,25	<b>jet</b> 4:17			
<b>hand</b> 16:18	<b>john</b> 13:12			

<b>order</b> 3:4	12:19 14:15 (14)	<b>reflected</b> 5:6 6:5	13:24,25 (9)	<b>staten</b> 2:15 4:7
<b>other</b> 7:21 10:2,7	<b>presidents</b> 8:18 11:4 12:19 14:15 (4)	<b>reiterate</b> 9:25	<b>section</b> 5:7 6:6	<b>storage</b> 4:16
<b>otherwise</b> 7:17	<b>prior</b> 5:4 6:3	<b>related</b> 16:13	<b>sections</b> 13:9	<b>street</b> 1:22 5:1,25 6:14 7:12 9:4,8 10:5 13:10,10,11,1 2,12,12,13,13,14 (17)
<b>outcome</b> 16:16	<b>procedure</b> 11:16 13:5	<b>renewed</b> 7:3 9:17	<b>seek</b> 11:14 13:3	<b>streets</b> 6:19 13:9
<b>over</b> 4:24 5:23	<b>proceed</b> 7:3 9:17	<b>repair</b> 6:24 9:13	<b>services</b> 4:12 11:12 13:1	<b>such</b> 16:11,12
<b>parking</b> 4:17	<b>proceeding</b> 14:24	<b>reporter</b> 1:23 14:20	<b>set</b> 16:10,17	<b>swisher</b> 2:14 4:5 10:14 12:20 (4)
<b>part</b> 14:23	<b>provide</b> 5:17 6:15 7:1 9:5,15 (5)	<b>request</b> 4:23 5:22	<b>sharon</b> 2:7	<b>sworn</b> 16:10
<b>parties</b> 16:14	<b>public</b> 1:2 3:3 4:25 5:4,5,24 6:3,4 14:21 16:6 (10)	<b>required</b> 5:7 6:6,21 9:10 (4)	<b>signature</b> 16:22	<b>take</b> 4:25 5:24 8:5 10:16 12:6 14:2 (6)
<b>partnership</b> 6:15,21 7:12 9:5,10 10:5 (6)	<b>publicly</b> 14:22	<b>resolution</b> 8:22 11:8 12:22 14:19 (4)	<b>six</b> 13:2 14:19	<b>term</b> 4:20 5:20 7:2 9:16 (4)
<b>pearl</b> 13:12	<b>queens</b> 2:14 4:4 12:19	<b>respect</b> 10:1,3	<b>sixmonth</b> 5:20	<b>terms</b> 7:5 9:19
<b>pedestrian</b> 5:18 6:17 7:19 9:7 (4)	<b>question</b> 7:9 9:23 11:22 13:18 (4)	<b>response</b> 3:19 7:22 10:8 11:23 13:19 (5)	<b>sixth</b> 12:24	<b>testimony</b> 16:12
<b>peter</b> 2:2	<b>questions</b> 10:7	<b>result</b> 5:3 6:2	<b>skis</b> 4:17	<b>tetta</b> 1:23 16:6
<b>place</b> 4:25 5:24 7:14,15 (4)	<b>quintian</b> 2:8 3:16 8:16 11:2 12:17 14:13 (6)	<b>retroactive</b> 4:19	<b>small</b> 11:12 13:1	<b>than</b> 4:16
<b>plaza</b> 6:17 7:1,19 9:7,15 10:2,3 (7)	<b>reade</b> 1:22 5:1,25	<b>revenue</b> 6:22 9:11	<b>sole</b> 4:14 5:14 6:13 7:5 9:3,19 11:16 13:5 (8)	<b>thank</b> 3:1 7:10,20 9:24 10:6 15:1 (6)
<b>plazas</b> 5:18	<b>reasonable</b> 6:24 9:13	<b>review</b> 1:3 3:3 7:11 10:4 11:14 13:3 (6)	<b>source</b> 4:14 5:14 6:13 9:3 11:17 13:6 (6)	<b>these</b> 16:14
<b>please</b> 3:5,20 4:9,22 5:9,21 6:8 7:24 8:2,4,23 10:10,13,15 11:9,25 12:3,5,23 13:21 14:1 (21)	<b>recommend</b> 7:11 10:4	<b>roll</b> 3:5	<b>south</b> 13:11,14	<b>third</b> 6:9
<b>pm</b> 1:2 5:2 6:1 15:3 (4)	<b>recommendation</b> s 10:1	<b>rosaura</b> 2:11	<b>special</b> 13:14	<b>three</b> 6:11 7:4 8:22 9:18 (4)
<b>portion</b> 13:8	<b>record</b> 3:20 5:6 6:5 14:24 16:11 (5)	<b>same</b> 10:2	<b>spector</b> 1:22 5:1,25	<b>threeyear</b> 4:20
<b>present</b> 3:22	<b>reflect</b> 3:21	<b>schedule</b> 5:3 6:2	<b>sponsors</b> 7:17	<b>time</b> 15:3
<b>president</b> 2:11,12,14,15 3:17,21,23,25 4:3,6 8:18 11:4		<b>scheduled</b> 5:4 6:3	<b>ss</b> 16:3	<b>tonya</b> 2:13
		<b>seaport</b> 13:14	<b>state</b> 16:2,7	<b>trademarks</b> 11:19
		<b>second</b> 5:10 8:2,3 10:13,14 12:3,4	<b>statement</b> 7:8 9:22 11:21 13:17 (4)	
			<b>statements</b> 10:7	

<p><b>transportation</b> 5:12 6:11 9:1</p> <p><b>true</b> 16:11</p> <p><b>two</b> 5:13</p> <p><b>up</b> 7:4 9:18</p> <p><b>upon</b> 7:2 9:16</p> <p><b>use</b> 11:18</p> <p><b>utilize</b> 11:15 13:4</p> <p><b>vendors</b> 7:16</p> <p><b>vote</b> 8:5 10:16 12:6 14:2 (4)</p> <p><b>want</b> 9:25</p> <p><b>water</b> 13:10,12</p> <p><b>way</b> 16:15</p> <p><b>west</b> 6:18,19 9:7</p> <p><b>whereof</b> 16:17</p> <p><b>which</b> 4:25 5:3,24 6:2 7:3 9:17 14:21 (7)</p> <p><b>who</b> 7:7 9:21 11:20 13:16 (4)</p> <p><b>whose</b> 16:9</p> <p><b>will</b> 3:4,5 4:9,23,25 5:3,5,9,22,24 6:2,4,8,21 7:1,23 8:1,4,23 9:10,15 10:9,12,15 11:9,24 12:2,5,23 13:20,23 14:1 (32)</p> <p><b>wishes</b> 7:8 9:22 11:21 13:17 (4)</p> <p><b>within</b> 16:6</p>	<p><b>witness</b> 16:9,12,17</p> <p><b>work</b> 7:12 10:5</p> <p><b>written</b> 7:2,14 9:16</p> <p><b>x</b> 1:1,4</p> <p><b>yes</b> 8:7,9,11,13,16,20 9:24 10:18,20,22,24 11:2,6 12:8,10,12, 14,17,20 14:4,6,8,10,13,17 (25)</p> <p><b>york</b> 4:11 5:11 6:10 8:25 11:11 12:25 13:6 16:2,7 (9)</p> <p><b>young</b> 2:16 4:8</p> <p><b>yvonne</b> 2:8</p> <p><b>230</b> 5:2 6:1</p> <p><b>251</b> 15:3</p> <p><b>2015</b> 4:21</p> <p><b>2019</b> 1:8 4:24 5:23 16:18 (4)</p>			
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**PUBLIC MEETING**

**FRANCHISE AND CONCESSION REVIEW COMMITTEE**

**WEDNESDAY, MAY 8<sup>th</sup>, 2019 @ 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](mailto: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 Joint Public Meeting  
Wednesday, May 8, 2019 @ 2:30 P.M.*

**NEW YORK CITY DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES**

**No. 1:**        **IN THE MATTER** of the intent to award as a sole source concession the operation of dry boat storage, docking of no more than 8 jet skis, and business accessory parking, consisting of approximately 52,940 square feet of uplands and 1,135 square feet of lands under water property identified as Block 8844, Lot 50, in the Borough of Brooklyn to Emmons Avenue Marina, LLC. The Occupancy Permit provides for a retroactive term of one-year, commencing on April 15, 2015, and terminating on March 31, 2016 with two (2) one-year renewal options, exercisable at the City's sole discretion, which options have both been exercised. Compensation to the City, as established by a settlement, will be \$119,000 for the first year, \$125,790 for the second year and \$134,295.50 for the third year.

**NEW YORK CITY DEPARTMENT OF TRANSPORTATION**

**No. 2:**        **IN THE MATTER** of the intent to award as a concession a Sole Source License Agreement to the Meatpacking District Management Association, Inc., to provide for the operation, management, and maintenance of pedestrian plazas located at 9th Avenue between Gansevoort Street and West 15th Street, in the borough of Manhattan. Meatpacking 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. The License will provide for one (1) six-month term, commencing upon written Notice to Proceed, which may be renewed for up to three (3) additional five-year terms, exercisable at the sole discretion of DOT.

**NEW YORK CITY DEPARTMENT OF TRANSPORTATION**

**No. 3:**       **IN THE MATTER** of the intent to award as a concession a Sole Source License Agreement to the 34th Street Partnership, Inc., to provide for the operation, management, and maintenance of a pedestrian plaza located on Broadway and 6th Avenue between West 32nd and West 36th Streets, in the borough of Manhattan. The Partnership 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. The License will provide for one (1) one-year term, commencing upon written Notice to Proceed, which may be renewed for up to three (3) additional five-year terms, exercisable at the sole discretion of DOT.

**NEW YORK CITY DEPARTMENT OF TRANSPORTATION**

**No. 4:**       **IN THE MATTER** of the intent to award as a concession a Sole Source License Agreement to the 34th Street Partnership, Inc., to provide for the operation, management, and maintenance of a pedestrian plaza located at West 33rd Street between 7th Avenue and 8th Avenue, in the borough of Manhattan. The Partnership 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. The License will provide for one (1) one-year term, commencing upon written Notice to Proceed, which may be renewed for up to three (3) additional five-year terms, exercisable at the sole discretion of DOT.

**NEW YORK CITY DEPARTMENT OF SMALL BUSINESS SERVICES**

**No. 5:**       **IN THE MATTER** of the intent to seek Franchise and Concession Review Committee approval to utilize a different procedure to negotiate a sole source license agreement with Nike, Inc. for the non-exclusive use of city-owned trademarks on merchandise.

**NEW YORK CITY DEPARTMENT OF SMALL BUSINESS SERVICES**

**No. 6:**       **IN THE MATTER** of the intent to seek Franchise and Concession Review Committee approval to utilize a different procedure to negotiate a Sole Source Concession with the New York City Economic Development Corporation (“NYCEDC”) for the enhancement and activation of a portion of former streets consisting of sections of Fulton Street, Water Street, and Front Street generally bounded by South Street, John Street, Water Street, Pearl Street and Beekman Street (“Former Streets”), located in the South Street Seaport Special District, Borough of Manhattan.